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Deputy Director,
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September 17, 2024

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

6 September 17, 2024

Dear Supervisors:


EDWARD YEN
EXECUTIVE OFFICER

**HEARING ON SHORT-TERM RENTALS TITLE 22 ORDINANCE AMENDMENT
PROJECT NO. PRJ2023-002077-(1-5)
ADVANCE PLANNING CASE NO. RPPL2023-003020-(1-5)
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

The recommended action is the Short-Term Rentals (STR) Title 22 Ordinance Amendment (Ordinance Amendment), which is an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code (County Code) to ensure consistency and facilitate the implementation of the Los Angeles County (County) Short-Term Rentals Ordinance (STR Ordinance) established in Division 3 (STR) of Title 7 (Business Licenses) and adopted by the Board on April 19, 2024. The County Treasurer and Tax Collector (TTC) is the department administering the STR Ordinance and the County's STR Program.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Certify that the Ordinance Amendment is not subject to the California Environmental Quality Act (CEQA) because it is not a project under CEQA, pursuant to section 21065 of the Public Resources Code, Section 15378 of the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. Additionally, it is exempt from CEQA, pursuant to 15061(b) (3) of the CEQA Guidelines because it can be seen with certainty that the action will not have a significant adverse impact on the environment. Finally, even if it can be considered a project under CEQA, it qualifies for a Class 1 Categorical Exemption, pursuant to Section 15301 of the CEQA Guidelines and the County's Environmental Document Reporting Procedures and Guidelines.

2. Indicate its intent to approve the Ordinance Amendment (Advance Planning Case No. RPPL2023003020) as recommended by the Regional Planning Commission (RPC); and
3. Instruct County Counsel to prepare the necessary final documents amending Title 22 of the County Code for the Board's consideration.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On March 19, 2019, the County Board of Supervisors (Board) directed the preparation of an ordinance to regulate STRs in the unincorporated County. The motion aimed to strike a balance between the economic benefits of short term rentals and the negative impacts to housing stock, neighborhood character, and quality of life for residents.

On February 13, 2024, the Board held a public hearing on an ordinance brought by the TTC that incorporates a new Division 3 (Short-Term Rentals Registration) in Title 7 (Business Licenses) of the County Code (the STR Ordinance). The Board directed changes and the STR Ordinance returned to the Board for introduction on March 19, 2024. On April 9, 2024, the Board adopted the STR Ordinance. As part of the adoption, the Board directed the Department of Regional Planning (Regional Planning) to prepare an ordinance amending Title 22 to ensure the applicability of the STR Ordinance throughout the unincorporated areas and to strengthen the County's ability to enforce the new STR regulations.

On April 24, 2024, the RPC held a public hearing to consider the Ordinance Amendment. The RPC recommended that the Board adopt the Ordinance Amendment, which is included as Attachment 1 and includes a non-substantive revision to correct a numbering error, and a resolution from the RPC with its recommendation, included as Attachment 2. A summary of the RPC proceedings is included as Attachment 3.

Key Components

A STR is a primary residence, or portion thereof, used for the purposes of providing temporary lodging for compensation for occupancy of 30 consecutive calendar days or less.

The Ordinance Amendment implements the recently adopted STR Ordinance. It allows STRs as an accessory use to existing dwelling units in zones that permit residential uses to align the County Zoning Code with the STR Ordinance. The remainder of the Ordinance Amendment is guided by the STR Ordinance, which requires STRs to be registered with the TTC and renewed annually; limits STRs to registered primary residences only (with the exception of accessory dwelling units, which are prohibited from STR use); limits the number of days in a calendar year a primary residence can be rented without a host present overnight; and limits the number of guests allowed. The Ordinance Amendment also prohibits the use of non-habitable and temporary structures for STR, and any other habitable structures other than dwelling units. Including these provisions in Title 22 allows for additional enforcement of STR regulations by Regional Planning's Zoning Enforcement Division.

The Ordinance Amendment also maintains an existing policy in Title 22 of the County Code to prohibit the use of accessory dwelling units for STR purposes, previously adopted by the Board as part of the County's Accessory Dwelling Unit Ordinance. The Ordinance Amendment applies throughout the unincorporated areas of the County, except for the County's Coastal Zones, which will separately incorporate the STR Program into the County's Local Coastal Programs (LCP) at a

later date; and the Santa Monica Mountains North Area, which is not located in the Coastal Zone, but was specifically directed by the Board as part of the STR Ordinance adoption to be withheld from the application of the STR Ordinance until STR regulations are incorporated into and effective for the Santa Monica Mountains LCP.

