



FACT SHEET

Local Emergency Code Amendment Targeted Small Business Relief

Summary

Los Angeles City Planning has drafted an ordinance expanding the regulations the City can activate during a declared local emergency. These regulations will complement current provisions in the Zoning Code that provide relief and flexibility to respond and recover from a local emergency. The provisions generally provide relief from time limitations for certain approvals and for certain parking requirements for businesses and nonresidential uses.

Background

In response to specific instructions from the City Council ([Council File # 20-0380-S1](#)), the Department has prepared a draft ordinance which allows the City Council to enact certain temporary regulations during a local emergency. The proposed ordinance complements the parallel emergency actions being taken by the City Council and Mayor.

Of the multiple crises facing the City as a result of the COVID-19 pandemic, among the most acute is the public health crisis. The impacts of the pandemic itself and the public health measures necessary to combat it have led to devastating economic impacts, including job loss and permanent business closures for many small and local operators. Among the most drastically affected businesses are local restaurants, entertainment venues, retail stores, and gyms. These neighborhood businesses are critical sources of employment, local spending, tax revenue, and, for many, a sense of community identity. The proposed ordinance aims to spur the recovery of these vital businesses.



Key Provisions

In order for the regulations contained in this local emergency ordinance to take effect, the Mayor, City Council, or State must declare a local emergency, and either the City Council must pass a resolution or the Mayor must issue an Emergency Order enabling the proposed provisions. The proposed provisions are active for the term of the local emergency and up to 12 months after its expiration and termination. Council can extend these provisions for a maximum of 36 months past the expiration of the local emergency as well as terminate these provisions after the expiration of the local emergency.

The proposed ordinance has two main components, the first is the **Extension of Time Limits** which includes extensions for the expiration of certain conditional use permits, and the second is regarding **Automobile Parking Requirements** which under limited situations, grants modifications to existing parking requirements for businesses that meet eligibility criteria.

Extension of Time Limits:

- Utilization periods for certain approvals are extended.
- Any concurrent entitlement, as part of a multiple approval, is eligible.
- Conditional Use Permits (CUP) with a term-limit or expiration are extended.
 - The extension for term-limited approvals does not negate any conditions imposed by a plan approval or application for a new approval. It only extends the date for compliance with said conditions.

Automobile Parking Requirements:

- Changes of Use: Applications submitted during the local emergency for a change of use within an existing building will not trigger new parking requirements.
- Valet parking: Any conditions of approval requiring valet parking are suspended.
- Off-site parking: Any conditions of approval requiring off-site parking that is not Code required are suspended.

FREQUENTLY ASKED QUESTIONS

Who is eligible to apply under this new ordinance?

The eligibility requirements vary for each type of relief provided. This allows each provision to be tailored to either the broadest audience, as is the case with extending time limits, or to allow a more targeted approach as is the case with the modification to automobile parking requirements.



The eligibility requirements for the extension of time limits for a CUP are general and broad. Most approved or active CUPs are eligible, as are the concurrent actions that were approved simultaneously. However, permits that involve intense environmental impacts such as petroleum extraction are not eligible. This ineligibility extends to those that have been subject to revocation proceeding that result in corrective action.

The eligibility requirements for modification to automobile parking is more nuanced. The suspension of valet and off-site parking conditions has limited eligibility criteria and does not extend to variances. The changes of use have the most restrictive requirements and are limited to nonresidential uses. There is also a limit of 5000 square feet per tenant space or building, and limits on expansions and maintenance of the existing structure. Additionally, there is prohibition on aggregating space to exceed the 5000 square foot cap through separate permits.

The eligibility criteria for parking relief related to changes of use ensures that the relief is targeted to small, local businesses and helps to preserve and reinvigorate our neighborhood commercial corridors, which aims to balance the need to revitalize struggling businesses and minimizes overall impacts.

Will an application be required?

Yes, an application will be required to take advantage of these provisions. The application process ensures eligibility and allows for tracking of participating properties and businesses.

What happens after the local emergency expires?

Once the local emergency expires, compliance with the permanent regulations in the Los Angeles Municipal Code (LAMC) is required. The provisions of this section will expire between 12 and 36 months (if extended by City Council) from the expiration or termination of the local emergency.

The parking modifications for changes of use will be permanent for those eligible properties or businesses for the life of the use. This means that the City will not require those businesses or properties to provide additional parking after the expiration of these provisions, as it could be detrimental to require a business to provide parking once an approval under the emergency relief is granted.



Will these provisions apply to specific plans or other overlays?

These temporary provisions will be applicable citywide and will supersede specific plans or overlays during the time they are applicable. However, all other provisions of the Zoning Code and applicable specific plan or overlay remain in force.

Are these provisions only applicable to the current COVID-19 pandemic and economic downturn?

No, these regulations can be applied to any declared local emergency that impacts the City. However, the City Council must activate them by passing a resolution, or the Mayor through an emergency order to ensure that the specific provisions of the proposed ordinance are necessitated by the crisis at hand.

Will there be opportunities for public comment?

Yes! The Department will be holding a public hearing on the ordinance before it is considered by the City Planning Commission (CPC). Public comments will be taken at both venues. Comments and testimony can be submitted to the staff identified below until the item is scheduled for CPC. Once scheduled, comments can be directed to cpc@lacity.org.

What are the next steps in terms of the legislative process?

In the coming weeks, staff will hold a public hearing on the draft ordinance and then draft a Staff Report with a recommendation for consideration before the CPC. Additionally, the Initial Study of the potential environmental impacts will be released before the item goes before the CPC. Following CPC, the ordinance would move to the Planning and Land Use Management Committee (PLUM) before going to the full City Council for consideration.

Who can I contact for additional information?

Please submit questions and requests to join City Planning's email notification list for this proposed ordinance to Andrew Pennington: andrew.pennington@lacity.org, (213) 978-1395.