

Agenda

Part 2A: Housing Element Sites Ordinance

- Background
- Overview of the Proposed Housing Element Sites Ordinance

Q&A

Part 2B: Resident Protections Ordinance

- Background
- Overview of the Proposed Resident Protections Ordinance

Q&A

Proposed Resident Protections Ordinance

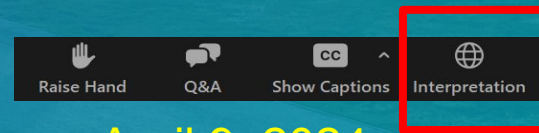
Citywide Proposed Code Amendment
Virtual Presentation for Public Webinar

LOS ANGELES
CITY PLANNING



한국어 번역

Korean Translation Available



April 9, 2024

Background

- Rezoning Program offers an opportunity to introduce **clear and consistent citywide protections** for:
 - Residents and units facing demolition from new construction
 - Residents in affordable housing units
- **Codifies temporary state laws** (Housing Crisis Act) making them **permanent**
- **Extends affordability requirements to 99 years**
- Codifies guidelines for the size, location and amenities of affordable units
- Codifies requirements on the allocation of affordable housing units



Image: LA City Planning

Ordinance Structure

Demolition of Housing Units

- A. Development Projects that Result in the Demolition of Housing Units
 1. Purpose
 2. Definitions
 3. Approval of Housing Development Projects that Result in the Demolition of Housing Units
 4. Approval of Non-Housing Development Projects that Result in the Demolition of Housing Units until January 1, 2030

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ORDINANCE NO. _____

An ordinance amending Chapter 1 of the Los Angeles Municipal Code (LAMC), including adding Section(s) 16.60 and 16.61 to Chapter 1, as well as amending Sections 11.5.11, 12.22 and 12.24 of Chapter 1, for the purpose of codifying housing replacement requirements, complying with state housing law and establishing reasonable regulations regarding affordable housing development for the protection of residents.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Sec. 1. Section 16.60 of Chapter 1 of the Los Angeles Municipal Code is added to read as follows:

SEC. 16.60. DEMOLITION OF HOUSING UNITS

A. Development Projects that Result in the Demolition of Housing Units

1. **Purpose.** The purpose of this subdivision is to comply with state law and offer protections related to the demolition of housing units as part of Development Projects and to extend these requirements past their expiration date of January 1, 2030 for Housing Development Projects.

2. **Definitions.**

"Affordable housing cost" has the same meaning as defined in Section 50052.5 of the Health and Safety Code as amended from time to time.

"Affordable rent" has the same meaning as defined in Section 50053 of the Health and Safety Code as amended from time to time.

"Development project" includes any project requiring a City Planning application or building permit to allow the construction, reconstruction, alteration, addition, use or change of use of a structure or land.

"Equivalent size" means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

"Housing development project" has the same meaning as defined in paragraph (3) of subdivision (b) of Government Code Section 65905.5, which is the same as the term is defined in paragraph (2) of subdivision (h) of Section 65589.5, as amended from time to time, except that it also includes projects that involve no discretionary approvals and projects that include a proposal to construct a single dwelling unit.

Ordinance Structure (Continued)

Restricted Affordable Housing Units

- A. Length of Affordability
- B. Unit Design, Unit Mix, Unit Size, Quality and Amenities, Access to, and Distribution of Affordable Units in Mixed-Income Housing Development Projects
- C. Allocation of Restricted Affordable Units
 - 1. Affirmative Marketing and Fair Housing Outreach
 - 2. Affordable and Accessible Housing Registry
 - 3. Priority Populations

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- (c) **Sunset Provisions.** The requirements of this subparagraph shall not apply to projects approved after January 1, 2030, except for those development projects that submitted a preliminary application pursuant to Section 65941.1 of the California Government Code before January 1, 2030. This subsection shall remain in effect only until January 1, 2034, and as of that date is repealed.

Sec. 2. Section 16.61 of the Los Angeles Municipal Code is added to Chapter 1 of the Los Angeles Municipal Code to read as follows:

SEC. 16.61. RESTRICTED AFFORDABLE HOUSING UNITS

A. Length of Affordability.

1. A housing development that is subject to this section, either due to a requirement contained in Chapter 1 of this Code or to a condition of approval that specifies 99 years or is silent to length of covenant terms, must prepare a covenant acceptable to the Los Angeles Housing Department to be recorded with the Los Angeles County Recorder, guaranteeing that the occupancy restriction will be observed for at least 99 years from the issuance of the Certificate of Occupancy except for:
 - (a) A housing development project in which public subsidies are tied to a specified covenant period, as determined by the Los Angeles Housing Department, unless voluntarily agreed to by the project applicant.
 - (b) For sale units, which must be consistent with the for sale requirements of California Government Code Section 65915(c)(2).
 - (c) Residential Units for Lower Income Students, Transitional Foster Youth, Disabled Veterans, and/or Homeless Persons, shall be provided at affordability levels as determined in Los Angeles Municipal Code Section 12.22 A.37 for at least 55 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program.
2. Any covenant described here must provide for a private right of enforcement by the City, any tenant, or owner of any building to which a covenant and agreement applies.