Implementation of Strategic Plan Goals

Adoption of the Ordinance Amendment implements Strategic Plan North Star 1, Focus Area C Housing and Homelessness, and Strategy i. Affordable Housing by supporting the County's STR Program, which provides a balanced approach to allowing STRs while protecting rental housing stock for permanent housing, and thereby mitigating potential housing displacement.

FISCAL IMPACT/FINANCING

Adoption of the Ordinance Amendment will not result in additional costs to the County unless litigation against the County occurs. In that case, the Department would incur unknown and unbudgeted costs to defend the Board's actions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In addition to the public hearing conducted by the RPC on April 24, 2024, a public hearing before the Board is required, pursuant to Section 22.232.040.B.1 of the County Code and section 65856 of the California Government Code. Required notice was provided pursuant to the requirements set forth in Section 22.222.180 of the County Code.

ENVIRONMENTAL DOCUMENTATION

The Ordinance Amendment is not subject to CEQA because it is not a project under CEQA, pursuant to Section 21065 of the Public Resources Code, Section 15378 of the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. Additionally, it is exempt from CEQA, pursuant to 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the action will not have a significant adverse impact on the environment. Finally, even if it can be considered a project under CEQA, it qualifies for a Class 1 Categorical Exemption, pursuant to section 15301 of the CEQA Guidelines and the County's Environmental Document Reporting Procedures and Guidelines. A draft Notice of Exemption, included as Attachment 4, was prepared for the Ordinance Amendment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the Ordinance Amendment will not significantly impact County services.

CONCLUSION

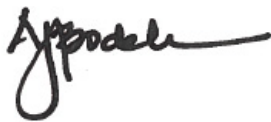
For further information on the Ordinance, please contact Brian McGinnis, Regional Planner, Zoning Enforcement West Section, at (213) 974-6457 or bmcginnis@planning.lacounty.gov.

The Honorable Board of Supervisors

9/17/2024

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Amy J. Bodek". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amy J. Bodek, AICP

Director

AJB:CC:ER:BM:ar

Enclosures

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel
Treasurer and Tax Collector

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to provide for the establishment of Short-Term Rentals, pursuant to Division 3 (Short-Term Rentals Registration) of Title 7 (Business Licenses) of the County Code.

SECTION 1. Section 22.14.180 is hereby amended to read as follows:

...

22.14.180 – R.

Road. An open way used for the passage of vehicles, and includes alleys, streets, and highways.

Room rental. The use of a room or rooms for the purpose of providing tenancy for compensation for periods of more than 30 consecutive calendar days.

Rural Outdoor Lighting District. The following terms are defined solely for Chapter 22.80 (Rural Outdoor Lighting District):

...

SECTION 2. Section 22.14.190 is hereby amended to read as follows:

22.14.190 – S.

Senior citizen residence. See "Accessory dwelling unit."

Short-Term Rental. As defined in Title 7 (Business Licenses) of the County Code, the use of a primary residence, or portion thereof, for the purposes of providing temporary lodging for compensation for occupancy of 30 consecutive calendar days or less, counting portions of days as full days.

Signs.

...

SECTION 3. Section 22.16.030 is hereby amended to read as follows:

22.16.030 – Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.16.030-C, below, identifies the permit or

review required to establish each accessory use.

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
...						
Room rentals ⁶	P	P	-	-	-	
Shared water wells	MCUP	MCUP	-	-	-	Section 22.140.570
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>-</u>	Section 22.140.7790
Signs	As specified in Chapter 22.114 (Signs)					
...						
Notes:						
...						
6. Rooms in a single-family residence may be rented to four or fewer with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents.						

...

SECTION 4. Section 22.18.030 is hereby amended to read as follows:

22.18.030 – Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-

5.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or

review required to establish each accessory use.

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Room rentals ²	P	P	P	P	P	P	
Shared water wells	MCUP	MCUP	MCUP	-	-	-	Section 22.140.570
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Section 22.140.7790
Signs	As specified in Chapter 22.114 (Signs)						

...
Notes:
...
2. Rooms in a single-family residence may be rented to four or fewer with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents.

