



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012

Meeting Date: April 10, 2013 - Wednesday

Time: 9:03 a.m.

Present:

Commissioners Louie, Valadez, Helsley, Modugno

Absent:

Commissioner Pedersen

Ex Officio Members:

Director of Public Works: Mr. Andy Narag, Senior Civil Engineer

County Counsel: Ms. Patricia Keane, Senior Deputy
Ms. Jill Jones, Deputy

Planning Director: Mr. Sorin Alexanian, Deputy Director, Current Planning Division
Mr. Bruce Durbin, Supervising Regional Planner,
Ordinance Studies Section, Land Use Regulation Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Helsley representing the Third Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Valadez/Helsley – That the agenda for April 10, 2013, be approved.

Vote-Ayes: Commissioners Valadez, Helsley, Louie, Modugno

Absent: Commissioner Pedersen

COUNTY COUNSEL REPORT

3. Counsel Keane reported to the Commission that County Counsel is aware of the efforts to revise/update CEQA legislation and will keep you posted throughout the year as this issue develops and if anything is adopted.

04/10/13

DIRECTOR/DEPUTY DIRECTOR

4. Mr. Alexanian reported to the Commission that, due to concerns and complaints from residents and merchants regarding the proliferation of extended yard sales and illegal vending, that at the April 9, 2013, Board of Supervisors meeting, Supervisor Mark Ridley-Thomas motioned that the Director of Planning, along with other County departments, including County Counsel and the Sheriff's Department, review existing ordinances and report back with recommendations on how to increase the effectiveness of enforcement against these types of cases. The department will return to your Commission as soon as they can. The Land Use Regulation Division will be the lead in this effort.

MINUTES FOR APPROVAL

5. Motion/second by Commissioners Modugno/Valadez – That the minutes for March 13, 2013 be approved.

Vote-Ayes: Commissioners Modugno, Valadez, Louie, Helsley
Absent: Commissioner Pedersen

PUBLIC HEARING

Zoning Permits

Action Taken as Noted

6. **(Continued from 11/14/12 & 02/20/13). Project No. R2010-00862-(1). Applicant: Consolidated Disposal Services. 1512 North Bonnie Beach Place, East Los Angeles. City Terrace Zoned District. a. Conditional Use Permit No. 201000073. To authorize the increase in its daily waste intake of mixed municipal solid waste, including recyclable materials, from 700 tons per day (tpd) to 1,500 tpd in association with proposed modifications to the existing East Los Angeles Recycling and Transfer Station (ELARTS) in the M-2 (Heavy Manufacturing) Zone. b. Environmental Assessment No. 201000058. To consider a Mitigated Negative Declaration with impacts to noise and transportation/traffic reduced to less than significant with mitigation measures pursuant to CEQA reporting requirements.**

Mr. Mar presented the staff report. On February 13, 2013, the Regional Planning Commission continued this item to April 10, 2013, enabling staff to further analyze this project. Staff is continuing to work with Department of Public Works, Public Health and the Air Quality Management District (AQMD) to refine the language to the conditions. For this reason, the following motion was made:

04/10/13

PUBLIC HEARING (Cont.)

Zoning Permits

Motion/second by Commissioners Valadez/Helsley – That the Regional Planning Commission continue Conditional Use Permit Number 201000073 to Wednesday, June 12, 2013.

Vote-Ayes: Commissioners Valadez, Helsley, Louie, Modugno
Absent: Commissioner Pedersen

DISCUSSION AND POSSIBLE ACTION

Ordinance Studies

Action Taken as Noted

7. **Project No. R2011-00518-(1-5). Advance Planning Case No. 201100007. Technical Update to Title 22 – Countywide. Technical Update to Title 22 (Planning and Zoning Code) Quarterly Update.**

Ms. Lafferty introduced the Technical Update to Title 22 Project and, being that Phase Two of the Technical Update is beginning, gave a recap of the history of this project.

Ms. Ng continued with a presentation on the status of the Technical Update, focusing on the two immediate challenges for the Ordinance Studies Section: revising permits and permit procedures; and minimizing the potential risk and planning for the resources needed to prepare the Technical Update for public hearing and adoption. Ordinance Studies Section anticipates returning to the Commission in late summer or early fall to report on Permits and Administration Divisions and quality review measures.

