COUNTY OF LOS ANGELES

OFFICE OF THE COUNTY COUNSEL

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

TELEPHONE
(213) 974-1904
FACSIMILE
(213) 687-7300
TDD
(213) 633-0901

RAYMOND G. FORTNER, JR.
County Counsel

June 2, 2008

Honorable Don Knabe
Supervisor, Fourth District
822 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Attention: Julie Moore, Planning Deputy

Re: Cerritos Island Interim Urgency Ordinance

Dear Supervisor:

Pursuant to your request, enclosed are an analysis and interim urgency ordinance for your consideration to temporarily require a conditional use permit to construct or modify residential buildings that exceed 26 feet in height or for yard modifications in the residentially-zoned properties in the Cerritos Island area pending a zoning study to review such properties to determine appropriate zoning. This interim ordinance will require a four-fifths vote by the Board of Supervisors. It will take immediate effect and will expire 45 days after its adoption.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

LEELA A. KAPUR
Chief Deputy

EML:di
Enclosures

HOA.526701.1

ANALYSIS

This interim ordinance temporarily regulates the development of all residentially-zoned parcels improved, or to be improved, with residential buildings in the unincorporated Cerritos Island area bounded by 166th Street to the north, Gridley Road to the east, 167th Street to the south and Elmcroft Avenue to the west, by requiring a conditional use permit for buildings and building additions that exceed 26 feet in height and for yard modifications other than for fences or walls which are located within required setbacks.

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

This ordinance expires forty-five (45) days after its adoption, unless extended pursuant to section 65858 of the Government Code.

RAYMOND G. FORTNER, JR.
County Counsel

By
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

5/27/08 (requested)

5/28/08 (revised)

526596_2

ORDINANCE NO. _____

An interim ordinance temporarily regulating the use of all residential buildings on residentially-zoned parcels in the unincorporated Cerritos Island area bounded by 166th Street to the north, Gridley Road to the east, 167th Street to the south and Elmcroft Avenue to the west, and declaring the urgency thereof.

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

SECTION 1. Interim prohibition.

No residential buildings or residential building additions which exceed 26 feet in height shall be constructed and no yard modifications except for fences or walls located within required setbacks shall be permitted on any property improved, or proposed to be improved, with a residential building that: (1) is located within the area described in Section 6, below; and (2) is zoned for residential use as defined in Title 22 of the Los Angeles County Code, unless a conditional use permit is first issued in accordance with the procedures set forth in Part 1 of Chapter 22.56 of said Title 22.

SECTION 2. Authority.

Section 65858 of the Government Code provides that any urgency measure in the form of an initial interim ordinance may be adopted without prior public notice by a four-fifths vote of the board of supervisors, which shall be effective for only forty-five (45) days following its adoption. Section 65858 of the Government Code further provides that such an urgency measure may be extended, following compliance with that section, for up to an additional twenty-two (22) months, fifteen (15) days beyond the original forty-five (45) day period.

SECTION 3. Definitions and penalties.

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

SECTION 4. Zoning study to be initiated, determination of immediate threat.

The Los Angeles County Regional Planning Department ("Planning Department") intends to conduct a comprehensive zoning study to review all residentially-zoned properties in the affected Cerritos Island area to consider a possible permanent zoning ordinance amendment. The Planning Department plans to study development standards in the area to, among other things, assess the heights and yard sizes for buildings and street access issues. The affected area includes many substandard lots in terms of size and many parcels are located on substandard streets. Residential development in the Cerritos Island area and surrounding communities has a certain character in terms of yard size and building heights. Generally, in the past, development accounted for the size of the lots and impacts on neighboring properties and the buildings constructed were consistent with the character of the community. More recently, however, buildings built to near the maximum height limit and with less than required setbacks have been constructed which are not compatible with other homes in the area and out of character with the surrounding community. Also, at least one street in the Cerritos Island area is substandard in width, raising, among other things, and questions related to fire safety. Allowing residential buildings or residential

building additions that exceed 26 feet in height and permitting yard modifications for residential buildings in the affected area to proceed without the oversight provided by the review process for a conditional use permit may negatively impact and detract from the physical appearance, conditions, and character of the area and may impact fire safety. Unless this interim ordinance takes immediate effect as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the approval of additional subdivisions, variances, building permits, site plans, yard modifications, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the board of supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, variances, building permits, site plans, yard modifications, or other applicable entitlements for use would result in that threat to the public health, safety, or welfare absent implementation of the restrictions contained in this ordinance. If this interim ordinance does not take immediate effect, uses that may be in conflict with any permanent amendment to the zoning code for the affected Cerritos Island area that may be adopted as a result of the Planning Department study may be established, and these uses may continue after any permanent rezoning of the properties described in Section 6.

SECTION 5. Severability.

If any provision of this interim ordinance or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of applicability.

This interim ordinance applies to parcels in the unincorporated Cerritos Island area bounded by 166th Street to the north, Gridley Road to the east, 167th Street to the south and Elmcroft Avenue to the west. This area is surrounded by the City of Norwalk to the north and the City of Cerritos in all other directions.

SECTION 7. Urgent need.

This interim ordinance is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect immediately upon adoption, and it shall be of no further force and effect forty-five (45) days following the date of its adoption unless extended in accordance with the provisions set forth in section 65858 of the Government Code.

[CERRITOSISLANDURGORD]