

MOTION BY SUPERVISORS KATHRYN BARGER AND
JANICE HAHN

AUGUST 4, 2020

**Temporary Permits for Hair Salons, Barbershops, and Personal Care
Establishments to Provide Outdoor Services in Unincorporated Areas**

On March 4, 2020, the Chair of the Los Angeles County Board of Supervisors (Board) proclaimed, pursuant to Chapter 2.68 of the Los Angeles County Code, the existence of a local emergency because of the introduction of the novel coronavirus (COVID-19), in Los Angeles County. Also, on March 4, 2020, the County Health Officer determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in Los Angeles County, and concurrently declared a local health emergency. On March 4, 2020, the Board ratified both the proclamation of a local emergency and the declaration of a local health emergency. On March 4, 2020, Governor Gavin Newsom also proclaimed a state of emergency within the State of California due to the threat posed by COVID-19.

On July 13, 2020, Governor Gavin Newsom announced that counties on the California Department of Public Health’s County Monitoring List, including Los Angeles County (County), must close indoor operations for hair salons, barber shops and personal care establishments. This change resulted from the dramatic increase in the number of COVID-19 positive cases. Subsequently, on July 14, 2020, the County Health Officer issued a health order to align with the Governor's July 13, 2020, announcement to close specific activities and business sectors, including hair salons, barbershops, and personal care establishments.

As these hair salons, barbershops, and personal care establishments are forced to once again close their indoor operations, it is necessary to provide these businesses located in the unincorporated areas of Los Angeles County with appropriate guidance to utilize outdoor spaces. This guidance is necessary to protect public health and safety and prevent the spread of COVID-19. Based on the County's authority during a local emergency, pursuant to Government Code section 8634, the County may issue orders to provide for the protection of life and property.

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MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

HAHN _____

BARGER _____

WE, THEREFORE MOVE that the Board of Supervisors:

1. Find that the recommended actions are exempt from the California Environment Quality Act because they are specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) of the California Public Resources Code and Section 15269 of the State CEQA Guidelines. The Governor's announcement of the temporary closure of indoor operations for hair salons, barbershops, and personal care establishments due to the COVID-19 emergency requires emergency action to provide these businesses located in the unincorporated areas of Los Angeles County with appropriate guidance to utilize outdoor spaces in order to alleviate the threat of viral spread posed by indoor operations. Additionally, the actions are categorically exempt under Sections 15301(a), (c), and (f), 15303(e), 15304, 15305(a) and (b), and 15311(c) of the State CEQA Guidelines and Classes 1(d), (i), and (x) 19, 22, and 26, 3(b) and (d), 4 (j), 5 (i) and (n), and 11(h) of the County's Environmental Document Procedures and Guidelines Appendix G since they consist of operation, permitting, licensing, or minor alteration of existing streets and public facilities with negligible expansion of use, construction of new small facilities, minor alterations to land use, and placement of accessory structures for temporary use. Additionally, the proposed activities will comply with all applicable regulations, are not located in a sensitive environment, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste sites compiled pursuant to Government Code Section 65962.5, or indications that the projects may cause a substantial adverse change in the significance of a historical resource that would make the exemptions inapplicable based on the records of proposed activities. Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk pursuant to section 21152 of the Public Resources Code.
 - a. Adopt the enclosed resolution, with respect to the development of guidelines for outdoor operations in unincorporated County areas; authority to the Director of Public Works, or his designee, to take all actions necessary to issue temporary permits to allow the utilization of the County road right-of-way for outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, within the County road right-of-way in unincorporated County areas, in a manner that ensures the protection of public health, safety, and general welfare, and prevents interference with users of the highway right-of-way and with holders of other permits, including preparing and issuing necessary guidelines, and amending and issuing amendments to those guidelines, and the assessment of any necessary fee to permittees. This delegated authority shall be in effect for the duration of the County's local emergency for COVID-19 or until such time as the Board rescinds such authority.

- b. Delegate authority to the Director of Regional Planning, or her designee, as well as any other Department Directors that have permit issuing authority for outdoor business activities, to take all actions necessary to issue temporary permits to allow the utilization of private walkways and parking lots for outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, including preparing and issuing necessary guidelines, and amending and issuing amendments to those guidelines, and the assessment of any necessary fee to permittees. This delegated authority shall be in effect for the duration of the County's local emergency for COVID-19 or until such time as the Board rescinds such authority.
2. Establish that comprehensive general liability insurance coverage requirements that County departments may (but are not required to) impose as a condition for a business's participation in the outdoor business program shall not require that such insurance be in excess of \$1,000,000 per occurrence and \$2,000,000 aggregate; notwithstanding the foregoing, however, a business may voluntarily have or obtain insurance in excess of any cap on the minimum amount of required insurance, if any.
3. Direct the Chief Executive Officer to pursue funding sources that may be available to offset the County's costs associated with offering this program, including funding available to the County through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.
4. Direct the Departments of Public Works and Regional Planning to begin accepting applications for the implementation of temporary outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, within the public right-of-way and private walkways and parking lots as soon as possible and no later than within 14 days of this motion being approved.