Note: The Chair would like the staff report referenced today to be attached to this meeting's minutes.

PUBLIC COMMENT

8. **Public comment pursuant to Section 54954.3 of the Government Code.**

There were no requests by members of the public to address the Commission.

04/10/13

CONTINUATION OF REPORTS

9. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

10. Commission/Counsel/Director Reports

Mr. Bruckner, Director, reported that the Department of Regional Planning will be before the Board of Supervisors on April 23, 2013 regarding Universal and, additionally, the Mills Act will be before the Board of Supervisors in June.

11. Request to cancel the April 17, 2013, regular meeting of the Regional Planning Commission.

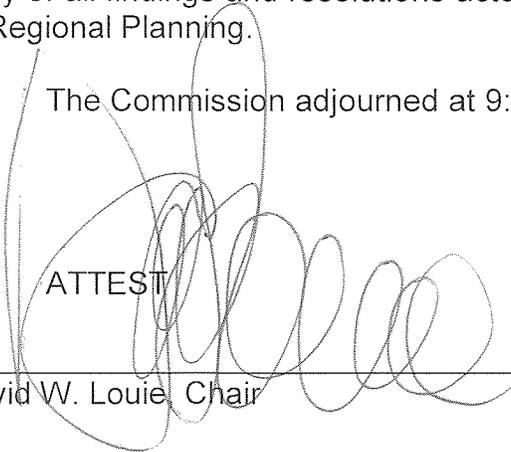
Motion/Second by Commissioners Helsley/Valadez – That the Regional Planning Commission cancel the April 17, 2013, meeting.

Vote-Ayes: Commissioners Helsley/Valadez, Louie, Modugno
Absent: Commissioner Pedersen

ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 9:48 a.m. to Wednesday, April 24, 2013.

ATTEST


David W. Louie, Chair


Elaine Sainz, Acting Commission Secretary

APPROVE

Sorin Alexanian, Deputy Director
Current Planning Division


Bruce Durbin, Supervising Regional Planner
Ordinance Studies Section
Land Use Regulation Division



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 28, 2013

TO: David W. Louie, Chair
Esther L. Valadez, Vice Chair
Harold V. Helsley, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Bruce Durbin, Supervising Regional Planner 
Ordinance Studies Section

**SUBJECT: REGIONAL PLANNING COMMISSION
APRIL 10, 2013 – AGENDA ITEM 7
TECHNICAL UPDATE TO TITLE 22
PERIODIC UPDATE**

In September of 2012, the Ordinance Studies Section concluded a comprehensive review of the Technical Update to Title 22 with a presentation to the Regional Planning Commission on Volume III – Specific Plans. Prior to that discussion, staff presented Volume II – Community Standards Districts and Volume I – Countywide Provisions over the last two years. At the September discussion, staff stated they would conduct additional outreach within the Department, incorporate quality control measures in order to maintain accuracy and integrity of Title 22, and provide the Commission with periodic updates as to the status of the project.

Since September 2012, the Ordinance Studies Section assessed both the progress made and the unforeseen challenges that have risen since the project launched in January 2011. Staff also conducted additional discussions with County Counsel and Department staff, and developed a “phased” strategy to prepare the Technical Update for public hearings and its adoption. The two largest challenges the Ordinance Studies Section is currently addressing are: (1) making necessary revisions to permits and permit procedures, and (2) minimizing the potential risks and planning for the resources required to get the Technical Update adopted.

The first challenge, revisions to permits and permit procedures, arose after additional discussions with County Counsel and Department staff. The discussions uncovered a high level of concern with the proposal to standardize permits and convert our existing permits into permit procedures. As originally proposed, the Technical Update would have standardized the 20+ individual permits in the existing code into one of five uniform “Type I-V Permits.” Each of the five “Type” permits would have corresponded to a standardized requirement and review process, depending on its requirements for burden of proof, notification, findings or a public hearing.

In response to these concerns, the Ordinance Studies Section modified the vision for permits and permit procedures. The new proposal would retain the 20+ individual permits and their assigned titles (Oak Tree, Conditional Use, etc.,) however, those permits would be assigned one of five “Type I-V Reviews.” In order to accommodate this change, permit procedures had to be split into separate division.

