



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



**Amy J. Bodek, AICP**  
Director

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Chief Deputy Director

April 23, 2019

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

Dear Supervisors:

**PROJECT NO. 2019-000238-(3)  
ADVANCE PLANNING PROJECT NO. RPPL2019000452  
SANTA MONICA MOUNTAINS NORTH AREA DANCE PAVILION BAN  
THE MALIBU ZONED DISTRICT  
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)**

**SUBJECT**

The Department of Regional Planning (Department) is proposing an amendment to the Santa Monica Mountains North Area (North Area) Community Standards District (CSD), Chapter 22.336 of the Los Angeles County Zoning Code, to prohibit the establishment of new and expansion of existing outdoor dance pavilions. This ordinance amendment makes permanent the interim urgency ordinance adopted by the Board of Supervisors (Board) in August 2017. This ordinance amendment does not affect existing legally-established outdoor dance pavilions.

The Regional Planning Commission (Commission) conducted a duly noticed public hearing on the Project on March 13, 2019. At the end of the public hearing, the Commission closed the public hearing and adopted a resolution recommending approval of the ordinance amendment to the Board.

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

1. Indicate the Board's intent to find the Project exempt pursuant to State and local California Environmental Quality Act (CEQA) Guidelines;
2. Indicate the Board's intent to approve Project No. 2019-000238-(3) including Advance Planning Project No. RPPL2019000452; and

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3. Instruct County Counsel to prepare an ordinance adopting the proposed amendments described in Project No. 2019-000238-(3), including Advance Planning Project RPPL2019000452.

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

On January 25, 2016, the Director of the Department of Regional Planning released the Subdivision and Zoning Ordinance Interpretation No. 2016-01 – Clarification on Special Event Facilities (Interpretation) that outlined how special event facilities should be processed by the Department. The memo stated that while “special event facility” was not a defined use in Title 22, such a use could be established as a primary or accessory use under certain circumstances.

In the Resort and Recreation (R-R) Zone, outdoor dance pavilions are permitted with an administrative approval. Aside from parking requirements, there are no development standards that regulate outdoor dance pavilions in the R-R zone. In line with the guidance in the Interpretation, several outdoor dance pavilions were approved with the intention of operating as special event facilities for hosting weddings, parties, and other similar types of special events. The use of outdoor dance pavilions as a by-right special event venue, however, has produced compatibility issues with nearby residential properties. Issues include but are not limited to: traffic; noise disturbances; threats to health and safety; concerns regarding adequate infrastructure; and concerns about the health and safety of nearby residents and event attendees. Approximately 845 acres of land in the North Area are zoned R-R and could be developed with by-right dance pavilions. Continuing to permit this use without appropriate regulations may have severe impacts to residents' quality of life and the health and safety of nearby residents and event attendees.

The Board enacted Interim Ordinance No. 2017-0033U on August 8, 2017, which placed a moratorium on the establishment of new or the expansion of existing outdoor dance pavilions, either as a primary or accessory use, on all properties located in the North Area. The interim urgency ordinance was adopted to protect the North Area from nuisance effects created by the operation of outdoor dance pavilions as special event facilities. The moratorium was to be in effect until appropriate regulations for special event facilities are considered by the Board through the Santa Monica Mountains North Area Plan (NAP) and CSD update, which is currently underway.

In late 2018, the Woolsey Fire devastated large sections of the Santa Monica Mountains, and as a result, the NAP and CSD update efforts were put on hold. As a result, future special event facility regulations intended to address land use compatibility issues will not be effective before the interim urgency ordinance expires on June 23, 2019. Therefore, this CSD amendment is a bridge between the expiration of the interim urgency ordinance and adoption of the comprehensive NAP and CSD update.

Existing, legally-established outdoor dance pavilions will not be affected by this ban.

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

The Project promotes Goal 1: Make Investments that Transform Lives, of the Los Angeles County (County) Strategic Plan by ensuring that additional nuisance special event facilities are not established without the benefit of appropriate operational requirements and discretionary review to ensure that these facilities operate in a manner that is compatible with its surrounding environment.

Further, the Project promotes Goal 2: Foster Vibrant and Resilient Communities of the County's Strategic Plan by preventing additional noise, traffic, and light trespass issues that may detract from the quality of established communities.

Finally, the Project promotes Goal 3: Realize Tomorrow's Government Today, of the County's Strategic Plan by proactively limiting an additional nuisance land use.

### **FISCAL IMPACT/FINANCING**

The approval of the Project and related ordinance amendment should not result in any significant costs to the County as there will be no requests for any funding allocation for implementation.

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

On March 13, 2019, the Commission conducted a duly noticed public hearing. The Commission closed the public hearing and adopted a resolution recommending approval of the Project.

A public hearing is required pursuant to Section 22.222.120.B of the Los Angeles County Code (County Code). Notice of the hearing must be given pursuant to the procedures set forth in Section 22.222.120.B.2 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061 and 65090 relating to notice of public hearing.

Section 22.244.010 of the County Code allows the Commission to alter the boundaries of districts, to impose regulations not previously imposed and to remove or modify any regulations already imposed in Title 22. An ordinance amendment may be approved whenever the Board finds that the public convenience, general welfare or good zoning practice justifies such action, in compliance with Title 22, and Title 7 (Planning and Land Use) of the California Government Code.

**ENVIRONMENTAL DOCUMENTATION**

This Project is exempt pursuant to Section 15061(b)(3) of the CEQA and the County environmental guidelines. The Project is a proposal to prohibit the establishment of new or expansion of an existing use currently allowed within certain specified zones and will not affect existing uses. The prohibition will not result in any activities that will affect the environment of the North Area as the banning of a use will not result in any construction or any other activity that will change the existing baseline environmental conditions. There is no possibility that this Project will have a significant effect on the environment.

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

Action on the proposed ordinance amendment is not anticipated to have a negative impact on current services or Projects as existing services are adequate to implement the ordinance amendment.

For further information, please contact Luis Duran at (213) 974-6422 or [lduran@planning.lacounty.gov](mailto:lduran@planning.lacounty.gov).

Respectfully submitted,



Amy J. Bodek, AICP  
Director

AJB:MG:AN:lm

Attachments:

- Commission Staff Report
- Memoranda to Commission
- Adopted Resolution
- Proposed Ordinance Amendment

c: Executive Office, Board of Supervisors  
Assessor  
Chief Executive Office  
County Counsel  
Public Works