



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



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**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

9 April 19, 2022

CELIA ZAVALA  
EXECUTIVE OFFICER

April 19, 2022

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

Dear Supervisors:

**HEARING ON THE DISASTER RECOVERY ORDINANCE  
PROJECT NUMBER PRJ2021-002912-(1-5)  
ADVANCE PLANNING CASE NUMBER RPPL2021007888  
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

**SUBJECT**

The recommended actions are to approve the Disaster Recovery Ordinance, Project Number PRJ2021-002912-(1-5) and Advance Planning Case Number RPPL2021007888, (Ordinance or Project). The Ordinance amends Title 22 - Planning and Zoning of the County Code to expand existing regulations for temporary housing for residents displaced by a disaster and establish procedures for the replacement or reestablishment of uses, buildings, and structures damaged or destroyed by a disaster. The Ordinance applies to the unincorporated areas of Los Angeles County. A project summary is included as Attachment 1 and the draft Ordinance is included as Attachment 2.

**IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,**

1. Find that the Project is exempt from California Environmental Quality Act (CEQA) for the reasons stated in this Board letter and in the record of the Project;
2. Indicate its intent to approve the Ordinance as recommended by the Regional Planning Commission (RPC); and
3. Instruct County Counsel to prepare the necessary final documents for the Ordinance and submit to the Board for consideration.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

According to the National Risk Index published by Federal Emergency Management Agency, Los Angeles County is at risk of future disasters and is vulnerable to emergencies. In recent history, several events in Los Angeles County that have caused significant property damage, destroyed homes and communities, and displaced thousands of residents, including: Sylmar Earthquake (1971), Whittier Narrows Earthquake (1987), Northridge Earthquake (1994), Station Fire (2009), Woolsey Fire (2018), and Lake and Bobcat Fires (2020). The County of Los Angeles must establish procedures and regulations that support community resilience and recovery from future disasters and emergencies.

The Director of the Department of Regional Planning (Department) initiated the Ordinance in accordance with Chapter 22.244 (Ordinance Amendments) of the Los Angeles County Code. The Ordinance enables the County of Los Angeles and the Department to be proactive after a disaster by modernizing and establishing a consistent set of regulations in Title 22 for recovery after any future disaster in the unincorporated areas of Los Angeles County. The Ordinance supports community resilience in Los Angeles County by allowing residents to remain in their communities during the rebuilding process or while planning for alternatives to rebuilding and by encouraging the recovery of businesses and properties after a disaster.

On October 27, 2021, the RPC held a public hearing to consider the Ordinance and recommended that the Board of Supervisors (Board) consider and adopt the Ordinance with changes. The summary of proceedings for the RPC public hearing is included as Attachment 3 and the resolution approved by the RPC is included as Attachment 4.

After the RPC public hearing, the Department revised the Ordinance for clarity and consistency, as shown in Attachment 2.

### Key Components

The Ordinance includes the following key components:

#### Implementation

The Department may implement the Ordinance only after the Governor of the State of California or the Board has formally declared an emergency for a disaster. Once a declaration of emergency is made, the Director can implement the Ordinance with a map of the area where the regulations apply, specific to the disaster. Once implemented, regulations are valid for two years and can be extended for up to five years in total.

#### Temporary Housing and Accessory Structures

The Ordinance expands existing regulations in Title 22 for temporary housing, including permissible types, size, duration, and accessory structures. The Ordinance allows temporary housing and accessory structures on properties that contained a legally established single-family residence, accessory dwelling unit, caretaker's residence, or farmworker dwelling unit. The Ordinance allows recreational vehicles, manufactured homes, and mobilehomes as temporary housing and specifies the maximum size permitted. The Ordinance does not specify a minimum size for temporary housing, therefore temporary housing of any size up to the maximum size is permissible, including tiny homes.

#### Replacement of Buildings and Structures

The Ordinance establishes regulations for the repair or replacement of buildings or structures

damaged or destroyed by a disaster. Buildings and structures may be replaced as like-for-like or smaller than like-for-like. If a replacement building or structure does not comply with the regulations in the Ordinance, then such building or structure is required to comply with current Title 22 application requirements and development standards.

#### Reestablishment of Uses

The Ordinance establishes regulations for uses that were damaged or destroyed by a disaster.

#### Waiver of Permit Requirements

The Ordinance waives discretionary permit requirements for oak trees, significant ecological areas, and grading for temporary housing and replacement of buildings or structures that comply with the regulations in the Ordinance that ensure protected oak trees and resources within significant ecological areas are not negatively impacted during the disaster recovery process.

#### Other Amendments to Title 22

The Ordinance reorganizes, updates, and clarifies existing countywide and area specific disaster recovery regulations in Title 22.

#### Additional Staff Recommendations

The Department made revisions to the Ordinance in addition to the changes instructed by the RPC at the October 27, 2021 public hearing. The revisions are shown in Attachment 5. Revisions include reorganizing and clarifying provisions on implementation and deleting redundant terms and requirements.

### **Implementation of Strategic Plan Goals**

The Ordinance is consistent with and supportive of the goals, policies, and principles of the Los Angeles County General Plan, including: Policy ED 2.8, to streamline the permit review process and other entitlement processes for businesses and industries and Policy C/NR 1.2, to protect and conserve natural resources, natural areas, and available open spaces.

### **FISCAL IMPACT/FINANCING**

Adoption of the Ordinance will not result in additional costs to the County.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In addition to the public hearing conducted by the RPC on October 27, 2021, a public hearing before the Board is required pursuant to Chapter 22.244 of the County Code and Section 65856 of the Government Code. Required notice was given pursuant to the procedures and requirements set forth in Chapter 22.244 of the County Code.

### **ENVIRONMENTAL DOCUMENTATION**

The Project is statutorily exempt from CEQA pursuant to Public Resources Code section 21080(b)(3), Public Resources Code section 21080(b)(4), and CEQA Guidelines section 15269(c) because the Ordinance provides necessary tools for displaced persons to obtain temporary housing; rebuild, repair, or replace damaged or destroyed buildings or structures; and reestablish uses damaged or

destroyed in a declared emergency.

Upon your Board's approval of the recommended actions, the Department will file a Notice of Exemption with the County Clerk in accordance with section 21152 of the Public Resources Code.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the Ordinance will not significantly impact County services.

**CONCLUSION**

For further information, please contact Adrienne Ng at (213) 974-6432 or ang@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP

Director

AJB:CC:BD:AN:el

Enclosures

- c: Executive Office, Board of Supervisors
- Chief Executive Office
- County Counsel
- Fire Department
- Public Works

**COUNTY OF LOS ANGELES  
DEPARTMENT OF REGIONAL PLANNING**

**PROJECT SUMMARY**

**PROJECT DESCRIPTION:** Disaster Recovery Ordinance: Amendment amends Title 22 - Planning and Zoning of the County Code to expand existing regulations for temporary housing for residents displaced by a disaster and establish procedures for the replacement or reestablishment of uses, buildings, and structures damaged or destroyed by a disaster. The Disaster Recovery Ordinance applies to the unincorporated areas of Los Angeles County.

**REQUEST:** Approval and adoption of the Disaster Recovery Ordinance.

**LOCATION:** Countywide (unincorporated areas)

**STAFF CONTACT:** Adrienne Ng, (213) 974-6432

**RPC HEARING DATE(S):** October 27, 2021

**RPC RECOMMENDATION:** Approval and recommendation to the Board to consider adoption of the Disaster Recovery Ordinance.

**MEMBERS VOTING AYE:** Duarte-White, Louie, Moon, Shell

**MEMBERS VOTING NAY:** None

**MEMBERS ABSENT:** None

**MEMBERS ABSTAINING:** None

**KEY ISSUES:** The Disaster Recovery Ordinance amends Title 22 - Planning and Zoning of the County Code to expand existing regulations for temporary housing for residents displaced by a disaster, to establish procedures for the replacement of buildings, and to establish procedures for structures and the reestablishment of uses damaged or destroyed by a disaster. Key components include: implementation, temporary housing and accessory structures, replacement of buildings and structures,

reestablishment of uses with discretionary entitlements, waiver of permit requirements, and other amendments to Title 22.

**MAJOR POINTS FOR:**

The Disaster Recovery Ordinance: (1) establishes procedures and regulations that support community resilience and recovery from future disasters and emergencies, (2) relieves the County of Los Angeles from initiating and adopting separate urgency ordinances for Title 22 after each disaster, and (3) is timely and necessary because of Los Angeles County's past experiences with natural disasters and potential for future natural disasters.

**MAJOR POINTS AGAINST:**

The disaster recovery process entails numerous federal, state, and County agencies. The Disaster Recovery Ordinance and the Department of Regional Planning are only one part of the disaster recovery process. If other changes to the County's disaster recovery process are necessary, they must be undertaken by numerous County agencies.

