AGN. NO.____

MOTION BY SUPERVISOR KATHRYN BARGER SEPTEMBER 2, 2025

STREAMLINING LAND USE PROCESSES TO ENSURE EATON FIRE SURVIVORS CAN REBUILD

The Eaton and Palisades Fires of January 2025 (January 2025 Fires) left a staggering human and financial toll in their wake, displacing thousands of families and decimating over 7,400 residential and commercial structures in Los Angeles County's unincorporated areas.

As residents begin to consider rebuilding, they are confronted with provisions of Los Angeles County Code (County Code) framework that was never designed to accommodate the scale or urgency of post-disaster recovery where entire neighborhoods must rebuild at once.

The County's Disaster Recovery Ordinance, which was adopted by the Los Angeles County Board of Supervisors (Board) in 2023, has been a tremendous help in responding quickly to fire survivors to allow temporary housing and flexibility in zoning standards; however, it was not anticipated to be stress tested with the scale and impacts that came with the Eaton Fire, with more than 6,900 structures destroyed in unincorporated Altadena. Discussions with fire survivors and their rebuild teams have shown that even more flexibility is needed.

In addition, we must provide as many rebuild options to fire survivors as possible. To the extent that modifications of development standards are needed to rebuild, we must make sure that fire rebuilds are not subject to reviews with uncertain timelines. Existing County Code requires lengthy variance processes, discretionary reviews, and hearings that create unnecessary cost and delay. Survivors cannot wait years to return home and a more responsive framework is needed to balance transparency with urgent action. While these reviews are important to maintain and restore the character of our unincorporated communities, there is an opportunity to streamline further.

-MORE-

	MOTION
SOLIS	_____
MITCHELL	_____
HORVATH	_____
HAHN	_____
BARGER	_____

An interim ordinance, designed to address the needs of Eaton Fire survivors, can strike a balance between the need to maintain existing local and Countywide requirements, while also immediately providing effective tools to remove barriers in the rebuilding process. Such an ordinance would also provide community notice and accountability, and would allow for flexible tools that would:

- Allow flexibility in development standards for like-for-like rebuilds, including expansions up to 10 percent or 200 square feet, adjusted front yard setbacks, and minor relocations of structures;
- Expedite approvals for parking and ADUs, including eliminating covered parking requirements, clarifying that no replacement parking is required where garages are destroyed and rebuilt with ADUs, and allowing temporary standalone ADUs until 2030 for displaced families;
- Enable temporary uses critical to recovery, such as on-site equipment storage or community-serving pop-up businesses, through ministerial approvals;
- Create a streamlined Disaster Recovery Permit, clear timelines, and consolidated application checklists; and
- Streamline variances and modifications without public hearings, authorizing the Director of Regional Planning as Zoning Administrator to act on rebuilding applications.

I, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Find that adoption of the attached interim ordinance pursuant to Government Code 65858, is exempt from the California Environmental Quality Act (CEQA) under Sections 15061(b) (3), 15308, and 15183 of the State CEQA Guidelines;
2. Adopt the attached interim ordinance pursuant to Government Code section 65858, declaring the urgency thereof and establishing that the ordinance shall take immediate effect;
3. Instruct the Director of Regional Planning to develop permanent ordinances to amend the Disaster Recovery Ordinance and procedures to modify development standards that would provide specific permanent regulations to address all these adverse impacts; and
4. Direct the Executive Office of the Board of Supervisors to set a public hearing to consider an extension of this interim ordinance on October 7, 2025.

# # #

KB:aso

ANALYSIS

This is an interim ordinance to ease development restrictions and allow for disaster recovery in unincorporated areas affected by the Eaton Fire, including reconstruction and permitting for properties that suffered irreparable damage or destruction. This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to provide more flexibility for disaster rebuild projects, establish a framework to allow certain temporary uses that support disaster recovery, and establish a Disaster Recovery Permit for disaster rebuild projects that includes certain reduced fees and a streamlined procedure to modify certain development standards.

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

This ordinance expires 45 days after its adoption, unless extended pursuant to Government Code section 65858.

DAWYN R. HARRISON
County Counsel

By
STARR COLEMAN
Assistant County Counsel
Property Division

SC:ll

Requested: 08/08/25

Revised: 08/27/25

ORDINANCE NO. _____

An interim ordinance to ease development restrictions and allow for disaster recovery in unincorporated areas affected by the Eaton Fire, including reconstruction and permitting for properties that suffered irreparable damage or destruction. This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to provide more flexibility for disaster rebuild projects, establish a framework to allow certain temporary uses that support disaster recovery, and establish a Disaster Recovery Permit for disaster rebuild projects that includes certain reduced fees and a streamlined procedure to modify certain development standards.

