

**Board Report**

File #: 2023-0125, **File Type:** Motion / Motion Response**Agenda Number:** 28.

**REGULAR BOARD MEETING
FEBRUARY 23, 2023****Motion by:****DIRECTORS BASS, HAHN, NAJARIAN, MITCHELL, SOLIS, AND KREKORIAN****Maximizing Use of Metro Property for Temporary and Permanent Housing**

Metro has an important role in addressing the current emergency of thousands of people experiencing homelessness countywide. According to the Los Angeles Homeless Services Authority, an estimated 48,548 unsheltered people experienced housing insecurity in Los Angeles County in 2022. Metro estimates that over 1,000 people experiencing homelessness take shelter on Metro's system daily.

On February 10, 2023, Mayor Bass issued "Executive Directive 3: Emergency Use of Viable City-Owned Property" to maximize the use of City-owned property for temporary and permanent housing as she moves Los Angeles forward with an urgent and strategic approach to addressing the homelessness crisis.

Executive Directive 3 requires that the Mayor be provided within 20 days an inventory of unused and underutilized city property that could be used for temporary or permanent housing with on-site services; that a formal assessment of each site follow; that based on the assessment, the Mayor's Office designates what type of housing should be built on which locations; that City departments prioritize temporary and permanent housing with on-site services and eliminate unnecessary reviews, paperwork and red tape.

Executive Directive 3 also requests that other jurisdictions that control real property in the City of Los Angeles, including Metro, consider adopting policies similar to those outlined in the directive to make property available for temporary or permanent housing with on-site supportive services.

Metro holds property across Los Angeles County, which currently hosts three transitional housing sites and one safe parking location in the City of LA. Additionally, Metro's joint development portfolio includes 793 income-restricted housing units with another 1,494 income-restricted units in construction or under contract. Metro reported to the Board in May 2018 (file 2018-0214) and April 2020 (file 2020-0228) with an inventory of Metro property available for temporary housing. Metro should update this inventory, ensure its policies are consistent with Executive Directive 3, and take steps to increase housing production under the joint development program.

SUBJECT: MAXIMIZING USE OF METRO PROPERTY FOR TEMPORARY AND PERMANENT HOUSING MOTION

RECOMMENDATION

APPROVE Motion by Directors Bass, Hahn, Najarian, Mitchell, Solis, and Krekorian that the Board direct the Chief Executive Officer to:

- A. Report back at the March 2023 Executive Management Committee with a list of all Metro-owned property, including rights-of-way and parking lots, that are vacant, surplus, or underutilized. For any parcel with significant limitation or restriction that might preclude it from being used for temporary or permanent housing with on-site supportive services, Metro should include all covenants, easements, leases or other land use, revenue, or regulatory restrictions that apply to the identified parcel;
- B. Report back to the Board in April 2023 on strategies to streamline the production of temporary housing consistent with the policies of Executive Directive 3; and
- C. Report back to the Board in April 2023 on a strategy to accelerate affordable housing joint development efforts on Metro properties to achieve 10,000 new housing units.



KAREN BASS
MAYOR

EXECUTIVE DIRECTIVE NO. 3

Issue Date: February 10, 2023

Subject: Emergency Use of Viable City-Owned Property

INTRODUCTION

To aid in sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor under the Charter Section 213(i) of the City of Los Angeles and the provisions of Section 8.29 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property, and I hereby order, effective immediately, that:

1. Within 20 days of this order the City Administrative Officer's (CAO) Asset Management and Development Services (AMDS) shall identify and deliver to the Mayor and the Chief of Housing and Homeless Solutions a list of all City-owned property within the control of any City department or bureau, including rights of way, that are vacant, surplus, or underutilized. For any parcel with significant limitation or restriction that might preclude it from being used for temporary or permanent housing with on-site supportive services, AMDS should include all covenants, easements, leases or other land use, revenue, or regulatory restrictions that apply to the identified parcel. I direct all City Departments to fully cooperate with AMDS and prioritize inquiries and requests from AMDS regarding this list for immediate response. This order does not apply to active recreational sites in the control of the Department of Recreation and Parks that are utilized for public recreation or land that is utilized as trails for public recreation.

