Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

June 23, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

HEARING ON THE TREE PLANTING ORDINANCE
PROJECT NO. R2007-02988-(1-5)
ADVANCE PLANNING CASE NO. 201400003
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)

SUBJECT

This action is to adopt an ordinance amending Title 21 (Subdivisions) and Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal the drought tolerant landscaping and green building requirements in Sections 21.24.430 and 21.24.440 and Parts 20 and 21 of Chapter 22.52 that are found in Title 31; and to establish tree planting requirements for new projects. Division 1 of Chapter 22.08 is to be amended to add definitions. Part 20 (Tree Planting Requirements) of Chapter 22.52 is to be added to establish tree planting requirements that provide environmental benefits.

On May 26, 2015, the Board of Supervisors (Board) held a public hearing to consider the Tree Planting Ordinance (TPO). At that hearing, staff recommended that the following revisions be made to the TPO to address concerns identified in the Building Industry's Association's letter dated May 15, 2015:

- Delete the "Developed Area" definition.
- Revise requirements for the planting of trees for projects that include a new building or addition as follows:
  - Replace "developed area" with "building footprint area"; and
  - Exempt residential projects subject to Title 21 on-site tree requirements.
- Revise the parking lot shade plan requirements by:
  - Deleting reference to the depiction of concrete curbs for planters; and
  - Requiring the depiction and labeling of proposed trees located outside a new parking lot that will shade the parking lot.

The Board continued the hearing until June 23, 2015, so that the TPO may be reviewed by the Sustainability Council (Council).

On May 28, 2015, staff presented the TPO to the Council that is tasked to "...ensure that County services are provided, internal operations are conducted, and facilities are operated in a manner that: reduces consumption of energy sources; enhances Environmental Justice and quality of life for residents; and protects natural resources." The Council's report on the TPO is attached. The Department of Public Works (DPW) comments are noteworthy and are addressed below.

- DPW: "While planting trees for shade is a great concept, we need to rethink the amount of water required to establish the trees and to maintain them. Perhaps shade/solar panel structures can be allowed to substitute for shading by trees to meet the 50% goal."

  Department of Regional Planning (DRP) Response: Parking lots shaded by solar panels or parking lots that are retrofitted with solar panels are exempt from the TPO.

- DPW: "Although the proposed TPO may be a good approach for long-term sustainability of the County, extensive tree planting requirements and necessary water needs may not be helpful to address the current drought situation."

  DRP Response:
  - The requirement for the planting of trees for projects that include new buildings is already in the County Code. The TPO does add a new requirement for the shading of new large uncovered parking lots or large expansions of uncovered parking lots. However, typically parking lots are constructed to serve a new building or large addition that is part of the proposed project. The TPO allows parking lot trees to count towards the tree planting requirement for new buildings so there is no double counting of required trees.

  - The County Code requires that at least 75 percent of landscaping (including trees) be drought tolerant. The approved tree species list that accompanies the TPO includes species with low and very low water requirements. Both of these are considered drought tolerant.

  - Trees may be irrigated by grey water. The County allows grey water systems for all land uses and installation of such systems are encouraged during times of drought.

- Trees reduce storm-water run-off which recharges the ground water table, a critical source of potable water to Los Angeles County.

DRP asserts that trees planted pursuant to the TPO support the Council's objectives in the following ways:

Reduce Consumption of Energy Sources
The TPO will reduce the consumption of energy by requiring trees to be planted for new projects. Trees reduce the urban heat island effect by shading impervious surfaces and by a biological process called transpiration. By reducing the urban heat island effect, air conditioners will be used less therefore reducing the consumption of energy.

Enhance Environmental Justice and Quality of Life for Residents
Trees planted pursuant to the TPO will enhance the quality of life of residents by making projects more attractive, helping to improve the air quality, and by making parking lots cooler and therefore more comfortable.

Protect Natural Resources
Trees planted pursuant to the TPO will protect the natural resource of water by retaining storm-water onsite which reduces water pollution and recharges the groundwater table.

The public hearing was also continued to address outreach concerns. The TPO was presented to the public on 14 occasions. A summary of the outreach events is attached.

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Determine that the project is Categorically Exempt (Class 8) from California Environmental Quality Act reporting requirements because it is an action by a regulatory agency for the protection of the environment.

