

## ANALYSIS

This ordinance is an urgency ordinance to amend the existing urgency ordinance which established development restrictions and allowed for disaster recovery, including temporary housing, reconstruction, and permitting for properties that suffered irreparable damage or destruction in the Woolsey Fire. This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to increase the maximum floor area allowed for temporary housing on a parcel where a legally-established single-family residence or legally-established employee housing was irreparably damaged or destroyed by the Woolsey Fire.

This ordinance will take immediate effect upon its approval by at least a four-fifths vote of the Board of Supervisors.

MARY C. WICKHAM  
County Counsel

By 

STARR COLEMAN  
Assistant County Counsel  
Property Division

ASC:ss

Requested: 07-10-2020

Revised: 07-13-2020

**ORDINANCE NO. 2020-0037U**

An urgency ordinance to amend the existing urgency ordinance which established development restrictions and allowed for disaster recovery, including temporary housing, reconstruction, and permitting for properties that suffered irreparable damage or destruction in the Woolsey Fire. This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to increase the maximum floor area allowed for temporary housing on a parcel where a legally-established single-family residence or legally-established employee housing was irreparably damaged or destroyed by the Woolsey Fire.

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

**SECTION 1.** Section 22.252.050 is hereby amended to read as follows:

**22.252.050 Temporary Housing.**

Notwithstanding any contrary provisions in this Title 22, recreational vehicles as defined in section 18010 of the California Health and Safety Code, in addition to mobile homes and manufactured homes as defined in sections 18007 and 18008 of the California Health and Safety Code, respectively, shall be permitted as temporary housing subject to the following standards:

...

C. Any structure used as temporary housing may not exceed a maximum floor area of ~~4,000~~3,000 square feet;

...

## **SECTION 2.           Emergency Findings.**

This urgency ordinance is adopted pursuant to California Government Code sections 25123(d) and 25131 and shall take effect immediately upon its approval by at least a four-fifths vote of the Board of Supervisors ("Board"). The Board finds that this ordinance is necessary for the immediate preservation of the public peace, health and safety, based upon the following facts:

1.       Conditions of extreme peril to the safety of persons and property within the County were caused by fast-moving and widespread fires, referred to as the Woolsey Fire, commencing on the 8th day of November, 2018.

2.       California Government Code section 8630 and Los Angeles County Code Section 2.68.110 empower the Board, or if the Board is not in session, in the following priority order, the chair, the chief executive officer, or the sheriff, to proclaim the existence of a local emergency when the County is affected or likely to be affected by a public calamity, subject to ratification by the Board at the earliest practicable time.

3.       On November 9, 2018, the Governor of the State of California proclaimed a State of Emergency for Los Angeles and Ventura counties and the Federal Emergency Management Agency approved a Fire Management Assistance Grant to assist with the mitigation, management and control of the Hill Fire and Woolsey Fire.

4.       On November 12, 2018, the Local Health Officer declared a health emergency caused by the Woolsey Fire and other concurrent fire events.

5.       On November 13, 2018, the Board ratified the Local Health Officer's declaration via Resolution 18-7194 and proclaimed the existence of conditions of

disaster and extreme peril to the safety of persons and property arising as a result of the Woolsey Fire that began in Ventura County that started on or about November 8, 2018, and quickly spread into the County of Los Angeles.

6. On November 12, 2018, the President declared the existence of a major disaster in the State of California and ordered federal aid to supplement State and local recovery efforts in the areas affected by wildfires, including the Woolsey Fire.

7. The Woolsey Fire consumed more than 97,000 acres and has led to the destruction of more than 1,750 structures in Los Angeles County, including more than 850 structures in unincorporated Los Angeles County.

8. On December 18, 2018, the Board adopted Ordinance No. 2018-0057U entitled, "An urgency ordinance to ease development restrictions and allow for disaster recovery, including temporary housing, reconstruction and permitting for properties that suffered damage in the Woolsey Fire. Among other things, this ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to add regulations allowing use of recreational vehicles, as defined in the California Health and Safety Code, for temporary housing on a parcel where a legally-established single-family residence or legally-established employee housing was irreparably damaged or destroyed by the Woolsey Fire and provides a limited exemption for obtaining an oak tree permit when replacing such destroyed structures, subject to various restrictions." The ordinance took effect December 18, 2018, and remains in effect until December 31, 2022, unless extended or modified by the Board.

9. Beginning in January 2020, the United States began realizing the impacts of the COVID-19 pandemic, which has affected the health and safety, as well as the economic stability of the nation.

10. On March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for the State regarding the COVID-19 outbreak.

11. On March 13, 2020, the President proclaimed the COVID-19 outbreak to be a national emergency.

12. On March 19, 2020, the Governor of the State of California and the Board issued orders that required all residents of Los Angeles County to stay at home or at their place of residence, except as needed to maintain continuity of operations of critical infrastructure.

13. The COVID-19 pandemic has caused substantial disruption to the lives of the residents of Los Angeles County. Many people across the County have lost their jobs and, for many of those who remain employed, have experienced serious disruptions to their jobs and workplaces due to the impacts of this pandemic, temporary and some permanent closures of businesses, and the stay-at-home orders which were instituted to slow the spread of the virus. The business reductions and closures forced by these orders have had a severe economic impact on the County's economy.

14. The economic impacts of the COVID-19 has had a significant impact on real estate construction, which has slowed development efforts.

15. As a result, some of the residents displaced by the Woolsey Fire remain in temporary housing longer than anticipated.



16. Additionally, the County has discovered that larger displaced families are in need of additional floor area space.

17. It is essential that the changes made by this ordinance to the Los Angeles County Code be implemented immediately to aid displaced residents currently in and seeking interim and long term shelter, as the economy and the construction industry recovers from the effects of the COVID-19 pandemic.

### **SECTION 3. Environmental Determination.**

Adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to California Public Resources Code section 21080(b)(3), regarding projects undertaken, carried out by, or approved by a public agency to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a Governor-declared emergency and section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor, pursuant to the California Emergency Services Act, commencing with section 8550 of the Government Code.

### **SECTION 4. Severability.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board hereby declares that it

would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION 5. Immediate Effect.**

This ordinance shall be and the same is hereby declared to be in full force and effect immediately upon its passage by a four-fifths (4/5) or greater vote.

[URGORDWOOLSEYRECOVJULY2020]

SECTION 6 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Kathryn Barger  
Chair

ATTEST:

Celia Zavala

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

I hereby certify that at its meeting of July 21, 2020 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

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

Noes

Supervisors None

Effective Date: July 21, 2020

Operative Date:

Celia Zavala

Celia Zavala  
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  
Executive Officer  
Clerk of the Board of Supervisors

By [Signature]  
Deputy



APPROVED AS TO FORM:  
MARY C. WICKHAM  
County Counsel

By [Signature]  
Lawrence L. Hafetz  
Chief Deputy County Counsel