



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 22-0194  
MAY 24 2022

**REPORT RE:**

**DRAFT ORDINANCE ADDING ARTICLE 19 TO CHAPTER IV OF THE  
LOS ANGELES MUNICIPAL CODE TO REQUIRE REPLACEMENT  
OBLIGATIONS AND OCCUPANT PROTECTIONS FOR NEW HOUSING  
DEVELOPMENT PROJECTS**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 21-1431

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance that adds Article 19 to Chapter IV of the Los Angeles Municipal Code (LAMC) to require that certain new housing development projects replace demolished housing and provide occupant protections for lower income households.

The draft ordinance enacts the legislative intent behind the replacement and occupant protections afforded by California Government Code Section 66300 and codifies current City implementation policy relating to the state law. The draft ordinance considers City process, seeks to preserve the City's existing housing supply, and reduces the negative impact of displacement on lower income households. The draft ordinance achieves these goals by requiring that all new housing development projects replace residential dwelling units to be demolished and provide lower income occupants with relocation benefits and the right to return.

Under the draft ordinance, these protections apply to those housing development projects that: (1) on or after January 1, 2022, but before January 1, 2030, submit a complete application to the Department of City Planning or a complete set of building plans for plan check and permit to the Department of Building and Safety, along with any associated submittal fee; or (2) on or after the effective date of this ordinance, receive an approval of a complete application that was submitted to the Department of City Planning on or after January 1, 2020, but before January 1, 2022. The article does not apply to a housing development project that submitted a complete application to the Department of City Planning before January 1, 2020.

#### CEQA Findings

We recommend that City Council find that the adoption of this draft ordinance is exempt from the California Environmental Quality Act (CEQA) under Article 5, Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines and Article II, Section 2(m) of the City CEQA Guidelines on the grounds that adoption will not result in a significant impact or effect upon or direct or indirect physical change to the environment. If you concur, you should adopt this finding prior to or concurrent with taking action on this ordinance.

#### Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the draft ordinance was sent to the Los Angeles Housing Department, the Department of City Planning, and the Department of Building and Safety with a request that any comments be transmitted directly to Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Mei-Mei Cheng at (213) 922-8374. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:MMC:pj  
Transmittal