Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 9, 2013

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

Dear Supervisors:

HEARING ON ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2012-0028U ON HORSE BOARDING AND EQUESTRIAN FACILITIES WITHIN THE WEST RANCHO DOMINGUEZ-VICTORIA COMMUNITY STANDARDS DISTRICT (SECOND SUPERVISORIAL DISTRICT) (4 VOTES)

SUBJECT

The Board of Supervisors (Board) enacted Interim Ordinance No. 2012-0028U on July 17, 2012, and extended it on August 28, 2012, to temporarily prevent the establishment or development of horse boarding and equestrian facilities within any zone in the West Rancho Dominguez-Victoria Community Standards District (CSD) until appropriate standards for these facilities could be fully analyzed and recommended to your Board for possible adoption. This final extension of Interim Ordinance No. 2012-0028U will allow sufficient time for the applicable County departments to conduct community and stakeholder outreach activities, complete an environmental review of the proposed CSD amendment, and obtain Regional Planning Commission approval.

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

Adopt the ordinance extending Interim Ordinance No. 2012-0028U for a period of nine (9) months.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Board enacted Interim Ordinance No. 2012-0028U on July 17, 2012, and extended it on August 28, 2012, to temporarily prevent the establishment or development of horse boarding and equestrian facilities within any zone in the CSD until appropriate standards for these facilities could be fully analyzed and recommended to your Board for possible adoption.

In adopting Interim Ordinance No. 2012-0028U and its extension, the Board found that the CSD area currently contains substandard horse boarding and equestrian facilities that were developed without the requisite land use approvals, approved business licenses, or proper building, electrical, and/or plumbing permits. These facilities also operate without adequate animal waste disposal or drainage systems for proper water run-off, and without adequate manure management or adequate fly, vermin, and pest controls. The Board also found that the lack of appropriate regulations and development standards for horse boarding and equestrian facilities in the CSD may lead to development that will negatively impact and detract from the physical appearance, condition and character of the area, and may negatively impact the health, safety, and welfare of the area's horses, horse owners, and general public. Accordingly, the Board found that there is a current and immediate threat to animal and public health, safety, and welfare.

In response to the Interim Ordinance, the Athens Way Horse Stables Task Force (Task Force) was created and was instructed by the Board to: (1) provide a Corrective Action Plan for the Athens Horse Stable property, which includes specific strategies to remedy the land use, environmental health, and safety issues pertaining to the site; and (2) provide specific strategies and policy recommendations to prevent similar unresolved and compounded multi-agency code violations on properties within the unincorporated areas. The Task Force Standards Subcommittee, which consisted of members from the Departments of Animal Care and Control (ACC), Public Health (DPH), Public Works (DPW), Regional Planning (DRP), Treasurer and Tax Collector (TTC), District Attorney (DA), County Counsel (CC), Fire (FD), and Sheriff (LASD), was specifically tasked with formulating policy recommendations for potential changes to codes, development standards, and procedures related to the County approval of commercial horse stables and equestrian facilities within the West Rancho Dominguez-Victoria CSD.

The Task Force provided a preliminary report to the Board on October 12, 2012 and a final report on November 30, 2012, identifying potential County Code changes. On January 15, 2013, the Board approved the Task Force's County Code change recommendations and directed County Counsel to draft the applicable County Code amendments for Title 10 (Animal Care and Control) and Title 22 (Regional Planning).

The additional extension of Interim Ordinance No. 2012-0028U will allow sufficient time for the applicable County departments to conduct community and stakeholder outreach activities, complete an environmental review of the proposed CSD amendment, and obtain Regional Planning Commission approval.

Implementation of Strategic Plan Goals

The proposed extension of Interim Ordinance No. 2012-0028U would support the County's Strategic Plan Goals of delivering customer oriented municipal services to the County's diverse unincorporated communities through enhancing service to all customers and stakeholders in land development and building permitting functions while protecting the interests of County residents in communities where development occurs by providing prompt, accurate, and coordinated business processes and monitoring of projects.