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

SECTION 1. Interim Regulations.

Section 22.256.050 is hereby amended to read as follows:

22.256.050 Like-For-Like Replacement.

Notwithstanding the existence of any covenants, conditions, or restrictions that may conflict, and n~~N~~otwithstanding any community standards district, specific plan, or any other applicable regulation in this Title 22, like-for-like replacement shall be permitted, subject to the following standards:

. . .

Chapter 22.258 is hereby amended to read as follows:

Chapter 22.258 ~~TEMPORARY HOUSING AFTER A DISASTER~~EATON FIRE DISASTER RECOVERY

22.258.010 ~~Implementation~~Intent and Purpose.

22.258.020 ~~General Provisions~~Definitions.

22.258.030 Development Standards.

22.258.040 Temporary Uses.

22.258.050 Disaster Recovery Permit.

22.258.060 Fees.

22.258.070 Area of Applicability.

22.258.010 ~~Implementation~~Intent and Purpose.

~~A. This Chapter shall not apply where the Director has implemented Chapter 22.256 (Disaster Recovery).~~

~~B. A Ministerial Site Plan Review (Chapter 22.186) application is required for temporary housing in accordance with this Chapter.~~

In January 2025, the Eaton Fire caused the damage or destruction of 6,921 structures in the unincorporated Altadena and Kinneloa Mesa communities. The regulations and standards herein will help facilitate disaster recovery, including reconstruction and permitting for properties that suffered irreparable damage or destruction, while protecting the public health, safety, and welfare of the residents and businesses within the declared disaster area.

22.258.020 ~~General Provisions~~Definitions.

~~Notwithstanding any other provision of this Title 22, where an existing residence is damaged or destroyed by a disaster, as defined by Section 22.14.040(D), a mobilehome 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.~~The following definitions shall apply to this Chapter:

Like-for-like rebuild project. A development project on a property that was damaged or destroyed and consists entirely of like-for-like replacement structures. A like-for-like rebuild project may include new accessory dwelling unit(s) and/or new junior accessory dwelling unit(s), provided those new dwelling units comply with applicable Title 22 requirements in effect at the time the complete application was filed. A like-for-like rebuild project may also include new accessory structures in accordance with Section 22.258.030.A.

Like-for-like replacement structure. The rebuild, repair, or replacement of a legally-established structure that was damaged or destroyed and generally has the same or smaller floor area, size, and bulk, and generally covers the same footprint as the prior legally-established structure.

New structure. The construction of a new structure on a property that was damaged or destroyed.

Non-like-for-like rebuild project. A development project on a property that was damaged or destroyed and consists entirely of non-like-for-like replacement structures and/or new structures, or a mix of like-for-like replacement structures, non-like-for-like structures, and new structures. Non-like-for-like replacement structures and new structures shall comply with applicable Title 22 requirements in effect at the time the complete application was filed. The project shall also comply with applicable Title 22

requirements that apply to the entire project and/or the entire property at the time the complete application was filed, including, but not limited to, the requirements in Division 3 (Zones), Division 4 (Combining Zones and Supplemental Districts), Division 5 (Special Management Areas), Division 6 (Development Standards), Division 7 (Standards for Specific Uses), and Division 10 (Planning Area and Community Standards Districts).

Non-like-for-like replacement structure. The rebuild, repair, or replacement of a legally-established structure that is not a like-for-like replacement structure.

Standalone accessory dwelling unit. A new accessory dwelling unit on a property that was damaged or destroyed and does not have a primary dwelling unit. A standalone accessory dwelling unit shall comply with applicable Title 22 requirements in effect at the time the complete application was filed.

22.258.030 Development Standards.

Notwithstanding the existence of any covenants, conditions, or restrictions that may conflict, and notwithstanding any community standards district, specific plan, or any other applicable regulation in this Title 22, like-for-like replacement shall be permitted, subject to the following standards:

A. Accessory Structures. Notwithstanding Section 22.256.060 (Accessory Structures), a like-for-like rebuild project or a non-like-for-like rebuild project may include any accessory structure, not just accessory structures that are necessary to prevent damage to like-for-like replacement structures, or to prevent further damage to the lot or to remaining structures. A new accessory structure that is part of a like-for-like rebuild

project, or a non-like-for-like replacement accessory structure, or a new accessory structure that is part of a non-like-for-like rebuild project, such as fences, retaining walls, or utilities, shall comply with applicable Title 22 requirements in effect at the time the complete application was filed.