Staff also converted the “Director’s Review” into clearly defined processes as the existing language in Title 22 is confusing. The Ordinance Studies Section made an inventory of all the current processes assigned as a Director’s Review, and worked with the Current Planning Division to assign these procedures into one of three categories: Site Plan Review - Ministerial (SPR), Site Plan Review – Discretionary (DSP), Site Plan Review – Discretionary with Notification (DSN). The revisions to permits, permit procedures and the Director’s Review required additional modifications in the Zones Division, as well as other Divisions.

The second challenge, minimizing the potential risks and planning for the resources required for adoption of the Technical Update, also arose after discussions with County Counsel and Department staff. Two issues could unreasonably delay the Technical Update project: (1) the extensive amount of time and resources needed for County Counsel review and (2) a challenge, regardless of the merits, to any of the community standards districts or specific plans. In order to minimize risks and facilitate a more rapid adoption of the Technical Update, the Ordinance Studies Section prepared a “phased” strategy that would complete the project as originally envisioned, but prepare separate public hearings for Countywide Provisions, Community Standards Districts and Specific Plans.

In this “phased” strategy, the Technical Update will address Countywide Provisions and minor revisions to Community Standards Districts, while also preparing for an additional phase that will address the bulk of Community Standards Districts and Specific Plans. This “phased” strategy will allow staff to focus on the countywide development standards and processes in Countywide Provisions first. It will also provide staff more time to conduct outreach in Community Standards District communities, which will be necessary to alleviate confusion and ensure the public is comfortable with the Department’s proposed revisions. Please refer to the attached project schedule for additional details on the proposed strategy.

If you have any questions, please contact the Ordinance Studies Section at (213) 974-6432.

BD:AN

Attachment:
Draft Technical Update Project Schedule

Rationale to Present Technical Update in Three Phases

- The Technical Update's main purpose is to update countywide development standards and processes. Presenting the Technical Update in its entirety may pose risk to the project and there is concern that it be unreasonably delayed based on a challenge to either the community standards districts or specific plans.
- Presenting Community Standards Districts and Specific Plans in a proposed third phase allows staff to focus on the most important elements of the Technical Update, Countywide Provisions.
- Phase III provides staff time to conduct outreach in Community Standards District communities.
- County Counsel and the Director support the revised strategy.
- A leaner Technical Update will be adopted more rapidly by the Board of Supervisors.

Phase One – Comprehensive Review

- Phase One began January 2011 and concluded September 2012.
- Comprehensive Reviews of Volumes I, II, and III by the Technical Update Focus Group.
- Courtesy outreach to the public.
- Regional Planning Commission review of drafts through discussion.

Phase Two – Revisions, Quality Review, and Public Hearings

- Major revisions to Volume I Divisions for Permits, Administration, Base Zones, and Standards for Specific Uses based on DRP staff and County Counsel comments.
- Revise Volume I per Quality Review standards and comments.
- Renumber existing code for community standards districts in Volume II. *Volume II will be placed in alphabetical order, renumbered, and references will be updated.*
- Retain Santa Catalina Island and Marina Del Rey Specific Plans in existing location with no changes to content or numbering.
- Present Volumes I and II to the Regional Planning Commission at a public hearing by Fall 2013.

Phase Three – Community Standards Districts and Specific Plans

- Community Standards Districts – Incorporate Technical Update terms, processes and standardized reorganization. Conduct public outreach to ensure CSD communities are comfortable with proposed changes.
- Specific Plans – Insert La Vina, Newhall Ranch, Northlake, and any newly adopted specific plans in to Volume III.
- Present Community Standards Districts and Specific Plans to the Regional Planning Commission at a public hearing within a year of the approval of (Phase Two) Technical Update.

Implementation Program

- Additional and supporting documents, including a User Guide, Code Section Reference Chart, Frequently Asked Questions (FAQs), etc.
- Department implementation program.
- Digital media enhancements, including an electronic index, web hyperlinks to referenced sections within the code, hyperlinks to policy memos, etc.
- Transition to portable electronic code books.