...

SECTION 4. Section 22.20.030 is hereby amended to read as follows:

22.20.030 – Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.20.030-C, below, identifies the permit or

review required to establish each accessory use.

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Room rentals ⁶	P	P	P	P	P	P	P	
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Section 22.140.7790
Signs	As specified in Chapter 22.114 (Signs)							
...								
Notes:								
...								
6. Rooms in a single-family residence may be rented to four or fewer with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents.								

...

SECTION 5. Section 22.24.030 is hereby amended to read as follows:

22.24.030 – Land Use Regulations for Rural Zones.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.24.030-C, below, identifies the permit or

review required to establish each accessory use.

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES			
	C-RU	M-RU	Additional Regulations
...			
Room rentals ⁴	P	P	
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>Section 22.140.7700</u>
Signs	As specified in Chapter 22.114 (Signs)		
...			
Notes:			
...			
4. Rooms in a single-family residence may be rented to four or fewer with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents.			

...
SECTION 6. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

...
 B. Land Use Regulations.

...
 3. Use Regulations.

...
 b. Accessory Uses. Table 22.26.030-D, below, identifies the

permit or review required to establish each accessory use.

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Rental, leasing, and repair of articles sold on the premises, accessory to retail sales	P	
<u>Short-Term Rental</u>	<u>P</u>	<u>Section 22.140.7700</u>
Signs	As specified in Chapter 22.114 (Signs)	
...		

...
SECTION 7. Section 22.140.640 is hereby amended to read as follows:

22.140.640 – Accessory Dwelling Units and Junior Accessory Dwelling

Units.

...

F. Use Restrictions. An accessory dwelling unit or junior accessory dwelling unit shall be subject to all of the following use restrictions:

...

2. Duration of Tenancy. An accessory dwelling unit or a junior accessory dwelling unit may only be used as a rental unit for a period of ~~at least~~ more than 30 consecutive days, in accordance with Section 22.140.770 (Short-Term Rentals).

...

SECTION 8. Section 22.140.770 is hereby added as follows:

22.140.770 – Short-Term Rentals.

A. Purpose. This Section establishes standards for Short-Term Rentals in this Title 22 in accordance with Division 3 (Short-Term Rentals Registration) of Title 7 (Business Licenses) of the County Code.

B. Applicability. This Section applies to Short-Term Rentals in all zones where permitted, except that in a Coastal zone, Short-Term Rentals shall be subject to the regulations set forth in an applicable Local Coastal Program.

C. Guest Occupancy. Guest occupancy is limited to two persons per bedroom, plus 2, with a maximum occupancy of 12 guests per booking or reservation.

D. Business License. All Hosts shall register in accordance with Title 7 of the County Code.

E. Prohibited Uses. The following shall not be used for Short-Term Rentals:

1. Habitable accessory structures, including but not limited to, accessory dwelling units and junior accessory dwelling units, guesthouses, pool houses, and recreation rooms.

2. Non-habitable structures, including but not limited to garages, storage sheds, and vehicles.

3. Temporary structures used as a place of abode, including but not limited to houseboats, tents, and treehouses.

E. Enforcement. In addition to the enforcement procedures of Chapter 22.242 for violations of the uses and standards for Short-Term Rentals as set forth in this Title 22, Short-Term Rentals shall be subject to the enforcement procedures in Division 3 (Short-Term Rentals Registration) of Title 7 (Business Licenses) of the County Code.

SECTION 9. Section 22.306.020 is hereby amended as follows:

22.306.020 – Definitions.

The following terms are defined solely for this CSD:

Bed and breakfast establishment. Bed and breakfast establishment means a residence containing guest rooms used for ~~short term rental accommodations~~ temporary overnight visitor accommodations with a maximum rental period of 30 consecutive days per stay, which provides breakfast for guests of the facility;

...

SECTION 10. Section 22.336.020 is hereby amended as follows:

22.336.020 – Definitions.

The following terms are defined solely for this CSD:

...

Bed and Breakfast Establishment. A single-family residence containing guest rooms used for ~~short term rental accommodations~~ temporary overnight visitor accommodations with a maximum rental period of 30 consecutive days per stay, which provides meals for guests of the facility.