B. Direct Pedestrian Access. Notwithstanding Section 22.140.520.F.3.b (Direct Pedestrian Access), a non-like-for-like rebuild project associated with a residential use on a lot where sidewalks are not present and the front property line does not directly adjoin a street may provide the direct pedestrian pathway to the primary building entrance through a vehicle driveway.

C. Expansion. A like-for-like replacement structure associated with a residential use may exceed the damaged or destroyed structure's previous footprint and total gross floor area by 10 percent or 200 square feet, whichever is greater, provided it meets all setback requirements in Subsections D (Front Yard Setback) and F (Minor Relocation), below, and current Building Code, Fire Code, and Health and Safety Code requirements.

D. Front Yard Setback.

1. Notwithstanding Section 22.320.090.D.1.a (Zone Specific Development Standards, Zone R-1, Yard Requirements), the minimum front yard setback in Zone R-1 within the Altadena Community Standards District shall be 20 feet, unless the property is subject to Section 22.320.090.E.2, in which case the minimum front yard setback in the Front Yard Setback District shall apply.

2. If a damaged or destroyed structure had a previous front yard setback greater than 20 feet, the like-for-like replacement structure may have a smaller front yard setback, provided it is at least 20 feet, and the like-for-like replacement structure otherwise complies with the setback requirements in Subsection F (Minor Relocation), below, and all applicable requirements for like-for-like replacement structures in Chapter 22.256 (Disaster Recovery).

3. If a damaged or destroyed structure had a previous front yard setback less than 20 feet, the like-for-like replacement structure may have the same front yard setback or a front yard setback that is larger than the previous front yard setback but less than 20 feet, provided the like-for-like replacement structure otherwise complies with the setback requirements in Subsection F (Minor Relocation), below, and all applicable requirements for like-for-like replacement structures in Chapter 22.256 (Disaster Recovery).

E. Height. Notwithstanding Section 22.256.050.B (Like-for-Like Replacement), the maximum height of any like-for-like replacement structure shall be the height of the damaged or destroyed structure or the maximum height limit of this Title 22, whichever is greater, provided that the number of stories does not increase.

F. Minor Relocation. Notwithstanding Section 22.256.050.E (Like-for-Like Replacements), minor relocation of a like-for-like replacement structure, including a like-for-like replacement accessory structure, shall be allowed. The like-for-like replacement structure may have setbacks that are larger than the damaged or destroyed structure's setbacks, so long as 50 percent of the original footprint is

maintained and provided the like-for-like replacement structure otherwise complies with all applicable requirements for like-for-like replacement structures in this Section and in Chapter 22.256 (Disaster Recovery).

G. Oak Tree Permits. Notwithstanding Section 22.256.070 (Waiver of Certain Permit Requirements), a like-for-like replacement structure or a non-like-for-like replacement structure shall not be subject to Chapter 22.174 (Oak Tree Permits), if the replacement structure results in equal to or fewer impacts to the protected zone of a protected oak tree than the damaged or destroyed structure.

H. Parking. Required parking for like-for-like rebuild projects and non-like-for-like rebuild projects associated with a residential use shall be as follows:

1. Notwithstanding Section 22.112.070 (Required Parking Spaces), parking for a non-like-for-like rebuild project may be uncovered;

2. Notwithstanding Section 22.256.050.E (Like-for-Like Replacements), parking for a like-for-like rebuild project may be uncovered; and

3. If an accessory dwelling unit fully or partially overlaps with the footprint of a damaged or destroyed covered parking structure, no replacement parking is required.

I. Standalone Accessory Dwelling Units. A household may temporarily occupy a standalone accessory dwelling unit while they wait for a like-for-like rebuild project or a non-like-for-like rebuild project to be constructed on the property until January 7, 2030, which is five years after the Board of Supervisors proclaimed the

existence of a local emergency for the January 2025 Windstorm and Critical Fire Events.

J. Yard Measurement. Required front, side, and rear yards shall be measured from the property boundary, unless such boundary is located within a public or private street or right-of-way providing access to one or more lots, in which case required yard areas shall be measured from the edge of the street or right-of-way closest to the interior of the lot.