Technical Update to Title 22

Regional Planning Commission Discussion

April 10, 2013



Technical Update – Phase One

- **Volume I – Countywide Provisions**
 - May 25, 2011 - Division 1
 - September 28, 2011 - Division 3/4/8
 - December 7, 2011 - Division 5
 - January 25, 2012 - Division 7
 - March 28, 2012 - Division 6
 - May 23, 2012 - Division 2
- **Volume II – Community Standards Districts**
 - July 25, 2012
- **Volume III – Specific Plans**
 - September 26, 2012

Phase One – Complete!

Challenges

1. Permits and Permit Procedures
2. Risks and Resources

Permits and Permit Procedures

APPLICATION & PERMIT REQUIRED			
Permit Type	Application For	Current Notification Requirement	Proposed Notification Requirement
TYPE I Mineral Actions	General Ord. 44 "A"		
	Site Plan Review		
	Zoning Ordinance Review		
TYPE II Discretionary Actions	Accessory Use		
	Oak Tree Permit		
	SEED Development		
	Temporary Towers		
	Temporary Special Land Use		
Notice Required	Yard Maintenance		
	Yard Maintenance		
TYPE III Discretionary Actions	Signage Under Easement	500/1000	500/1000
	General Permit	Adjacent properties	Adjacent properties
	Joint Use and Shared Use (2000 C-50)		
Notice Required	Minor Construction Use Permit	500/1000	500/1000
	Modification of Conditions	500/1000	500/1000
Notice Required	Public Resolution	500/1000	500/1000
	Drainage Water Split	500/1000	500/1000
	Temporary Use (Special Use Permit)	500/1000	500/1000
	OCU Modification	100	500/1000
Yard Maintenance	Winery	Adjacent properties	Adjacent properties
	Yard Maintenance	Adjacent properties	Adjacent properties

APPLICATION & PERMIT REQUIRED			
Permit Type	Application For	Current Notification Requirement	Proposed Notification Requirement
TYPE IV Discretionary Actions Notice and Public Hearing Required	Amendment (except of Type III special permit)	500/1000	500/1000
	General Permit	500/1000	500/1000
	Construction Permit	500/1000	500/1000
	Employer Safety Permit	500/1000	500/1000
	Housing Permit	500/1000	500/1000
	Nonconforming Review	500/1000	500/1000
	Oak Tree Permit	Not required	500/1000
	Parking Permit	500/1000	500/1000
	Surface Mining	500/1000	500/1000
	Variance	500/1000	500/1000
TYPE V Discretionary Actions Notice and Public Hearing Required	Development Agreement	500/1000	500/1000
	Special Plan	500/1000	500/1000
	General and Special Use Amendment	500/1000	500/1000
	General Plan Change Amendment	500/1000	500/1000
	Local Land Program (CLP)	500/1000	500/1000
	Zoning Ordinance Amendment	500/1000	500/1000
	Zoning Ordinance Amendment	500/1000	500/1000
Form Change	500/1000	500/1000	

Permits and Permit Procedures

Chapter 22.162 Common Procedures

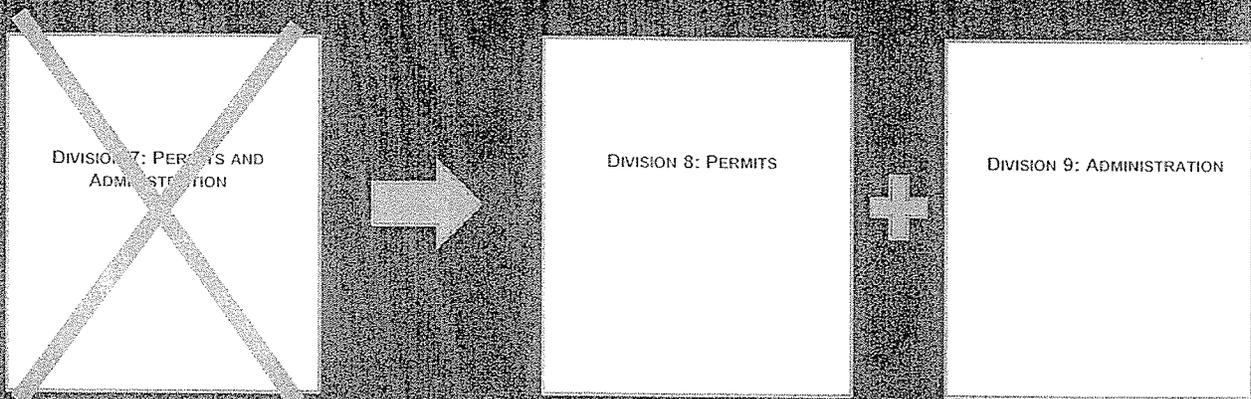
Sections:

- 22.162.010 Purpose
- 22.162.020 Authority
- 22.162.030 Review Types
- 22.162.040 Multiple Applications
- 22.162.050 Application Filing and Withdrawal
- 22.162.060 Fees and Deposits
- 22.162.070 Initial Application Review
- 22.162.080 Project Evaluation and Staff Reports
- 22.162.090 Public Hearing Procedure
- 22.162.100 Public Hearing Notice
- 22.162.110 Public Hearing - Notice Content
- 22.162.120 Public Hearing - Publication
- 22.162.130 Public Hearing - Mailing
- 22.162.140 Public Hearing - Sign Posting
- 22.162.150 Hearing Examiner Public Hearings
- 22.162.160 Findings and Decision
- 22.162.170 Decision after Public Hearing
- 22.162.180 Notice of Action

Table 22.162-A: Review Authority and Review Types

Review Type	Chapter	Advisory Body	Review Authority	Appeal Body
Type I (Mandatory)	22.156	County Departments	Director	Commission if applicable
Type II (Discretionary)	22.159	County Departments	Director	Commission
Type III (Discretionary)	22.160	County Departments, DRP Biologist, Environmental Review Board (ERB), Significant Ecological Areas Technical Advisory Committee (SEATAC)	Director	Commission
Type IV (Discretionary)	22.162	County Departments, Director, DRP Biologist, ERB, SEATAC, Hearing Officer, Hearing Examiner	Hearing Officer, Commission, Board, Coastal Commission (CC)	Commission Board CC
Type V (Discretionary)	22.164	County Departments, Commission, Director, DRP Biologist, ERB, SEATAC, Hearing Officer, Hearing Examiner	Board/CC	

Permits and Permit Procedures



Risks and Resources

1. County Counsel Review
2. Challenges Based on Community Standards Districts or Specific Plans

Risks and Resources

1. Time Needed for County Counsel Review
 - Examples:
 - Secondhand Store Ordinance
 - Six Months
 - Rural Outdoor Lighting District (Dark Skies) Ordinance
 - One Year
 - Technical Update to Title 22
 - Unknown

Risks and Resources

2. Community Standards Districts and Specific Plans

VOLUME II: COMMUNITY
STANDARDS DISTRICTS

VOLUME III: SPECIFIC PLANS

Phased Strategy

- Phase One – Comprehensive Review
 - Completed September 2012
- Phase Two – Countywide Provisions
 - December 2012 - 2014
- Phase Three – Community Standards Districts and Specific Plans
 - To Begin After Adoption of Phase Two

Phase Two

Countywide Provisions

<p>Division 8 Permits</p>	<p>+</p>	<p>Quality Review Program</p>
<p>Division 9 Administration</p>		<p>Objectives: 1. Correct 2. Concise 3. Clear</p>

Phase Two

VOLUME I: COUNTYWIDE PROVISIONS

Table of Contents

- Division 1: Introductory Provisions
- Division 2: Definitions
- Division 3: Zones
- Division 4: Combining Zones, Specific Plans, Supplemental Districts And Publicly Owned Property
- Division 5: Special Management Areas
- Division 6: Development Standards
- Division 7: Standards for Specific Uses
- Division 8: Permits
- Division 9: Administration
- Division 10: Community Standards Districts

Phase Three

VOLUME II: COMMUNITY
STANDARDS DISTRICTS

VOLUME III: SPECIFIC PLANS

Phased Strategy

- Avoid unreasonable delays
- Remove the potential challenges to the Technical Update
- Reduce the amount of material to review
- Result: A more rapid adoption of the Technical Update

Conclusion

- ZOUP
- Technical Update to Title 22
 - Phase Two
 - Permits and Administration
 - Quality Review Program