



County of Los Angeles
Chief Executive Office

COMMUNITY SERVICES CLUSTER AGENDA REVIEW MEETING

FESIA A. DAVENPORT
Chief Executive Officer

DATE: Wednesday, October 26, 2022
TIME: 3:30 p.m.

**THIS MEETING WILL BE CONDUCTED VIRTUALLY TO ENSURE THE SAFETY OF MEMBERS OF THE
PUBLIC AND EMPLOYEES AS PERMITTED UNDER STATE LAW.**

TO PARTICIPATE IN THE MEETING CALL TELECONFERENCE NUMBER: (323) 776-6996 ID: 994 112 379#

[Click here to join the meeting](#)

AGENDA

Members of the Public may address the Community Services Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed per person in total for each item.

1. **CALL TO ORDER**
2. **INFORMATIONAL ITEM(S):** [Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:
 - A. Board Letter (Los Angeles County Development Authority) for November 15, 2022 Board agenda:
APPROVE ACCEPTANCE OF SUPPLEMENTAL FUNDS ALLOCATED TO THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022-2023 AND AUTHORIZATION TO EXECUTE FUNDING AGREEMENTS AND INCORPORATE ADDITIONAL BUDGET AUTHORITY FOR FISCAL YEAR 2022-2023
 - B. Board Letter (LA County Library) for November 15, 2022 Board agenda:
2021-22 FISCAL YEAR-END REPORT
FOR THE LIBRARY FACILITIES MITIGATION FEE FUNDS AND UPDATED CAPITAL IMPROVEMENT PLAN
 - C. Board Letter (Regional Planning and Public Works) for November 15, 2022 Board agenda (will be presented at the 10/26 Operations Cluster):
HEARING ON WIRELESS FACILITIES ORDINANCE
PROJECT NO. R2021-002931-(1-5)
ADVANCE PLANNING CASE NO. RPPL2021007939
 - D. Board Letter (Regional Planning) for November 15, 2022 Board agenda:
ADVANCE PLANNING CASE #RPPL2022010366
REQUEST FOR DELEGATED AUTHORITY FOR
APPROVAL OF PLANS FOR HELIPORTS
3. **PUBLIC COMMENTS (2 minutes each speaker)**
4. **ADJOURNMENT**

BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	10/26/2022	
BOARD MEETING DATE	11/15/2022	
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th	
DEPARTMENT(S)	Los Angeles County Development Authority	
SUBJECT	APPROVE ACCEPTANCE OF SUPPLEMENTAL FUNDS ALLOCATED TO THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022-2023 AND AUTHORIZATION TO EXECUTE FUNDING AGREEMENTS AND INCORPORATE ADDITIONAL BUDGET AUTHORITY FOR FISCAL YEAR 2022-2023	
PROGRAM	Finance and Budget	
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
DEADLINES/ TIME CONSTRAINTS	N/A	
COST & FUNDING	Total cost: N/A	Funding source: Various
	TERMS (if applicable):	
	Explanation: The LACDA will accept and incorporate, as needed, up to \$95,452,000 from the County into the LACDA's approved FY 2022-2023 budget.	
PURPOSE OF REQUEST	The recommended actions will allow the LACDA to execute and/or amend the necessary funding agreements with the County in order to accept and incorporate County funds into the LACDA's approved FY 2022-2023 budget.	
BACKGROUND (include internal/external issues that may exist including any related motions)	The County's FY 2022-2023 Supplemental Budget was adopted by the Board of Supervisors (Board) on October 4, 2022, and it included additional funding appropriations for various LACDA programs. These funds are being provided to advance crucial Board priorities and initiatives such as fighting homelessness, supporting residents and communities, and increasing affordable housing.	
EQUITY INDEX OR LENS WAS UTILIZED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:	
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:	
DEPARTMENTAL CONTACTS	Name, Title, Phone # & Email: Matt Fortini, Chief Financial Officer, (626) 586-1890, Matt.Fortini@lacda.org Susan Lawi-Ayad, Budget Manager, (626) 586-1808, Susan.Lawi-Ayad@lacda.org	