22.258.040 Temporary Uses.

A. Purpose. This Section allows the Director to approve applications for the following temporary uses with a Zoning Conformance Review, which is a ministerial Type I Review, pursuant to Chapter 22.226 (Type I Review – Ministerial), for an initial period of up to one year with one-year extensions up to one year each, subject to the requirements and limitations set forth herein:

1. Pop-up events, pop-up restaurants and other eating establishments, and pop-up retail and commercial uses in parking lots and vacant lots that have been cleared of debris in Commercial and Industrial Zones. The use shall not be an adult business, as defined in Section 22.14.010, and may include alcoholic beverages sales for on-site and/or off-site consumption, if authorized by a valid California Department of Alcoholic Beverage Control license, and the outdoor display of any goods, equipment, merchandise, or exhibits. The use shall be sponsored by one of the following:

a. A public agency, a nonprofit, or a religious, fraternal, educational, or service organization directly engaged in civic, charitable, or public service endeavors;

b. A business currently operating in the area impacted by the Eaton Fire. The use can be on a parking lot on the same property where the business is located or on a parking lot or a vacant lot on a different property than where the business is located; and

c. A business that operated in the area impacted by the Eaton Fire within the 12 months prior to January 7, 2025. The use can be on a parking lot or a vacant lot on the same property where the business previously operated, or on a parking lot or a vacant lot on a different property than where the business was located.

2. Temporary uses necessary to facilitate rebuilding and disaster recovery, as determined by the Director, such as sawmills and construction equipment, machinery, and/or materials storage, on a property owned by a public agency or a public utility.

B. Decision. When making a decision on the application in accordance with Section 22.226.040 (Decision), the Director may consider whether:

1. Adequate parking, including bicycle facilities, will be available in the vicinity of the use;

2. The proposed site is adequate in size and shape to accommodate the use without material detriment to the use and enjoyment of the property of other persons located in the vicinity of the site;

3. The use will jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare;

4. If the use is a pop-up event, a pop-up restaurant or other eating establishment, and/or a pop-up retail and commercial use, whether the sponsor has a history of noncompliance with this Title 22, or other applicable federal, State, or local codes, laws, rules, regulations, and statutes, including those of the California Department of Alcoholic Beverage Control; and

5. If the use is a temporary use necessary to facilitate rebuilding and disaster recovery, as determined by the Director, whether the use can operate without negative impacts on residential uses within a 300-foot radius of the property.

C. Development and/or Performance Standards. If the Director approves the application, the Director may apply development and/or performance standards to the use, including, but not limited to, those in Sections 22.188.040.A (Short-Term Special Events Permit) and 22.140.030.I (Performance Standards for Deemed-Approved Uses), and those in a valid conditional use permit authorizing alcoholic beverages sales for on-site and/or off-site consumption that is associated with the business sponsoring the use.

D. Inspections. If the Director approves the application, the Director may require inspections to be conducted to determine the permittee's compliance with the applicable development and/or performance standards included in the approval.

E. Revocation. The Director may revoke an approval at any time, if the temporary use does not comply with the applicable development and/or performance

standards included in the temporary approval, this Title 22, or other applicable federal, State, or local codes, laws, rules, regulations, and statutes, including those of the California Department of Alcoholic Beverage Control. The Director's decision shall be final and not subject to an appeal.

22.258.050 Disaster Recovery Permit.

The Disaster Recovery Permit is established to allow disaster rebuild projects, which can be a like-for-like rebuild project, a non-like-for-like rebuild project, or a standalone accessory dwelling unit**.**

A. Like-for-Like Rebuild Project.

1. Applicability. This Subsection A applies to an application for a like-for-like rebuild project.

2. Application and Review Procedures.

a. Application Checklist. The application submittal shall contain all of the applicable materials required by the Disaster Recovery Permit Checklist.

b. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) with the following modifications:

i. Section 22.226.030.A shall not apply because only one application shall be required;

ii. Notwithstanding Section 22.226.030.C, the fee is established in Section 22.258.060 (Fees); and

iii. Notwithstanding Section 22.226.080 (Expiration Date and Extension for Unused Permits and Reviews), an approved application shall be used by January 7, 2030, which is five years after the Board of Supervisors proclaimed the existence of a local emergency for the January 2025 Windstorm and Critical Fire Events. If an application requesting an extension is timely filed prior to such expiration date, the Director may, one time, extend the time limit for a period not to exceed one year.