FISCAL IMPACT/FINANCING

Extension of Interim Ordinance No. 2012-0028U would not result in any fiscal impacts or financing as the preparation of the proposed amendments would be conducted within the currently budgeted staffing and resources.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Ordinance No. 2012-0028U was adopted by the Board of Supervisors on July 17, 2012, and extended on August 28, 2012, effective August 31, 2012, by Interim Ordinance No. 2012-0034U. The interim ordinance, the first extension ordinance, and now this second extension ordinance temporarily prevents the establishment or development of horse boarding and equestrian facilities within any zone in the CSD until appropriate standards for these facilities can be fully analyzed and recommended to your Board for possible adoption. However, these ordinances do not prevent any existing horse boarding and/or equestrian use from undergoing any demolition activity of existing facilities or structures, provided such demolition activity is carried out pursuant to a lawfully-issued demolition permit.

The provisions of Section 65858 limit the first extension period of Interim Ordinance No. 2012-0028U to ten months and 15 days. In view of the approaching July 15, 2013 expiration date, it is recommended that Interim Ordinance No. 2012-0028U be extended for nine (9) months, as provided in Section 65858, to April 15, 2014. The extension will prevent a lapse of interim provisions prior to the completion of community and stakeholder outreach activities, environmental review of the proposed CSD amendment, and Regional Planning Commission approval related to the proposed development standards and

regulations which address the compatibility and public health, safety and welfare concerns associated with establishing or developing horse boarding and equestrian facilities in the CSD. If Interim Ordinance No. 2012-0028U is not extended, horse boarding and equestrian facilities will continue without the benefit of additional regulations that could minimize the negative effects on the surrounding community as detailed above. These effects could compromise the public health, safety, and general welfare of those who live and work in the surrounding area.

Extension of the interim ordinance requires that the Board conduct a public hearing at which time the ordinance extending Interim Ordinance No. 2012-0028U may be adopted by not less than a four-fifths vote. Publication of a notice of this public hearing must take place not less than 10 days prior to the hearing date. In addition, notices of this public hearing have been mailed to interested residents and property owners in the CSD.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed ordinance has no impact on current services or projects as the CSD ordinance amendment and associated tasks could be conducted without additional resources and staff.

CONCLUSION

Extension of Interim Ordinance No. 2012-0028U would provide sufficient time for the applicable County departments to conduct community and stakeholder outreach activities, complete an environmental review of the proposed CSD amendment, and obtain the Regional Planning Commission's recommendation. This interim ordinance would also ensure that proposed horse boarding and equestrian facilities in the West Rancho Dominguez-Victoria CSD would receive the necessary evaluation to address the potential environmental, public safety, and public health issues that arise from the development of horse boarding and equestrian facilities in the affected area.

The proposed ordinance, extending Interim Ordinance No. 2012-0028U, has been prepared by County Counsel. A suggested Notice of Public Hearing is also attached. If you have any questions, please contact me or Dennis Slavin of my staff at (213) 974-6405.

Respectfully submitted,

Richard J. Bruckner
Director

RJB:DLS:TSS:KF:gl

Attachments: 1. Sample Public Hearing Notice
2. Ordinance

c: Executive Office, Board of Supervisors
Animal Care and Control
Chief Executive Office (Rita Robinson, Anthony Baker)
County Counsel
Fire
Public Health
Public Works

070913_BL_EMERGENCY ORDINANCE HORSE BOARDING

COUNTY OF LOS ANGELES
NOTICE OF PUBLIC HEARING
ON ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2012-0028U ON HORSE BOARDING AND EQUESTRIAN FACILITIES WITHIN THE WEST RANCHO DOMINGUEZ – VICTORIA COMMUNITY STANDARDS DISTRICT (CSD)

ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2012-0028U ON HORSE BOARDING AND EQUESTRIAN FACILITIES WITHIN THE WEST RANCHO DOMINGUEZ – VICTORIA COMMUNITY STANDARDS DISTRICT (CSD):
The objective of extending Interim Ordinance No. 2012-0028U, adopted on July 17, 2012 and extended by Interim Ordinance No. 2012-0034U on August 28, 2012, is to extend the effective period of the interim urgency ordinance which temporarily prevents the establishment or development of horse boarding and equestrian facilities within any zone of the West Rancho Dominguez – Victoria Community Standards District (CSD) until ordinances can be prepared for consideration by the Regional Planning Commission, where required, and by the Board of Supervisors that would amend applicable County Codes, Title 10 for Animal Care and Control and Title 22 for Regional Planning, in order to update regulations on commercial horse stables within the boundaries of the CSD. The ordinance extending Interim Ordinance No. 2012-0028U will also prevent any new development or construction activity at existing horse boarding and/or equestrian facilities until appropriate development standards can be established. The ordinance extending the interim urgency ordinance does not prevent existing equestrian and horse boarding facilities from undergoing any demolition activity pursuant to a lawfully issued demolition permit. If approved, the ordinance will extend Interim Ordinance No. 2012-0028U for a period of nine (9) months to April 15, 2014.

NOTICE IS ALSO HEREBY GIVEN that a public hearing will be held before the Board of Supervisors, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012 at **9:30 a.m. on July 9, 2013** pursuant to Title 22 of the Los Angeles County Code and Title 7 of the Government Code of the State of California (Planning and Zoning Law) for the purpose of hearing testimony relative to the adoption of the above mentioned ordinance.

Written comments may be sent to the Executive Office of the Board of Supervisors in Room 383 at the above address. If you do not understand this notice or need more information, please contact Travis Seawards between 7:30 a.m. and 5:30 p.m. Monday through Thursday at 213-974-6462 or via email to TSeawards@planning.lacounty.gov.

Project materials will also be available on the Department of Regional Planning website at http://planning.lacounty.gov/ord/pending.

"ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aid and services such as material in alternate format or a sign language interpreter, please contact the 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 esta noticia o necesita más información, por favor llame este número (213) 974-6425.

SACHI A. HAMAI
EXECUTIVE OFFICER-CLERK OF
BOARD OF SUPERVISORS

COUNTY OF LOS ANGELES

OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE
(213) 974-1840
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JOHN F. KRATTLI
County Counsel

June 19, 2013

Richard J. Bruckner, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, California 90012-3225

Re: Second Extension of Interim Ordinance No. 2012-0028U on Horse Boarding and Equestrian Facilities Within the West Rancho Dominguez-Victoria Community Standards District

Dear Mr. Bruckner:

As requested, we prepared an ordinance extending Interim Ordinance No. 2012-0028U to temporarily prevent the establishment or development of horse boarding and equestrian facilities within any zone of the West Rancho Dominguez-Victoria Community Standards District. The enclosed analysis and ordinance modifies the ordinance we provided you on May 17, 2013, to extend Interim Ordinance No. 2012-0028U for a period of nine months instead of one year, to reflect recent discussions we have had with staff and the involved Board office. No further extension is authorized under State law.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By

CASEY YOURN
Deputy County Counsel
Property Division

APPROVED AND RELEASED:

RICHARD D. WEISS
Chief Deputy

CY:ll

Enclosures

HOA.988184.1

ANALYSIS

This ordinance extends Interim Ordinance No. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, for a period of nine months to April 15, 2014. This extension ordinance temporarily prohibits the establishment or development of all horse boarding and equestrian facilities on parcels located within the areas governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west. Interim Ordinance No. 2012-0028U, adopted on July 17, 2012 and extended by Interim Ordinance No. 2012-0034U, is scheduled to expire July 15, 2013, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure which requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption. It is the last extension of the urgency ordinance allowed under Government Code section 65858.

JOHN F. KRATTLI
County Counsel

By

CASEY YOURN
Deputy County Counsel
Property Division

CY:ll

Requested: 05-06-13
Revised: 06-19-13

HOA.976997.4

ORDINANCE NO. _____

An ordinance extending Interim Ordinance No. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, temporarily prohibiting the establishment or development of all horse boarding and equestrian facilities on parcels located within the area governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west, declaring the urgency thereof and that this ordinance will take effect on July 15, 2013.