...

RESOLUTION
REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
SHORT-TERM RENTALS TITLE 22 ORDINANCE AMENDMENT
PROJECT NO. PRJ2023-002077-(1-5)
PLAN NO. RPPL2023003020

WHEREAS, the Regional Planning Commission (“Commission”) of the County of Los Angeles (“County”) conducted a duly noticed public hearing on April 24, 2024 to consider the Short-Term Rentals Title 22 Ordinance Amendment (“Ordinance Amendment”), an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code (“County Code”) to implement Division 3 (Short-Term Rentals Registration) of Title 7 (Business Licenses) of the County Code.

WHEREAS, the Commission finds as follows:

1. On March 19, 2019, the County of Los Angeles Board of Supervisors (“Board”) directed the preparation of an ordinance to regulate Short-Term Rentals in the unincorporated Los Angeles County. The motion aimed to strike a balance between the economic benefits of short-term rentals and the negative impacts to housing stock, neighborhood character, and quality of life for residents.
2. On April 9, 2024, the Board adopted the Short-Term Rentals Ordinance (“STR Ordinance”) which incorporated a new Division 3 (Short-Term Rentals Registration) to Title 7 (Business Licenses) of the County Code, and directed Regional Planning to prepare amendments to Title 22 to ensure the applicability of the STR Ordinance throughout the unincorporated areas and to strengthen the County's ability to enforce the STR Ordinance.
3. Consistent with the STR Ordinance, the Ordinance Amendment allows Short-Term Rentals as an accessory use to existing dwelling units in zones that permit residential uses.
4. The Ordinance Amendment maintains the prohibition of the use of ADUs for STR purposes in accordance with the existing Title 22 ADU Ordinance, which was incorporated by the STR Ordinance.
5. The Ordinance Amendment is consistent with and is supportive of policies of the General Plan, such as providing economic opportunities and protecting against residential displacement.
6. Approval of the Ordinance Amendment is in the interest of public health, safety, and general welfare and in conformity with good zoning practice.
7. The Ordinance Amendment is consistent with other applicable provisions of Title 22.
8. Section 1.5.1 of the Airport Land Use Commission (ALUC) Review Procedures requires that all zoning ordinances be reviewed by ALUC for consistency with the local airport land use compatibility plan. ALUC staff reviewed this Ordinance Amendment and determined that it does not pose any compatibility concerns with

the County Airport Land Use Plans. Pursuant to California Government Code 65852.2(a)(11), STRs do not increase density in residential zones nor modify the existing residential land use designations established by a general plan, and therefore are not considered an area of concern from an airport compatibility perspective.

9. In partnership with the County Treasurer and Tax Collector, staff conducted extensive public outreach with stakeholders, including 26 meetings with local town councils, community groups, property owners, and other stakeholders.
10. This project is not subject to the California Environmental Quality Act ("CEQA") because the Ordinance Amendment being proposed is not a project under CEQA pursuant to section 21065 of the Public Resources Code, section 15378 of the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. Additionally, the project is exempt from CEQA pursuant to 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the action will not have a significant adverse impact on the environment. Finally, even if the project can be considered a project under CEQA, it qualifies for a Class 1 Categorical Exemption pursuant to section 15301 of the CEQA Guidelines and the County's Environmental Document Reporting Procedures and Guidelines.
11. Pursuant to Section 22.222.120 of the County Code, a public hearing notice was published in 12 local newspapers and postcards were mailed to 234 addresses, including town councils and community-based organizations.
12. The Ordinance Amendment does not apply to the County's Coastal Zones;
13. On April 24, 2024, the Commission conducted a duly-noticed public hearing. The Commission found that the project is exempt from the California Environmental Quality Act and moved to adopt the resolution recommending approval of the Ordinance Amendment to the Board of Supervisors, with a unanimous vote.

THEREFORE, BE IT RESOLVED THAT the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board hold a public hearing to consider the Short-Term Rentals Title 22 Ordinance Amendment;
2. That the Board find that the Short-Term Rentals Title 22 Ordinance Amendment is exempt from the California Environmental Quality Act for the reasons set forth in the record;
3. That the Board determine that the Short-Term Rentals Title 22 Ordinance Amendment is compatible with and supportive of the goals and policies of the General Plan, is in the interest of public health, safety, and general welfare, is in conformity with good zoning practice, and is consistent with other applicable provisions of Title 22; and
4. That the Board adopt the Short-Term Rentals Title 22 Ordinance Amendment.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission on the County of Los Angeles on April 24, 2024.