November 15, 2022

Honorable Board of Commissioners
Los Angeles County Development Authority
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Commissioners:

APPROVE ACCEPTANCE OF SUPPLEMENTAL FUNDS ALLOCATED TO THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022-2023 AND AUTHORIZATION TO EXECUTE FUNDING AGREEMENTS AND INCORPORATE ADDITIONAL BUDGET AUTHORITY FOR FISCAL YEAR 2022-2023 (ALL DISTRICTS) (3 VOTE)

SUBJECT

This letter recommends approval to accept additional funds from the County of Los Angeles (County) and to incorporate these funds as needed into the Los Angeles County Development Authority's (LACDA) approved Fiscal Year (FY) 2022-2023 budget.

The LACDA's FY 2022-2023 budget was approved by the Board of Commissioners on June 14, 2022 and did not include additional funding provided by the County for housing and community development programs. The County's FY 2022-2023 Supplemental Budget was approved after the LACDA's FY 2022-2023 budget, and the LACDA's Board of Commissioners must approve the incorporation of these funds in the LACDA's budget.

IT IS RECOMMENDED THAT THE BOARD OF COMMISSIONERS OF THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY:

1. Authorize the Executive Director, or designee, to execute and/or amend the necessary funding agreements for the following programs, and to incorporate the funds into the LACDA's approved FY 2022-2023 budget:
 - a. Measure H – Strategy B4 in the amount of \$1,415,000 for various costs related to Project Homekey (PHK) and Pallet Shelter programs.

- b. PHK program in the amount of \$125,000 for advisory consultant services.
 - c. Resident Services Program (RSP) in the amount of \$5,200,000 to provide high touch services to the residents in the public housing developments.
 - d. Affordable Housing Trust Fund (AHTF) in the amount of \$75,000,000 to support Notice of Funding Availability (NOFA) for affordable housing development and program administration.
 - e. AHTF in the amount of \$5,000,000 to support Gap Funding for projects financed under past NOFA rounds for affordable housing development and program administration.
 - f. Various Fair Housing Programs in the amount of \$8,700,000 for Open Doors and Fair Housing activities.
 - g. Habitability – Bridge Funding for LACDA administrative expenses in the amount of \$12,000 to participate in the Rental Housing Habitability Workgroup.
2. Find that acceptance of supplemental funds for the LACDA's FY 2022-2023 budget is not subject to the California Environmental Quality Act (CEQA) because the action is not defined as a project under CEQA.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will allow the LACDA to execute and/or amend the necessary funding agreements with the County in order to accept and incorporate County funds into the LACDA's approved FY 2022-2023 budget.

The County's FY 2022-2023 Supplemental Budget was adopted by the Board of Supervisors (Board) on October 4, 2022, and it included additional funding appropriations for various LACDA programs. These funds are being provided to advance crucial Board priorities and initiatives such as fighting homelessness, supporting residents and communities, and increasing affordable housing.

FISCAL IMPACT/FINANCING

The LACDA will execute funding agreements or amendments to existing funding agreements with the County and all required documents necessary to accept and incorporate, as needed, up to \$95,452,000 into the LACDA's approved FY 2022-2023 budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 4, 2022, the Board approved the County's 2022-2023 Supplemental Budget that includes new County funds allocated to various LACDA programs for FY 2022-2023. Approval of the recommended actions will allow the Executive Director, or designee, to execute and/or amend funding agreements with the County for the following:

- \$1,415,000 in Measure H – Strategy B4 related activities for various costs related to PHK and Pallet Shelter programs for City of Redondo Beach, City of Santa Fe Springs, and City of Torrance.
- \$125,000 for PHK consulting services through LeSar Development Consultants to provide services in support of County's PHK Advisory Services.
- \$5,200,000 for RSP to provide direct services including case management; Back to School events; recreational activities; adult literacy; and after school homework assistance and tutoring.
- \$75,000,000 in AHTF for NOFA projects to continue the development and administration of affordable housing projects located throughout Los Angeles County.
- \$5,000,000 in AHTF for Gap Funding NOFA to assist previously approved NOFA projects that are in construction or are about to enter into construction but are experiencing gaps in financing due to unforeseen conditions.
- \$8,700,000 for various Fair Housing Programs to support Open Doors and Fair Housing Services. \$7,900,000 in Open Doors program provides an enhanced customer service experience for property owners and increase the number of families ability to utilize their vouchers in a highly competitive rental market. \$800,000 in Fair Housing Services program provides ongoing forum, materials, information, and workshops to educate the public about fair housing law/rights.
- \$12,000 in Habitability – Bridge Funding to cover LACDA administrative costs related to the Rental Housing Habitability Workgroup. The workgroup meetings will review the bridge funding request, discuss LA City's Systematic Code Enforcement Program, and discuss draft ordinance language.

ENVIRONMENTAL DOCUMENTATION

The acceptance of the additional funds is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34(a)(3) because they involve administrative activities that will not have a physical impact or result in any physical changes to the environment. The activities are not subject

Honorable Board of Commissioners

November 15, 2022

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to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378(b) because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The requested actions provide additional funds that will enable the LACDA to conduct program activities to benefit homeless, low- and moderate-income residents of the County and participating cities.

Respectfully submitted,

EMILIO SALAS
Executive Director

ES:MF:sla

BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	10/26/2022		
BOARD MEETING DATE	11/15/2022		
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th		
DEPARTMENT(S)	LA County Library		
SUBJECT	2021-22 Fiscal Year End-Report for the Library Facilities Mitigation Fee Funds and Updated Capital Improvement Plan		
PROGRAM	County Library		
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
DEADLINES/ TIME CONSTRAINTS	California Government Code Sections 66006 require the County to make available to the public specific information about each library facilities mitigation fee fund within 180 days after each fiscal year and Section 66002 requires the County to update annually a capital improvement plan at a noticed public hearing. In order to meet these requirements, the last Board date would be 11/15/22.		
COST & FUNDING	Total cost:		Funding source:
	TERMS (if applicable):		
	Explanation:		
PURPOSE OF REQUEST	Receive and file the fiscal year-end report for the library facilities mitigation fee funds and adopt the resolution updating the capital improvement plan for LA County Library facilities.		
BACKGROUND (include internal/external issues that may exist including any related motions)	<p>On October 27, 1998, the Board adopted a County ordinance establishing a library facilities mitigation fee, also known as the Developer Fee, to assist in defraying the LA County Library's costs associated with servicing new patrons resulting from new residential development in LA County's Unincorporated Areas.</p> <p>An annual Board letter and reporting is the mechanism by which LA County Library complies with the code requirement which states that within 180 days after the last day of each fiscal year, the County make available to the public two items: 1) a year-end report detailing financial information including beginning and ending balances, amount of fees collected, interest earned and public improvements on which fees were expended; and 2) and Updated Capital Improvement Plan (CIP).</p> <p>For the purposes of the Developer Fee Program, the County is divided into seven contiguous areas, known as Planning Areas, that have similar property values and geography. Fees received from each Planning Area may only be spent in the Planning Area in which it was collected, including in both City and Unincorporated Area libraries operated by LA County Library.</p>		

	<p>The ordinance was intended to specifically address issues related to capital projects/infrastructure, and therefore does <u>not</u> allow funds to be used to offset ongoing operating expenses such as salaries and employee benefits. Allowable costs include library Improvements such as acquiring land (lease or purchase), construction, expansion, library furnishings and materials, library services and programs such as collection development and maintenance; and auxiliary work related to establishing, implementing and monitoring library services such as a small administrative fee capped at 5%, engineering and architectural work and some legal expenses.</p>
EQUITY INDEX OR LENS WAS UTILIZED	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, please explain how:</p>
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please state which one(s) and explain how: Board Priority #7: Sustainability: Approval of the grant award supports the vision of making the County more livable, economically stronger, more equitable, and more resilient, by investing in public infrastructure that will enhance cultural, recreational, and learning opportunities for County residents and visitors, and improve the operational effectiveness of an existing County asset.</p>
DEPARTMENTAL CONTACTS	<p>Name, Title, Phone # & Email:</p> <p>Grace Reyes (Library), Administrative Deputy, (562) 940-8406, greyes@library.lacounty.gov</p>