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**RESOLUTION OF THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS
DECLARING INTENT TO DEVELOP OUTDOOR SERVICES GUIDELINES FOR HAIR
SALONS, BARBERSHOPS, AND PERSONAL CARE ESTABLISHMENTS IN
UNINCORPORATED AREAS**

WHEREAS, on March 4, 2020, the Chair of the Los Angeles County Board of Supervisors (Board) proclaimed, pursuant to Chapter 2.68 of the Los Angeles County Code, the existence of a local emergency because of the introduction of the novel coronavirus (COVID-19), in Los Angeles County.

WHEREAS, on March 4, 2020, the County Health Officer determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in Los Angeles County, and concurrently declared a local health emergency.

WHEREAS, on March 4, 2020, the Board ratified both the proclamation of a local emergency and the declaration of a local health emergency.

WHEREAS, on March 4, 2020, Governor Gavin Newsom also proclaimed a state of emergency within the State of California due to the threat posed by COVID-19.

WHEREAS, on July 13, 2020, Governor Gavin Newsom announced that counties on the California Department of Public Health's County Monitoring List, including Los Angeles County (County), must close indoor operations for hair salons, barber shops and personal care establishments. This change resulted from the dramatic increase in the number of COVID-19 positive cases.

WHEREAS, on July 14, 2020, the County Health Officer issued a health order to align with the Governor's announcement to close specific activities and business sectors, including hair salons, barbershops, and personal care establishments.

WHEREAS, as hair salons, barbershops, and personal care establishments are forced to once again close their indoor operations, it is necessary to provide these businesses located in the unincorporated areas of Los Angeles County with appropriate guidance to utilize outdoor spaces. This guidance is necessary to protect public health and safety and prevent the spread of COVID-19.

WHEREAS, based on the County's authority during a local emergency, pursuant to Government Code section 8634, the County may issue orders to provide for the protection of life and property.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles:

1. Find that the recommended actions are exempt from the California Environment Quality Act because they are specific actions necessary to prevent or mitigate an

emergency pursuant to section 21080(b)(4) of the California Public Resources Code and Section 15269 of the State CEQA Guidelines. The Governor's announcement of the temporary closure of indoor operations hair salons, barbershops, and personal care establishments due to the COVID-19 emergency requires emergency action to provide businesses located in the unincorporated areas of Los Angeles County with appropriate guidance to utilize outdoor spaces in order to alleviate the threat of viral spread posed by indoor operations. Additionally, the actions are categorically exempt under Sections 15301(a), (c), and (f), 15303(e), 15304, 15305(a) and (b), and 15311(c) of the State CEQA Guidelines and Classes 1(d), (i), and (x) 19, 22, and 26, 3(b) and (d), 4 (j), 5 (i) and (n), and 11(h) of the County's Environmental Document Procedures and Guidelines Appendix G since they consist of operation, permitting, licensing, or minor alteration of existing streets and public facilities with negligible expansion of use, construction of new small facilities, minor alterations to land use, and placement of accessory structures for temporary use. Additionally, the proposed activities will comply with all applicable regulations, are not located in a sensitive environment, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste sites compiled pursuant to Government Code Section 65962.5, or indications that the projects may cause a substantial adverse change in the significance of a historical resource that would make the exemptions inapplicable based on the records of proposed activities. Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk pursuant to section 21152 of the Public Resources Code.

2. Delegate authority to the Director of Public Works, or his designee, to take all actions necessary to issue temporary permits to allow the utilization of the County road right-of-way for outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, within the County road right-of-way in unincorporated County areas, in a manner that ensures the protection of public health, safety, and general welfare, and prevents interference with users of the highway right-of-way and with holders of other permits, including preparing and issuing necessary guidelines, and amending and issuing amendments to those guidelines, and the assessment of any necessary fee to permittees. This delegated authority shall be in effect for the duration of the County's local emergency for COVID-19 or until such time as the Board rescinds such authority.
3. Delegate authority to the Director of Regional Planning, or her designee, as well as any other Department Directors that have permit issuing authority for outdoor business activities, to take all actions necessary to issue temporary permits to allow the utilization of private walkways and parking lots for outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, including preparing and issuing necessary guidelines, and amending and issuing amendments to those

guidelines, and the assessment of any necessary fee to permittees. This delegated authority shall be in effect for the duration of the County's local emergency for COVID-19 or until such time as the Board rescinds such authority.

4. Establish that comprehensive general liability insurance coverage requirements that County departments may (but are not required to) impose as a condition for a business's participation in the outdoor business program shall not require that such insurance be in excess of \$1,000,000 per occurrence and \$2,000,000 aggregate; notwithstanding the foregoing, however, a business may voluntarily have or obtain insurance in excess of any cap on the minimum amount of required insurance, if any.
5. Direct the Chief Executive Officer to pursue funding sources that may be available to offset the County's costs associated with offering this program, including funding available to the County through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.
6. Direct the Departments of Public Works and Regional Planning to begin accepting applications for the implementation of temporary outdoor hair salon, barbershop, and personal care services, as defined and allowed under the Health Officer's orders and applicable reopening protocols, within the public right-of-way and private walkways and parking lots as soon as possible and no later than within 14 days of this motion being approved.

The foregoing resolution was adopted on the 4th day of August, 2020, by the Board of Supervisors of the County of Los Angeles, an ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

CELIA ZAVALA
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Lachelle Smitherman
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By [Signature] FOR W.W.
Deputy

