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City of Santa Monica

**SIXTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

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WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

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WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the

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Existence of a Local Emergency ("Executive Order") declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Revised Executive Order") restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

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WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

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WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025,

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and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

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WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1o to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants,

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Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, the City has received additional inquiries from displaced schools, early childhood education centers, and small businesses seeking flexibility from regulations in order to temporarily or permanently relocate to the City; and

WHEREAS, allowing for this additional flexibility will support displaced residents, students and businesses in their recovery from the Regional Fires while further supporting the City's economic recovery efforts; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

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WHEREAS further extending the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales, will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third, Fourth and Fifth Supplements, and this Sixth Supplement.

2. Section 1 of the Second Revised Executive Order, as amended by the First, Second and Fourth Supplements to the Executive Order, is hereby amended as follows:

A. Within the City's non-residential zones:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires or expansions to existing schools to accommodate students displaced by the Regional Fires may operate ~~within the City's non-~~

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~~residential zones~~ as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; and

2. ~~in addition, small~~ Small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate ~~within the City~~ without first obtaining a Conditional Use Permit, or as a temporary permitted use without first obtaining a Temporary Use Permit.

B. Within the City's Residential Zones, Schools with existing Conditional Use Permits ~~in residential zones~~ that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; Child Care and Early Education Facilities displaced by the Regional Fires may operate as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities.

C. Prior to occupancy and upon request by the City, schools operating or expanding under this Section shall submit a Parking and Loading Operations Plan to the Director of the Community Development Department for review and approval, which may be amended from time to time.

D. City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits

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displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

3. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on August 31, 2025, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.

ADOPTED this 26th day of June 2025.

ATTEST:

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NIKIMA NEWSOME
City Clerk
6/26/2025

By:

Signed by:
A612288156C74AB...
ELAINE POLACHEK
Interim City Manager
Interim Director of Emergency Services
6/26/2025

APPROVED AS TO FORM:

DocuSigned by:
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DOUGLAS SLOAN
City Attorney
6/26/2025