

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

AMY J. BODEK, AICP
Director,
Regional Planning

DENNIS SLAVIN
Chief Deputy Director,
Regional Planning

CONNIE CHUNG, AICP
Deputy Director,
Advance Planning

DAVID DE GRAZIA
Deputy Director,
Current Planning

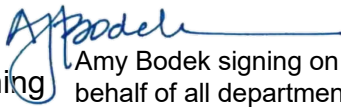
SHARON GUIDRY
Deputy Director,
Land Use Regulation

JOSEPH HORVATH
Administrative Deputy,
Administration

January 21, 2025

TO: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Lindsey P. Horvath
Supervisor Holly J. Mitchell
Supervisor Janice Hahn

FROM: Amy J. Bodek, AICP
Director of Regional Planning



Amy Bodek signing on
behalf of all departments.

Anthony C. Marrone, Fire Chief
Fire Department

Barbara Ferrer, Ph.D., M.P.H., M.Ed
Director of Public Health

Mark Pestrella, PE
Director of Public Works

RATIFICATION OF PROCLAMATION OF LOCAL EMERGENCY, CURFEW ORDER, AND LOCAL HEALTH EMERGENCY DECLARATION FOR THE JANUARY 2025 WINDSTORM AND CRITICAL FIRE EVENTS (ITEM NO. 31-A, AGENDA OF January 14, 2025)

On January 14, 2025, the County of Los Angeles Board of Supervisors instructed the Department of Regional Planning (DRP), Public Works (DPW), Public Health (Public Health), and Fire Department (Fire) to coordinate on the following action:

Instruct the Directors of the DRP, DPW, Public Health, and Fire to report back in writing in 7 days with recommendations to identify additional permitting requirements, including provisions of the Los Angeles County Building Code, the Los Angeles County Fire Code, and Title 21 and Title 22 of the Los Angeles County Code, that can safely be suspended or streamlined to accelerate rebuilding and make it more affordable.

On behalf of the aforementioned departments, the DRP has coordinated with and is submitting this report, which consolidates recommendations from each department that identify local and State codes that can be safely suspended, waived, or streamlined to accelerate rebuilding with affordability and resilience in mind. The recommendations also identify existing operational procedures (Local Procedures) within departments that would be utilized to meet the stated goals.

A separate section of the report identifies common issues within all affected departments have been identified for further consideration and discussion. These common issues include the need to separate current permit and development applications from fire rebuild efforts, the provision of surge staffing to address the anticipated influx of rebuild applications and the need to consolidate rebuild staff into a new One Stop permit center centrally located in the Altadena area. These issues and other long-term recovery concepts will be discussed in a follow-up report that will be provided in approximately 30 to 45 days.

Lastly, the report identifies State regulations that could likewise be waived, suspended or streamlined. These recommendations would require action by the Board of Supervisors to consider sending a five-signature letter to the State.

For further information on the topics contained within, please contact Connie Chung from DRP (cchung@planning.lacounty.gov); Ciara Barnett from DPW (cbarnett@dpw.lacounty.gov); Deputy Chief Nick Duvally from Fire (nduvally@fire.lacounty.gov) or Liza Frias from Public Health (lfrias@ph.lacounty.gov). Thank you.

AJB:DS:CC:CB:LJ

Attachments:

1. General Considerations for Permitting Departments
2. Fire Department Recommendations
3. Public Health Recommendations
4. Public Works Recommendations
5. Regional Planning Recommendations
6. Considerations for Waivers of State Regulations

ATTACHMENT 1: GENERAL CONSIDERATIONS FOR PERMITTING DEPARTMENTS

GENERAL CONSIDERATIONS

1. Prioritization of Rebuilds:

- a. Separate fire rebuild permit applications from other pending permit applications already in queue. Establish two separate permit review teams (subject to surge staffing for all permit departments as discussed below) to handle the fire rebuild permit applications. One team would handle like-for-like rebuilds and the other team would handle more complex rebuilds and rebuilds requiring discretionary review.