The Disaster Recovery Ordinance allows up to five years for temporary housing and the rebuilding of structures. Five years may not be enough time to obtain permits to begin the rebuilding process. Other jurisdictions allow up to three years for disaster recovery. The County's experience with the Woolsey and Lake and Bobcat Fire show that up to five years is an appropriate time limit.

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to modernize regulations in Title 22 for disaster recovery in the unincorporated areas of Los Angeles County.

**SECTION 1.** Section 22.14.040 is hereby amended to read as follows:

**Section 22.14.040 - D.**

...

Disability rehabilitation and training center. A facility that provides specialized services for a person with a disability such as, but not limited to, developmental, orthopedic, or sensory motor disability, or for the social, personal, or economic habilitation or rehabilitation of a person with such disability. Such services may include, but are not limited to: day and residential care facilities, personal, psychological, and socio-legal counseling, physical and special education, employment, job placement, speech therapy, vocational training, and transportation.

Disaster Recovery. The following terms are defined solely for Chapter 22.256

(Disaster Recovery):

Disaster. A wildfire, flood, earthquake, or other natural or human caused event, which damages or destroys structures or property and which displaces persons, that forms the basis for a State of Emergency declared by the Governor of the State of California or a local emergency or state of emergency declared and ratified by the Board.

Evidence of displacement. A driver's license or other government-issued identification card, property tax bill, utility bill, or similar document that demonstrates that a person lived in a dwelling unit that was destroyed or rendered uninhabitable by a disaster.

Like-for-like replacement. Rebuild, repair, or replacement of a structure that is in the same location, floor area, size, height, and bulk, and is covering the same building footprint as the previously existing legally established structure.

Person displaced by a disaster. A person whose dwelling unit is destroyed or rendered uninhabitable by a disaster.

Domestic animal. An animal which is commonly maintained in residence with humans.

...

**SECTION 2.** Section 22.102.040 is hereby amended to read as follows:

**22.102.040 - Exemptions.**

...

Q. Temporary housing for persons displaced by a disaster or the rebuilding of structures damaged or destroyed by a disaster, in accordance with Chapter 22.256 (Disaster Recovery), Chapter 22.252 (Woolsey Fire Disaster Recovery), Chapter 22.254 (Lake and Bobcat Fires Disaster Recovery), or Section 22.336.070.O (Rebuilding after Disaster).

**SECTION 3.** Section 22.174.030 is hereby amended to read as follows:

**22.174.030 - Applicability.**



...

B. Exemptions. This Chapter shall not apply to:

...

7. Temporary housing for persons displaced by a disaster or rebuilding structures damaged or destroyed by a disaster, in accordance with Chapter 22.256 (Disaster Recovery), Chapter 22.252 (Woolsey Fire Disaster Recovery), Chapter 22.254 (Lake and Bobcat Fires Disaster Recovery), or Section 22.336.070.O (Rebuilding after Disaster).

**SECTION 4.** Section 22.246.080 is hereby deleted in its entirety.

**SECTION 5.** Section 22.252.050 is hereby amended to read as follows:

**22.252.050 - Rebuilding Damaged or Destroyed Structures.**

...

L. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.256.070 (Temporary Housing in Disaster Areas)~~46.080~~ of the County Code, the Director may grant up to three one-year time extensions for a maximum duration of four years, not to exceed the life of this urgency ordinance; and

...

**SECTION 6.** Section 22.254.050 is hereby amended to read as follows:

**22.254.050 - Rebuilding Damaged or Destroyed Structures.**

...

L. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.256.070 (Temporary Housing in Disaster Areas)~~46.080~~, the Director may

grant up to three one-year time extensions for a maximum duration of four years, not to exceed the life of this urgency ordinance; and

...

**Section 7.** Chapter 22.256 is hereby added to read as follows:

**Chapter 22.256 DISASTER RECOVERY**

**22.256.010 Purpose.**

**22.256.020 Definitions.**

**22.256.030 Implementation.**

**22.256.040 Temporary Housing.**

**22.256.050 Rebuilding Damaged or Destroyed Structures.**

**22.256.060 Waiver of Certain Permit Requirements.**

**22.256.070 Temporary Housing in Disaster Areas.**

**22.256.010 Purpose.**

This Chapter establishes procedures and regulations for temporary housing for persons displaced by a disaster and rebuilding legally established structures damaged or destroyed by a disaster.

**22.256.020 Definitions.**

Specific terms used in this Chapter are defined in Division 2 (Definitions), under "Disaster Recovery."

**22.256.030 Implementation.**

**A. Applicability.**

1. The Director may implement Section 22.256.040 (Temporary Housing), Section 22.256.050 (Replacement of Damaged or Destroyed Structures), or Section 22.256.060 (Waiver of Certain Permit Requirements) only after a disaster in which a State of Emergency is declared by the Governor of the State of California or a local emergency or state of emergency is declared and ratified by the Board.

2. To implement Section 22.256.040 (Temporary Housing), Section 22.256.050 (Rebuilding Damaged or Destroyed Structures), or Section 22.256.060 (Waiver of Certain Permit Requirements), the Director shall issue a written statement and identify the area of applicability on a map. The area of applicability shall be limited to within the boundary of the disaster. Such statement and map shall be kept on file with the Department, made available to the public, and provided to the Board.

B. Application Filing Time Period.

1. The time period established for filing an application for temporary housing shall be two years following the declaration of a State of Emergency for a disaster by the Governor of the State of California or the declaration and ratification of a local emergency or state of emergency for a disaster by the Board.

2. The time period established for the filing of an application for rebuilding damaged or destroyed structures shall be two years following the declaration of a State of Emergency for a disaster by the Governor of the State of California or the declaration and ratification of a local emergency or state of emergency for a disaster by the Board.

C. Permit Duration.

1. Any permit approved for temporary housing shall expire two years following the declaration of a State of Emergency for a disaster by the Governor of the State of California or the declaration and ratification of a local emergency or state of emergency for a disaster by the Board.

2. Any permit approved for rebuilding damaged or destroyed structures shall expire two years following the declaration of a State of Emergency for a disaster by the Governor of the State of California or the declaration and ratification of a local emergency or state of emergency for a disaster by the Board.

D. Extension of Application Filing Time Period and Permit Duration. The Director may grant up to three one-year extensions to the time periods specified in Subsections B and C, for a maximum cumulative duration of five years, if the Director determines that additional time is necessary because systemic delays beyond the control of the property owner have occurred affecting financing or construction.

E. Indemnification. Prior to approval of an application for temporary housing or of an application to rebuild a structure damaged or destroyed by a disaster in conformance with this Section, the property owner shall be required to submit a signed document that shall indemnify and hold harmless the County, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in a Very High Fire Hazard Severity Zone.

F. Exception. This Chapter shall not apply in the Coastal Zone.

**22.256.040 Temporary Housing.**

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

A. Temporary housing shall be permitted only on a lot where a legally established dwelling unit was damaged or destroyed by a disaster, limited to a single-family residence, an accessory dwelling unit, a caretaker's residence, or a farmworker dwelling unit.

B. Temporary housing shall be permitted only for a person displaced by a disaster that lived in a dwelling unit within the previous 12 months before such dwelling unit was destroyed or rendered uninhabitable by a disaster. Applicants shall provide evidence of displacement, to the satisfaction of the Director, to substantiate their eligibility to file an application under this Section.

C. The Director shall not accept an application for temporary housing until, to the satisfaction of the County, the lot has been cleared of debris, rubble, ash, hazardous waste, or other items of private property that otherwise constitute a threat to the public health, safety, or general welfare.

D. Temporary housing shall be limited to one unit per dwelling unit that was damaged or destroyed by a disaster.

E. The structure used as temporary housing shall not exceed a maximum floor area of 1,500 square feet or the floor area of the legally established dwelling unit that was damaged or destroyed by a disaster, whichever is smaller.

F. One temporary storage structure, not to exceed 450 square feet and 10 feet in height, shall be permitted with any permitted temporary housing.

G. Temporary housing and temporary storage structures shall be located on the existing building site or graded area of the lot on which the damaged or destroyed dwelling unit was located.

H. A minimum distance of six feet shall be required between temporary housing and any other building, habitable structure, or temporary storage structure on the same lot.

I. All structures used for temporary housing shall contain sleeping, cooking, bathing, and sanitary facilities.

J. Temporary housing shall be connected to a permanent source of potable water approved by the County.

K. Temporary housing shall be connected to a wastewater disposal system approved by the County.

L. Temporary housing shall be connected to an electrical source approved by the County.

M. Except as otherwise authorized by this Section, temporary housing shall comply with all other requirements of this Title 22.

N. For the purposes of Section 22.140.670 (Occupied Recreational Vehicle Parking During a County Declared Shelter Crisis), temporary housing authorized pursuant to this Section shall not be considered a legally established single-family residence.

O. All temporary housing and temporary storage structures authorized pursuant to this Section shall be removed within 24 hours of the expiration date established in accordance with Section 22.256.030.C.1 or Section 22.256.030.D, as applicable.