2. The Chief of Housing and Homeless Solutions shall, upon receipt of such identifications, complete a formal assessment of each identified site to determine its suitability for housing or shelter for those experiencing homelessness. In making that assessment, the Chief of Housing and Homeless Solutions shall coordinate with CAO and all appropriate City departments, including General Services Department (GSD), the Department of Transportation (DOT), the Bureau of Engineering (BOE), and the Department of Building and Safety (DBS). Such assessment shall be completed and transmitted to the Mayor as soon as possible but, in any event, on or before the 30th day following receipt of the AMDS list referenced in paragraph 1 of this Executive Directive. Such assessment shall address each site's viability for habitation, including a site layout, access to infrastructure (including water, power, and sewer access), contamination risks, liability risks, the distance between each site and other residential uses, and the time and resources needed to prepare the site for habitation.

3. Within 30 days of receipt of the formal assessment of sites to be used for temporary or permanent housing with on-site supportive services to be occupied by persons experiencing homelessness, the Mayor's Office shall make designations for appropriate sites to install or construct housing or shelter, giving preference to sites that are easily serviceable by utilities (including water, power, and sewer services) and that are near assets to aid in support of people experiencing homelessness. Any new structures constructed on sites so designated shall be non-congregate shelter. To the extent possible, units shall include individual bathrooms. All sites shall include other appropriate amenities. The Mayor's Office, in conjunction with the CAO, shall specify the construction or contracting process for each site, including approvals for expediting the same, and may include additional exemptions from the requirements of the Los Angeles Municipal Code (LAMC).

4. City departments, bureaus, and agencies shall have the authority to install temporary or permanent housing with on-site supportive services on such designated sites, all in accordance with the designations made by the Mayor's Office.

5. The construction, emergency installation, use, and operation of temporary or permanent housing on such designated sites shall be and hereby are deemed exempt for the duration of this order from discretionary review processes otherwise required by either the zoning provisions of Chapter I of the LAMC or Project Review as described in LAMC Section 16.05 and LAMC Section

13B.2.4; or other ordinance; provided, however, that any temporary or permanent housing shall comply with applicable state law including Government Code Section 8698, et seq., to the extent those sections apply.

6. Temporary or permanent housing on such designated sites shall also be exempt from LAMC Section 64.72 (Public Works and Property) except to the extent required by state law as applicable to either charter or general law cities. The Director of Sanitation shall respond to all Sewer Capacity Availability Requests (SCAR) and complete the department's reviews under LAMC Section 64.15 within seven business days of being submitted to the Bureau of Sanitation.

7. Construction activities related to temporary or permanent housing on such designated sites shall be exempt from LAMC Section 41.40 (Public Welfare) in order to expedite construction and installation of housing, all in accordance with the designations made by the Mayor's Office.

8. All site plan reviews and approvals pursuant to LAMC Section 16.05 are hereby waived for all eligible temporary or permanent housing with on-site supportive services constructed or installed on such designated sites as specified in the Mayoral designations noted in paragraph 3 above. All minimum parking requirements are hereby waived for all eligible temporary or permanent housing with on-site supportive services constructed or installed on such designated City sites, all in accordance with the designations made by the Mayor's Office.

9. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System be expanded, changed, or eliminated, as allowed by federal law, pursuant to guidelines to be issued by the Mayor, for temporary or permanent housing with on-site supportive services constructed or installed on such designated City sites.

10. All City departments and bureaus with permitting requirements, including the DBS, the BOE, the Fire Department, City Planning, DOT and the Department of Water and Power (DWP), shall prioritize and streamline their review of any permits relating to the construction, emergency installation, use, and operation of temporary or permanent housing on such designated City sites by conducting concurrent, rather than consecutive, reviews of such permit applications and completing those reviews within 30 days of application.

11. GSD shall establish guidelines for when a City department or bureau should consider a property vacant or underutilized, similar to the processes for declaring properties surplus, and they shall develop a process by which each City department and bureau shall regularly identify for the CAO and GSD, any properties that it deems to be vacant or underutilized.

12. The DWP, the Los Angeles World Airports, and the Los Angeles Harbor Department shall establish guidelines for identifying vacant, surplus, or underutilized property on a forward-going basis, and shall develop a process by which each of those departments shall regularly notify the Mayor and CAO of vacant, surplus, or underutilized properties.

13. The Mayor will request that other jurisdictions that control real property in the City consider adopting policies similar to those outlined in this order to make property available for temporary or permanent housing with on-site supportive services. Such jurisdictions include Los Angeles County, LA Metro, Los Angeles Unified School District (LAUSD), the California Department of Transportation (CalTrans), and other departments or agencies of the State of California.

Executed this 10th day of February, 2023



KAREN BASS
Mayor