

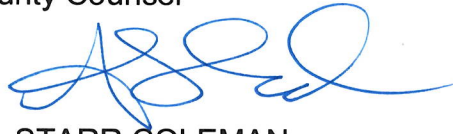
ANALYSIS

This ordinance extends Interim Ordinance No. 2017-0033U for a maximum of ten (10) months and fifteen (15) days to June 24, 2018. Interim Ordinance No. 2017-0033U adopted on August 8, 2017, temporarily prohibits the establishment or expansion of outdoor dance pavilions, either as a primary or accessory use, on all properties located in the area regulated by the Santa Monica Mountains North Area Plan ("Plan") and Community Standards District ("CSD") in the County of Los Angeles, to allow consideration, and possible development of, standards to regulate special event facilities, including dance pavilions, as part of the County's update to the Plan and CSD.

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

MARY C. WICKHAM
County Counsel

By



STARR COLEMAN
Deputy County Counsel
Property Division

SC:ph

Requested: 08-23-17

Revised: 08-29-17

ORDINANCE NO. 2017-0039U

An ordinance extending Interim Ordinance No. 2017-0033U, temporarily prohibiting the establishment or expansion of outdoor dance pavilions, either as a primary or accessory use, on all properties located in the area regulated by the Santa Monica Mountains North Area Plan ("Plan") and Community Standards District ("CSD") in the County of Los Angeles, declaring the urgency thereof, and that this ordinance will take effect immediately, to allow consideration, and possible development of, standards to regulate special event facilities, including dance pavilions, as part of the County's update to the Plan and CSD.

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. 2017-0033U to June 24, 2018. Interim Ordinance No. 2017-0033U provided, and this extension similarly provides, that no dance pavilion, as defined in this ordinance, either as a primary or accessory use, shall be established or expanded upon any property that is within the area regulated by the Plan and CSD, as identified on the map following Los Angeles County Code ("County Code") Section 22.44.133 ("Santa Monica Mountains North Area").

SECTION 2. Authority.

Interim Ordinance No. 2017-0033U was adopted on August 8, 2017. Unless this ordinance takes effect on or before September 22, 2017, Interim Ordinance No. 2017-0033U will expire. California Government Code section 65858 provides that any 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 forty-five (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 up to an additional ten (10) months and fifteen (15) days beyond the original forty-five (45) day period, and it can be extended a second time for an additional year.

SECTION 3. Definitions and Penalties.

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

For purposes of this ordinance, the following definition shall apply:

"Dance pavilion" shall mean any structure, portion of a structure, or designated outdoor area that is used to host or accommodate special events not otherwise permitted by a license or conditional use permit, and the use of which often involves amplified music or other noise-generating uses, including weddings, parties, or other gatherings. A dance pavilion may be a primary or accessory use.

SECTION 4. Updates to the Plan and CSD Currently Underway.

The Los Angeles County Department of Regional Planning ("Regional Planning") is currently analyzing and considering updates to the Plan and CSD, which are intended to include standards to appropriately regulate special event facilities, including dance pavilions.

SECTION 5. Determination of Immediate Threat.

There has been an increase in the number of properties in at least one relatively small residential neighborhood that are being used to host weddings, large parties, and other special events, which has resulted in reports of several negative impacts, such as increased traffic, noise disturbances, and threats to health and safety. These types of special events create excess traffic that may overwhelm the area's narrow, winding roads. Many events also feature outdoor amplified music or other noise-generating uses that disturb surrounding residents and wildlife late into the night. Further, due to limited road infrastructure, many of these facilities hosting special events would be difficult to evacuate during an emergency, which increases health and safety risks.

Many of the facilities hosting special events are located on properties that are zoned Resort and Recreation (R-R), which does not explicitly allow for special event facilities and would, thus, be prohibited, pursuant to the County Code. A number of properties, however, have circumvented this limitation by designating the primary use of the property or area for the event as "outdoor dance pavilions," which are allowed in the R-R zone, pursuant to a ministerial permit. Once approved, in a number of cases, these dance pavilions have become de facto special event facilities that hold large outdoor

weddings, parties, and other gatherings. These dance pavilions become especially problematic when they are located near or adjacent to residential properties, which many are. There are currently no development standards that regulate dance pavilions in the R-R zone. Approximately 845 acres of R-R-zoned land in the North Area potentially could be developed with dance pavilions. Continuing to permit dance pavilions without any standards could have severe impacts to residents' quality of life and health and safety.

Unless this interim ordinance takes immediate effect, as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the establishment or expansion of dance pavilions in the affected area, 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 establishment or expansion of dance pavilions and the approval of any additional subdivisions, variances, building permits, site plans, or any other applicable entitlements in connection therewith, would result in that threat to the public health, safety, or welfare, absent implementation of the restrictions contained in this ordinance. If this interim ordinance does not take immediate effect, uses may be established or expanded that may be in conflict with the Plan and CSD updates under consideration, and these uses may continue after any permanent re-designation of land uses or establishment of regulations that may occur in the Santa Monica Mountains North Area described in Section 7.

SECTION 6. Severability.

If any provision of this interim ordinance or the application thereof to any person, property, or circumstance 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 7. Area of Applicability.

This ordinance applies to parcels located in the unincorporated area regulated by the Plan and CSD, as identified on the map following Section 22.44.133 of Title 22 of the County Code.

SECTION 8. 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 immediately upon adoption, and it shall be of no further force and effect ten (10) months and fifteen (15) days following the initial forty-five (45) day term of Interim Ordinance No. 2017-0033U, unless further extended in accordance with the provisions set forth in Government Code section 65858.

[EXTURGORDDANCEPAVILIONSSCCC]

SECTION 9. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Mark Ridley-Thomas

Chairman

ATTEST:

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of September 19, 2017 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Noes

Supervisors Hilda Solis
Mark Ridley-Thomas
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: September 19, 2017

Operative Date:

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

LORI GLASGOW
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Deputy



APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By *[Signature]*
Lester J. Tolnai
Chief Deputy County Counsel