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**CARMEN A. TRUTANICH**  
City Attorney

REPORT NO. R 1 1 - 0 0 9 8  
MAR 1 0 2011

**REPORT RE:**

**ORDINANCE ADDING SECTION 85.11 TO DIVISION Q OF CHAPTER VIII OF THE  
LOS ANGELES MUNICIPAL CODE TO ALLOW THE LAWFUL PARTICIPATION IN  
THE ROADMAP TO HOUSING PROGRAM ADMINISTERED BY THE LOS ANGELES  
HOMELESS SERVICES AUTHORITY**

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

Council File No. 08-3125

Honorable Members:

On January 12, 2011, your Honorable Committee requested that this Office draft an ordinance to allow the lawful participation in the Roadmap to Housing Program in the Eleventh Council District, administered by the Los Angeles Homeless Services Authority. As requested, this Office has prepared and now transmits for your consideration the attached draft ordinance, approved as to form and legality.

Background and Summary of Ordinance Provisions

On January 12, 2011, the Transportation Committee of the Los Angeles City Council requested that this Office draft an ordinance as described above, and the attached draft ordinance incorporates the requested provisions. The draft ordinance makes lawful under City law participation in the Roadmap to Housing Program under the express provisions of the draft ordinance. These provisions are designed to ensure that the Roadmap to Housing Program will have no adverse impact on residents or the environment. The provisions include restricting Roadmap to Housing Program parking to public streets and publicly owned parking lots, limiting the number of vehicles on any given lot or street, restricting the hours during which vehicles may be parked, limiting

limiting the number and type of streets eligible for overnight parking and requiring the provision of restroom facilities for persons residing in vehicles. Lastly, the Roadmap to Housing Program is restricted to residents of the Eleventh Council District in order to ensure that the Program alleviates residents' existing concerns and existing environmental issues without acting as a magnet for vehicle dwellers who currently reside outside of the Eleventh Council District.

CEQA Findings

The City Planning Department has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) because it involves a minor alteration in the condition of land and has negligible or no permanent effects on the environment. State CEQA Guidelines 15304; City CEQA Guidelines, Art. III, Sec. 1.d.6. The ordinance is also exempt because it involves the operation of existing public streets and existing public parking lots, and will result in negligible expansion of the use of these facilities. State CEQA Guidelines 15301; City CEQA Guidelines, Art. III, Sec. 1.a.3. Additionally, the City Planning Department does not anticipate that the social impact of the proposed ordinance will result in any potentially significant environmental impact, and thus the ordinance is not subject to environmental review under CEQA on that basis. Pub. Res. Code Sec. 21080(e)(2); State CEQA Guidelines 15064(e) and 15382. The ordinance is not cognizable as a project subject to environmental review under CEQA since it will not result in a direct physical change to the environment or a reasonably foreseeable indirect change to the environment. Pub. Res. Code Sec. 21065; State CEQA Guidelines 15378.

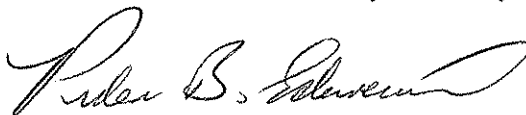
Council Rule 38 Referral

A copy of the draft ordinance was sent pursuant to Council Rule 38 to the Los Angeles Homeless Services Authority with a request that any comments be transmitted directly to Council.

Should you have any questions regarding this matter, please contact Deputy City Attorney Judith E. Reel at (213) 978-2021. She or another member of this Office will be present when you consider this matter and to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:JER:ac

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adding Section 85.11 to Division Q of Chapter VIII of the Los Angeles Municipal Code to allow the lawful participation in the Roadmap to Housing Program administered by the Los Angeles Homeless Services Authority.

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

Section 1. Section 85.11 is added to Division Q of Chapter VIII of the Los Angeles Municipal Code to read:

**SEC. 85.11. ROADMAP TO HOUSING PROGRAM PARTICIPATION.**

(a) Notwithstanding any provision of this Code, the Los Angeles Administrative Code or other City of Los Angeles rule or regulation, a person who is enrolled in the Roadmap to Housing Program administered by the Los Angeles Homeless Services Authority (Roadmap to Housing Program), and who is in compliance with the rules and regulations of the Roadmap to Housing Program, may lawfully sleep or reside in his or her vehicle in the designated space assigned to that person by the Roadmap to Housing Program.

(b) Notwithstanding any provision of this Code, the Los Angeles Administrative Code or other City of Los Angeles rule or regulation, it shall be lawful to provide parking spaces on public streets or in publicly-owned parking lots for overnight parking of a vehicle in which persons enrolled in the Roadmap to Housing Program sleep or reside.

(c) The provisions of Subsections (a) and (b) of this Section apply to the Roadmap to Housing Program provided that the Program must comply with the following:

(1) Parking spaces designated for overnight residential use may be located only on public streets or in publicly owned parking lots located in the Eleventh Council District, and are in compliance with the following:

(i) With regard to parking in publicly owned parking lots, there may be no more than five parking spaces in any single publicly owned parking lot authorized for overnight residential use on any night;

(ii) With regard to parking on public streets, there may be no more than three parking spaces in a single block on a public street authorized for overnight residential use on any night, and for purposes of this Section, "block" shall mean both sides of a street between two consecutive intersecting streets that are not alleys; and

(iii) With regard to parking on public streets, there must be a minimum of five hundred feet between blocks on a public street authorized for overnight residential use on any night.

(2) No parking space on a public street may be authorized for overnight residential use in a location with posted signs prohibiting overnight parking of any vehicle, nor where parking is otherwise prohibited;

(3) There must be a minimum of fifty feet, measured in a straight line without regard to any intervening structure or barrier, between any parking space authorized for overnight residential use and any residential lot;

(4) Every parking space authorized for overnight residential use must have existing bathroom facilities available to every person sleeping or residing in the vehicle, unless the space is used by a participant who resides in a vehicle that contains operable bathroom facilities;

(5) No parking space may be used for residential purposes except during the hours from 6:00 p.m. until 8:00 a.m.; and

(6) In order to qualify for eligibility to enroll in the Roadmap to Housing Program, a person must establish one of the following conditions:

(i) The person resided in a vehicle in the Eleventh Council District as of July 20, 2010; or

(ii) The person resided in a dwelling, not a vehicle, in the Eleventh Council District as of the effective date of this Section and later became homeless and forced to reside in a vehicle.

Sec. 2. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By Judith E. Reel  
JUDITH E. REEL  
Deputy City Attorney

Date March 10, 2011

File No. 08-3125