P. Temporary housing and temporary storage structures authorized pursuant to this Section shall be removed within 30 days after the issuance of the certificate of occupancy for any dwelling unit built on the subject property.

**22.256.050 Rebuilding Damaged or Destroyed Structures.**

Notwithstanding any community standards district, specific plan, or any other applicable regulation in this Title 22, structures damaged or destroyed by a disaster shall be permitted and rebuilt subject to the following standards:

A. Structures damaged or destroyed by a disaster shall be rebuilt as like-for-like replacement or smaller than like-for-like replacement in accordance with the following:

1. Where modifications to structures are required by Title 26 (Building Code) or Title 32 (Fire Code), as determined by the Director of Public Works or the Fire Department, such modifications shall be no greater than necessary to accommodate such modification, and in any case, such modification shall not exceed either the floor area, size, height, or bulk of the damaged or destroyed buildings or structures by more than 10 percent.

2. Structures rebuilt smaller than like-for-like replacement shall be smaller than the previously existing legally established structure in floor area, size,

height, and bulk and shall be located within the same building footprint and building envelope as the previously existing legally established structure.

B. The height of any rebuilt structure shall not exceed the maximum height limit of this Title 22 or the previously existing legally established structure, as applicable.

C. Any rebuilt structure located within a required yard or setback shall not encroach further into any required yard requirement or setback.

D. Any rebuilt structure located within a significant ridgeline protection area shall not encroach further into the protected zone of the significant ridgeline.

E. Relocation of any rebuilt structure shall be approved by the Director where:

1. Due to changes in topography or alteration of drainage features, including but not limited to creeks, streams, and waterways, resulting from mudslides or other forms of debris flows caused by a disaster;

2. Where the legally established structure damaged or destroyed by a disaster was nonconforming due to standards, and such minor relocation of the rebuilt structure will result in compliance with current Title 22 standards; or

3. Where such relocation of the rebuilt structure will result in equal to or fewer impacts to protected oak trees, significant ridgelines, SEAs, or SEA Resources;  
and

4. The rebuilt structure is within the same general area of the previously existing legally established structure.



F. Where the entitlement which established the use occupying the damaged or destroyed structure remains valid and in full force and effect, the rebuilt structure shall comply with all previous conditions of approval.

G. For a use that required a Conditional Use Permit (Chapter 22.158) at the time that such use was established and no such Conditional Use Permit exists or has expired, this Section shall not apply and a Conditional Use Permit must be obtained for the use prior to rebuilding structures or to resuming operations.

H. Accessory structures that are necessary to prevent further damage or destruction to the lot or remaining structures shall be permitted. Such accessory structures, such as fences, retaining walls, utilities, or poles for temporary power, shall comply with all applicable standards of this Section and this Title 22.

I. Except as otherwise authorized by this Section, temporary housing shall comply with all other requirements of this Title 22.

J. After structures are rebuilt in accordance with this Section, all future development on the lot shall be subject to all applicable requirements of this Title 22.

K. The replacement of any nonconforming use, building, or structure in accordance with this Section shall not be construed to extend any termination date set forth in Chapter 22.172 (Nonconforming Uses, Buildings and Structures).

**22.256.060 Waiver of Certain Permit Requirements.**

A. Oak Tree Permits. Activities related to temporary housing, in accordance with Section 22.256.040 and rebuilding of damaged or destroyed structures, in

accordance with Section 22.256.050, are not subject to Chapter 22.174 (Oak Tree Permits), subject to the following:

1. Waiver of applicability of Chapter 22.174 applies only to oak trees where a legally established structure was located within the protected zone of a protected oak tree on the day that it was damaged or destroyed by a disaster.

2. Temporary housing, rebuilt structures, and related site activities shall not result in the encroachment into the protected zone of a protected oak tree not otherwise described in Subsection A.1.

3. Temporary housing, rebuilt structures, and related site activities shall not result in the removal of any protected oak tree.

4. Protected oak trees within 200 feet of proposed construction, grading, landfill, or other activity shall be fenced and protected during site activities to the satisfaction of the Director, including:

a. For protected oak trees that have retained their canopy after a disaster, the protected zone is established according to whichever has the greatest area:

i. The area within the dripline of a protected oak tree extending therefrom to a point at least five feet outside of the dripline; or

ii. The area within 15 feet from the trunk of a protected oak tree.

b. For protected oak trees that have lost all of their canopy due to the disaster, the County shall presume that such trees are alive for at least two years

following the disaster. For such trees, the protected zone is established as the area within the radius extending 18 inches per one inch of trunk diameter. Trunk diameter shall be measured four and one-half feet above the natural grade.

c. For protected oak trees that have lost part of their canopy due to a disaster, the County shall presume that such trees are alive for at least two years following the disaster. For such trees, the protected zone is established according to the following:

i. Where the canopy remains, as measured by Subsection A.4.a; and

ii. Where the canopy has been lost, as measured in accordance with Subsection A.4.b.

d. Chain link fencing not less than four feet in height shall be installed around the protected zone of protected oak trees in order to restrict storage, machinery storage, and access during rebuilding activities. Said fencing shall be in place prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed until rebuilding activities have concluded.

e. Any excavation or grading allowed within the protected zone of a protected oak tree shall be limited to hand tools or small hand-power equipment; and

f. Utility trenching shall avoid encroaching into the protected zone of a protected oak tree on its path to and from any structure.

5. Removal of any protected oak tree damaged by a disaster is prohibited for two years following the disaster, unless such tree poses a danger to people or property as determined by the County Forester or unless an Oak Tree Permit (Chapter 22.174) is obtained. The Director shall reduce the two-year time period to not less than one year if the rainfall in the disaster area in the winter or spring following the disaster is greater than the average rainfall for such winter or spring and the Department Biologist or County Forester determines that the protected oak tree is dead.

6. Activities that damage, encroach, or remove protected oak trees not otherwise authorized by this Subsection A shall be subject to Chapter 22.174, including, but not limited to, requiring a retroactive Oak Tree Permit and requirements to plant replacement oak trees at a ratio determined by the Review Authority.

B. Significant Ecological Areas. Activities related to temporary housing, in accordance with Section 22.256.040, and rebuilding of damaged or destroyed structures, in accordance with Section 22.256.050, are not subject to Chapter 22.102 (Significant Ecological Areas), subject to the following:

1. Waiver of applicability of Chapter 22.102 applies only to significant ecological areas and SEA Resources where a legally established structure was located in a significant ecological area on the day the structure was damaged or destroyed by a disaster.

2. Temporary housing, rebuilt structures, and site activities shall result in equal to or fewer impacts to the significant ecological area or SEA Resources.

3. All priority biological resources shall be avoided and protected during site activities.

4. Activities that impact the significant ecological area or damage or remove SEA resources not otherwise authorized by this Subsection B shall be subject to Chapter 22.102, including, but not limited to, requiring a retroactive SEA review or permit.

C. Grading. Activities related to temporary housing, in accordance with Section 22.256.040, and the rebuilding of structures damaged or destroyed by a disaster, in accordance with Section 22.256.050, are not subject to Chapter 22.158 (Conditional Use Permit) for grading and a haul route subject to the following:

1. Waiver of any requirement in this Title 22 where a Conditional Use Permit (Chapter 22.158) is required for grading or haul route applies only to where a legally established structure was damaged or destroyed by a disaster.

2. The Director shall approve only the minimum amount of grading required to restore the lot to a pre-disaster state or prepare the lot for rebuilding of structures damaged or destroyed by a disaster. For purposes of determining the minimum amount of grading, justification by the project Soils Engineer, Geologist, or Civil Engineer may be required by the Director and may be subject to verification by Public Works, Building and Safety Division.

3. Any such grading activities shall provide erosion control best management practices to the satisfaction of the Director of Public Works.

4. Any requirement in this Title 22 that prohibits the commencement of grading operations during the rainy season (from October 15 through April 15) shall not apply.

**22.256.070 Temporary Housing in Disaster Areas.**

Notwithstanding any other provision of this Title 22, where an existing residence is damaged or destroyed by a major disaster, such as fire, flood, or earthquake, so declared by the Governor of the state of California during the previous six months, a mobile home may be used as a residence on the same lot or parcel of land by the owner and his family for a period not to exceed one year. This Section authorizes only the temporary replacement of a damaged or destroyed residence and not an increase in the number of living quarters permitted on the property. This Section shall not apply where the Director has implemented regulations for a specific disaster in accordance with Section 22.256.030 (Implementation).

**Section 8.** Section 22.336.070 is hereby amended to read as follows:

**22.336.070 - Community-Wide Development Standards.**

...