2. Concierge Service Implementation:

- a. Establish a comprehensive permit resource guide. The resource guide would also provide suggestions for incorporating resiliency into rebuilds as options for applicants.
- b. Host "One-Stop" workshops where property owners are provided with assistance, including access to permit records, assessor information, and site attributes. Host separate workshops for design professionals as needed. All four permitting departments would participate with additional county/city representatives as needed. The process shall follow the successful framework of the Woolsey Fire rebuild initiative.

3. Rebuild Coordination Team:

- a. Form a dedicated Concierge Fire Rebuild Coordination Team comprising representatives from all relevant departments to oversee and monitor rebuild plan submittals, ensuring inter-departmental connectivity and expedited processing.
- b. Develop "surge staffing" models to address existing constrained staff resources and to separate rebuild activities from 'business as usual' entitlement and permit activities. Staffing models need to balance permit experience, timeliness of permit approvals, and fiscal resilience. Consider similar models used by other jurisdictions facing similarly scaled disasters:
 - i. <https://www.pressdemocrat.com/article/news/santa-rosa-hires-multinational-firm-to-issue-permits-for-rebuilding-3000-h/>
 - ii. https://www.kitv.com/news/county-of-maui-issues-first-building-permit-for-lahaina-wildfire-rebuild/article_89d29c52-14b9-11ef-80db-a7708c5fc959.html

4. Fee Waiver Determination:

- a. Evaluate the feasibility of waiving certain fees for applicable permits, based on ability to reimburse the affected department or from sourcing alternative funding for fees.

- i. Regional Planning: Assuming a simple Site Plan Review fee from Regional Planning (\$1,404 flat fee) is waived for 10,000 like-for-like residential rebuilds for the Eaton Fire, the total fee waiver would exceed \$14 million. A fee waiver for a Coastal Development Permit Exemption (\$1,569 flat fee) for 600 like-for-like residential rebuilds affected by the Palisades Fire would cost an additional \$941,400. Fee waivers for commercial like-for-like rebuilds would further cost approximately \$300,000. These estimates do not account for more complex rebuilds or discretionary permits, neither of which would qualify for like-for-like permit streamlining.
- ii. Public Works/Building: Building Plan Check and Permit Fees are based on the overall value of the project. Any waiver of Plan Check and Permit Fees requires additional research.
- iii. Public Health: Plan Check Fees are based on cost recovery. Any waiver of Public Health fees requires additional research.
- iv. Fire Department: As a Special District, the waiver of Fire Department fees requires additional research.

4. Inclusion of Additional Recent Fires:

- a. Consider including rebuild applications from the Bridge Fire (November 2024) and the Franklin Fire (December 2024) in all programs and incentives offered to Eaton and Palisades Fire applications to promote equity between all fires in the 2024-2025 fire season.

5. Code Update Opportunity:

- a. Leverage the 2025 fire and building code update cycle to revise and adapt existing codes to accommodate fire rebuild processes.

6. Commercial and Historical Buildings:

- a. Include commercial/Institutional and historic buildings within the scope of the rebuild guidelines to streamline economic and community development recovery.

7. Timeline for Guidelines:

- a. Establish a clear timeframe for approvals from each department for like-for-like rebuilds, with consideration for extensions or different timeframes for more complex or discretionary rebuilds.

ATTACHMENT 2: FIRE DEPARTMENT RECOMMENDATIONS

LOCAL REGULATIONS

- **Fee Waivers:**
 - Consider fee waivers in conjunction with other permitting departments as mentioned above, noting that the Fire Department is a Special District Fund.
- **Recently Approved Permits:**
 - Allow property owners rebuilding their homes to utilize plans approved within the last two code cycles (since 2020) without additional plan checks, subject to department coordination. With the inclusion of the “Zone Zero” no combustible materials within five feet of the home.