B. Non-Like-for-Like Rebuild Project, Ministerial Review.

1. Applicability. This Subsection B applies to an application for a non-like-for-like rebuild project or a standalone accessory dwelling unit. The application shall be used for any of the following projects without a separate application, provided the Disaster Recovery Permit complies with the applicable provisions of this Title 22:

a. A project that requires an administrative housing permit, in which case the application shall be reviewed in accordance with the applicable provisions of Chapter 22.166 (Housing Permits);

b. A project that requires an Oak Tree Permit without a public hearing, pursuant to Section 22.174.040.D (Application Without a Public Hearing), in which case the application shall be reviewed in accordance with the applicable provisions of Chapter 22.174 (Oak Tree Permits); and

c. A project that requires a ministerial Significant Ecological Area review, pursuant to Section 22.102.060 (Ministerial SEA Review), in which case

the application shall be reviewed in accordance with the applicable provisions of Chapter 22.102 (Significant Ecological Areas).

2. Application and Review Procedures.

a. Application Checklist. The application submittal shall contain all of the applicable materials required by the Disaster Recovery Permit Checklist.

b. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) with the following modifications:

i. Section 22.226.030.A shall not apply because only one application shall be required;

ii. Notwithstanding Section 22.226.030.C, the fee is established in Section 22.258.060 (Fees); and

iii. Notwithstanding Section 22.226.080 (Expiration Date and Extension for Unused Permits and Reviews), an approved application shall be used by January 7, 2030, which is five years after the Board of Supervisors proclaimed the existence of a local emergency for the January 2025 Windstorm and Critical Fire Events. If an application requesting an extension is timely filed prior to such expiration date, the Director may, one time, extend the time limit for a period not to exceed one year.

C. Non-Like-for-Like Rebuild Project, Discretionary Review.

1. Applicability. This Subsection C applies to an application for a non-like-for-like rebuild project that requires discretionary review, pursuant to this

Title 22. When the non-like-for-like rebuild project requires applications for an animal permit, conditional use permit, conditional use permit, minor, oak tree permit with a public hearing, protected tree permit, variance, parking deviation, minor, discretionary housing permit, and/or a parking permit, separate applications shall not be required provided that the Disaster Recovery Permit complies with the applicable corresponding provisions of these permits in this Title 22.

2. Procedure A.

a. Applicability.

i. Procedure A shall apply to the following applications:

(1) An application that would otherwise require a parking deviation, minor;

(2) An application that would otherwise require a yard modification;

(3) An application that includes modifications to development standards in Chapter 22.110 (General Site Regulations);

(4) An application that includes modifications to the development standards in Section 22.140.520 (Residential Design Standards);

(5) An application that includes modifications to the development standards in Section 22.140.580 (Single-Family Residences);

(6) An application that includes modifications to the development standards in Section 22.320.070.A (West San Gabriel Valley Planning

Area Standards District Zone-Specific Development Standards for Commercial and Mixed Use Zones);

(7) An application that includes modifications to the development standards in Section 22.320.090 (Altadena Community Standards District); and

(8) An application that includes modifications to front yard setbacks in Chapter 22.72 (Setback Districts).

ii. Procedure A shall not be used to modify development standards that would conflict with any legal covenants, conditions, and restrictions for the property.

b. Review Authority. The Review Authority shall be the Zoning Administrator, as referenced in California Government Code section 65900. The Director, as defined in Section 22.14.040 – D, shall serve as the Zoning Administrator, in accordance with the powers and duties provided in Section 22.220.050 (Director of Regional Planning).

c. Application and Review Procedures.

i. Application Checklist. The application submittal shall contain all of the materials required by the Disaster Recovery Permit Checklist.

ii. Review Procedures.

(1) Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

(2) The fee is established in Section 22.258.060 (Fees), although other applicable fees in Chapter 22.250 (Applications, Petitions, and Fees), including, but not limited to, fees for appeals, e-recordation, environmental assessments, inspections, and rehearings, shall be required.

(3) Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

iii. Noticing. Prior to taking action, the Director shall provide notice of application in compliance with Section 22.222.130 (Notice of Application), except where modified herein:

(1) Notice Content. The notice shall also indicate that any individual may oppose the granting of the application by a written protest to the Director;

(2) Comment Period. The Director shall allow a minimum comment period of 15 days after the notice has been sent and digitally posted. The end of the comment period shall be stated on the notice; and

(3) Mailing. Notices shall be mailed or delivered in accordance with Section 22.222.150 (Mailing). Notwithstanding Section 22.222.160.A (Notification Radius), the notices shall only be sent to owners of properties adjoining the exterior boundaries of the subject property, and if applicable, owners of properties across a street or alleyway from the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll. Notices shall also be:

(a) Emailed to any available email addresses on file within the unincorporated Altadena or Kinneloa Mesa communities that, in the Director's judgment, may be affected by or be interested in such application;

(b) Sent to any known active community-based group on file within the unincorporated Altadena or Kinneloa Mesa communities that, in the Director's judgment, may be affected by or be interested in such application; and

(c) Posted on the following County websites: Planning.lacounty.gov and Recovery.lacounty.gov.

iv. Findings and Decision.