~~O. Rebuilding after Disaster. In the instance of a catastrophic event(s) destroying structures throughout the Santa Monica Mountains, resulting in the declaration of a State of Emergency or Declaration of Disaster by the County or other relevant government entities, the following standards will facilitate the establishment of temporary housing for residents affected by the disaster and facilitate the process for~~

~~rebuilding structures damaged or destroyed by the disaster, while protecting the public health and safety of the residents within the declared emergency or disaster area.~~

~~1. 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:~~

~~a. Temporary housing shall be permitted only on a lot or parcel of land where a legally established single family residence or legally established employee housing was irreparably damaged or destroyed by disaster;~~

~~b. Temporary housing units shall be exempt from the permitting requirements listed in Section 22.102;~~

~~c. Any structure used as temporary housing may not exceed a maximum floor area of 2,200 square feet;~~

~~d. Temporary housing shall be located on the existing building site or graded area of the parcel on which the destroyed or damaged home or employee housing was located;~~

~~e. Temporary housing may only be occupied by the property owner(s) and household members who reside with them;~~

~~f. Temporary housing to replace employee housing shall be limited to employees who work on-site;~~

~~g. All structures used for temporary housing must contain sleeping, cooking, bathing, and sanitary facilities;~~

~~h. Temporary housing must be connected to a permanent source of potable water approved by the County;~~

~~i. Temporary housing must be connected to a wastewater disposal system approved by the County;~~

~~j. Temporary housing must be connected to an electrical source approved by the County;~~

~~k. Where temporary housing is used to replace legally established employee housing, more than one structure may be used. The temporary housing shall be designed to accommodate no more than the number of employees who lived on-site before the disaster;~~

~~l. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.246.080 of the County Code, the Director may grant a time extension for up to an additional three one-year time extensions for a maximum duration of four years; and~~

~~m. All temporary housing structures shall be removed within 24 hours of the expiration date listed on the temporary housing approval.~~

~~2. Rebuilding Damaged or Destroyed Structures. Notwithstanding Chapter 22.336 of the County Code, structures destroyed by disaster may be replaced and any development standard or regulation that prohibits or delays said reconstruction~~



may be waived by the Director, subject to a Ministerial Site Plan Review and the following:

a. — Replacement of a destroyed structure and waiver of development standards and regulations applies only to the reconstruction of structures that were legally established prior to the disaster;

b. — Structures irreparably damaged or destroyed by the disaster will be reconstructed as a like-for-like replacement and shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent to accommodate building code compliance and where there are no new impacts to S1 or S2 habitat;

c. — The height of a rebuilt structure shall not exceed the height maximum outlined by the underlying zone, CSD standard, or condition of approval, as applicable;

d. — Structures located within the significant ridgeline protection area shall not be expanded, shall only be constructed as a like-for-like replacement, and shall not encroach further into the protected zone of the significant ridgeline;

e. — Where a previous entitlement(s) that established the use occupying the destroyed structure remains valid and in full effect, the rebuilt structure(s) shall comply with any previous conditions of approval;

f. — For use(s) that required a Conditional Use Permit at the time it was originally legally established, and no such Conditional Use Permit exists or has

~~previously expired, then the use(s) must obtain a Conditional Use Permit prior to reconstruction or resuming operations;~~

~~g.—— Minor relocations of replacement structures may be authorized due to changes in topography or alteration of drainage features (e.g., creeks, streams, waterways, etc.) resulting from mudslides and other forms of debris flows and consistent with other applicable standards and regulations; and~~

~~h.—— After completion of like-for-like reconstruction of structures destroyed in the disaster, all future development on-site will be subject to all applicable requirements within Title 22 of the County Code.~~

~~3.—— Waiver of Permitting Requirements. Notwithstanding Chapter 22.174 (Oak Tree Permits) of the County Code, activities related to demolition and reconstruction of structures eligible under this Subsection are not subject to the County's Oak Tree Permit requirements, subject to and except for, the following:~~

~~a.—— Waiver of applicability of Chapter 22.174 applies only to legally established structures located within the protected zone of an oak tree on the day the structure was destroyed by disaster;~~

~~b.—— Structures to be reconstructed within the protected zone of a protected oak tree will be a "like-for-like replacement" of legally established structures irreparably damaged or destroyed by disaster;~~

~~c.—— Reconstruction does not result in new encroachments into the protected zone of subject oak tree or the removal of said tree;~~

d. ~~Subject oak trees shall be fenced off and protected during construction activities; and~~

e. ~~Reconstruction activities that irreparably harmed oak trees shall be subject to Section 22.174, including, but not limited to, requiring a retroactive Oak Tree Permit and requirements to plant replacement oak trees at a ratio determined by the Hearing Officer.~~

4. ~~Grading Standards.~~

a. ~~Structures to be rebuilt shall not be subject to the standards of Section 22.336.060.1.6, which prohibit the commencement of grading operations during the rainy season (from October 15 through April 15). Said grading activities shall provide erosion control to the satisfaction of Public Works;~~

b. ~~Notwithstanding Section 22.336.060.1, grading projects related to the rebuilding of structures destroyed by disaster shall abide by the following permitting requirement: Grading required for a like-for-like rebuild, that exceeds 5,000 cubic yards of total cut plus total fill material, shall not require a Conditional Use Permit (Chapter 22.158) and shall instead be processed with a Site Plan Review (Chapter 22.186). Only the minimum amount of grading required to prepare the lot for rebuilding the fire-damaged structures will be allowed. For purposes of determining the minimum amount of grading, justification by the project Soils Engineer, Geologist, and/or Civil Engineer will be required and be subject to verification by Public Works, Building and Safety Division; and~~

~~c. Notwithstanding Section 22.336.060.I.5, a haul route for off-site transport of 1,000 or more cubic yards of cut or fill shall be permitted with a Ministerial Site Plan Review (Chapter 22.186).~~

~~5. Vineyard Standards. Applications requesting to re-establish vineyards destroyed by the 2018 Woolsey Fire shall comply with all applicable standards for new vineyards in Subsection Y, below.~~

O. Rebuilding after a Disaster. Where the Director has implemented Chapter 22.256 (Disaster Recovery), the following shall also apply:

1. Modifications to any rebuilt structure shall comply with Section 22.256.060 (Waiver of Certain Permit Requirements) and shall also cause no new impacts to S1 or S2 habitat.

2. In addition to Section 22.256.060.C (Grading), grading shall comply with the following:

a. Structures to be rebuilt shall not be subject to the standards of Section 22.336.060.I.6, which prohibit the commencement of grading operations during the rainy season (from October 15 through April 15). Said grading activities shall provide erosion control to the satisfaction of Public Works.

b. Notwithstanding Section 22.336.060.I, grading projects related to the rebuilding of structures destroyed by disaster that exceed 5,000 cubic yards of total cut plus total fill material shall not require a Conditional Use Permit (Chapter 22.158) and shall be permitted with a ministerial review.

c. Notwithstanding Section 22.336.060.I.5, a haul route for off-site transport of 1,000 or more cubic yards of cut or fill shall be permitted with a ministerial review.

3. Vineyard Standards. Applications requesting to re-establish vineyards destroyed by the 2018 Woolsey Fire or destroyed by any future disaster shall comply with all applicable standards for new vineyards in Subsection Y, below.

...

DRAFT

**SUMMARY OF PROCEEDINGS  
REGIONAL PLANNING COMMISSION  
PROJECT NUMBER PRJ2021-002912-(1-5)  
CASE NUMBER RPPL2021007888-(1-5)  
DISASTER RECOVERY ORDINANCE**

**October 27, 2021 Regional Planning Commission Hearing**

On October 27, 2021, the Regional Planning Commission (RPC) conducted a duly-noticed public hearing to consider the Disaster Recovery Ordinance (Ordinance). The Ordinance is an amendment to Title 22 - Planning and Zoning of the County Code to expand existing regulations for temporary housing for residents displaced by a disaster and establish procedures for the replacement or reestablishment of uses, buildings, and structures damaged or destroyed by a disaster. The Ordinance applies to the unincorporated areas of Los Angeles County.

Before the public hearing, Regional Planning staff (staff) provided an overview of the Ordinance. Staff recommend additional changes to the Ordinance, including the applicability of the Ordinance in the Coastal Zone, which will be addressed in a separate effort. Two persons testified at the public hearing. A representative from the Acton Town Council commented on the limited scope of the Ordinance, the County's response after a disaster, the placement of temporary housing, and the requirements for indemnification. A representative for Climate Resolve commented that the Ordinance include a reference to Title 31 - Green Building Standards Code of the County Code. Staff responded to several of the comments made during public testimony. Staff provided an overview of the County's emergency response process and of the one-stop center, which was initiated after the Woolsey Fire and Lake and Bobcat Fires. Staff noted that replacement and rebuilding of structures must comply with all current County and California Building Codes, of which the County and California Green Building Codes are a part of, and that these codes are regulated by Public Works.

The RPC stated that the Ordinance was timely and necessary because of Los Angeles County's past experiences with natural disasters and potential for future natural disasters. The RPC questioned staff on the time limit set in the Ordinance. Staff stated that temporary housing is limited to a maximum of five years because temporary housing is not meant to be permanent housing.

