



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 25, 2014

TO: Esther L. Valadez, Chair
 Laura Shell, Vice Chair
 David W. Louie, Commissioner
 Curt Pedersen, Commissioner
 Pat Modugno, Commissioner

FROM: Connie Chung, AICP, Section Head 
 General Plan Development and Housing Section

**SUBJECT: LOS ANGELES COUNTY GENERAL PLAN UPDATE
 PUBLIC HEARING: PROJECT NO. 02-305 (1-5)
 OCTOBER 8, 2014 – AGENDA ITEM #6**

INTRODUCTION

At your meeting on October 8, 2014, staff will continue to discuss the Significant Ecological Areas (SEA) Ordinance, and recommend a date to recap the General Plan Update.

PUBLIC HEARING FORMAT

To recap the public hearing format, the schedule below divides hearings into discrete topics to help you manage the content of the General Plan Update, and to allow the public to attend hearings are of specific interest to them.

February 26, 2014	Introduction and Planning Areas Framework; Land Use Element; Mobility Element.
March 26, 2014	Air Quality Element; Conservation and Natural Resources Element; Parks and Recreation Element; Noise Element; Safety Element; Public Services and Facilities Element; Economic Development Element.
April 23, 2014	SEA Program Update including SEA Ordinance; Hillside Management Ordinance.
May 28, 2014	Zone changes and amendments to Title 22.
June 25, 2014	Community Climate Action Plan; SEA Program Update including SEA Ordinance; Hillside Management Ordinance.
August 6, 2014	SEA Program Update, and Hillside Management Ordinance.
August 27, 2014	Remainder of the General Plan Update.
October 8, 2014	SEA Ordinance; remainder of the General Plan Update.

After the discussion and receiving testimony from the public, staff recommends that you add an additional hearing date, December 3, 2014, to the schedule above and that you continue the remaining aspects of the General Plan Update to that date. A continuation to a date certain is necessary to provide adequate public notice of the next hearing.

OCTOBER 8, 2014 PUBLIC HEARING

SEA Program Update

Background

As part of the series of public hearings for the draft General Plan Update effort, on April 23, 2014 staff presented the SEA Program Update with the overall program concept and discussed the draft SEA Ordinance; the SEA boundary map within the draft General Plan; and initial drafts of the SEA Development Map and SEA Connectivity and Constriction Map (which are components of the SEA Ordinance), and SEA Program Guide. Additionally staff reported to your Commission on SEA Program issues to be considered further in subsequent drafts of the SEA Ordinance and Program Guide. The matter was continued to June 25, 2014, at which time staff requested that the public hearing be continued to August 6, 2014 in order to respond to additional public comments received.

On August 6, 2014 staff presented a summary of and response to comments from the public and stakeholders on the SEA boundaries. The presentation focused on the history of the boundaries, the nature of the public comments and the principles used by staff to determine their response to the requests. The Commission concurred with staff's methodology and recommendations, and continued the matter to October 8, 2014.

Update Regarding Changes to the SEA Program Components

SEA Ordinance

On April 23, 2014 staff presented Draft 5 of the updated SEA Ordinance to your Commission. At that time the staff report included a summary of the major changes between the current and proposed ordinance intended to encourage sensitive site design, protect of the environment and improve to the review process. The staff report also detailed the following issues to address in future drafts:

- Finding of Minimal Impact
- Development Area Provisions for Grazing Lands
- Fencing For Livestock Around Properties
- Minor Conditional Use Permit ("CUP") for SEAs

The current draft submitted in this report to your Commission, Draft 6 of the SEA Ordinance, addresses these issues. The findings for the SEA CUP have been updated to prioritize avoidance of sensitive resources in site design. A category of Grazing Developed Area has been added to the SEA Development Map, along with associated applicable design standards, to appropriately recognize and permit existing and new grazing areas. Fencing for livestock and companion animals has been specifically identified in the definition of development. Lastly the language in the ordinance regarding Minor CUPs has been adjusted to ensure that the Type A SEA CUP will be affordable and match up with current permitting.

SEA Development Map

The SEA Development Map, which is a component of the SEA Ordinance and depicts areas already developed or disturbed from development within the SEA boundaries, has not been changed at this time. Several recommended changes presented at your August 6, 2014 hearing are pending at this time, and several more requests have been received. When these changes have been made, they

will be released for public comment and presented to your Commission at the next public hearing on the General Plan Update.

SEA Connectivity and Constriction Map

A component of the SEA Ordinance, the SEA Connectivity and Constriction Map review draft was released to the public in April 2014 for comments. The draft map depicted a number of segments for comments regarding which segments should be retained and which should be eliminated. At this time staff has not received any comments regarding this draft. Based on any comments received, staff will prepare and release a final recommended draft for public comment and present to your Commission at the next public hearing on the General Plan Update.

SEA Program Guide

The draft SEA Program Guide was presented to your Commission on April 23, 2014. The final draft will be presented to your Commission at the next public hearing held on the General Plan update. The final draft will include additional details for the individual SEA descriptions, an appendix with the review process for the Los Angeles County Department of Public Works, changes to the "Wildlife Crossings" section of the Program Guide, and additional guidelines regarding the SEA Ordinance review for surface mining projects.

Mapping Methodologies & Periodic Updates

While the SEA Development Map and the SEA Connectivity and Constriction maps are associated with the SEA Ordinance and are intended to be adopted by the Board, regular updates to these maps provide most value for reflecting approved development on an ongoing basis. Staff will provide additional language in a document to establish the methodology and update process at the next public hearing on the General Plan Update.