November 15, 2022

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:

**2021-22 FISCAL YEAR-END REPORT
FOR THE LIBRARY FACILITIES MITIGATION FEE FUNDS AND
UPDATED CAPITAL IMPROVEMENT PLAN
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

LA County Library is recommending that the Board of Supervisors (Board) receive and file the fiscal year-end report for the library facilities mitigation fee funds and adopt the resolution updating the capital improvement plan for LA County Library facilities.

IT IS RECOMMENDED THAT YOUR BOARD:

Find that the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines, Section 15378.

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

- 1) Receive and file the Fiscal Year-End Report for the Library Facilities Mitigation Fee Funds for Fiscal Year 2021-22, Attachment A.
- 2) Adopt the resolution (Attachment B) updating the Capital Improvement Plan for LA County Library Facilities as of November 15, 2022, Attachment C.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On October 27, 1998, the Board adopted an ordinance establishing a library facilities mitigation fee to assist in defraying LA County Library's increase in costs associated with



new residential development projects. This is codified as Chapter 22.264 (formerly Chapter 22.72) of the Los Angeles County Code, took effect on December 26, 1998, and was implemented in all unincorporated communities served by LA County Library. A separate fund was established for each of LA County Library's seven planning areas and the first deposit was made in Fiscal Year 1998-99. The Planning Areas have similar property values and geography, comprised as follows: 1) Santa Clarita Valley, 2) Antelope Valley, 3) West San Gabriel Valley, 4) East San Gabriel Valley, 5) Southeast County, 6) Southwest County and 7) Santa Monica Mountains.

Fiscal Year-End Report

Government Code section 66006, subdivision (b)(1) requires that within 180 days after the last day of each fiscal year, the County of Los Angeles (County) make available to the public specific information for each separate account or fund established for library facilities mitigation fees collected.

Capital Improvement Plan

Government Code section 66002, subdivision (b) requires the County to update annually a capital improvement plan and adopt the plan by a resolution of the Board at a noticed public hearing.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provisions of Strategy III.2 - Realize Tomorrow's Government Today, Objective III.2.2, Enhance Information Technology Platforms to Securely Share and Exchange Data, Objective III.2.3, Prioritize and Implement Technology Initiatives That Enhance Service Delivery and Increase Efficiency; and Objective III.3.1 – Maximize Revenue. The recommended actions are consistent in the areas of operational effectiveness, fiscal responsibility and accountability by engaging with our customers, communities and partners.

FISCAL IMPACT/FINANCING

Based on Government Code section 66006, Library Mitigation Fees received from each Planning Area may only be spent in the Planning Area in which it was collected, including in both City and Unincorporated Area libraries operated by the LA County Library. The ordinance was intended to specifically address issues related to capital projects/infrastructure, and therefore does not allow funds to be used to offset ongoing

operating expenses such as salaries and employee benefits. The costs of administering the Library Mitigation Fee are prorated and charged to each Planning Area account, capped at 5%.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code section 66006, subdivision (b)(1) requires the County to make available to the public information for each separate account or fund regarding the type of fee in the account or fund; the amount of the fee; the beginning and ending balance; the amount of fees collected and interest earned; public improvements on which fees were expended and the amount of the expenditures on each public improvement, including the total percentage of the cost of the public improvement that was funded with fees; the approximate date by which construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement; a description of each interfund transfer or loan made from the account or fund; and the amount of any refunds made. Attached is the fiscal year-end report reflecting these aforementioned requirements, Attachment A.