STATE REGULATIONS

- **AB-3074 Implementation:**
 - Enforce "Zone Zero" regulations (AB-3074), prohibiting combustibles within the first five feet of a home in all fire hazard zone. Encourage all other rebuilds to consider incorporating regulations through Resilient Rebuild Resource Guide.
- **Fire Hazard Severity Zone Maps:**
 - Cal Fire is expected to release new Fire Hazard Severity maps later this month. Coordinate with Cal Fire on potentially deferring the release to a later mutually agreed upon date.
- **State Fire Sprinkler Requirements:**
 - Maintain the State requirement for fire sprinklers within new/rebuild homes.

LOCAL PROCEDURES

- **R-3 Plan Review Modifications:**

Limit Fire Department review of R-3 plan submittals to water and access requirements, deferring all other elements, including Chapter 7A, to Public Works. This also applies to R-3 structures within Fire Hazard Severity Zones.
- **Water Supply Requirements:**

Establish multi-agency task force with local and State partners to consider potential upgrade to and funding mechanisms for local water supply systems for redundancy and resilience with the goal of streamlining all fire rebuilds.

ATTACHMENT 3: PUBLIC HEALTH RECOMMENDATIONS

LOCAL PROCEDURES: Recommendations provided apply to like-for-like rebuilds in fire impacted areas only.

- Waive plan check application fees if alternate funding can be identified.
- Authorize overtime to expedite plan reviews if alternate funding can be identified.
- Owners of property damaged by fire that have a septic system can contact DPH's Onsite Wastewater Program at dlanduse@ph.lacounty.gov to request copies of any prior approved plans within DPH's records, to be provided without charge.
- Owners of property damaged by fire that have a septic system require an evaluation of an existing onsite wastewater treatment system and may be eligible for a simplified review when rebuilding according to the original floor plan.
- Grant a variance from the requirements of the Noise Control Ordinance (Section 12.08.580) for a period not to exceed two years, extending working hours (7:00 a.m. - 7:00 p.m.) to include Sundays and legal holidays, and allowing an activity, operation or noise source which cannot feasibly be done in a manner that would comply with the provisions of this chapter, when no other reasonable alternative is available.

STATE LAW

- Owners of property damaged by fire that have a septic system will have the requirement to connect to a public sewer within 200 feet waived, if the onsite wastewater treatment system is in good repair.
- Owners of a food facility damaged by fire may submit the approved original floor plans if approved after July 1, 2007, and receive authorization for the reconstruction according to the original design, even if not compliant with current code.
- Allow the owner of a restaurant that was damaged or destroyed by fire to operate a Mobile Food Facility from the fire damaged property utilizing external water tanks, external wastewater tanks, and cargo containers for storage of refrigerated and non-refrigerated supplies. Waive the requirement for the mobile food facility to return to a commissary on a daily basis through construction.

Note: Owners of property damaged by fire that have a non-conforming cesspool will be required to obtain direction from the Los Angeles Regional Water Quality Control Board regarding cesspool requirements. Public Health does not have jurisdiction over cesspool requirements.

ATTACHMENT 4: PUBLIC WORKS RECOMMENDATIONS

LOCAL REGULATIONS: Recommendations provided apply to like-for-like rebuilds in fire impacted areas only.

- Suspend geotechnical review requirements for fire rebuilds not located within mapped geological fault hazards.
- Suspend EV-ready requirements for one- and two-family dwellings but encourage inclusion of these amenities through a common resource guide (to be developed jointly with all permit departments).
- Suspend cool roof requirements but encourage implementation of this amenity through a a common resource guide.
- Suspend Grey Water Ready plumbing requirements.
- Suspend Low Impact Development (LID) requirements for buildings built prior to 2009 and for small residential projects but encourage implementation through a common resource guide.
- Waive the requirement to submit a Recycling & Reuse Plan for the demolition and removal of debris from burned fired damaged structures.
- Waive closure/temporary closure related fees for any facility subject to Title 20, Division 2, Chapter 20.36 or Title 11, Division 4, such as gas stations, underground storage tanks, and restaurants, impacted by the fires for a period of a year.