SEA Map Boundary Changes

The draft boundaries for the SEAs, which will be adopted in the General Plan Update as Figure 9.3, the Significant Ecological Areas and Coastal Resource Areas Policy Map have not been changed at this time. Several recommended changes presented at your August 6, 2014 hearing are still pending, and additional comments have been received. As a concurrent Departmental effort, the proposed SEA Boundaries within the Antelope Valley will be considered during your September 27, 2014 public hearing on the Antelope Valley Area Plan. In order to coordinate these two efforts and ensure consistency, staff will update the SEA boundaries under the draft General Plan only after the Antelope Valley Area Plan hearings have concluded. These will presented to your Commission at the next public hearing on the General Plan Update.

Other Considerations

Coordination with Ongoing Efforts

It is important to consider how the pending Antelope Valley Area Plan ("AVAP") and the Renewable Energy Ordinance ("REO") planning projects relate to the SEA Program Update. The AVAP will have been adopted before the General Plan Update, and includes proposed SEA Boundaries and changes to both the land uses and zoning in the Antelope Valley. These changes will support the needs of Antelope Valley residents and the aims of the SEA Program Update.

Under the AVAP, much of the Antelope Valley will be changed from Light Agricultural zoning ("A-1") to Heavy Agricultural zoning ("A-2") to better support ongoing agriculture and rural uses. However, this change will also have the effect of potentially allowing more utility-scale renewable energy projects within the Antelope Valley as these ground-mounted utility-scale uses are not permitted under A-1 zoning.

The ongoing REO project will better address emerging energy technologies, and establish specific review and standards for these uses under the County Zoning Code ("Title 22"). At this time, the draft REO requires that new ground-mounted utility-scale renewable energy facilities within SEAs obtain a conditional use permit. This is also required under the draft SEA Ordinance.

While the draft SEA Ordinance generally does not focus level of review around uses, with the exception of single family residences, the potential impacts of ground-mounted utility-scale renewable energy facilities within SEAs are worth considering. Public comments have raised concerns regarding the possible incompatibility of intensive uses requiring such large amounts of space within SEAs. Given that the designation of A-2 will increase both inside and outside of the proposed SEAs, staff is considering the compatibility of larger ground-mounted utilities projects within SEAs, and whether the draft REO ordinance should include specific language to address this.

The SEAs are not preserves. Uses within SEAs include large scale and/or intensive uses such as mining and aggregates production, farming, oil extraction, and water recharge. Staff believes that within agricultural areas, ground-mounted utility-scale renewable energy projects may be appropriate. This also supports the Antelope Valley economy and creates a more balanced approach.

Staff will be considering closely the testimony at your September 27, 2014 public hearing on the AVAP on whether this concern is echoed by Antelope Valley residents and stakeholders. Staff will conduct subsequent outreach through these concurrent efforts to ensure that this approach meets the aims of all three programs. If so, staff will present on the recommended changes to the draft SEA Ordinance at the next public hearing held on the General Plan Update.

ENVIRONMENTAL DOCUMENT

The County released a Draft Environmental Impact Report (EIR) for public review and comment on June 23, 2014. A 45-day public comment period (June 23, 2014-August 7, 2014) has been provided pursuant to California Environmental Quality Act (CEQA) reporting requirements. The Draft EIR was mailed to more than 350 stakeholder individuals and organizations, and emailed to more than 1,900 addresses. The Draft EIR is available on the DRP website, and all County libraries, DRP field and main offices. A notice was also published in the Los Angeles Times on June 23, 2014. We anticipate the Final EIR document to be available to you in final form at the next public hearing date on the General Plan Update.

COMMENTS AND RECOMMENDATIONS

Since the General Plan Update was made available for public review on January 23, 2014, the Department has received comments and recommendations. Staff has prepared a matrix¹ to manage stakeholder comments and responses, which can be found on the Department's

¹ http://planning.lacounty.gov/assets/upl/project/gp_comments-matrix-20140710.pdf

Regional Planning Commission
General Plan Update
Public Hearing
October 8, 2014

General Plan Update webpage.² Staff will provide updates to the matrix no later than Thursday, October 2, 2014.

NOTIFICATION

A notice of public hearing and availability of the General Plan Update was mailed in mid-January 2014. The notice was prepared and distributed pursuant to Section 22.60.174 of the County Zoning Ordinance. Notices were mailed to more than 40,000 property owners whose parcels are located in General Plan major policy areas. Notices were also distributed to more than 3,000 stakeholder individuals and organizations, and emailed to more than 1,200 addresses. Furthermore, the Draft was made available on the DRP web site, in all County libraries, DRP field offices and other suggested locations. The notice was also published in 16 newspapers, including one Spanish language newspaper, of general circulation in the unincorporated areas of Los Angeles County between January 23, 2014 and January 27, 2014.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends that the public hearing on the General Plan Update, referred to as Project Number 02-305 (1-5), be continued to December 10, 2014 and that the focus of the hearing be to recap the General Plan Update.

Should you have any questions regarding the SEA Program Update, and Hillside Management Ordinance, please contact Susan Tae at (213) 974-6476 or stae@planning.lacounty.gov. For questions regarding amendments to Title 22, please contact Bruce Durbin at (213) 974-6432 or bdurbin@planning.lacounty.gov. For questions related to zone changes and the remainder of the General Plan Update, please contact Connie Chung at (213) 974-6417 or cchung@planning.lacounty.gov.

MC:CC/SMT/EH

I MOVE THAT THE REGIONAL PLANNING COMMISSION ADD THE ADDITIONAL DATE OF DECEMBER 10, 2014, TO THE PROPOSED HEARING SCHEDULE, AND CONTINUE THIS MATTER, THE LOS ANGELES COUNTY GENERAL PLAN UPDATE, TO DECEMBER 10, 2014.

Attachment 1: SEA Ordinance, Draft 6

² <http://planning.lacounty.gov/generalplan/comments2014>