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. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, for nine months, to April 15, 2014. Interim Ordinance No. 2012-0028U, Interim Ordinance No. 2012-0034U, and now this extension ordinance provide that no new horse boarding and/or equestrian use shall be established or developed, and no existing horse boarding and/or equestrian use shall undergo any additional development or construction activity, during the duration of the respective ordinance. This interim prohibition shall not prevent any existing horse boarding and/or equestrian use from undergoing any demolition activity of existing facilities or structures, provided such demolition activity is carried out pursuant to a lawfully-issued demolition permit.

SECTION 2. Adoption and Expiration of Interim Ordinance; Authority.

Interim Ordinance No. 2012-0028U was adopted on July 17, 2012. Interim Ordinance No. 2012-0028U was extended for 10 months and 15 days by Interim Ordinance No. 2012-0034U on August 28, 2012, effective August 31, 2012. Unless this second-extension ordinance takes effect on or before July 15, 2013, Interim Ordinance No. 2012-0028U, as extended by Interim Ordinance No. 2012-0034U, will expire. California Government Code section 65858 provides that an urgency measure in the form of an initial interim ordinance may be adopted without following the procedures otherwise required prior to adoption of a zoning ordinance, by a four-fifths vote of the Board of Supervisors, which shall be effective for only 45 days following its 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 up to an additional 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 the interpretation and to violations of the provisions of this extended interim ordinance.

SECTION 4. Zoning Study Initiated; Determination of Immediate Threat.

The Los Angeles County Department of Regional Planning ("Regional Planning") has commenced a comprehensive zoning study, environmental review, and public

participation to consider a possible permanent zoning ordinance amendment related to horse boarding and equestrian uses in the CSD.

The Regional Planning zoning study is reviewing the applicable regulations and/or development standards in the CSD area that apply to new and/or existing horse boarding and equestrian uses to, among other things, assess: (a) the need, based on parcel size, to limit the number of horses allowed, and the number of horse stalls developed and maintained for these uses; (b) the sufficiency of existing infrastructure on and around the subject properties to ensure that these uses have, among other things, adequate facilities for animal waste disposal and proper drainage and water run-off; (c) the adequacy of fly, vermin, and pest controls or regulations for these uses; (d) whether, and to what extent, the existing uses comply with the County's applicable building, plumbing, electrical, and fire codes; and (e) the need to establish adequate parking, setback, and landscaping requirements for these uses.

Regional Planning is also conducting an environmental review to evaluate potential environmental impacts associated with a permanent zoning ordinance amendment and is initiating public participation within the affected communities so that input may be provided for such an ordinance amendment. These efforts are expected to be completed in approximately nine months.

Since the adoption of Interim Ordinance No. 2012-0028U, as extended by Interim Ordinance No. 2012-0034U, properties with horse boarding and equestrian uses within the CSD have been found to be substandard, as they were developed without the requisite land use approvals, approved business licenses, or proper building, electrical,

and/or plumbing permits. These facilities were also operated without adequate waste disposal or drainage systems for proper water run-off. In 2012, one of these boarding facilities caught fire resulting in the death of several animals and was subsequently demolished.

The residents within the CSD area have an established equestrian community and this community, as well as the area's public at large, should have access to local horse boarding and equestrian facilities that are governed by appropriate development standards and that are safe, clean, and code compliant. Allowing horse boarding and equestrian uses to develop further in the affected CSD area without the establishment of appropriate development standards may detract from the physical appearance, condition, and character of the area, and negatively impact the health, safety, and welfare of the area's horses, horse owners, and general public. Unless this second-interim ordinance is extended, as provided for herein, an irreversible incompatibility of land uses, and possible loss of animal life, might reasonably occur as a result of an approval of additional 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 variances, building permits, site plans, or other applicable entitlements absent extension of the restrictions contained in Interim Ordinance No. 2012-0028U would result in the realization of this current and immediate threat. If this interim ordinance does not take effect on July 15,

2013, the potentially conflicting uses established prior to the adoption of a permanent amendment to the Zoning Code may continue after the adoption of such amendment to the Zoning Code.

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 are hereby declared to be severable.

SECTION 6. Area of Applicability.

This interim ordinance applies to parcels located within the area governed by the CSD, as set forth in Section 22.44.130 of the County Code, which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west.

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 July 15, 2013, and it shall be of no further force and effect nine months following the date of its taking effect.

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