



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCTOBER 14, 2025

Case No.: CPC-2025-319-CA
CEQA: ENV-2025-320-CE
Plan Area: Citywide

Council District: ALL

Project Site: Citywide

Applicant: City of Los Angeles

At its meeting of **September 25, 2025**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Zoning Code Amendment Ordinance:

The proposed Short-Term Rental Technical Amendment Ordinance (Ordinance) would amend Section 12.03 of Article 2 of Chapter 1 of the Los Angeles Municipal Code (LAMC) to confirm the City's longstanding rules governing the use of dwelling units for short-term rental occupancies to protect the use of any Dwelling Unit, Guest Room, or Suite in any Dwelling and Apartment House from illegal short-term rental occupancies. The ordinance responds to the decision in *People of the State of California v. Venice Suites, LLC*.

1. **Determined**, based on the whole of the administrative record, that the proposed Ordinance is not a project under CEQA pursuant to Section 15378(b)(5) of the California Public Resource Code and is exempt from CEQA pursuant to Section 15061(b)(3) of the California Public Resource Code;
2. **Approved and recommended** that the City Council **adopt**, pursuant to Section 13B.1.3.D.3. of Chapter 1A of the Los Angeles Municipal Code (LAMC), the proposed Zoning Code Amendment Ordinance dated September 25, 2025;
3. **Adopted** the Staff Recommendation Report as the Commission's Report on the subject; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Rosenstein
Second: Klein
Ayes: Chavez, Choe, Johnson, Lawshe
Absent: Diaz, Saitman, Zamora

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and not appealable.

Notice: If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Proposed Ordinance, Findings

cc: Arthi Varma, Deputy Director
Hagu Solomon-Cary, Principal City Planner
Lilian Rubio, City Planner
Lance Sierra, City Planning Associate

ORDINANCE NO. _____

An ordinance amending Section 12.03 of Article 2 of Chapter I of the Los Angeles Municipal Code to clarify that, prior to the enactment of the Home-Sharing Ordinance, short-term occupancy uses of dwelling units were only permitted when the Zoning Code affirmatively so provided.

WHEREAS, the amendment to the zoning code definition of Transient Occupancy Residential Structure is a clarification declaratory of existing law at the time the Home-Sharing Ordinance was enacted -- that short-term rentals have never been a legal use of a dwelling unit, single family home, or apartment unit, unless specifically so provided;

WHEREAS, the City's Zoning Code in the Los Angeles Municipal Code identifies the allowed land uses permitted in each zone, providing that those uses not expressly permitted are prohibited, and this has been the City's consistent historical interpretation of its Zoning Code;

WHEREAS, Transient Occupancy Residential Structure provisions were enacted to prevent illegal conversion of apartments to de facto hotels and to establish a new use, which allowed transient occupancy of 30 days or less only in dwelling units properly permitted and located in the appropriate zone;

WHEREAS, the City disagrees with the holding and reasoning in the *People v. Venice Suites, LLC* case because the use of dwelling units for short-term rental occupancies of 30 consecutive days or less has been prohibited by the Zoning Code since at least 1992, with exceptions only in limited and specifically noted circumstances including Transient Occupancy Residential Structures (TORS), Bed and Breakfast Facilities, and Home-Sharing;

WHEREAS, the City enacted the Home-Sharing Ordinance to remedy the nuisance of the proliferation of illegal short-term rentals through online platforms which, by their nature, were difficult to detect;

WHEREAS, the City enacted the Home-Sharing Ordinance to preserve housing units for residents of the City during this housing crisis, to provide a legal process by which Home-Sharing could take place, and to proactively enforce against illegal short-term rentals; and

WHEREAS, short-term rental operators have had over five years to come into compliance with the Home-Sharing Ordinance; any vested or grandfathered rights they had have already amortized.

NOW, THEREFORE,

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

Section 1. Section 12.03 of Article 2 of Chapter I of the Los Angeles Municipal Code shall be amended to include a final sentence in the following definition in alphabetical order, which is declarative of existing law:

TRANSIENT OCCUPANCY RESIDENTIAL STRUCTURE. A residential building designed or used for one or more dwelling units or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms wherein occupancy, by any person by reason of concession, permit, right of access, license, or other agreement is for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Use of any Dwelling Unit, Guest Room, or Suite in any Dwelling and Apartment House for occupancies of 30 consecutive days or less shall only be permitted in accordance with these or other provisions which affirmatively permit such occupancy.

Sec. 2. SEVERABILITY. If any provision of this ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this ordinance that can be implemented without the invalid provisions. To this end, the provisions of this ordinance are severable.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

FINDINGS

Land Use Findings

City Charter Section 556 (General Plan)

In accordance with City Charter Section 556, the proposed Short-Term Rental Technical Amendment Ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan. As outlined below, the proposed Ordinance would support and further accomplish the goals, objectives, and policies of the General Plan, particularly concerning land use and housing:

Framework Element - Land Use ([Chapter 3](#))

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

The General Plan Framework Element encourages locating higher-intensity uses in areas of the City intended for more density and mixed-use development, and conserving lower-intensity uses for existing residential neighborhoods. The Zoning Code – including both Chapter I and Chapter 1A of the Los Angeles Municipal Code (LAMC) – furthers this objective by ensuring orderly growth which safeguards existing residential neighborhoods from development with more intense uses. Since at least 1992, with the enactment of Ordinance No. 167,789 (TORS/Hostel Ordinance), the Zoning Code has prohibited the use of dwelling units for short-term rental occupancies – considered a higher-intensity use – with few and narrow exceptions. As such, the General Plan Framework Element and Zoning Code collectively aim to protect permanent housing, foster neighborhood stability, and prioritize the wellbeing of long-term residents.

