



# TECHNICAL AMENDMENT TO EMERGENCY SHELTER ORDINANCE

CPC-2019-1881-CA

April 4, 2019

## SUMMARY

In response to a motion adopted by the City Council ([CF 15-1138-S40](#)), the Department of City Planning has prepared a technical amendment to the City's existing emergency shelter standards in Los Angeles Municipal Code (LAMC) Sections 12.80 and 12.81 to better align with State law. The amendment would remove the requirement that the City Council adopt a shelter crisis declaration every 365 days, as this is not required by State law.

## BACKGROUND

According to the 2018 Homeless Count, 31,285 individuals are experiencing homelessness in the City of Los Angeles, with approximately 22,887 (73%) of those individuals considered to be unsheltered on any given night. The issue of homelessness is exacerbated by a continuing housing shortage, particularly in affordable and permanent supportive housing.

State law allows California jurisdictions to declare a "shelter crisis" in order to take immediate action to alleviate the lack of available shelter for persons experiencing homelessness. The declaration of a shelter crisis allows the City to use publicly owned or leased land as temporary homeless shelters during the crisis, while also enacting alternative health and safety standards in lieu of some state and local housing, planning and zoning or other housing standards "to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis."

In 2017, the City Council adopted a Zoning Code amendment to the City's emergency shelter ordinance to more efficiently establish emergency shelters when a crisis has been declared ([Ordinance 184,836](#)). The City of Los Angeles is currently operating under a shelter crisis declaration.

## KEY PROVISIONS

The proposed ordinance would incorporate a minor technical amendment to the City's emergency shelter regulations in LAMC Sections 12.80 and 12.81 to better ensure consistency with State law's definition of a "shelter crisis." Both City and State emergency shelter regulations require that a shelter crisis declaration be authorized by a local governing body to take advantage of the provisions. However, the City's Zoning Code (LAMC 12.80 and 12.81) includes a provision that limits a shelter crisis declaration to a period of 365 days, which can then be renewed by City Council resolution. State law does not place any such time constraints on the declaration of a shelter crisis. In order to better align with State law, the proposed ordinance would remove this 365 day requirement from the City's emergency shelter regulations in LAMC 12.80 and 12.81.

## FREQUENTLY ASKED QUESTIONS

### **How does this proposed amendment affect existing emergency shelters in the City?**

The proposed ordinance will not create any changes to the existing allowances for emergency shelters in the City of Los Angeles. The amendments are technical in nature, intended to better align local regulations and the relevant provisions of State law.

### **How long can a Shelter Crisis be in effect?**

Under State law, there is no time limit on the length of time that a declared Shelter Crisis may be in effect. The crisis can last as long as the conditions stated in Government Code 8698 exist, which are defined as a situation in which a significant number of people are without the ability to obtain shelter, resulting in a threat to their health and safety. At its discretion, the City Council may act at any time to determine that a declared Shelter Crisis has ended.

### **What are the next steps?**

The City Planning Commission will conduct a public hearing and consider the proposed ordinance after 8:30 a.m. on May 9, 2019 at Los Angeles City Hall, Council Chamber, Room 340, 200 North Spring Street, Los Angeles, CA 90012. Afterwards, the ordinance will advance to City Council for their consideration and adoption.

### **Who do I contact for more information?**

For additional information, please contact Cally Hardy at [cally.hardy@lacity.org](mailto:cally.hardy@lacity.org) or (213) 978-1643. Comments submitted prior to the end of the day on April 25, 2019 will be considered for the staff recommendation report. Comments submitted after that date should also be directed to the City Planning Commission for its consideration in accordance with the CPC Rules and Operating Procedures: <https://planning.lacity.org/documents/CommissionOffice/rop.pdf>.

Media inquiries should be directed to Agnes Sibal-von Debschitz at [agnes.sibal@lacity.org](mailto:agnes.sibal@lacity.org) or (213) 978-1015.