LOCAL PROCEDURES FOR STREAMLINING THE PERMITTING PROCESS

- Provided State exemptions are granted (see Attachment 6), allow owners rebuilding their homes to use plans approved since 2020, during the prior 2 code cycles, to issue rebuild permits without additional plan check.
- After initial plan check, in person or virtual appointments with cross-departmental teams will be available to discuss remaining items with the goal of approving plans on the 2nd review.
- Create specific agency referral list for each fire rebuild area.
- Develop additional resources to streamline the plan check process, such as Fire-Rebuild Minimum Plan Submittal requirements handout and creating template notes and details for Very High Fire Hazard Severity Zone requirements.
- For minor fire damaged structures, Public Works will conduct a site visit to assess the damage and advise the property owner/contractor on the repair permitting process.
- Utilize standard plans approved by other local jurisdictions and/or develop standard plans for single-family dwellings, ADUs, and garages, including in Very High Fire Hazard Severity Zones.
- Collaborate with appropriate County departments to provide guidelines for alternative equipment to temporarily substitute for utility interconnection, such as generators and propane tanks, and waive permit fees if alternate funding can be identified.
- Consider allowing temporary storage of construction materials for public infrastructure and utility services within the road right of way, provided adequate emergency and public access is maintained at all times.

- Analyze burn area communities and waive highway dedications at the community scale, where beneficial, and amend the General Plan's Masterplan for Highways as appropriate to reflect said waivers.
- If funding can be identified, contract with several large private surveying companies to reestablish property line boundaries using a grid system to streamline the process for individual property owners.
- Preserve and, where necessary, re-establish survey monuments within the public right of way to streamline surveying work for private and public development.
- On behalf of Los Angeles County Waterworks District 29:
 - Waive water supply charges and other fees in whole or in part upon request of those residents displaced by the Palisades Fire who seek to rebuild their homes, businesses, and/or allowable structures, so long as the residents are not seeking a larger size water service (except for the purposes of meeting current fire sprinkler regulations) and are within the parameters of rebuilding allowed after a disaster within the City of Malibu and the Santa Monica Mountains Coastal Zone Planning Area. These charges and fees include, but are not limited to, those pursuant to the Rules and Regulations of the Los Angeles County Waterworks Districts and the Marina del Rey Water System, rules 1-A-30, 1-A-32, 1-A-44, 1-A-46, 1-A-47, and 1-A-50, for customers with homes or businesses that were destroyed or substantially damaged.
 - Waive water bill charges during the billing cycle of the Palisades Fire, for customers with homes or businesses that were destroyed or substantially damaged in the fires.
 - Reduce water bill charges for consumption during the billing cycles of the Palisades Fire from the excessive water use rate to the normal water use rate for properties in the fire zone.

ATTACHMENT 5: REGIONAL PLANNING RECOMMENDATIONS

LOCAL REGULATIONS

- Exempt section 22.140.030.H.3.C for applicable fire impacted businesses. This section of Title 22 requires a Conditional Use Permit if a deemed approved alcohol sales use has been abandoned, has discontinued operation, or has ceased selling alcoholic beverages for at least three consecutive months.
- Allow temporary housing on non-fire impacted properties and accessory emergency shelters for volunteers and workers assisting with recovery efforts, affected property owners, and others.
- Work with permitting agencies to allow temporary housing on the parcel right of way of a fire impacted property under certain circumstances (i.e., site limitations), provided that there is appropriate emergency and public access maintained at all times.
- In Altadena, allow temporary food truck operations for fire impacted restaurants, coffee shops or eateries to occur on the same parcel as the original use, provided that all health, safety and welfare regulations are met (similar to temporary housing).
- Grant a five-year extension for unused discretionary and ministerial land use entitlements, and for discretionary land use entitlements that will expire soon or have already expired, provided the permittee was in the process of receiving a new entitlement.
- In the flatland areas of Altadena, consider allowing existing or like-for-like rebuilds of licensed facilities that serve seven or more persons with a Site Plan Review, provided they do not exceed State residential occupancy standards, to provide housing for residents in need. This would be consistent with the existing Housing Element, which requires the County to develop a program to permit these facilities through ministerial reviews.
- In the Altadena CSD, extend parking concessions for existing buildings in Table 22.306.070-F to like-for-like rebuilds.
- In fire impacted areas, exempt rebuilds from minimum densities required by the General Plan, provided that the State grants an exception for no net loss provisions for Housing Element rezoned sites.