After discussion, the RPC directed staff to add accessory dwelling units to the types of dwelling units that are eligible for temporary housing and to ensure that tiny homes are permissible as temporary housing. The RPC closed the public hearing and with a vote of (4-0), adopted the resolution to recommend that the Board of Supervisors consider and adopt the Ordinance with revisions recommended by staff and by the RPC.

**RESOLUTION  
REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
DISASTER RECOVERY ORDINANCE  
PROJECT NUMBER: PRJ2021-002912-(1-5)  
CASE NUMBER: RPPL2021007888**

**WHEREAS**, the Regional Planning Commission of the County of Los Angeles conducted a duly noticed public hearing on October 27, 2021 to consider the Disaster Recovery Ordinance, an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code to expand existing regulations for temporary housing for residents displaced by a disaster and to establish procedures for the replacement of buildings and structures and the reestablishment of uses damaged or destroyed by a disaster.

**WHEREAS**, the Regional Planning Commission finds as follows:

1. The County of Los Angeles ("County") adopted separate urgency ordinances amending Title 22 for disaster recovery after the 2018 Woolsey Fire and the 2020 Lake and Bobcat Fires because existing regulations in Title 22 did not adequately support or address recovery from disasters.
2. The Federal Emergency Management Agency's National Risk Index ranked Los Angeles County as the county highest at risk of natural disasters in the United States.
3. Los Angeles County is at risk of disasters and is vulnerable to emergencies. Thus, the County must establish procedures and regulations that support community resilience and recovery from future disasters and emergencies.
4. In accordance with Chapter 22.244 (Ordinance Amendments), the Director of the Department of Regional Planning initiated the Disaster Recovery Ordinance ("Ordinance") to modernize regulations in Title 22 for disaster recovery for the unincorporated areas of Los Angeles County.
5. The Ordinance relieves the County from initiating and adopting separate urgency ordinances for Title 22 after any future disaster.
6. The Ordinance expands regulations in Title 22 for temporary housing.
7. The Ordinance establishes regulations in Title 22 for the repair or replacement of buildings and structures damaged or destroyed by a disaster and the reestablishment of uses damaged or destroyed by a disaster.

8. The Ordinance streamlines approval for temporary housing and replacement of buildings and structures through a ministerial review and by waiving discretionary permit requirements for oak trees, significant ecological areas, and grading, provided the impacts to these resources are limited to previously impacted areas by the building or structure before the disaster.
9. The Ordinance reorganizes, updates, and clarifies existing countywide and area specific disaster recovery regulations in Title 22.
10. At the public hearing, Department of Regional Planning staff recommended revisions to the Ordinance. The revisions include clarifications and language consistent with the Board's February 11, 2020 motion to "prepare and submit amendments to Los Angeles County Code Title 21 - Subdivisions and Title 22 - Planning and Zoning, intended to reduce damage to life and property from wildfires."
11. The Ordinance supports community resilience in Los Angeles County after a disaster. The Ordinance reduces the displacement of residents after a disaster by allowing residents to remain in their communities during the rebuilding process or while planning for alternatives to rebuilding. The Ordinance encourages the recovery of businesses and other properties after a disaster by establishing procedures and regulations that encourage the replacement of buildings and structures and the reestablishment of uses.
12. The Ordinance is consistent with and supportive of the goals, policies, and principles of the Los Angeles County General Plan, including: Policy ED 2.8, to streamline the permit review process and other entitlement processes for businesses and industries and Policy C/NR 1.2, to protect and conserve natural resources, natural areas, and available open spaces.
13. The Ordinance is consistent with and supportive of the County of Los Angeles Strategic Plan Goal II, to foster vibrant and resilient communities.
14. Approval of the Ordinance will be in the interest of the public health, safety, and general welfare and in conformity with good zoning practice.
15. The Ordinance is consistent with other applicable provisions of Title 22.
16. Pursuant to Chapter 22.244 (Ordinance Amendments), a public hearing notice was published in 14 local newspapers countywide, including the Spanish-language newspaper La Opinión. The public hearing notice and materials were posted on the Department of Regional Planning's website and promoted through social media.



<b>REGIONAL PLANNING COMMISSION RESOLUTION</b>	<b>Page 3 of 4</b>
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17. The Ordinance is statutorily exempt from state and local California Environmental Quality Act (CEQA) guidelines pursuant to Public Resources Code section 21080(b)(3), Public Resources Code section 21080(b)(4), and CEQA Guidelines section 15269(c).

**THEREFORE, BE IT RESOLVED THAT** the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

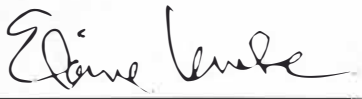
1. That the Board hold a public hearing to consider the Disaster Recovery Ordinance;
2. That the Board find that the Disaster Recovery Ordinance is exempt from the provisions of the California Environmental Quality Act for the reasons in the record;
3. That the Board determine that the Disaster Recovery Ordinance is compatible with and supportive of the goals and policies of the Los Angeles County General Plan and County of Los Angeles Strategic Plan; and
4. That the Board adopt the Disaster Recovery Ordinance.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission on the County of Los Angeles on October 27, 2021.

*Elida Luna*

Elida Luna, Commission Services  
County of Los Angeles  
Regional Planning Commission

APPROVED AS TO FORM: OFFICE OF THE COUNTY COUNSEL

By 

Elaine Lemke  
Assistant County Counsel  
County of Los Angeles

**VOTE:**

Concurring: Duarte-White, Louie, Moon, Shell

Dissenting: None

Abstaining: None

Absent: None

Action Date: October 27, 2021

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to modernize regulations in Title 22 for disaster recovery in the unincorporated areas of Los Angeles County.

**SECTION 1.** Section 22.14.040 is hereby amended to read as follows:

**Section 22.14.040 - D.**

...

Disability rehabilitation and training center. A facility that provides specialized services for a person with a disability such as, but not limited to, developmental, orthopedic, or sensory motor disability, or for the social, personal, or economic habilitation or rehabilitation of a person with such disability. Such services may include, but are not limited to: day and residential care facilities, personal, psychological, and socio-legal counseling, physical and special education, employment, job placement, speech therapy, vocational training, and transportation.

Disaster Recovery. The following terms are defined solely for Chapter 22.256

(Disaster Recovery):

Disaster. -A wildfire, flood, earthquake, or other natural or human caused event, which damages or destroys buildings, structures, or property and which displaces persons, that forms the basis for a State of Emergency declared by the Governor of the State of California or a local emergency or state of emergency declared and ratified by the Board.

Displaced person. ~~A person whose dwelling unit is destroyed or rendered uninhabitable by a disaster.~~

Evidence of displacement. - A driver's license or other government-issued identification card, property tax bill, utility bill, or similar document that demonstrates that a person lived in a dwelling unit that was destroyed or rendered uninhabitable by a disaster.

Like-for-like replacement. -Rebuild, repair, or replacement of a ~~building or~~ structure that is in the same location, floor area, size, height, and bulk, and is covering the same building footprint as the previously existing legally established ~~building or~~ structure.

Person displaced by a disaster. ~~A person whose dwelling unit is destroyed or rendered uninhabitable by a disaster.~~

Domestic animal. An animal which is commonly maintained in residence with humans.

...

**SECTION 2.** Section 22.102.040 is hereby amended to read as follows:

**22.102.040 - Exemptions.**

...

Q. Temporary housing for persons displaced by a disaster or the ~~replacement of buildings or~~ rebuilding of structures damaged or destroyed by a disaster, in accordance with Chapter 22.256 (Disaster Recovery), Chapter 22.252 (Woolsey Fire Disaster Recovery), Chapter 22.254 (Lake and Bobcat Fires Disaster Recovery), or

~~Section 22.336.070.O (Rebuilding after Disaster), or other such ordinance adopted by the County for disaster recovery that includes temporary housing for persons displaced by a disaster or for the replacement of legally established buildings or structures damaged or destroyed by a disaster.)~~

**Section 3.** Section 22.172.020 is hereby amended to read as follows:

**~~22.172.020 – Regulations Applicable.~~**

...

~~K. The provisions of Chapter 22.256 (Disaster Recovery), Chapter 22.252 (Woolsey Fire Disaster Recovery), Chapter 22.254 (Lake and Bobcat Fires Disaster Recovery), Section 22.336.070.O (Rebuilding after Disaster), or other such ordinance adopted by the County for the replacement of legally established buildings or structures damaged or destroyed by a disaster shall not be construed to extend the termination date of such nonconforming uses, buildings, and structures.~~

~~L. The provisions of this Section shall not be construed to extend the termination date of such nonconforming uses, buildings, and structures.~~

**SECTION 43.** Section 22.174.030 is hereby amended to read as follows:

**22.174.030 - Applicability.**

...

B. Exemptions. This Chapter shall not apply to:

...

