Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

April 4, 2006

Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

SUBJECT: HEARING ON ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2006-0015U WHICH TEMPORARILY RESTRICTS THE DEVELOPMENT OF R-3 ZONED REAL PROPERTY IN UNINCORPORATED LA CRESCENTA-MONTROSE IN THE COUNTY OF LOS ANGELES (4-VOTES).

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

Adopt the Ordinance Extending Interim Ordinance No. 2006-0015U for a period of 10 months and 15 days.

PURPOSE OF RECOMMENDED ACTION:

With the adoption of Interim Ordinance No. 2006-0015U, the Board found that unrestricted future development of R-3 (limited multiple residence) zoned property in the unincorporated community of La Crescenta-Montrose may adversely impact the public health, safety, and general welfare of the community. The extension of Interim Urgency Ordinance No. 2006-0015U will allow the Board sufficient time for the consideration of adoption of amendments to the existing zoning for the following area:

> All R-3 zoned real property within the La Crescenta-Montrose area in unincorporated Los Angeles County.

JUSTIFICATION OF RECOMMENDED ACTION:

The urgency measure, first adopted by your Board on March 7, 2006, will expire on April 20, 2006, unless extended by Board action. A zoning study to assess the effects of additional development of R-3 zoned property has been initiated by the Department of Regional Planning (DRP). However, more thorough research and detailed analysis of the data are needed to firmly establish the accuracy of the issues raised by the Crescenta Valley Town Council and other members of the community, assess the impacts implied by these data and findings and develop appropriate recommendations to institute needed changes. Additional time will also be needed to hold community

meetings and get community input regarding the issues raised and any proposed changes. If this urgency ordinance is not extended, multi-family development may be approved and constructed while the zoning study is underway without the benefit of a public hearing, potentially causing irreversible damage to the area.

ADDITIONAL FACTS AND LEGAL REQUIREMENTS:

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Urgency Ordinance No. 2006-0015U was adopted by the Board of Supervisors on March 7, 2006. The urgency measure temporarily requires a Conditional Use Permit (CUP) for multi-family development in the R-3 zone in the unincorporated community of La Crescenta-Montrose.

The provisions of Section 65858 limit the effective period of Interim Urgency Ordinance No. 2006-0015U to only forty-five (45) days. In view of the April 20, 2006 approaching expiration date, it is recommended that the Interim Urgency Ordinance be extended for 10 months and 15 days as provided in Section 65858. This will allow sufficient time for DRP to complete the zoning study, including recommended changes to the La Crescenta-Montrose R-3 development requirements, if needed. As noted above, if Interim Urgency Ordinance No. 2006-0015U is not extended, multifamily development in the R-3 zone would take place without the benefit of a public hearing, potentially causing incompatible new development to the detriment of the public health, safety, and general welfare.

Extension of this ordinance requires that the Board conduct a public hearing at which time the Ordinance extending the Interim Urgency Ordinance may be adopted by not less than a four-fifths vote. The date of the public hearing is set for April 11, 2006. Publication of a notice of this public hearing will take place not less than ten (10) days prior to the hearing date, as required. In addition, DRP will directly mail notices of this public hearing to all R-3 property owners in the La Crescenta-Montrose area.

The proposed Ordinance, extending Interim Urgency Ordinance No. 2005-0015U has been prepared by County Counsel. A suggested notice of public hearing is attached.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING

Per

James E. Hartl, AICP
Acting Director of Planning

JEH:AM:

Attachments: Sample public hearing notice
Ordinance

c: Elaine M. Lemke, Principal Deputy County Counsel

NOTICE OF PUBLIC HEARING
ON PROPOSED ORDINANCE EXTENDING
INTERIM URGENCY ORDINANCE NO. 2006-0015U

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Supervisors, in Room 381B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California at **9:30 a.m., on April 11, 2006**, pursuant to Government Code Section 65858, to hear testimony relative to the proposed Ordinance extending and possibly modifying Interim Urgency Ordinance No. 2006-0015U for a period not to exceed ten months and 15 days as provided in Government Code Section 65858.

Said Interim Urgency Ordinance temporarily prohibits the development of multi-family construction on properties in the unincorporated La Crescenta-Montrose area with R-3 (Limited Multiple Residence) zoning, unless a Conditional Use Permit is first applied for and approved. Exempt from the Conditional Use Permit requirement are buildings or building additions, for which site plans have been submitted for Director's Review prior to the effective date (March 7, 2006) of the Interim Urgency Ordinance and which are located on a major or secondary highway.

The Interim Urgency Ordinance is applicable to R-3 zoned properties within the unincorporated La Crescenta-Montrose area in the Fifth Supervisorial District. This area is located in the foothills of the Angeles National Forest, bound on the south and west by the City of Glendale, on the north and northeast by Angeles National Forest, and on the east by the City of La Canada/Flintridge in the County of Los Angeles.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call the Countywide Studies Section of the Los Angeles County Department of Regional Planning at (213) 974-6476 between 7:30 a.m. and 6:00 p.m., Monday through Thursday.