2. Approve the recommendation of the Regional Planning Commission (RPC) to amend the County Code to repeal green building and drought tolerant requirements from Title 22 and establish new tree planting requirements in Title 22 as reflected in the draft TPO.

3. Indicate the Boards' intent to approve the TPO (Advance Planning Case No. 20140003).

4. Instruct County Counsel to prepare and submit to the Board for its consideration, the final ordinance that amends the County Code as recommended by the RPC and that includes Staff's recommended revisions.

Should you have any questions, please contact Carmen Sainz via e-mail at csainz@planning.lacounty.go or Dean Edwards at dedwards@planning.lacounty.gov or (213) 974-6425.

Respectfully submitted,

for RJB

Richard J. Bruckner
Director

RJB:MC:CS:de:ems

Attachments:
1. Sustainability Council Report
2. Outreach Summary

c: Executive Office, Board of Supervisors
County Counsel
Chief Executive Office

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Los Angeles County
Department of Regional Planning

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Richard J. Bruckner
Director

June 17, 2015

TO: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

FROM: Anita Gutierrez, Sustainability Officer
Sustainability Council

TREE PLANTING ORDINANCE

On May 26, 2014, on a motion by Supervisor Knabe, the Board of Supervisors continued the Department of Regional Planning's (DRP) proposed Tree Planting Ordinance and requested that the ordinance be reviewed by the Sustainability Council for consistency with other sustainability policies.

Subsequently, DRP staff presented an overview of the ordinance to the Sustainability Council on May 28, 2015. Since the council is newly formed and has yet to establish sustainability policies to review the ordinance against, the member departments were asked to review the ordinance against any sustainability policies that each department may have and provide them. The following is a summary of the comments received:

Department of Public Health

- The proposed Tree Planting Ordinance is consistent with the Department of Public Health's goals of working to reduce heat-related morbidity and mortality and improve quality of life. Heat-related deaths each year in the United States far outnumber those from all other natural disasters combined. Increasing tree canopy reduces area temperatures, a particularly important goal as climate change is expected to bring hotter temperatures to Los Angeles. By preserving and increasing tree canopy, the proposed Tree Planting Ordinance helps protect public health.

Department of Public Works

- Energy Consumption Reduction
  While planting trees for shade is a great concept, we need to rethink the amount of water required to establish the trees and to maintain them. Perhaps shade/solar panel structures can be allowed to substitute for shading by trees to meet the 50% goal.

- Natural Resource Protection
  Although the proposed ordinance may be a good approach for long-term sustainability of the County, extensive tree planting requirements and necessary water needs may not be helpful to address the current drought situation.

Internal Services Department

- No conflicting polices.

Community Development Commission

- The ordinance will not conflict with any internal Community Development Commission policies. The developments funded by our agency will need to build the tree planting requirements into design, but this is not expected to cause a major impact on our projects.

Department of Parks and Recreation

- No comments received.

Should you have any questions, please contact Anita Gutierrez, Sustainability Officer, at (213) 974-6422 or at aguitierrez@planning.lacounty.gov.

AG:ag:ems

c: Sustainability Council:
Community Development Commission
Internal Services Department
Parks and Recreation
Public Works
Regional Planning

TREE PLANTING ORDINANCE PUBLIC OUTREACH

	Supervisor District
4/13/15	
1. Rowland Heights Coordinating Council	4
7/30/ 2014	
2. Tree People, Beverly Hills	All
5/5/2015	
3. Maravilla Community Advisory Board, Los Angeles	1
5/6/2015	
4. Workman Mill Association Meeting, La Puente	4
5/12/2015	
5. Sunshine Neighborhood Watch, La Puente	1
6. Eastmont Residents Community Group, Los Angeles	1
5/13/2015	
7. BIA, Valencia	5/All
8. Clean Air Coalition, Whittier	1
5/18/2015	
9. Hacienda Heights Improvement Association, City of Industry	4
10. Saybrook Community Meeting, East Los Angeles	1
5/19/2015	
11. BIA, Conference Call	5/ALL
12. City Terrace Coordinating Council, ELA	1
5/20/2015	
13. Arbol de San Jose, La Puente	1
5/21/2015	
14. Walnut Park Community Meeting, Walnut Park	1