~~7. Temporary housing for persons displaced by a disaster or the replacement of buildings or rebuilding structures damaged or destroyed by a disaster, in accordance~~

with Chapter 22.256 (Disaster Recovery), Chapter 22.252 (Woolsey Fire Disaster Recovery), Chapter 22.254 (Lake and Bobcat Fires Disaster Recovery), or Section 22.336.070.O (Rebuilding after Disaster); or other such ordinance adopted by the County for disaster recovery that includes temporary housing for persons displaced by a disaster or for the replacement of legally established buildings or structures damaged or destroyed by a disaster.).

**SECTION 54.** Section 22.246.080 is hereby deleted in its entirety.

**SECTION 65.** Section 22.252.050 is hereby amended to read as follows:

**22.252.050 - Rebuilding Damaged or Destroyed Structures.**

...

L. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.256.070 (Temporary Housing in Disaster Areas)~~46.080~~ of the County Code, the Director may grant up to three one-year time extensions for a maximum duration of four years, not to exceed the life of this urgency ordinance; and

...

**SECTION 76.** Section 22.254.050 is hereby amended to read as follows:

**22.254.050 - Rebuilding Damaged or Destroyed Structures.**

...

L. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.256.070 (Temporary Housing in Disaster Areas)~~46.080~~, the Director may grant up to three one-year time extensions for a maximum duration of four years, not to exceed the life of this urgency ordinance; and

...

**Section 87.** Chapter 22.256 is hereby added to read as follows:

**Chapter 22.256 DISASTER RECOVERY**

**22.256.010 Purpose.**

**22.256.020 Definitions.**

**22.256.030 Implementation.**

**22.256.040 Temporary Housing.**

**22.256.050 ~~Replacement of~~Rebuilding Damaged or Destroyed**

**Structures.**

**22.256.060 Waiver of Certain Permit Requirements.**

**22.256.070 Temporary Housing in Disaster Areas.**

**22.256.010 Purpose.**

This Chapter establishes procedures and regulations for temporary housing for persons displaced by a disaster, ~~for the replacement of and rebuilding~~ legally established ~~buildings or structures damaged or destroyed by a disaster, and for the reestablishment of uses~~ damaged or destroyed by a disaster.

**22.256.020 Definitions.**

Specific terms used in this Chapter are defined in Division 2 (Definitions), under "Disaster Recovery."

**22.256.030 Implementation.**

**A. Applicability.**

1. The Director may implement Section 22.256.040 (Temporary Housing), Section 22.256.050 (Replacement of Damaged or Destroyed Structures), or Section 22.256.060 (Waiver of Certain Permit Requirements) only after a disaster in which a State of Emergency is declared by the Governor of the State of California or a local emergency or state of emergency is declared and ratified by the Board.

2. To implement Section 22.256.040 (Temporary Housing), Section 22.256.050 (~~Replacement of~~Rebuilding Damaged or Destroyed Structures), or Section 22.256.060 (Waiver of Certain Permit Requirements), the Director shall issue a written statement ~~in writing~~ and identify the area of applicability on a map. The area of applicability shall be limited to within the boundary of the disaster ~~in which a State of Emergency is declared by the Governor of the State of California or a local emergency or state of emergency is declared and ratified by the Board.~~ Such statement and map shall be kept on file with the Department ~~and be~~, made available to the public, ~~and provided to the Board.~~

B. Application ~~Requirements.~~Filing Time Period.

1. The time period established for ~~the filing of~~ an application for temporary housing shall be two years following the declaration of ~~any disaster for which a local emergency has been declared by the Governor of the State of California or~~Emergency for a disaster by the Governor of the State of California or the declaration ~~and ratification of~~ a local emergency or state of emergency ~~is declared and ratified for a disaster~~ by the Board.



2. The time period established for the filing of an application for ~~the replacement of rebuilding~~ damaged or destroyed ~~buildings or~~ structures shall be two years following the declaration of ~~anya State of Emergency for a disaster for which a local emergency has been declared~~ by the Governor of the State of California or ~~the declaration and ratification of a local emergency or state of emergency is declared and ratified for a disaster~~ by the Board.

C. Permit Duration.

1. Any permit approved for temporary housing shall expire two years following the declaration of ~~any a State of Emergency for a disaster for which a local emergency has been declared~~ by the Governor of the State of California or ~~the declaration and ratification of a local emergency or state of emergency is declared and ratified for a disaster~~ by the Board.

2. Any permit approved for ~~replacement of rebuilding~~ damaged or destroyed ~~buildings or~~ structures shall expire two years following the declaration of ~~any a State of Emergency for a disaster for which a local emergency has been declared~~ by the Governor of the State of California or ~~the declaration and ratification of a local emergency or state of emergency is declared and ratified for a disaster~~ by the Board.

D. Extension of Application Filing ~~Time Period~~ and Permit Duration.

1. The Director may grant up to three one-year extensions to the time periods specified in Subsections B and C, for a maximum ~~cumulative~~ duration of five years, if the Director determines that additional time is necessary ~~to reduce the displacement of persons due to a disaster~~ because systemic delays beyond the control

of the property owner have occurred affecting financing or construction ~~or that the property owner has made substantial progress toward the replacement of damaged or destroyed buildings or structures.~~

E. Indemnification. Prior to approval of an application for temporary housing or of an application to ~~repair or replace~~ rebuild a structure damaged or destroyed by a disaster in conformance with this Section, the property owner shall be required to submit a signed document that shall indemnify and hold harmless the County, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in a Very High Fire Hazard Severity Zone.

F. Exception. ~~Section 22.256.040 (Temporary Housing), Section 22.256.050 (Replacement of Damaged or Destroyed Structures), or Section 22.256.060 (Waiver of Certain Permit Requirements) shall not apply in the Coastal Zone. Disaster recovery in the Coastal Zone shall be subject to the regulations set forth in the applicable Local Coastal Program.~~ This Chapter shall not apply in the Coastal Zone.

**22.256.040 Temporary Housing.**

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

A. Temporary housing shall be permitted only on a lot where a legally established dwelling unit was damaged or destroyed by a disaster, limited to a single-family residence, an accessory dwelling unit, a caretaker's residence, or a farmworker dwelling unit.

B. Applications for temporary housing shall be permitted only be filed by for a person displaced person by a disaster that lived in a dwelling unit within the previous 12 months before such dwelling unit was destroyed or rendered uninhabitable by a disaster. Applicants shall provide evidence of displacement, to the satisfaction of the Director, to substantiate their eligibility to file an application under this Section.

C. The Director shall not accept an application for temporary housing until, to the satisfaction of the County, the lot has been cleared of debris, rubble, ash, hazardous waste, or other items of private property that otherwise constitute a threat to the public health, safety, or general welfare.

D. Temporary housing shall be limited to one unit per dwelling unit that was damaged or destroyed by a disaster.

E. The structure used as temporary housing shall not exceed a maximum floor area of 1,500 square feet or the floor area of the legally established dwelling unit that was damaged or destroyed by a disaster, whichever is smaller.

F. One temporary storage structure, not to exceed 450 square feet and 10 feet in height, shall be permitted ~~wherewith any permitted~~ temporary housing ~~is permitted~~.

G. Temporary housing and temporary storage structures shall be located on the existing building site or graded area of the lot on which the damaged or destroyed dwelling unit was located.

H. A minimum distance of six feet shall be required between temporary housing and any other building, habitable structure, or temporary storage structure on the same lot.

I. All structures used for temporary housing shall contain sleeping, cooking, bathing, and sanitary facilities.

J. Temporary housing shall be connected to a permanent source of potable water approved by the County.

K. Temporary housing shall be connected to a wastewater disposal system approved by the County.

L. Temporary housing shall be connected to an electrical source approved by the County.

M-M. Except as otherwise authorized by this Section, temporary housing shall comply with all other requirements of this Title 22.

N. For the purposes of Section 22.140.670 (Occupied Recreational Vehicle Parking During a County Declared Shelter Crisis), temporary housing authorized pursuant to this Section shall not be considered a legally established single-family residence.

NO. All temporary housing and temporary storage structures authorized pursuant to this Section shall be removed within 24 hours of the expiration date

established in accordance with Section 22.256.030.C.1 or Section 22.256.030.D, as applicable.

OP. Temporary housing and temporary storage structures authorized pursuant to this Section shall be removed within 30 days after the issuance of the certificate of occupancy for any dwelling unit built on the subject property.

**22.256.050 Replacement of Rebuilding Damaged or Destroyed Buildings or Structures.**

Notwithstanding any community standards district, specific plan, or any other applicable regulation in this Title 22, buildings or structures damaged or destroyed by a disaster shall be permitted and replaced rebuilt subject to the following standards:

A. Replacement of buildings or structures damaged or destroyed by a disaster and waiver of development standards and regulations as specified in Section 22.256.060 (Waiver of Certain Permit Requirements) apply only to the replacement of buildings or structures that were legally established prior to the disaster.