The proposed Ordinance supports the Zoning Code's intent to safeguard residential neighborhoods from higher-intensity uses meant for short-term transient visitors. By reaffirming the longstanding prohibition of the use of dwelling units for short-term rental occupancies with limited exceptions and introducing additional clarifications, the proposed Ordinance ensures dwelling units are preserved for their intended long-term residential use. As such, the proposed Ordinance conforms with the General Plan Framework Element objective of encouraging higher-intensity uses, including those for short-term transient visitors, towards denser and mixed-use areas of the City.

Housing Element (2021-2029) – Housing Goals, Objectives, Policies, and Programs ([Chapter 6](#))

Objective 2.1: Strengthen renter protections, prevent displacement and increase the stock of affordable housing.

Policy 2.1.6: Promote the use of housing for long-term residents and limit practices such as short-term rentals, conversions to hotels, and prolonged vacancies.

The General Plan Housing Element promotes using housing for long-term residents over short-term rental occupancies. The Zoning Code – including both Chapter I and Chapter 1A of the Los Angeles Municipal Code (LAMC) – supports this policy by limiting the use of dwelling units for short-term rental occupancies to limited and specifically noted circumstances, while otherwise maintaining the prohibition of such activity citywide. Historically, the ban on short-term rental occupancy uses of dwelling units has been maintained in the Zoning Code since at least 1992 when the City Council adopted the TORS/Hostel Ordinance; furthermore, subsequent ordinances adopted by the City Council to regulate the use of dwelling units for short-term rental occupancies – including Ordinance No. 172,792 (Bed and Breakfast Ordinance) in 1999 and Ordinance No. 185,931 (Home-Sharing Ordinance) in 2018 – have consistently upheld this principle, permitting such occupancies only in defined, limited circumstances under strict eligibility requirements.

The proposed Ordinance furthers the intent of the Zoning Code to prohibit the use of dwelling units for short-term rental occupancies with few and narrow exceptions by clarifying the distinction between transient and permanent occupancy. This action would prevent the conversion of dwelling units intended for long-term residents into uses meant for short-term transient visitors. This ensures that dwelling units which do not qualify for short-term rental occupancy uses can be preserved for long-term residents, especially units in multi-family housing and units subject to the City’s Rent Stabilization Ordinance (RSO) or other affordability covenants and income restrictions. As such, the proposed Ordinance conforms with the General Plan Housing Element policy of promoting the use of housing for long-term residents over short-term rental occupancies.

City Charter Section 558 and LAMC Chapter 1A Section 13B.1.3. (Zoning Code Amendment)

In accordance with City Charter Section 558(b)(2) and Section 13.B.1.3.E.1.b. of Chapter 1A of the LAMC, the adoption of the proposed Short-Term Rental Technical Amendment Ordinance provisions would be in conformity with public necessity, convenience, general welfare and good zoning practice. The proposed Ordinance provisions would align the City with many other jurisdictions across the country that have recognized the need for new short-term rental regulations to preserve long-term and affordable housing for residents, and to combat vested rights claims to operate illegal short-term rental occupancy uses of dwelling units. This is good zoning practice because it reinforces the “permissive” nature of the City’s Zoning Code. The amendment reinforces the fact that pursuant to the City’s Zoning Code, only permitted uses are allowed, and all other unreferenced uses are not allowed, as explained by Section 12.21 A.1.(a), and other sections in Article 2 of Chapter I of the LAMC that expressly identify the allowed uses in each zone or area.

Environmental Findings

The Department of City Planning has determined, based on the whole of the administrative record, that the proposed Code Amendment which consists of the Short-Term Rental Technical Amendment Ordinance (Project) is not a project as defined in the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) and/or is otherwise subject to the “common sense exemption” pursuant to CEQA Guidelines Section 15061(b)(3) based on the following:

The proposed Ordinance consists solely of one administrative amendment to the Los Angeles Municipal Code (LAMC): update the definition of “Transient Occupancy Residential Structure” (TORS) to eliminate any alleged ambiguity and to specify that the use of any dwelling unit for short-term rental occupancy is only allowed when explicitly permitted by the LAMC. As such, the proposed Ordinance would amend the LAMC to clarify the City of Los Angeles’ long-standing rules governing short-term rental occupancy uses of dwelling units and therefore will have no effect on the physical environment.

Pursuant to CEQA Guidelines, Section 15061(b)(3), the proposed Ordinance is not a project under the common sense exemption, because “the activity is covered by the common sense exemption 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.” As the proposed Ordinance does not change existing law, it is not the type of project to have the potential to impact the physical environment.

Pursuant to CEQA Guidelines, Section 15378(b)(5), the proposed Ordinance is also not a project because “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” are not considered a project. The proposed Ordinance is not creating any new discretionary processes as it merely clarifies and strengthens existing policies; therefore, the proposed Ordinance will continue to ensure that projects meet all procedural requirements of CEQA, and that impacts are analyzed and environmental mitigations are imposed where necessary and appropriate. Furthermore, the proposed Ordinance does not change the zoning of any properties and is limited to administrative provisions for clarifying allowable short-term rental occupancy uses of a dwelling unit in the City; as such, the proposed Ordinance does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and is not considered a project under CEQA.