Sec. 2. Paragraphs 1 and 2 of Subsection (h) of Section 12.22 A.25 of Chapter 1 of the the Los Angeles Municipal Code is amended to read as follows:

- (h) Covenant. Prior to issuance of a Building Permit, the following shall apply:

Occupant Protections and Housing Replacement

An aerial photograph of a densely populated urban area, likely Los Angeles, showing a mix of multi-story apartment buildings and smaller structures. The background features a range of mountains under a clear sky. The image is overlaid with a semi-transparent orange-to-blue gradient.

Housing Replacement Requirements for Demolished Units

Housing development projects that result in the demolition of **protected housing units** that are occupied or have been vacated and demolished within the past five years, must meet the following conditions:

- Replacement of Existing or Demolished **Protected Units**
 - Must be replaced in the new building at an equivalent size and and at an affordable cost
- No Net Loss of Dwelling Units (Housing Developments only)
- Protections for Existing Occupants (see next slide)

Protected Units

- Rent Controlled (RSO)
- Occupied by lower income
- Deed restricted affordable
- Ellis Act removals (10 yrs)

Occupant Protections

Right to Remain

Existing occupants can continue to occupy their units up until **six months prior to the start of construction** activity.

Right to Return

A **right of first refusal** shall be provided for a comparable and affordable unit in the new housing development to the existing lower income occupants of any protected units.

Right to Relocation

Relocation benefits shall be afforded to the occupants of those affordable residential rental units.

Right to Return if Demolition Does Not Proceed

If the demolition does not proceed and the property returns to the rental market, **prior occupants** will be allowed to **return at their prior rental rate**.

Restricted Affordable Units

An aerial photograph of a densely populated urban area, likely Los Angeles, showing a mix of multi-story apartment buildings and smaller structures. The image is overlaid with a color gradient that transitions from a warm orange on the left to a cool blue on the right. The background features rolling hills under a clear sky.

Length of Affordability - 99 Years

| | Today | Future |
|-----------------------------|---|--|
| Responsible Agency | Los Angeles requires deed restricted covenants for affordable units be prepared to the satisfaction of the Los Angeles Housing Department (LAHD) to guarantee affordability | |
| Verification Process | Rents and income are monitored and verified annually | |
| Covenant Length | Terms are typically 55 years for all affordable housing programs | <p>Terms for all planning/zoning related programs will be extended to 99 years.</p> <p>Limited exceptions include:</p> <ul style="list-style-type: none"> • For-sale projects • Public subsidies requiring their own affordability covenant term length |

Affordable Units in Mixed-Income Housing Development Projects

Codify fair housing requirements regarding:

- Unit mix
- Unit size
- Quality and amenities
- Access to and distribution of affordable housing units in mixed-income housing development projects

A set of guidelines or user handbook will be adopted by the Los Angeles Housing Department (LAHD) and the Department of City Planning.



Image: Brooks + Scarpa

Allocation of Restricted Affordable Units

Affirmative marketing and outreach requirements established by LAHD

Made available for rent on the **Affordable and Accessible Housing Registry**, or any equivalent registry, managed by LAHD.

The screenshot displays the LAHD Affordable and Accessible Housing Registry website. The header includes the LAHD logo and navigation links for Home, Accessible Housing Program (AHP) info, Tenants & Applicants, Resources, and Required Policies & Forms. A search bar is present with the text "Begin Your Search for Housing".

The main content area is titled "Search Results" and shows "1403 properties found in the City of Los Angeles". Below this, there is a list of properties with details for two specific listings:

- HCHC Recap I / Werner Illing House**: 1924 N ARGYLE AVE HOLLYWOOD CA 90068. Open for Application: 05/16/1995. Application End Date: Undetermined. Total Site Units: 21. Total Mobility Units: 3. Total Hearing/Vision Units: 1. Total Mobility and H/V Units: 0. Property Manager: Janette Victorio. Nearby Services: View Nearby Services. Email: wernerilling@hollywoodhousing.org. Phone: (323) 466-0290.
- HCHC Recap I / Wilcox Apartments**: 6501 W YUCCA ST HOLLYWOOD CA 90028. Open for Application: 05/17/1998. Application End Date: Undetermined. Total Site Units: 23. Total Mobility Units: 3. Total Hearing/Vision Units: 1.