(1) Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision), and notwithstanding anything to the contrary in this Title 22, include the findings in Section 22.160.050.B (Findings) for conditional use permits, minor, and any additional findings required by Title 22 for corresponding applications, pursuant to Subsection C.2.a.1 of this Section.

(2) Findings for modifications to front yard setbacks within a Setback District shall be made in compliance with Section 22.320.090.F.4.a.

v. Notice of Action. The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action), except that, in accordance with Section 22.222.220.B (Delivery), notices shall also be:

(1) Emailed to any available email addresses on file within the unincorporated Altadena or Kinneloa Mesa communities that, in the Director's judgment, may be affected by or be interested in such application.

(2) Sent to any known active community-based group on file within the unincorporated Altadena or Kinneloa Mesa communities that, in the Director's judgment, may be affected by or be interested in such application.

(3) Posted on the following County websites: Planning.lacounty.gov and Recovery.lacounty.gov.

vi. Effective Date of Decision and Appeals.

(1) The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

(2) Notwithstanding Section 22.222.230 (Effective Date of Decisions and Appeals), the decision of the Director shall become final, unless an appeal is timely filed pursuant to Chapter 22.240 (Appeals).

(3) The decision on an appeal shall be made by a Hearing Officer, and the decision shall be final and effective on the date of decision.

vii. Post-Decision Actions and Regulations.

(1) Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

(2) Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

(3) Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

(4) Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

(5) Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

3. Procedure B.

a. Applicability. Procedure B shall apply to applications that would otherwise require an animal permit, a conditional use permit, minor, an oak tree permit with a public hearing, and/or a protected tree permit.

b. Application and Review Procedures.

i. Application Checklist. The application submittal shall contain all of the materials required by the Disaster Recovery Permit Checklist.

ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) with the following modifications:

(1) Section 22.228.030.A shall not apply because only one application shall be required.

(2) Notwithstanding Section 22.228.030.C, the fee is established in Section 22.258.060 (Fees), although other applicable fees in Chapter 22.250 (Applications, Petitions, and Fees), including, but not limited to, fees for appeals, County biologist review, e-recordation, environmental assessments, inspections, and rehearings, shall be required.

4. Procedure C.

a. Applicability. Procedure C shall apply to applications that would otherwise require a conditional use permit, a discretionary housing permit, a parking permit, and/or a variance.

b. Application and Review Procedures.

i. Application Checklist. The application submittal shall contain all of the materials required by the Disaster Recovery Permit Checklist.

ii. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) with the following modifications:

(1) Section 22.230.030.A shall not apply because only one application shall be required; and

(2) Notwithstanding Section 22.230.030.C, the fee is established in Section 22.258.060 (Fees), although other applicable fees in Chapter 22.250 (Applications, Petitions, and Fees), including, but not limited to, fees for appeals, County biologist review, e-recordation, environmental assessments, inspections, and rehearings, shall be required.

D. Non-Like-for-Like Rebuild Project, Discretionary Review, Time Extension.

1. Applicability. This Subsection D applies to an application requesting an extension of the time limit to use an approved Disaster Recovery Permit that was subject to discretionary review, as specified in the conditions of approval.

2. Application and Review Procedures.

a. If an application requesting an extension is timely filed prior to such expiration date, the Hearing Officer may, one time, extend the time limit for a period not to exceed one year.

b. The fee is established in Section 22.258.060 (Fees).

E. Rebuild Project, Amendment.

1. Applicability. This Subsection E applies to an application requesting amendments to any approved Disaster Recovery Permit.