B. Buildings or structures Structures damaged or destroyed by a disaster shall be rebuilt as like-for-like replacement or smaller than like-for-like replacement in accordance with the following:

1. Buildings or structures damaged or destroyed by a disaster may be rebuilt as a like-for-like replacement. Where modifications to the buildings or structures are required by Title 26 (Building Code) or Title 32 (Fire Code), as determined by the Director of Public Works or the Fire Department, such modifications shall be no greater than necessary to accommodate such modification, and in any case, such modification

shall not exceed either the floor area, size, height, or bulk of the damaged or destroyed buildings or structures by more than 10 percent; ~~or.~~

2. ~~Buildings or structures damaged or destroyed by a disaster may be~~ Structures rebuilt smaller than like-for-like replacement ~~where the replacement buildings or structures is~~ shall be smaller than the previously existing legally established buildings or structures if the replacement building or structure is in the same location; is equal to or less than their floor area, size, height, and bulk; and ~~a~~ shall be located within the same building footprint and building envelope as the previously existing legally established ~~building or~~ structure.

CB. The height of any ~~replacement building or rebuilt~~ structure shall not exceed the maximum height limit of this Title 22 or ~~the~~ previously existing legally established ~~building or~~ structure, as applicable.

DC. Any ~~replacement building or rebuilt~~ structure located within a required yard or setback shall not encroach further into any required yard requirement or setback.

ED. Any ~~replacement building or rebuilt~~ structure located within a significant ridgeline protection area shall not encroach further into the protected zone of the significant ridgeline.

~~F. Minor relocation~~ E. Relocation of any ~~replacement building or rebuilt~~ structure ~~may~~ shall be approved by the Director ~~where:~~

1. Due to changes in topography or alteration of drainage features ~~(e.g., including but not limited to creeks, streams, and waterways, etc.)~~ resulting from mudslides or other forms of debris flows caused by a disaster;

2. Where the legally established ~~building or~~ structure damaged or destroyed by a disaster was nonconforming due to standards, and such minor relocation of the ~~replacement building or~~rebuilt structure will result in compliance with current Title 22 standards; or

3. Where such ~~minor~~ relocation of the ~~replacement building or~~rebuilt structure will result in equal to or fewer impacts to protected oak trees, significant ridgelines, SEAs, or SEA Resources; and

4. ~~Such minor relocations shall be consistent with all other applicable standards and regulations of this Section and this Title 22~~The rebuilt structure is within the same general area of the previously existing legally established structure.

GF. Where the entitlement which established the use occupying the damaged or destroyed ~~building or~~ structure remains valid and in full force and effect, the ~~replacement building or~~rebuilt structure shall comply with all previous conditions of approval.

HG. For a use that required a Conditional Use Permit (Chapter 22.158) at the time that such use was established and no such Conditional Use Permit exists or has expired, this Section shall not apply and a Conditional Use Permit must be obtained for the use prior to ~~replacement of buildings or~~rebuilding structures or to resuming operations.

IH. Accessory structures that are necessary to prevent further damage or destruction to the lot or remaining structures ~~may~~shall be permitted. Such accessory

structures, such as fences, retaining walls, utilities, or poles for temporary power, shall comply with all applicable standards of this Section and this Title 22.

I. Except as otherwise authorized by this Section, temporary housing shall comply with all other requirements of this Title 22.

J. After ~~the completion of replacement buildings or structures are rebuilt in~~ accordance with this Section, all future development on the lot shall be subject to all applicable requirements of this Title 22.

K. ~~Notwithstanding Section 22.172.020.G.2, nonconforming uses, buildings, or structures may be replaced in accordance with this Section. This Section shall not be interpreted as authorizing the continuation~~The replacement of ~~aany~~ nonconforming use, building, or structure ~~beyond the time limits~~in accordance with this Section shall not be ~~construed to extend any termination date set forth in Chapter 22.172 (Nonconforming Uses, Buildings and Structures) that were applicable to the use, building, or structure prior to the disaster that necessitated the declaration of the emergency.~~

#### **22.256.060 Waiver of Certain Permit Requirements.**

A. Oak Tree Permits. ~~Notwithstanding Chapter 22.174 (Oak Tree Permits), activities~~Activities related to temporary housing, in accordance with Section 22.256.040, and ~~replacement~~rebuilding of ~~buildings~~damaged or destroyed structures, in accordance with Section 22.256.050, are not subject to Chapter 22.174, ~~(Oak Tree Permits),~~ subject to ~~and except for~~ the following:



1. Waiver of applicability of Chapter 22.174 applies only to oak trees where a legally established ~~building or~~ structure was located within the protected zone of a protected oak tree on the day that it was damaged or destroyed by a disaster.

2. Temporary housing ~~and replacement buildings or structures may be placed in the protected zone of a protected oak tree in the location described in~~ Subsection A.1.

3. ~~Temporary housing, replacement buildings or, rebuilt~~ structures, and related site activities shall not result in the encroachment into the protected zone of a protected oak tree not otherwise described in Subsection A.1.

43. Temporary housing, ~~replacement buildings or rebuilt~~ structures, and related site activities shall not result in the removal of any protected oak tree.

54. Protected oak trees within 200 feet of proposed construction, grading, landfill, or other activity shall be fenced and protected during ~~the replacement of buildings or structures and~~ site activities to the satisfaction of the Director, including:

a. For protected oak trees that have retained their canopy after a disaster, the protected zone is established according to whichever has the greatest area:

i. The area within the dripline of a protected oak tree extending therefrom to a point at least five feet outside of the dripline; or

ii. The area within 15 feet from the trunk of a protected oak tree.

b. For protected oak trees that have lost all of their canopy due to the disaster, the County shall presume that such trees are alive for at least two years following the disaster. For such trees, the protected zone is established as the area within the radius extending 18 inches per one inch of trunk diameter. Trunk diameter shall be measured four and one-half feet above the natural grade.

c. For protected oak trees that have lost part of their canopy due to a disaster, the County shall presume that such trees are alive for at least two years following the disaster. For such trees, the protected zone is established according to the following:

i. Where the canopy remains, as measured by Subsection A.54.a; and

ii. Where the canopy has been lost, as measured in accordance with Subsection A.54.b.

d. Chain link fencing not less than four feet in height shall be installed around the protected zone of protected oak trees in order to restrict storage, machinery storage, and access during replacementrebuilding activities. Said fencing shall be in place prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed until replacementrebuilding activities have concluded.

e. Any excavation or grading allowed within the protected zone of a protected oak tree shall be limited to hand tools or small hand-power equipment; and

f. Utility trenching shall avoid encroaching into the protected zone of a protected oak tree on its path to and from any structure.

65. Removal of any protected oak tree damaged by a disaster is prohibited for two years following the disaster, unless such tree poses a danger to people or property as determined by the County Forester or unless an Oak Tree Permit (Chapter 22.174) is obtained. The Director may shall reduce the two-year time period to not less than one year if the rainfall in the disaster area in the winter or spring following the disaster is greater than the average rainfall for such winter or spring and the Department Biologist or County Forester determines that the protected oak tree is dead.

76. Activities that damage, encroach, or remove protected oak trees not otherwise authorized by this Subsection A shall be subject to Chapter 22.174, including, but not limited to, requiring a retroactive Oak Tree Permit and requirements to plant replacement oak trees at a ratio determined by the Review Authority.

B. Significant Ecological Areas. Notwithstanding Chapter 22.102 (Significant Ecological Areas), activitiesActivities related to temporary housing, in accordance with Section 22.256.040, and replacementrebuilding of buildingsdamaged or destroyed structures, in accordance with Section 22.256.050, are not subject to Chapter 22.102, (Significant Ecological Areas), subject to and except for the following:

1. Waiver of applicability of Chapter 22.102 applies only to significant ecological areas and SEA Resources where a legally established building or structure was located in a significant ecological area on the day the building or structure was damaged or destroyed by a disaster.

2. Temporary housing and replacement use, buildings, or structures may be placed in the location described in Subsection B.1.

3. Temporary housing, replacement of buildings or, rebuilt structures, and site activities shall result in equal to or fewer impacts to the significant ecological area or SEA Resources.

43. All priority biological resources shall be avoided and protected during site activities.

54. Activities that impact the significant ecological area or damage or remove SEA resources not otherwise authorized by this Subsection B shall be subject to Chapter 22.102, including, but not limited to, requiring a retroactive SEA review or permit.

C. Grading. Activities related to temporary housing, in accordance with Section 22.256.040, and the rebuilding of structures damaged or destroyed by a disaster, in accordance with Section 22.256.050, are not subject to Chapter 22.158 (Conditional Use Permit) for grading and a haul route subject to the following:

1. Notwithstanding Waiver of any requirement in this Title 22 where a Conditional Use Permit (Chapter 22.158) is required for grading, the Director may establish the amount of grading that may be permitted where the Director has implemented regulations for a specific disaster in accordance with Section 22.256.030.A or haul route applies only to where a legally established structure was damaged or destroyed by a disaster.