The left sidebar contains "Filters" and "Quick Filters" sections, including options like "View Properties Open for Lottery Application", "View Properties in Development", "View all properties in Closed Waiting List", "View Properties with Mobility Units", "View Properties with Hearing/Vision Units", "View Properties that have both Mobility and H/V Units", and "View Properties for Affordable Applications". There is also a "Custom Search Filter" section for "Housing Registry Status" with radio buttons for "Open for Lottery Application", "Open for Waiting Lists", and "Open Accessible Unit Waiting List".

Priority Populations

This ordinance attempts to **prioritize Restricted Affordable Units** in mixed-income housing development projects for those with **the greatest housing need**. Priority populations include:

- Those displaced through a withdrawal of units pursuant to the Ellis Act (LAMC 151.22 to 151.28)
- Lower income residents impacted by a rent increase due to:
 - The termination of public funding subsidy contract, mortgage prepayment, or expiring use restrictions
- Residents displaced due to code enforcement orders issued for uninhabitable units including those damaged as a result of natural disasters

This policy will be enforced by LAHD to the extent practical and feasible and may require additional time to build systems to fully implement

Next Steps + Timeline

Ordinance Adoption Timeline

A rezoning program must be adopted and effective before **February 2025**.



Stay Connected

- Contact the Team for general questions or comments at housingelement@lacity.org
- Visit our Housing Element Rezoning Program website and sign up to receive updates!

The screenshot shows the 'Housing Element Rezoning Program' website. At the top, there is a teal navigation bar with links: ABOUT, **DRAFT ORDINANCES**, STRATEGIES, CONCEPT EXPLORER, EVENTS, RESOURCES, NEWS, CONTACT. Below the navigation bar is a progress bar titled 'WE ARE HERE' with four stages: 'Winter 2022 - Fall 2023 Listen', 'Winter 2024 Share / Publish', 'Spring 2024 Revise / Publish', and 'Summer - Fall 2024 Adopt'. A note below the progress bar states: '*Note that the Citywide Adaptive Reuse Ordinance is currently in the "Revise/Publish" Phase'. The main content area has an 'Overview' section with text about the City Planning release of six core strategies in March 2023, and a 'Draft Ordinances' section with a list of four ordinances: Citywide Housing Incentive Program Ordinance, Citywide Adaptive Reuse Ordinance, Housing Element Sites Ordinance, and Resident Protections Ordinance. A sign-up form is overlaid on the bottom right, titled 'Sign up for updates from the Housing Element Rezoning Program'. The form includes a text box for an email address, and three text boxes for first, last, and postal code, each with an asterisk indicating it is a required field. A 'Sign Up' button is at the bottom of the form.

Q & A

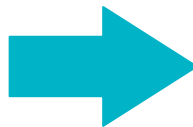
An aerial photograph of a city, likely Los Angeles, showing a dense residential area with many multi-story apartment buildings. The image is overlaid with a color gradient that transitions from a warm orange on the left to a cool blue on the right. The background shows rolling hills and mountains under a clear sky.

Participate in Q&A!

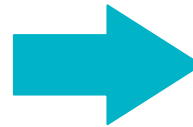
Please offer any comments and questions.



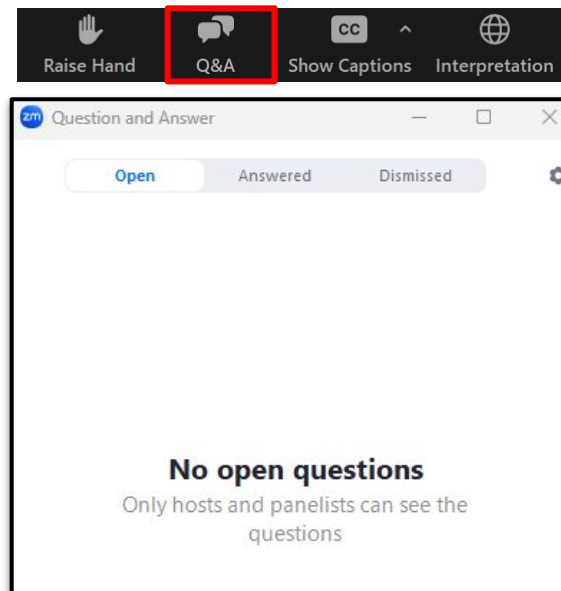
한국어 번역 가능
Korean Translation Available



Type questions in
the Q&A



No Artificial Intelligence,
including meeting notetakers
or bots, is permitted



Thank You!