Government Code section 66002, subdivision (b) requires the County to update its Capital Improvement Plan, which shall indicate the approximate location, size, time of availability, and estimates of cost for all facilities or improvements to be financed with the library facilities mitigation fees. The Capital Improvement Plan is developed using service level guidelines to determine the needs of each community based on various factors and population. Attached is the updated Capital Improvement Plan reflecting these requirements, Attachment C.

Notice of the public hearing was given pursuant to Government Code section 65090.

The attached resolution was approved as to form by County Counsel, Attachment B.

IMPACT ON CURRENT SERVICES

LA County Library strives to provide its customers with strong service and adequate facilities. The library facilities mitigation fees provide revenue to assist LA County Library in meeting the needs of a growing population in the unincorporated areas of the County by planning and constructing new library facilities and enhancing existing library facilities.

CONCLUSION

The Honorable Board of Supervisors
November 15, 2022
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If there are any questions or there is a need for additional information, please contact Yolanda De Ramus, Chief Deputy Director, at (562) 940-8412.

Respectfully submitted,

Skye Patrick
County Librarian

SP:YDR:GR

Attachments (3)

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors
Auditor-Controller

LA COUNTY LIBRARY

LIBRARY FACILITIES MITIGATION FEE FUNDS
2021-22 FISCAL YEAR-END REPORT

	Fund BM1 Developer Fee Area 1 Santa Clarita Valley	Fund BM 2 Developer Fee Area 2 Antelope Valley	Fund BM3 Developer Fee Area 3 West San Gabriel Valley	Fund BM4 Developer Fee Area 4 East San Gabriel Valley	Fund BM5 Developer Fee Area 5 Southeast County	Fund BM6 Developer Fee Area 6 Southwest County	Fund BM7 Developer Fee Area 7 Santa Monica Mountains
Beginning Balance	\$ 1,850,270	\$ 303,813	\$ 610,472	\$ 576,792	\$ 2,937,395	\$ 1,381,324	\$ 136,842
Interfund Transfers	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Loans	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Fees Collected	\$ 275,730	\$ 0	\$ 69,428	\$ 0	\$ 750,162	\$ 124,196	\$ 0
Refunds ¹	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Interest Earned	\$ 12,305	\$ 1,857	\$ 3,869	\$ 3,525	\$ 20,136	\$ 8,973	\$ 837
Funds Transferred In	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Expenditures	\$ (12,018) (a)	\$ (1,754) (a)	\$ (3,689) (a)	\$ (3,329) (a)	\$ (20,274) (a)	\$ (8,683) (a)	\$ (789) (a)
Ending Balance	<u>\$ 2,126,287</u>	<u>\$ 303,916</u>	<u>\$ 680,080</u>	<u>\$ 576,988</u>	<u>\$ 3,687,419</u>	<u>\$ 1,505,810</u>	<u>\$ 136,890</u>
Developer Fee Rate ²	\$1,010	\$978	\$1,021	\$1,008	\$1,011	\$1,018	\$1,013

Description of Expenditures:

(a) General developer fee program administration costs.

Notes:¹ Refunds refer to amount of refunds made pursuant to Government Code section 66006, subdivision (H).² In accordance with the County Code Chapter 22.264, fees are adjusted annually based on the Consumer Price Index (CPI) and are charged on a per dwelling unit basis at the time building permits are issued.

**RESOLUTION OF THE BOARD OF SUPERVISORS
FOR ADOPTING THE UPDATED CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
TO BE FINANCED WITH LIBRARY FACILITIES MITIGATION FEES**

WHEREAS, population growth associated with new residential development in unincorporated areas of the County of Los Angeles (County) results in a demand for LA County Library facilities in excess of the existing capacity of LA County Library and the County General Plan and other provisions of law require such development impact to be mitigated; and

WHEREAS, existing and future sources of revenue are inadequate to fund substantial portions of LA County Library facilities needed to avoid unacceptable service levels and related adverse impacts; and