Elida Luna

Elida Luna, Commission Services
County of Los Angeles
Regional Planning Commission

APPROVED AS TO FORM: OFFICE OF THE COUNTY COUNSEL

By *Kathy Park*
Kathy Park
Deputy County Counsel
County of Los Angeles

**SUMMARY OF PUBLIC HEARING PROCEEDINGS
REGIONAL PLANNING COMMISSION
PROJECT NO. PRJ2023-002077-(1-5)
ADVANCE PLANNING CASE NO. RPPL2023003020
SHORT-TERM RENTALS TITLE 22 ORDINANCE AMENDMENT**

April 24, 2024

On April 24, 2024, the Regional Planning Commission (Commission) conducted a duly noticed public hearing to consider the Short-Term Rentals Title 22 Ordinance Amendment (Ordinance Amendment), Advance Planning Case No. RPPL2023003020. Regional Planning staff provided an overview of the Ordinance Amendment, and Treasurer Tax Collector (TTC) staff assisted with responding to the Commission.

The Commission received testimony from four speakers. One speaker spoke in favor, one expressed concerns, and two spoke in opposition to the Ordinance Amendment.

The Commission asked staff to address the public's concerns. Staff stated that outreach was limited because it is an amendment to Title 22 to implement the already approved Title 7 Ordinance. Staff stated that Regional Planning participated in TTC's meetings for the Title 7 Ordinance and notices regarding the Ordinance Amendment were sent to Regional Planning's courtesy list. In response to a statement from a speaker that materials were not made available to the public, staff clarified that documents pertaining to the Ordinance Amendment were uploaded to planning.lacounty.gov and Legistar in advance of the Commission meeting. Staff also stated that enforcement has been an issue, so the establishment of this program via the Title 7 Short-Term Rentals Ordinance provides communities with a way to address the nuisances associated with short-term rentals.

The Commission stated that since TTC conducted outreach, that would be confusing to the community. Staff stated that most of the outreach was conducted prior to the Board of Supervisors hearing.

The Commission asked staff about the issue raised regarding enforcement, what is being proposed, and what will be provided for the community. Staff stated that TTC will oversee and handle the majority of the enforcement issues and Regional Planning will support ensuring compliance with Title 22. Staff further stated that the Ordinance Amendment needs to be in place before the TTC program becomes effective.

The Commission asked staff to address speakers' concerns related to issues of nuisance short-term rentals. Staff answered that the Title 7 Short-Term Rentals Ordinance includes provisions that require a local contact person to be designated for each short-term rental. Staff stated that the local contact person is responsible for remedying issues related to nuisances.

The Commission asked if Transient Occupancy Tax (TOT) is collected from this program. TTC staff stated that TOT must be remitted to the County by hosts per the Title 7 Ordinance.

The Commission asked how TTC plans on getting hosts to comply and whether or not TTC is reliant of cooperation from short-term rental listing platforms to identify hosts. TTC staff stated that TTC will use technology that scrubs listings on the web to identify and provide a list of properties available as short-term rentals.

On a motion by Commissioner Moon and seconded by Commissioner Duarte-White, the Commission moved to close the public hearing and find the project exempt from the California Environmental Quality Act (CEQA), with a unanimous vote.

On a motion by Commissioner Moon and seconded by Vice Chair Louie, the Commission moved to adopt the resolution recommending approval of the Ordinance Amendment to the Board of Supervisors, with a unanimous vote.