LOCAL PROCEDURES

- Consider limited fee refunds for pending applications on fire impacted properties in accordance with Department policies, provided that the refunds account for staff resources expended on the pending application and replacement funds are identified to backfill the Department. Current estimates for refunds to Eaton Fire impacted properties would represent a \$397,000 loss to the Department.
- Consider refunds of recently issued non-compliance fees for violations related to structures destroyed or damaged on fire impacted properties.
- Provide flexibility on the enforcement of junk and salvage and outside storage on fire impacted properties.
- Exempt like-for-like rebuilds in fire impacted areas from referrals to Public Works for R-3 zoning and above for site plan reviews.

- In the flatland areas of Altadena, process and record a single Certificate of Compliance for all applicable residential parcels, as feasible, to streamline future rebuilding. This action would acknowledge that the standard block pattern of Altadena was subdivided appropriately in accordance with the Subdivision Map Act.
- Acknowledge that all subdivisions entitled by the Department were completed in accordance with the Subdivision Map Act and are exempt from obtaining a new Certificate of Compliance.

ATTACHMENT 6: CONSIDERATIONS FOR WAIVERS OF STATE REGULATIONS

The concepts listed below would require waiver or suspension of existing State laws, regulations or procedures. It is recommended that the Board of Supervisors send a five-signature letter to the State of California if it wishes to consider these concepts.

STATE REGULATIONS

Public Works recommends the following State laws be waived or suspended:

1. In alignment with Executive Order N-4-25, the following provisions of the CA Building Standards Code be suspended for fire victims:
 - Residential Photovoltaic (PV) requirements of the CA Energy Standards Code, similar to [Assembly Bill AB178](#) (2019).
 - Battery Storage and All-Electric Ready requirements of the CA Energy Standards.
 - In lieu of suspending the above requirements, it is recommended that the State offer full rebates for owners who are required to install solar on rebuilt homes.
 - If waived, encourage implementation through Rebuilding Through Resilience Resource Guide.
2. Executive Order N-4-25 directs the State Department of Housing and Community Development (HCD) to work with local government to identify and recommend procedures to establish rapid permitting and approval processes to expedite the reconstruction or replacement of residential properties destroyed or damaged by fire. It is recommended that the Board send a five-signature letter requesting HCD suspend the application of current codes for owners rebuilding their homes and authorize DPW and Fire to use plans approved since 2020, during the prior 2 code cycles, to issue rebuild permits without additional plan check.

DRP recommends the following State laws be waived or suspended as described below:

1. ***SB 35/Government Code section 65913.4: Creates a streamlined, by right process for housing in jurisdictions that do not meet their RHNA. Allows small by right subdivisions. Has an affordability requirement and labor requirements. Does not align with County's By Right Housing Ordinance, which allows housing by right, but does not apply to Very High Fire Hazard Severity Zones, airport influence areas, and noise districts.***

Request:

- Permanent suspension in VHFHSZ; including any other bills that reference SB35, such as SB9.
 - Extend exemption for replacement housing to fire impacted areas that are not within a VHFHSZ.
 - Remove requirement for public meetings on SB35 projects per SB 423 (RPC and public does not understand purpose of meetings if they cannot influence decision).
2. ***State Density Bonus Law/Government Code 65915: Allows density bonuses, parking reductions, waivers and modifications to development standards, and incentives for projects***

of five units or more if they provide affordable. The more affordable they provide, the more density bonus and incentives they receive.

Request:

- Temporary suspension for five years in VHFHSZs to allow like-for-like rebuilds and retention of community character
- Long Term: Require ground floor commercial on projects that take advantage of State by-right or State density bonus laws (specific to Altadena/Lake Avenue).