2. Application and Review Procedures.

a. Application Checklist. The application submittal shall contain all of the applicable materials required by the Disaster Recovery Permit Checklist.

b. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) with the following modifications:

i. Section 22.226.030.A shall not apply because only one application shall be required;

ii. Notwithstanding Section 22.226.030.C, the fee is established in Section 22.258.060 (Fees); and

iii. Notwithstanding Section 22.226.080 (Expiration Date and Extension for Unused Permits and Reviews), an approved application that amends a Disaster Recovery Permit that was subject to ministerial review shall be used by January 7, 2030, which is five years after the Board of Supervisors proclaimed the existence of a local emergency for the January 2025 Windstorm and Critical Fire Events. If an application requesting an extension is timely filed prior to such expiration date, the Director may, one time, extend the time limit for a period not to exceed one year. If an approved application amends a Disaster Recovery Permit that was subject to discretionary review, it shall be used within the timeframe specified in the conditions of approval.

c. Criteria for Amendment. If the Disaster Recovery Permit was subject to discretionary review, the Director may approve the amendments, if they meet the criteria below. If they do not meet the criteria below, an application for a new Disaster Recovery Permit shall be required:

i. Are consistent with the scope of the project and the findings made in the original approval;

ii. Comply with all existing conditions of approval; and

iii. Comply with the standards and regulations of the zone, unless specifically modified by the conditions of approval.

22.258.060 Fees.

A. For the purpose of defraying the expense involved with any application or petition required or authorized by Section 22.258.050 (Disaster Recovery Permit), the

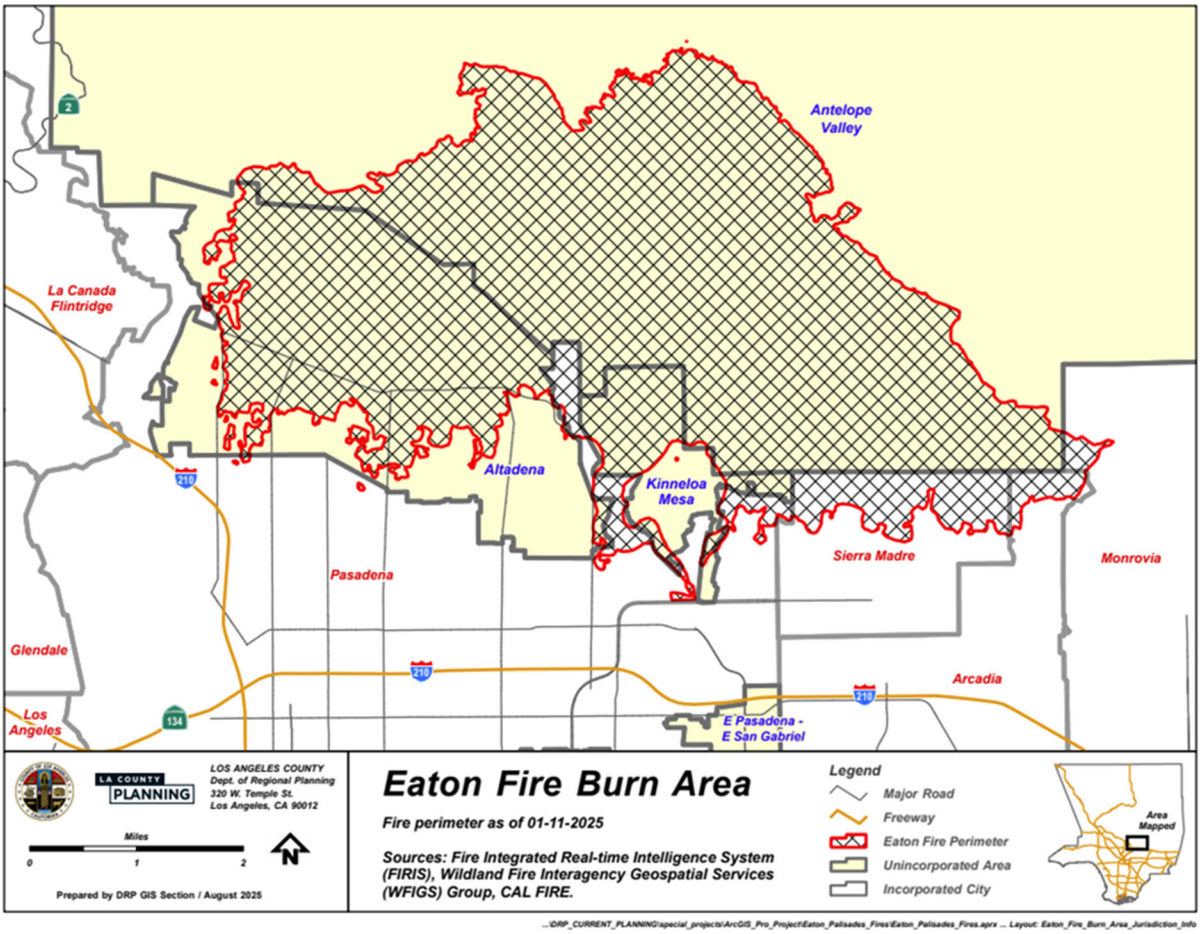
following fees, as provided in Table 22.258.060-A, below, shall accompany the application or petition. Table 22.258.060-A may be referred to as the Disaster Recovery Permit Filing Fee Schedule.

