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ADOPTED ON JUNE 16, 2015

CLICK HERE FOR ORDINANCE EXTENDING INTERIM  
ORDINANCE NO: 2015-0022U

## ANALYSIS

This interim ordinance temporarily prohibits the establishment or expansion of vineyards, either as a primary or accessory use, on all properties located in the area regulated by the Santa Monica Mountains North Area Community Standards District in the County of Los Angeles, while a study is conducted to consider a possible zoning amendment applicable to the area.

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

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

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County Counsel

By *Elaine Lemke / 2 cutt*

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Requested: 06-10-15

Revised: 06-11-15

**ORDINANCE NO. \_\_\_\_\_**

An interim ordinance temporarily prohibiting the establishment or expansion of vineyards, either as a primary or accessory use, on all properties located in the area regulated by the Santa Monica Mountains North Area Community Standards District in the County of Los Angeles, while a study is conducted to consider a possible zoning amendment applicable to the area, and declaring the urgency thereof.

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

**SECTION 1. Interim Prohibition.**

No vineyard, either as a primary or accessory use, shall be established or expanded upon any property that is within the area regulated by the Santa Monica Mountains North Area Community Standards District ("CSD"), as identified on the map following Los Angeles County Code ("County Code") Section 22.44.133 ("Santa Monica Mountains North Area").

**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, which shall be effective for only forty-five (45) days following its adoption. Government Code section 65858 further provides that such an urgency measure may be extended, following compliance with that section, for up to an additional ten (10) months and fifteen (15) days, and subsequently for an additional one (1) year, beyond the original forty-five (45) day period.

**SECTION 3. Definitions and Penalties.**

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

**SECTION 4. Zoning Study to be Initiated.**

The Los Angeles County Department of Regional Planning ("Regional Planning") intends to conduct a comprehensive zoning study to review all properties in the Santa Monica Mountains North Area to consider a possible permanent zoning ordinance amendment regarding vineyards in that area.

**SECTION 5. Determination of Immediate Threat.**

Since May 2014, Regional Planning received thirty-two (32) ministerial applications to establish vineyards in the Santa Monica Mountains North Area that, if approved, could result in development of four hundred ninety-five (495) acres of land. This trend raises concerns related to water supply, water quality, and land use compatibility. The State of California recently entered its fourth (4th) year of drought and the development of dozens of vineyards, most using wells to draw upon groundwater supplies, could exacerbate these conditions by causing a significant drop in groundwater levels. Vineyards could increase runoff, erosion, and sedimentation, and cause pesticides and fertilizers to infiltrate waterways during rain events. Therefore, the cumulative impact of dozens of vineyards could be devastating to the area's fragile watersheds. Vineyards require the removal of natural vegetation, and in

many cases, extensive grading due to the presence of steep slopes, which are abundant in the Santa Monica Mountains North Area. The establishment of dozens of vineyards will also result in visual impacts that will transform the character of the Santa Monica Mountains North Area. On March 24, 2015, the Board of Supervisors indicated its intent to approve the Countywide General Plan Update, which would greatly expand significant ecological areas within the Santa Monica Mountains North Area. The natural vegetation removal and grading associated with vineyards would cause habitat fragmentation and hinder wildlife movement within these proposed expanded significant ecological areas. Unless this interim ordinance takes immediate effect as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the establishment or expansion of vineyards in the affected area, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that establishment or expansion of vineyards and the approval of any required additional subdivisions, variances, building permits, site plans or any other applicable entitlements in connection therewith would result in that threat to the public health, safety, or welfare absent implementation of the restrictions contained in this ordinance. If this interim ordinance does not take immediate effect, uses may be established or expanded that may be in conflict with any permanent amendment to the zoning code for the Santa Monica Mountains North Area CSD that may be adopted as a result of Regional Planning's study, and these uses may continue after any permanent rezoning of the properties in the Santa Monica Mountains North Area described in Section 7.

**SECTION 6. Severability.**

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

**SECTION 7. Area of Applicability.**

This ordinance applies to parcels located in the unincorporated area regulated by the Santa Monica Mountains North Area CSD as identified on the map following Section 22.44.133 of Title 22 of the County Code.

**SECTION 8. Urgent Need.**

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

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