

CATEGORICAL EXEMPTION, NEGATIVE DECLARATION and related CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to a proposed Ordinance to amend the Los Angeles Municipal Code (LAMC) to regulate the use of non-primary residences for short-term rentals as Vacation Rentals and to establish related fees and fines.

Recommendations for Council action:

1. DETERMINE, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2019-7046-ND, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; FIND the Negative Declaration reflects the independent judgement and analysis of the City; ADOPT the Negative Declaration; and determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301 (Class 1), and there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of Council.
3. ADOPT the proposed LACPC recommendations, as follows:
 - a. Increase the citywide cap from 3,625 (the equivalent of 0.25 percent of the current housing supply) to the equivalent of 1 percent.
 - b. Change the geographic unit subject to concentration caps from Census tracts to community plan areas, and increase the cap from 0.25 percent to 1 percent.
 - c. Specify that the required 250 feet of separation between Vacation Rental units in Type 1 buildings be per block face.
4. APPROVE the following amendments contained in the Department of City Planning (DCP) staff-report dated October 15, 2020, and AMEND the proposed Ordinance as follows:
 - a. Require the applicants to provide federal tax forms Schedule A or E at the time of applying to ensure the property is a secondary home and not an investment property.
 - b. Modify language stating that *no person or entity may apply for or otherwise operate more than one Vacation Rental at a time in the City to no individual or trust may apply for or otherwise operate more than one Vacation Rental at a time in the City.*
 - c. Reduce the number of nights for vacation rentals from 90 days to 60 days a year.
5. APPROVE the amendments to the proposed Ordinance as recommended by the DCP on November 12, 2020, as follows:

- a. Amend Section 12.22.A.34(b) of the Municipal Code to add a definition for Administrative Guidelines to read, *ADMINISTRATIVE GUIDELINES. The Department of City Planning may promulgate regulations, which may include, but are not limited to, application requirements, interpretations, conditions, reporting requirements, enforcement procedures, and disclosure requirements, to implement the provisions, and consistent with the intent, of this subdivision.*
 - b. Additionally, the DCP recommends including the following provision after the ADMINISTRATIVE GUIDELINES, to include *No Person shall fail to comply with the Administrative Guidelines.*
 - c. Amend Section 12.22.A.34(g)(4) of the Municipal Code to read: *Subject to applicable laws, a Hosting Platform with listings in the City shall provide to the Department of City Planning, on at least a monthly basis, in a format as specified by the City, the Vacation Rental permit number of each listing, the name of the person responsible for each listing, and, for each booking that occurs within the reporting period, the number of days booked. The provisions of this paragraph may also be fulfilled by a Hosting Platform if it complies with the Administrative Guidelines issued by the Director of Planning.*
6. REQUEST the City Attorney to prepare and present an Ordinance, as to form and legality, amending Sections 12.03, 12.22, and 19.01 of the LAMC to regulate the use of non-primary residences for short term rentals as Vacation Rentals, and to establish related fees and fines, as amended by the LACPC and the PLUM Committee, as detailed in recommendations 3 through 5 above.
 7. INSTRUCT the City Administrative Officer in conjunction with the DCP to report in 7 days with projected revenue for the proposed Ordinance, as amended.

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: Yes.

Against:

Bel Air-Beverly Crest Neighborhood Council
South Robertson Neighborhood Council

Summary

At a special meeting held on November 12, 2020, the PLUM Committee considered reports from the LACPC and DCP and a proposed Ordinance relative to amending the LAMC to regulate the use of non-primary residences for short term rentals as Vacation Rentals and to establish related fees and fines. A representative from the DCP provided background on the matter and shared a presentation with Committee members on the matter. After providing an opportunity for public comment, the Committee recommended to approve the recommendations in the reports as amended, as detailed above. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	YES
BLUMENFIELD:	NO
PRICE, JR.:	ABSENT
CEDILLO:	YES
LEE:	YES

LC 11/12/20

-NOT OFFICIAL UNTIL COUNCIL ACTS-