



November 12, 2019

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Connie Chung:

**LOS ANGELES COUNTY COMPACT LOT SUBDIVISIONS ORDINANCE
PROJECT NO. R2009-00966-(1-5)
AVIATION CASE NO. 2019005199**

On November 6, 2019, the Airport Land Use Commission (ALUC) conducted a public hearing relating to the above referenced project for consistency with the adopted Los Angeles County Airport Land Use Plan (ALUP), General William J. Fox Airfield Land Use Compatibility Plan (Fox ALUCP), and Brackett Field Airport Land Use Compatibility Plan (Brackett ALUCP). The ALUC found the project conditionally consistent with the ALUP, provided that an amendment is made to Section 22.140.585.G adding conditions of approval for a project to comply with Chapter 22.76 and to require an aviation easement and real estate transfer disclosure notice. The ALUC also found the project consistent with Fox ALUCP and Brackett ALUCP. Enclosed for your reference is a copy of the ALUC's final Findings.

If you have any questions regarding this matter, please contact Alyson Stewart at (213) 458-5513 or via email at astewart@planning.lacounty.gov, between 7:30 am and 5:30 PM, Monday through Thursday. Our office is closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Amy J. Bodek, AICP
Director

A handwritten signature in black ink, appearing to read "A. Bruce Durbin". The signature is written in a cursive, flowing style.

Bruce Durbin, Supervising Regional Planner
Ordinance Studies Section

Enclosure: Findings of the Airport Land Use Commission

BD:as

**DRAFT FINDINGS AND ORDER OF THE COUNTY OF LOS ANGELES
AIRPORT LAND USE COMMISSION**

ALUC REVIEW OF THE COMPACT LOT SUBDIVISIONS ORDINANCE

COMMISSION HEARING DATE: November 6, 2019

SYNOPSIS

The Airport Land Use Commission (ALUC) is conducting a consistency review of the Los Angeles County Compact Lot Subdivisions Ordinance (Ordinance), a countywide ordinance. ALUC review is necessary because the Ordinance is a legislative action affecting property within the ALUC's planning boundaries, also known as the Airport Influence Areas (AIA) surrounding the fifteen airports in Los Angeles County.

ALUC's consistency determination focuses on how the Ordinance will impact the surrounding land uses of the fifteen airports in Los Angeles County, and how it will relate to the policies contained in the Los Angeles County Airport Land Use Plan (ALUP), the General William J. Fox Airfield Land Use Compatibility Plan, and the Brackett Field Airport Land Use Compatibility Plan.

PROCEEDINGS BEFORE THE AIRPORT LAND USE COMMISSION: Staff presented on the analysis regarding the Ordinance for consistency with the three airport land use plans, which included an explanation about residential uses in Lennox. Staff recommended the ALUC to find the ordinance conditionally consistent with the County ALUP, and consistent with both the Fox Airfield ALUCP and Brackett Field ALUCP. After the presentation, Commissioner Shell asked how to ensure that each individual project complies with the insulation program, and Counsel Jill Jones responded that if it is made a condition of approval in the CUP in the ordinance, each development project will not need to go back to ALUC for review. There was no public testimony. With no further discussion, ALUC closed the hearing and moved to find the ordinance conditionally consistent with the County ALUP, provided that an amendment is made to Section 22.140.585.G adding conditions of approval for a project to comply with Chapter 22.78 and to require an aviation easement and real estate transfer disclosure notice. The ALUC also moved to find the ordinance consistent with Brackett Field ALUCP and Fox Airfield ALUCP.

FINDINGS

1. The State Aeronautics Act Section 21670, et seq. of the California Public Utilities Code ("PUC") requires every county in which there is an airport served by a scheduled airline to establish an Airport Land Use Commission.
2. Pursuant to Section 21670.2 of the PUC, the Los Angeles County Regional Planning Commission has the responsibility for acting as the Airport Land Use Commission for Los Angeles County and thereby coordinating the airport planning of public agencies within the County.
3. Pursuant to Section 21670(a)(1) of the PUC the purpose of the State Aeronautics Act that establishes Airport Land Use Commissions is to provide for the orderly development of each public use airport and the area surrounding these airports and to prevent the creation of new noise and safety problems.
4. Pursuant to Section 21674 of the PUC, the powers and duties of an Airport Land Use Commission include: assisting local agencies in ensuring compatible land uses in the vicinity of new and existing airports; coordinating planning at the state, regional and local

levels so as to provide for the orderly development of air transportation; preparing and adopting Airport Land Use Compatibility Plans; and reviewing plans of local agencies to determine whether such plans are consistent with the applicable Airport Land use Compatibility Plan.