2. The Director shall approve only the minimum amount of grading required to restore the lot to a pre-disaster state or prepare the lot for ~~the replacement building or structure.~~ rebuilding of structures damaged or destroyed by a disaster. For purposes of determining the minimum amount of grading, justification by the project Soils Engineer, Geologist, or Civil Engineer may be required by the Director and may be subject to verification by Public Works, Building and Safety Division.

3. Any such grading activities shall provide erosion control best management practices to the satisfaction of the Director of Public Works.

4. Any requirement in this Title 22 that prohibits the commencement of grading operations during the rainy season (from October 15 through April 15) shall not apply.

**22.256.070 Temporary Housing in Disaster Areas.**

Notwithstanding any other provision of this Title 22, where an existing residence is damaged or destroyed by a major disaster, such as fire, flood, or earthquake, so declared by the Governor of the state of California during the previous six months, a mobile home may be used as a residence on the same lot or parcel of land by the owner and his family for a period not to exceed one year. This Section authorizes only the temporary replacement of a damaged or destroyed residence and not an increase in the number of living quarters permitted on the property. This Section shall not apply where the Director has implemented regulations for a specific disaster in accordance with Section 22.256.030 (Implementation).

**Section 98.** Section 22.336.070 is hereby amended to read as follows:

## 22.336.070 - Community-Wide Development Standards.

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~~O. Rebuilding after Disaster. In the instance of a catastrophic event(s) destroying structures throughout the Santa Monica Mountains, resulting in the declaration of a State of Emergency or Declaration of Disaster by the County or other relevant government entities, the following standards will facilitate the establishment of temporary housing for residents affected by the disaster and facilitate the process for rebuilding structures damaged or destroyed by the disaster, while protecting the public health and safety of the residents within the declared emergency or disaster area.~~

~~1. 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:~~

~~a. Temporary housing shall be permitted only on a lot or parcel of land where a legally established single-family residence or legally established employee housing was irreparably damaged or destroyed by disaster;~~

~~b. Temporary housing units shall be exempt from the permitting requirements listed in Section 22.102;~~

~~c. Any structure used as temporary housing may not exceed a maximum floor area of 2,200 square feet;~~

~~d. — Temporary housing shall be located on the existing building site or graded area of the parcel on which the destroyed or damaged home or employee housing was located;~~

~~e. — Temporary housing may only be occupied by the property owner(s) and household members who reside with them;~~

~~f. — Temporary housing to replace employee housing shall be limited to employees who work on-site;~~

~~g. — All structures used for temporary housing must contain sleeping, cooking, bathing, and sanitary facilities;~~

~~h. — Temporary housing must be connected to a permanent source of potable water approved by the County;~~

~~i. — Temporary housing must be connected to a wastewater disposal system approved by the County;~~

~~j. — Temporary housing must be connected to an electrical source approved by the County;~~

~~k. — Where temporary housing is used to replace legally-established employee housing, more than one structure may be used. The temporary housing shall be designed to accommodate no more than the number of employees who lived on-site before the disaster;~~

~~l. — In addition to the one-year length of temporary housing allowed, pursuant to Section 22.246.080 of the County Code, the Director may grant a~~

~~time extension for up to an additional three one-year time extensions for a maximum duration of four years; and~~

~~m. All temporary housing structures shall be removed within 24 hours of the expiration date listed on the temporary housing approval.~~

~~2. Rebuilding Damaged or Destroyed Structures. Notwithstanding Chapter 22.336 of the County Code, structures destroyed by disaster may be replaced and any development standard or regulation that prohibits or delays said reconstruction may be waived by the Director, subject to a Ministerial Site Plan Review and the following:~~

~~a. Replacement of a destroyed structure and waiver of development standards and regulations applies only to the reconstruction of structures that were legally established prior to the disaster;~~

~~b. Structures irreparably damaged or destroyed by the disaster will be reconstructed as a like-for-like replacement and shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent to accommodate building code compliance and where there are no new impacts to S1 or S2 habitat;~~

~~c. The height of a rebuilt structure shall not exceed the height maximum outlined by the underlying zone, CSD standard, or condition of approval, as applicable;~~



~~d. Structures located within the significant ridgeline protection area shall not be expanded, shall only be constructed as a like-for-like replacement, and shall not encroach further into the protected zone of the significant ridgeline;~~

~~e. Where a previous entitlement(s) that established the use occupying the destroyed structure remains valid and in full effect, the rebuilt structure(s) shall comply with any previous conditions of approval;~~

~~f. For use(s) that required a Conditional Use Permit at the time it was originally legally established, and no such Conditional Use Permit exists or has previously expired, then the use(s) must obtain a Conditional Use Permit prior to reconstruction or resuming operations;~~

~~g. Minor relocations of replacement structures may be authorized due to changes in topography or alteration of drainage features (e.g., creeks, streams, waterways, etc.) resulting from mudslides and other forms of debris flows and consistent with other applicable standards and regulations; and~~

~~h. After completion of like-for-like reconstruction of structures destroyed in the disaster, all future development on-site will be subject to all applicable requirements within Title 22 of the County Code.~~

~~3. Waiver of Permitting Requirements. Notwithstanding Chapter 22.174 (Oak Tree Permits) of the County Code, activities related to demolition and reconstruction of structures eligible under this Subsection are not subject to the County's Oak Tree Permit requirements, subject to and except for, the following:~~

~~a. — Waiver of applicability of Chapter 22.174 applies only to legally established structures located within the protected zone of an oak tree on the day the structure was destroyed by disaster;~~

~~b. — Structures to be reconstructed within the protected zone of a protected oak tree will be a "like-for-like replacement" of legally established structures irreparably damaged or destroyed by disaster;~~

~~c. — Reconstruction does not result in new encroachments into the protected zone of subject oak tree or the removal of said tree;~~

~~d. — Subject oak trees shall be fenced off and protected during construction activities; and~~

~~e. — Reconstruction activities that irreparably harmed oak trees shall be subject to Section 22.174, including, but not limited to, requiring a retroactive Oak Tree Permit and requirements to plant replacement oak trees at a ratio determined by the Hearing Officer.~~

~~4. — Grading Standards.~~

~~a. — Structures to be rebuilt shall not be subject to the standards of Section 22.336.060.I.6, which prohibit the commencement of grading operations during the rainy season (from October 15 through April 15). Said grading activities shall provide erosion control to the satisfaction of Public Works;~~

~~b. — Notwithstanding Section 22.336.060.I, grading projects related to the rebuilding of structures destroyed by disaster shall abide by the following permitting requirement: Grading required for a like-for-like rebuild, that exceeds 5,000~~

~~cubic yards of total cut plus total fill material, shall not require a Conditional Use Permit (Chapter 22.158) and shall instead be processed with a Site Plan Review (Chapter 22.186). Only the minimum amount of grading required to prepare the lot for rebuilding the fire-damaged structures will be allowed. For purposes of determining the minimum amount of grading, justification by the project Soils Engineer, Geologist, and/or Civil Engineer will be required and be subject to verification by Public Works, Building and Safety Division; and~~

~~c. Notwithstanding Section 22.336.060.I.5, a haul route for off-site transport of 1,000 or more cubic yards of cut or fill shall be permitted with a Ministerial Site Plan Review (Chapter 22.186).~~

~~5. Vineyard Standards. Applications requesting to re-establish vineyards destroyed by the 2018 Woolsey Fire shall comply with all applicable standards for new vineyards in Subsection Y, below.~~

~~O. Rebuilding after a Disaster. In the instance of a disaster and whereWhere the Director has implemented Chapter 22.256 (Disaster Recovery), procedures and regulations for temporary housing for persons displaced by a disaster and for the replacement of legally established buildings and structures damaged or destroyed by a disasterthe following shall comply with Chapter 22.256 and this Subsection O. also apply:~~

~~1. Modifications to any replacementrebuilt structure shall comply with Section 22.256.060 (Waiver of Certain Permit Requirements) and shall also cause no new impacts to S1 or S2 habitat.~~

2. In addition to Section 22.256.060.C (Grading), grading shall comply with the following:

a. Structures to be rebuilt shall not be subject to the standards of Section 22.336.060.I.6, which prohibit the commencement of grading operations during the rainy season (from October 15 through April 15). Said grading activities shall provide erosion control to the satisfaction of Public Works.

b. Notwithstanding Section 22.336.060.I, grading projects related to the rebuilding of structures destroyed by disaster ~~shall abide by the following permitting requirement: Grading required for a like-for-like rebuild, that exceedsexceed~~ 5,000 cubic yards of total cut plus total fill material, shall not require a Conditional Use Permit (Chapter 22.158) and shall ~~instead be processed~~ permitted with a ministerial review.

c. Notwithstanding Section 22.336.060.I.5, a haul route for off-site transport of 1,000 or more cubic yards of cut or fill shall be permitted with a ministerial review.

3. Vineyard Standards. Applications requesting to re-establish vineyards destroyed by the 2018 Woolsey Fire or destroyed by any future disaster shall comply with all applicable standards for new vineyards in Subsection Y, below.

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