

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: February 15, 2024
PROJECT NUMBER: PRJ2023-002077-(1-5)
PERMIT NUMBER(S): Advance Planning Case No. Advance Planning Case No.
RPPL2023003020
SUPERVISORIAL DISTRICT: 1-5
PROJECT LOCATION: Countywide
CASE PLANNER: Connie Chung, AICP Deputy Director
cchung@planning.lacounty.gov

The County of Los Angeles completed an initial review for the above-mentioned project. Based on examination of the project, the County proposes that this project is not subject to the California Environmental Quality Act ("CEQA") because the ordinance amendment being proposed is not a project under CEQA pursuant to section 21065 of the Public Resources Code, section 15378 of the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. Additionally, the project is exempt from CEQA pursuant to 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the action will not have a significant adverse impact on the environment. Finally, even if the project can be considered a project under CEQA, it qualifies for a Class 1 Categorical Exemption pursuant to section 15301 of the CEQA Guidelines and the County's Environmental Document Reporting Procedures and Guidelines.

Project Location: Unincorporated areas of Los Angeles County

Project Description: The project amends Title 22 (Planning and Zoning) of the Los Angeles County Code to expressly authorize Short-Term Rentals (STRs) as an accessory use to existing dwelling units in zones that permit residential uses. The project is being directed by the Board of Supervisors following its action of the STR Ordinance on February 13, 2024, as set forth in Division 3 (STR) of Title 7 (Business Licenses) of the Los Angeles County Code, and which will establish a comprehensive set of regulations of STRs in unincorporated LA County, including, but not limited to: limiting STRs to registered primary residences only, mandatory annual registration at a fee, limiting the number of days in a calendar year the primary residence can be rented without a host present overnight, and limits the number of guests allowed per STR booking.

Per Title 7, the project includes an occupancy limit of two persons per bedroom plus two, with an overall limit of 12 people per STR booking regardless of dwelling size, and prohibits the use of non-habitable and temporary structures, and all other habitable structures other than

primary residence dwelling units. By incorporating these provisions into Title 22, the project enables Regional Planning Zoning Enforcement to issue citations for violations to assist with the enforcement of STRs.

Reasons Why this Project is Exempt:

- The project is not subject to CEQA because it is excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378 of the State CEQA Guidelines and/or is exempt pursuant to Class 15061(b)(3) of the Guidelines because it can be seen with certainty that the actions will not have a significant adverse impact on the environment.
 - "Project" is defined as an activity that may cause a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment, and which is any of the following: a) an activity directly undertaken by any public agency; b) an activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; or c) an activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.
 - The common sense exemption under CEQA Guidelines section 15061(b)(3) directs that CEQA applies only to projects that 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.
- The project is exempt pursuant to the foregoing because it can be seen with certainty that there is no possibility that it may cause or have a significant effect on the environment. The project is memorializing the expressly authorized use of STRs within the Zoning Code consistent with and pursuant to the STR Ordinance codified in Division 3 of Title 7 of the County Code, which itself was determined to not constitute a project under CEQA. Moreover, the project does not authorize any new development nor the modification of existing dwelling units. It does not add any new regulation of STRs that results in any kind of land use permit or entitlement, nor does it impose any new requirement, registration, or fee upon existing dwelling units. It does not provide any type of funding, support, or assistance to the establishment, maintenance, or operation of STRs. The project is only an ordinance amendment that expressly authorizes STRs that are registered pursuant to Division 3 of Title 7 of the Los Angeles County Code as an accessory use to an existing dwelling to ensure consistency therewith. While it authorizes an accessory use of a dwelling unit, it also sets forth a capacity limit on that use that is commensurate to the dwelling unit size, maintaining the intended use of the dwelling unit. Accordingly, it can be seen with certainty that the

project does not cause physical changes to the environment and does not have any potential for causing a significant effect on the environment.

- The Class 1 (Existing Facilities) exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. If the project is considered a "project" under CEQA, it would qualify for a Class 1 exemption because it does not authorize any new development nor modification of any existing dwelling units. The project is an ordinance amendment that expressly authorizes STRs that are registered pursuant to Division 3 of Title 7 of the Los Angeles County Code as a permitted accessory use of an existing dwelling, and therefore consists only of the continued operation of an existing private structure. As the project does not authorize any new development or physical expansion of an existing dwelling, it will not cause a physical change to the environment and is certainly less likely to cause a significant effect on the environment than those activities expressly permitted by 15301 of the CEQA Guidelines as examples that have been determined not to have a significant effect on the environment. In addition, based on the project's records, there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.