VOTE:

Concurring: Duarte-White, Hastings, Louie, Moon, O'Connor

Dissenting: None

Abstaining: None

Absent: None

Action Date: April 24, 2024

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: February 15, 2024
PROJECT NUMBER: PRJ2023-002077-(1-5)
PERMIT NUMBER(S): Advance Planning Case No. Advance Planning Case No.
RPPL2023003020
SUPERVISORIAL DISTRICT: 1-5
PROJECT LOCATION: Countywide
CASE PLANNER: Connie Chung, AICP Deputy Director
cchung@planning.lacounty.gov

The County of Los Angeles completed an initial review for the above-mentioned project. Based on examination of the project, the County proposes that this project is not subject to the California Environmental Quality Act ("CEQA") because the ordinance amendment being proposed is not a project under CEQA pursuant to section 21065 of the Public Resources Code, section 15378 of the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. Additionally, the project is exempt from CEQA pursuant to 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the action will not have a significant adverse impact on the environment. Finally, even if the project can be considered a project under CEQA, it qualifies for a Class 1 Categorical Exemption pursuant to section 15301 of the CEQA Guidelines and the County's Environmental Document Reporting Procedures and Guidelines.

Project Location: Unincorporated areas of Los Angeles County

Project Description: The project amends Title 22 (Planning and Zoning) of the Los Angeles County Code to expressly authorize Short-Term Rentals (STRs) as an accessory use to existing dwelling units in zones that permit residential uses. The project is being directed by the Board of Supervisors following its action of the STR Ordinance on February 13, 2024, as set forth in Division 3 (STR) of Title 7 (Business Licenses) of the Los Angeles County Code, and which will establish a comprehensive set of regulations of STRs in unincorporated LA County, including, but not limited to: limiting STRs to registered primary residences only, mandatory annual registration at a fee, limiting the number of days in a calendar year the primary residence can be rented without a host present overnight, and limits the number of guests allowed per STR booking.

Per Title 7, the project includes an occupancy limit of two persons per bedroom plus two, with an overall limit of 12 people per STR booking regardless of dwelling size, and prohibits the use of non-habitable and temporary structures, and all other habitable structures other than

primary residence dwelling units. By incorporating these provisions into Title 22, the project enables Regional Planning Zoning Enforcement to issue citations for violations to assist with the enforcement of STRs.

Reasons Why this Project is Exempt:

- The project is not subject to CEQA because it is excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378 of the State CEQA Guidelines and/or is exempt pursuant to Class 15061(b)(3) of the Guidelines because it can be seen with certainty that the actions will not have a significant adverse impact on the environment.
 - "Project" is defined as an activity that may cause a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment, and which is any of the following: a) an activity directly undertaken by any public agency; b) an activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; or c) an activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.
 - The common sense exemption under CEQA Guidelines section 15061(b)(3) directs that CEQA applies only to projects that 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 project is exempt pursuant to the foregoing because it can be seen with certainty that there is no possibility that it may cause or have a significant effect on the environment. The project is memorializing the expressly authorized use of STRs within the Zoning Code consistent with and pursuant to the STR Ordinance codified in Division 3 of Title 7 of the County Code, which itself was determined to not constitute a project under CEQA. Moreover, the project does not authorize any new development nor the modification of existing dwelling units. It does not add any new regulation of STRs that results in any kind of land use permit or entitlement, nor does it impose any new requirement, registration, or fee upon existing dwelling units. It does not provide any type of funding, support, or assistance to the establishment, maintenance, or operation of STRs. The project is only an ordinance amendment that expressly authorizes STRs that are registered pursuant to Division 3 of Title 7 of the Los Angeles County Code as an accessory use to an existing dwelling to ensure consistency therewith. While it authorizes an accessory use of a dwelling unit, it also sets forth a capacity limit on that use that is commensurate to the dwelling unit size, maintaining the intended use of the dwelling unit. Accordingly, it can be seen with certainty that the

project does not cause physical changes to the environment and does not have any potential for causing a significant effect on the environment.

- The Class 1 (Existing Facilities) exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. If the project is considered a "project" under CEQA, it would qualify for a Class 1 exemption because it does not authorize any new development nor modification of any existing dwelling units. The project is an ordinance amendment that expressly authorizes STRs that are registered pursuant to Division 3 of Title 7 of the Los Angeles County Code as a permitted accessory use of an existing dwelling, and therefore consists only of the continued operation of an existing private structure. As the project does not authorize any new development or physical expansion of an existing dwelling, it will not cause a physical change to the environment and is certainly less likely to cause a significant effect on the environment than those activities expressly permitted by 15301 of the CEQA Guidelines as examples that have been determined not to have a significant effect on the environment. In addition, based on the project's records, there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.