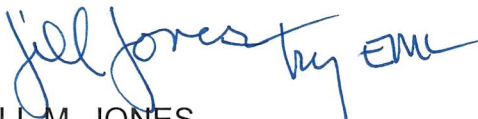


ANALYSIS

This ordinance extends Interim Ordinance No. 2017-0033U, as previously extended by Interim Ordinance No. 2017-0039U, for a maximum period of twelve (12) months to June 23, 2019. This extension ordinance 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 of, 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. Interim Ordinance No. 2017-0033U, as extended by Interim Ordinance No. 2017-0039U, is scheduled to expire on June 24, 2018, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure that 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.

MARY C. WICKHAM
County Counsel

By 
JILL M. JONES
Senior Deputy County Counsel
Property Division

JJ:vn

Requested: 04/19/2018

Revised: 04/25/2018

ORDINANCE NO. 2018-0015U

An ordinance extending Interim Ordinance No. 2017-0033U, as previously extended by Interim Ordinance No. 2017-0039U, 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 on June 24, 2018, to allow consideration of, 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, as previously extended by Interim Ordinance No. 2017-0039U to June 23, 2019. Interim Ordinance No. 2017-0033U and Interim Ordinance No. 2017-0039U 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, and was subsequently extended to June 24, 2018, by Interim Ordinance No. 2017-0039U on September 19, 2017. Unless this ordinance takes effect on or before June 24, 2018, Interim Ordinance No. 2017-0033U will expire. California Government Code section 65858 provides that any urgency measure in the form of an interim ordinance after notice, pursuant to section 65090 and public hearing, may be subsequently extended by the legislative body for an additional one year by a four-fifths vote of the Board of Supervisors. This extension is the last extension of the urgency ordinance allowed under Government Code section 65858.

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.

Prior to adoption of Interim Ordinance No. 2017-0033U, there was an increase in the number of properties in at least one relatively small residential neighborhood being used to host weddings, large parties, and other special events, which 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 severely impact residents' quality of life and health and safety.

Unless this interim ordinance takes effect on June 24, 2018, 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 effect on June 24, 2018, 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 on June 24, 2018, upon adoption, and it shall be of no further force and effect twelve (12) months after its effective date.

[EX2URGDANCEPAVILIONSJJCC]

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



Sheila Kuehl
Chair

ATTEST:

Celia Zavala

Celia Zavala
Acting Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of May 22, 2018 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
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: June 24, 2018

Operative Date: _____

Celia Zavala
Acting 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.

CELIA ZAVALA
Acting Executive Officer
Clerk of the Board of Supervisors

By
Deputy



APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By
Lester J. Tolnai
Chief Deputy County Counsel