TABLE 22.258.060-A: DISASTER RECOVERY PERMIT FILING FEE SCHEDULE		
Like-for-Like Rebuild Project		$1,320
Non-Like-for-Like Rebuild Project, Ministerial Review		$1,623
Non-Like-for-Like Rebuild Project, Discretionary Review, Category 1	Procedure A, Procedure B	$5,319
Non-Like-for-Like Rebuild Project, Discretionary Review, Category 2	Procedure C, except as noted below	$14,070
Non-Like-for-Like Rebuild Project, Discretionary Review, Category 3	Procedure C, for development in a Significant Ecological Area exceeding 3,500 square feet of total new building area	$23,094
Non-Like-for-Like Rebuild Project, Discretionary Review, Time Extension		$2,084
Rebuild Project, Amendment		$760

B. Annual Fee Review. The fees in this Section shall be reviewed annually by the Auditor-Controller. Beginning on January 1, 2026, and thereafter on each succeeding January 1, the amount of each fee in this Section shall be adjusted as follows: calculate the percentage movement in the consumer price index for Los Angeles during the preceding January through December period, adjust each fee by said percentage amount and round off to the nearest dollar. However, no adjustment shall decrease any fee, and no fee shall exceed the reasonable cost of providing services.

22.258.070 Area of Applicability.

This Chapter applies to parcels located in the unincorporated areas affected by the Eaton Fire, as identified on the Eaton Fire Burn Area map, below.



SECTION 2. Authority.

Section 65858 of the California Government Code provides that an 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 (Board), which shall be effective for only 45 days following its adoption. Government Code section 65858 further

provides that such an interim ordinance may be extended, following compliance with that section, for up to an additional 10 months and 15 days, beyond the original 45-day period, and subsequently for an additional year.

SECTION 3. Updates to the Planning and Zoning Code Underway.

The Los Angeles County (County) Department of Regional Planning (Regional Planning) is considering updates to the County's Disaster Recovery Ordinance to add more flexibility and determine the appropriate development standards and streamlined procedures for disaster recovery, including reconstruction and permitting for properties that suffered irreparable damage or destruction and are seeking disaster rebuilds or disaster rebuilds that request modifications of development standards.

SECTION 4. Determination of Immediate Threat.

This interim ordinance is necessary to protect public safety, health, and welfare, based upon the following facts:

1. Conditions of extreme peril to the safety of persons and property within the County were caused by fast-moving and widespread fires, referred to as the January 2025 Windstorm and Critical Fire Events in the County, commencing on January 7, 2025.

2. California Government Code section 8630 and Los Angeles County Code (County Code) Section 2.68.110 empower the Board to proclaim the existence of a local emergency when the County is affected or likely to be affected by a public calamity, subject to ratification by the Board at the earliest practicable time.

3. On January 7, 2025, the Governor of the State of California proclaimed a state of emergency for the County, and the Federal Emergency Management Agency approved a fire management assistance grant to assist with the mitigation, management, and control of the wildfires, including the Eaton Fire.

4. On January 7, 2025, the Chair of the Board proclaimed the existence of a local emergency for the January 2025 Windstorm and Critical Fire Events in the County, which included the Eaton Fire.

5. On January 8, 2025, the President of the United States declared the existence of a major disaster in the County and ordered federal aid to supplement State and local recovery efforts in the areas affected by wildfires, including the Eaton Fire.

6. The Eaton Fire has led to the destruction of more than 6,900 structures in the County.

7. This ordinance outlines the process by which discretionary reviews for modifications to development standards can be made without a public hearing, in accordance with Government Code section 65901(b), which allows the legislative body by ordinance, to authorize the zoning administrator to decide on applications for variance from the terms of Title 22 without a public hearing on the application, provided the ordinance specifies the kinds of variances that may be granted by the zoning administrator, and the extent of variation the zoning administrator may allow.

8. It is essential that the changes made by this ordinance to the County Code related to development standards and modifications to development

standards be implemented immediately to allow the fastest possible rebuild and recovery for residents and businesses in the areas impacted by the Eaton Fire.

SECTION 5. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance, 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. The Board hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 6. Urgent Need.

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

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