5. In 1991 the County ALUC adopted the Los Angeles County Airport Land Use Plan, which is known as the Airport Land Use Compatibility Plan (“ALUCP”) that sets forth policies, purposes, maps with planning boundaries, and criteria for promoting compatibility between airports and the land uses that surround them.
6. The ALUCP provides for the orderly development of Los Angeles County’s public use airports and the area surrounding them. The ALUCP contains policies and criteria, including a 65 dB Community Noise Equivalent Level (CNEL) contour, that minimize the public’s exposure to excessive noise and safety hazards. This contour is the planning boundary, also called the Airport Influence Area (AIA), for each airport.
7. Pursuant to Sections 21674(d), 21676(b), 21672(c), 21661.5, 21664.5(a), and 21664.5(b) of the PUC, the County ALUC has the responsibility to review for consistency with the ALUCP, airport master plans, specific plans, general plan amendments and zoning ordinances for consistency with the adopted ALUCP, before final action is taken by the local agency.
8. Pursuant to Sections 21670(a)(2) and 21674(a), the ALUC has no authority over existing land uses regardless of whether such uses are incompatible with airport activities.
9. On December 1, 2004, the Los Angeles County ALUC adopted the General William J. Fox Airfield Land Use Compatibility Plan for General William J. Fox Airfield. This Compatibility Plan sets forth policies, a planning boundary, intensity and density criteria for promoting compatibility between the airport and the surrounding land uses.
10. On December 9, 2015, the Los Angeles County ALUC adopted the Brackett Field Airport Land Use Compatibility Plan for Brackett Field Airport. This Compatibility Plan set forth policies, a planning boundary, intensity and density criteria for promoting compatibility between the airport and the surrounding land uses.
11. The Ordinance allows residential development in Zones R-2, R-3, and R-4, and the only unincorporated area in the County that is within an Airport Influence Area and contains Zones R-2 through R-4 is the community of Lennox. Therefore, the Ordinance will have an impact on Lennox. No other areas within the AIA of any airport in the County contains these zones, and will not be affected by the Ordinance.
12. The ALUP Land Use Compatibility Table advises that new residential development should be avoided within 70 dB or greater CNEL contours per ALUP Policy G-1 and N-3, and expansion of any existing residential development may be permitted provided that no units are added.
13. The Ordinance may allow an increase in residential densities in areas that may be within an airport influence area by subdividing one parcel into eight compact legal lots, however, the Ordinance restricts the number of dwelling units to eight per project, which is well within the densities established by the General Plan and Title 22. Compact lot subdivision projects require a Conditional Use Permit.
14. Compact lot subdivisions may be permitted within the 70 dB or higher CNEL contours, provided that special considerations are made for infill development of up to 20 acres and

bordered by similarly incompatible land uses, or for extraordinary circumstances, such as a severe housing crisis, for which the Ordinance offers one of many possible solutions.

15. Residential development in the unincorporated community of Lennox is subject to the Noise Insulation Program requirements in Title 22, and the Ordinance requires that as part of approval for a compact lot subdivisions project, conditions should be imposed that the project complies with the Noise Insulation Program requirements in Title 22, grants aviation easements to the airport, and issues real estate transfer disclosure notices to all property buyers of the lots created by the project. Adoption of these conditions is consistent with ALUP Policies G-3, N-2, and N-4.
16. The Ordinance does not authorize development of a land use that would generate electrical interference, direct a steady or flashing light, attract large concentrations of birds or emit smoke. Therefore, the Ordinance is consistent with ALUP Policies S-5 and S-6 which prohibit such uses that would create the aforementioned safety hazards.
17. The Ordinance is not likely to allow for land uses that would exceed 200 feet based on existing development patterns in the unincorporated areas. ALUP Policy S-7 requires compliance with height restrictions of Federal Aviation Regulations (FAR) Part 77 which identifies an obstruction as a minimum of 200 feet high within three nautical miles of an airport. The Ordinance is consistent with ALUP Policy S-7.
18. ALUC reviewed the proposed Los Angeles County Compact Lot Subdivisions Ordinance on November 6, 2018 and found the Ordinance to be conditionally consistent with the ALUP policies and consistent with the policies in the Brackett Field and Fox Airfield Compatibility Plans. Adding language to conditions of approval to Section 22.140.585.G to include compliance with Noise Insulation Program, dedicate aviation easement, and real estate transfer notice would make the Ordinance consistent with the ALUP.

CONCLUSION:

Based on the foregoing, the Airport Land Use Commission concludes that the Compact Lot Subdivision Ordinance is conditionally consistent with the Los Angeles County Airport Land Use Plan, and is consistent with both the General William J. Fox Airfield Land Use Compatibility Plan and the Brackett Field Airport Land Use Compatibility Plan.

VOTE:

Concurring: Moon, Shell, Louie, and Smith

Dissenting: None

Abstaining: None

Absent: Modugno

ACTION DATE: November 6, 2019