"ADA ACOMMODATIONS: If you require reasonable accommodation or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice."

Si no entiende este aviso o necesita mas informacion, por favor llame este numero
(213) 974-6425.

ANALYSIS

This ordinance extends Interim Ordinance No. 2006-0015U for a maximum period of 10 months and 15 days to March 6, 2007. Interim Ordinance No. 2006-0015U, adopted on March 7, 2006, and effective for only 45 days, temporarily requires a conditional use permit to construct buildings or building additions for multi-family residential use on properties in the R-3 zoned portions of the La Crescenta/Montrose area. The ordinance contains limited exceptions. Interim Ordinance No. 2006-0015U is scheduled to expire on April 20, 2006, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure and requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption.

RAYMOND G. FORTNER, JR.
County Counsel

By Elaine M. Lemke
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

3/29/06 (requested)

3/30/06 (revised)

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ORDINANCE NO. _____

An ordinance extending Interim Ordinance No. 2006-0015U, temporarily requiring a conditional use permit to construct buildings or building additions for multi-family residential use on R-3 zoned properties in the unincorporated community of La Crescenta/Montrose, declaring the urgency thereof and that this ordinance shall take effect on April 20, 2006.

The Board of Supervisors of the County of Los Angeles ordains as follows:

Section 1. Interim prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors, having held a public hearing, hereby extends Interim Ordinance No. 2006-0015U to March 6, 2007. Interim Ordinance No. 2006-0015U provides that, except for buildings or building additions for which a valid building permit has been issued prior to March 7, 2006, or for buildings or building additions located on a primary or secondary highway and for which site plans were submitted prior to March 7, 2006, to the Regional Planning Department for a director's review, no buildings or building additions intended for multi-family residential use shall be permitted upon any property that is both (1) within the geographical area described in Section 6 below; and (2) zoned R-3 (Unlimited Multiple residence) as defined in Title 22 of the Los Angeles County Code, unless a conditional use permit is first issued in accordance with the procedures set forth in Part 1 of Chapter 22.56 of said Title 22.

Section 2. Adoption and expiration of initial interim ordinance; authority.

Interim Ordinance No. 2006-0015U was adopted on March 7, 2006. Unless this ordinance takes effect on or before April 20, 2006, Interim Ordinance No. 2006-0015U will expire. California Government Code section 65858 provides that an urgency measure in the form of an Interim Ordinance may be adopted without prior public notice by a four-fifths vote of the board of supervisors, which shall be effective for only 45 days following its date of adoption. Government Code section 65858 further provides that such an urgency measure may be extended following compliance with that section for an additional 10 months and 15 days beyond the original 45-day period, and it can be extended a second time for an additional one year.

Section 3. Definitions and penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to violations of the provisions of this extended interim ordinance.

Section 4. Zoning study to be initiated; determination of immediate threat.

The Los Angeles County Regional Planning Department has commenced a comprehensive zoning study to review all R-3 zoned properties in the affected neighborhoods of the La Crescenta/Montrose area to consider a possible permanent zoning ordinance amendment. Despite its R-3 zone designation, the

area at issue has long been established and developed as a single-family residential area. More recently, however, large multi-family buildings have been constructed in the area. Future additional multi-family development without adequate controls may negatively impact traffic congestion and traffic patterns leading to hazards for motorists and pedestrians, cause on-street parking availability problems, lead to overcrowding of local schools, and detract from the physical appearance, conditions, and character of this primarily single-family home area. Unless this interim ordinance takes effect as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the approval of additional subdivisions, variances, building permits, site plans, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, variances, building permits, site plans, or any other applicable entitlements for use would result in that threat to the public health, safety, or welfare absent implementation of the restrictions contained in this ordinance. If Interim Ordinance No. 2006-0015U is not extended, uses that may be in conflict with any permanent amendment to the zoning code for the La Crescenta/Montrose area that may be adopted as a result of the Planning Department study may be established, and these uses may continue after any permanent rezoning of the properties described in Section 6.

Section 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance extension are hereby declared to be severable.

Section 6. Area of applicability.

The geographical area subject to the provisions of this interim ordinance extension is the unincorporated La Crescenta/Montrose community, which is located in the foothills of the Angeles National Forest, bound on the south and west by the City of Glendale, on the north and northeast by the Angeles National Forest, and on the east by the City of La Canada/Flintridge in the County of Los Angeles.

Section 7. Urgent need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect on April 20, 2006, and it shall be of no further force and effect 10 months and fifteen (15) days following the date of its adoption unless further extended in accordance with the provisions set forth in Government Code section 65858.

[EXP20060015U]