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EXECUTIVE OFFICER

—
March 5, 2021

CF #15-1511
CF #16-1433-S1

Honorable City Council
John Ferraro Council Chamber
Room 340, City Hall
City of Los Angeles

PROPOSED ORDINANCE AMENDING SECTIONS 91.106.1 AND 91.107, OF DIVISION 1, ARTICLE 1, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE WITH RESPECT TO THE TEMPORARY PERMITS ISSUED BY THE DEPARTMENT OF BUILDING AND SAFETY AND ASSOCIATED FEES.

In particular, this ordinance codifies long-standing department policies and practices used by LADBS to issue ministerial permits for the following types of Temporary Special Event (TSE) permits: (1) temporary installations (2) temporary outdoor uses, and (3) certified farmer's markets. One new change, however, is to allow certified farmer's markets, consistent with other City requirements, to obtain an annual ministerial permit related to temporary installations and uses.

The proposed ordinance covers different types of TSE permits, eligibility requirements, permit application and inspection requirements, performance standards, appeals, requests for slight modifications, and fees. Except for certified farmers' markets, applicants are limited to no more than five events in a 12-month period. No TSE permit shall be valid for more than seven consecutive days at any single location. Any uses or installations are authorized only for the period set forth in the TSE permit. The ordinance is not intended to alter the permitting or regulatory authority of any other state or local agency. Any activities enabled by the TSEs are expected to fully comply with other applicable laws in addition to the regulatory and permitting authority of other applicable state or local agencies.

All activities eligible for TSE permits are minor temporary uses of land, involve no permanent physical construction (set up and break down only), and do not involve ground disturbing activities. All temporary construction, uses or installations associated

with a TSE shall be stopped immediately and removed (or demolished) within 5 days after the expiration of the permit. The site shall be restored to the original condition.

As part of the research conducted for this proposed ordinance, the Department looked at all TSE permits issued for calendar year 2019-2020. There was a total of 2,807 permitted events. The majority of permits were obtained for small, typically one-time events such as assembly use within private properties. Again, these events are limited to five consecutive days (typically Friday through Sunday) and are carried out with no permanent adverse effects on the surrounding environment or communities. The research also shows that majority of repeat permits are obtained for events at large entertainment venues (Staples Center, USC Coliseum, Dodger Stadium, LAFC Stadium). The repeat TSE permits obtained for these venues are accessory in nature to the venue and do not affect the surrounding communities any more than what is already accommodated for by the existence of the venue.

CEQA Determination

The California Environmental Quality Act (CEQA) exempts certain classes of projects from its provisions through categorical exemptions. Public Resources Code Section 21084 and CEQA Guidelines 15300, et seq. The proposed ordinance falls within five Categorical Exemptions: Class 3 (CEQA Guidelines Section 15303), Class 4 (CEQA Guidelines Section 15304), Class 11 (CEQA Guidelines Section 15311), Class 23 (CEQA Guidelines Section 15323), and Class 32 (CEQA Guidelines Section 15332).

Further detailed analysis in support of the applicability of these exemptions was completed by City staff as set forth in the proposed Notice of Exemption (NOE) attached as Exhibit A.

Staff will file the NOE within 5 business days with the Los Angeles County Registrar-Recorder/County Clerk after the adoption of the Ordinance.

Please direct any questions regarding the proposed ordinance to Eugene Barbeau at (213) 978-4454. Should you need my assistance, please contact me at (213) 482-0447 (office).



Frank Lara, Director
Government and Community Relations