

## FINDINGS

### General Plan/Charter Findings

#### **City Charter Section 556**

In accordance with Charter Section 556, the proposed ordinance is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would facilitate the provision of emergency shelters for persons experiencing homelessness in a timely manner to help alleviate hardship and potential threats to their health and safety that may occur as a result of the shelter crisis.

The City's General Plan includes an overarching goal of preventing and ending homelessness, as well as a number of related objectives and policies around the provision of short-term emergency housing. Specifically, the proposed ordinance is consistent with, and helps to further accomplish the following goals, objectives and policies of the General Plan as set forth below.

#### General Plan Framework Element

*GOAL 4A – An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

*Objective 4.4 – Reduce regulatory and procedural barriers to increase housing production and capacity in appropriate locations.*

#### Housing Element

*GOAL 4 – A City committed to preventing and ending homelessness.*

*Objective 4.1 – Provide an adequate supply of short-term and permanent housing and services throughout the City that are appropriate and meet the specific needs of all persons who are homeless or at risk of homelessness.*

*Policy 4.1.1 – Ensure an adequate supply of emergency and temporary housing for people who are homeless or are at a risk of becoming homeless, including people with disabilities.*

*Policy 4.1.5 – Plan for emergency housing needs that will result from natural or man-made disasters.*

The proposed ordinance meets the intent and purposes of the General Plan in that it clearly reduces regulatory and procedural barriers to the operation and placement of shelters for the homeless when a shelter crisis is declared. The proposed ordinance will provide greater alignment between local zoning code regulations for emergency shelters, and the applicable provisions of State Law, thereby providing for greater certainty for providers who partner with the City to open

and operate emergency shelters. By aligning procedures with state law, the proposed ordinance will help ensure that an adequate supply of emergency and short-term housing can be established for people who are homeless or at risk of experiencing homelessness.

### **City Charter Section 558(b)(2)**

In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance would be in conformity with public necessity, convenience, general welfare and good zoning practice because its measures are needed to ensure adequate emergency shelters can be established during a shelter crisis when quick action is needed most.

### **Urgency Clause Findings**

The City finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: The measures contained in the ordinance are designed to protect those without shelter from the life-threatening impacts related to homelessness, including but not limited to exposure to extreme temperatures, weather conditions, and communicable diseases. The City of Los Angeles is already in the midst of a shelter crisis, with the City Council having formally declared a shelter crisis under California Government Code Section 8698, based on a finding that a significant number of homeless people in Los Angeles are without the ability to obtain shelter, resulting in a threat to their health and safety, and the homeless population continues to grow. In order to address the threat to the health and safety of the homeless there must be an increase in the number of shelters available to the homeless to find refuge.

The proposed ordinance will provide greater alignment between local zoning code regulations for emergency shelters, and the applicable provisions of State Law, thereby providing for greater certainty for providers who partner with the City to open and operate emergency shelters. By aligning procedures with state law, the proposed ordinance will help ensure that an adequate supply of emergency and short-term housing can be established for people who are homeless or at risk of experiencing homelessness.

For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

### **CEQA Findings**

Pursuant to Section 21080(b)(4) of the Public Resources Code and California Environmental Quality Act (CEQA) Guidelines Sections 15061(b)(3) and 15269, the adoption of the proposed ordinance amending LAMC Sections 12.80 and 12.81 is exempt from CEQA.

### **CEQA Guidelines Section 15061(b)(3)**

Adoption of the proposed ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

CEQA Guidelines Section 15061(b)(3) provides that a project is exempt from CEQA if: “The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

The proposed ordinance does not involve any activities that will directly or indirectly alter the environment from its current conditions. The proposed amendments to LAMC Sections 12.80 and 12.81 are procedural and technical in nature, and will ensure that local regulations align with the applicable provisions of State law. There is no potential that the proposed ordinance will result in the creation of additional emergency shelters, as it does not make any changes to existing allowances for emergency shelters. The anticipated result of the proposed ordinance is that temporary emergency shelters will continue to be able to be established, and would not result in any direct or indirect impact to the environment. The provisions will continue to only apply during a declared shelter crisis emergency pursuant to state law. A shelter crisis may be revoked by the Mayor or City Council at any time.

**PRC Section 21080(b)(4) and CEQA Guidelines Section 15269 (Emergency Projects)**

Additionally, approval of the project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269, which provide that emergency projects are exempt from the requirements of CEQA. In particular, this exemption provides that specific actions necessary to prevent or mitigate an emergency are exempt from CEQA.

While it is clear that the proposed ordinance will not have any significant effect on the environment, it is additionally clear that any changes that may occur would only occur during times of extreme need for housing, upon declaration of a shelter crisis emergency pursuant to Government Code Section 8698 et seq. Any potential impacts from the proposed amendments to LAMC Sections 12.80 and 12.81 would therefore be temporary in nature and necessary to mitigate an emergency shelter crisis in the City of Los Angeles.

Therefore, on the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that the adoption of the proposed ordinance is exempt from CEQA. The analysis reflects the lead agency’s independent judgment and analysis. The records upon which this decision is based are with the Planning Department in Room 750, 200 North Spring Street in Los Angeles, California.