3. ***SB 9/Government Code sections 65852.21 and 66411.7:*** *Requires the by right approval of lot splits, duplexes, and associated ADUs in single family zones. Depending on the combination, it could result in the creation of up to four housing units. It relies on the environmental constraints in SB 35.*

Request:

- Temporary suspension for five years in fire impacted communities.
- Long Term: Permanently suspend in VHFHSZs

4. ***SB 330/Government Code section 66300/Housing Crisis Act of 2019:*** *Cannot down zone or down designate or impose standards that reduce housing potential. It also has affordable housing replacement requirements.*

Request:

- Temporary suspension in fire impacted communities for five years.
- Long Term: provide more local flexibility to objective development standards to retain the character of communities (provision states – cannot require more restrictive standards after January 2018 – i.e. height cannot be regulated to reflect community character. Instead, use FAR or other methods.
- Long term: Currently, replacement units must be provided first, before the project is constructed – this is not feasible, especially for non-profit housing developers. Would like more flexibility in timing of replacement units (performance bonds, covenants, liens, etc.).

5. *Specifically related to Housing Element Issues:*

Request:

- Suspend the obligation to fulfill any RHNA the local jurisdiction allocated to the fire impact areas (next RHNA cycle starts 2027-28; next cycle starts Oct 2029)
- Extend April 1, 2025, submittal deadline for the Housing Element Annual Progress Report to July 1, 2025.
- Long term: provide jurisdictions with populations over 500,000 with a later deadline of July 1st of each year.

6. **ADU law/ Government Code sections 66310 through 66342:** *Allows ADUs and JADUs by right in single family and multifamily zones. Local jurisdictions have very limited flexibility to impose standards, such as setbacks, to ADUs. Local jurisdictions can prohibit ADUs based on adverse impacts to health and safety. However, there is a State carve out in which these prohibitions do not apply: 800 sq ft, meeting a certain height limit, etc.*

Request:

- Temporary suspension of existing 90-day time frame for approving ADUs in fire impacted communities to accommodate surge in rebuilds and staffing challenges for all impacted jurisdictions at the same time
- Long term: permanent prohibition of ADUs in VHFHSZ

7. **AB 2097/Government Code section 65863.2:** *No minimum parking requirements for residential and non residential uses if the project is located within one-half mile of a major transit stop.*

Request:

- Temporary suspension for five years in fire impacted communities

8. **Housing Accountability Act/Government Code section 65589.5:** *The HAA limits the ability to deny, reduce the density of, or make infeasible housing that meets objective standards and contributes to meeting the RHNA.*

Request:

- Temporary suspension of HAA regulations (including Builder's Remedy and enforcement) for five years within fire impacted communities

9. **No Net Loss/Gov Code 65863:** *No Net Loss Law ensures throughout the Housing Element planning period there is an inventory of sites available to meet the RHNA.*

Request:

- Suspend no net loss provisions for rebuilds on Housing Element sites in fire impacted areas; and do not penalize these jurisdictions in current Housing Element timeframe and for Round 7 of the Housing Element.

10. **SB 6/Government Code section 65852.24:** *Housing is allowed where office, retail, or parking are a principally permitted use.*

Request:

- Temporary suspension for five years in fire impacted communities, which would incentivize mixed use and rebuilding existing commercial to preserve commercial character.

11. AB 2011/ Government Code sections 65912.100-65912.140: *Requires a streamlined by right process for multifamily development where office, retail, or parking are allowed.*

Request:

- Temporary suspension for five years to incentivize mixed use or rebuilding existing commercial to preserve commercial character.

12. SB 478/Government Code section 65913.11: *Sets limitations on FAR and lot coverage standards that can be imposed on housing projects of 3-10 units within multifamily or mixed-use zones.*

Request:

- Temporary suspension for five years to provide flexibility of development standards to preserve community character in the context of a massive rebuild at a community scale.