WHEREAS, on October 27, 1998, the County Librarian filed with this Board a report recommending the establishment of a library facilities mitigation fee to generate additional funds to provide LA County Library facilities to accommodate the library needs generated by such development. At that time, the Board adopted a capital improvement plan for LA County Library facilities to be financed with the fees; and

WHEREAS, the capital improvement plan indicates the approximate locations, sizes, time of availability and cost estimates for all facilities or improvements to be financed with the library facilities mitigation fees, in compliance with the requirements of Government Code section 66002, subdivision (a); and

WHEREAS, the County is required to annually update the capital improvement plan LA County Library facilities in accordance with the Government Code section 66002, subdivision (b); and

WHEREAS, notice of a public hearing regarding adoption of such updated capital improvement plan was given as required by law; and

WHEREAS, on November 15, 2022, the Board held a public hearing at which the Board considered the adoption of an updated capital improvement plan for LA County Library facilities to be financed with the library facilities mitigation fees; and

WHEREAS, at the public hearing all interested persons were given an opportunity to appear and be heard; the Board considered the testimony of all interested persons for or against the adoption of the updated capital improvement plan for LA County Library facilities; evidence was presented to the Board on the matters before it; and at the conclusion of the hearing the Board was fully advised on these matters and was authorized to proceed as hereinafter provided; and

WHEREAS, on the basis of all of the foregoing, the Board has determined at this time to adopt the updated capital improvement plan for LA County Library facilities dated November 15, 2022, as amended at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby adopts the updated capital improvement plan for LA County Library facilities dated November 15, 2022, as amended.

The foregoing resolution was, on the _____ day of _____, 2022, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Celia Zavala, Executive Officer of the
Board of Supervisors of the County of Los Angeles

Deputy

APPROVED AS TO FORM:

Dawyn Harrison
Acting County Counsel

By:

Keever Rhodes Muir
Senior Deputy County Counsel

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 1 - SANTA CLARITA VALLEY

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹			PROJECT STATUS
TBD	Newhall Ranch Library Service Area (Unincorporated areas)	New Library	Land	\$ 3,005,640	130,680 sq. ft.	Future ²
			Construction	\$ 26,675,000	25,000 sq. ft.	
			Library Materials	<u>\$ 5,134,584</u>	183,378 items	
			Total Project Cost	<u>\$ 34,815,224</u>		
TBD	North Valencia Library Service Area (Unincorporated areas)	New Library	Land	\$ 920,000	40,000 sq. ft.	Future
			Construction	\$ 10,670,000	10,000 sq. ft.	
			Library Materials	<u>\$ 1,230,376</u>	43,942 items	
			Total Project Cost	<u>\$ 12,820,376</u>		
TBD	Placerita Canyon Library Service Area (Unincorporated areas)	New Library	Land	\$ 920,000	40,000 sq. ft.	Future
			Construction	\$ 10,670,000	10,000 sq. ft.	
			Library Materials	<u>\$ 238,392</u>	8,514 items	
			Total Project Cost	<u>\$ 11,828,392</u>		
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	<u>\$ 1,761,840</u>		Not Started
PLANNING AREA 1 SUMMARY			LAND	\$ 4,845,640		
			CONSTRUCTION	\$ 48,015,000		
			LIBRARY MATERIALS	\$ 6,603,352		
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	<u>\$ 1,761,840</u>		
			TOTAL PROJECT COST	\$ 61,225,832		
			PROGRAM ADMINISTRATION	<u>\$ 3,061,292</u>		
			Total Cost ³	<u>\$ 64,287,124</u>		

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 1 - SANTA CLARITA VALLEY

¹ New Library: The estimated cost of land is based on an average of \$23 per square foot (varies per Library Planning Area), per CEO-Real Estate Division 2013 analysis. Land size is based on a 1 to 4 building-to-land ratio. The estimated cost of construction is based on an average of \$1,067 per square foot, as per the 2018 average cost of construction for the Willowbrook Library. The size of a library is based on a 0.5 square foot per capita, with a minimum size of 10,000 square feet. The estimated cost of library materials is based on additional materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita.

Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² On July 18, 2017 the Board of Supervisors (Board) adopted the findings, conditions and order for approval of the Newhall Ranch Project. On September 24, 2020 Library executed an MOU with Five Point to include a 25,000 sq. ft. library on 3 acres. The costs will not exceed the library facilities mitigation fee obligation and details of the library project will be included in a Definitive Agreement.

³ Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 2 - ANTELOPE VALLEY

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹			PROJECT STATUS
TBD	Antelope Valley Bookmobile Library Service Area (Unincorporated areas)	New Library	Land		sq. ft.	New Purchase ^{2,3}
			Construction	\$ 500,000	sq. ft.	
			Library Materials		items	
			Total Project Cost	<u>\$ 500,000</u>		
TBD	Centennial Library Service Area (Unincorporated areas)	New Library	Land	\$ 1,320,000	120,000 sq. ft.	Future ⁴
			Construction	\$ 32,010,000	30,000 sq. ft.	
			Library Materials	<u>\$ 4,674,292</u>	166,939 items	
			Total Project Cost	<u>\$ 38,004,292</u>		
TBD	East Lancaster Library Service Area (Includes the City of Lancaster and unincorporated areas)	New Library	Land	\$ 440,000	40,000 sq. ft.	Future
			Construction	\$ 10,670,000	10,000 sq. ft.	
			Library Materials	<u>\$ 469,308</u>	16,761 items	
			Total Project Cost	<u>\$ 11,579,308</u>		
TBD	Lake Elizabeth Library Service Area (Unincorporated areas)	New Library	Land	\$ 440,000	40,000 sq. ft.	Future
			Construction	\$ 10,670,000	10,000 sq. ft.	
			Library Materials	<u>\$ 390,236</u>	13,937 items	
			Total Project Cost	<u>\$ 11,500,236</u>		
TBD	Pearblossom Bookmobile (Santa Clarita Valley) Library Service Area (Unincorporated areas)	New Library	Land		sq. ft.	New Purchase ^{2,3}
			Construction	\$ 500,000	sq. ft.	
			Library Materials		items	
			Total Project Cost	<u>\$ 500,000</u>		

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 2 - ANTELOPE VALLEY

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹			PROJECT STATUS
TBD	West Lancaster Library Service Area (Includes the City of Lancaster and unincorporated areas)	New Library	Land	\$ 1,232,000	112,000 sq. ft.	Future
			Construction	\$ 29,876,000	28,000 sq. ft.	
			Library Materials	<u>\$ 4,238,304</u>	151,368 items	
			Total Project Cost	<u>\$ 35,346,304</u>		
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	<u>\$ 8,243,084</u>		Not Started
PLANNING AREA 2 SUMMARY			LAND	\$ 3,432,000		
			CONSTRUCTION	\$ 84,226,000		
			LIBRARY MATERIALS	\$ 9,772,140		
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	<u>\$ 8,243,084</u>		
			TOTAL PROJECT COST	\$ 105,673,224		
			PROGRAM ADMINISTRATION	<u>\$ 5,283,661</u>		
			Total Cost ⁵	<u>\$ 110,956,885</u>		

¹ New Library: The estimated cost of land is based on an average of \$11 per square foot (varies per Library Planning Area), per CEO-Real Estate Division 2013 analysis. Land size is based on a 1 to 4 building-to-land ratio. The estimated cost of construction is based on an average of \$1,067 per square foot, as per the 2018 average cost of construction for the Willowbrook Library. The size of a library is based on a 0.5 square foot per capita, with a minimum size of 10,000 square feet. The estimated cost of library materials is based on additional materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita.

Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² Total cost for construction is based on 2018 purchase of propane and electric bookmobiles.

³ On February 13, 2018 the Board of Supervisors (Board) approved the solicitation and acquisition of bookmobiles to replace Antelope Valley and Santa Clarita Valley Bookmobiles. The project will be partially funded by Library Mitigation Fee. The project is pending completion.

⁴ On April 30, 2019 the Board approved a resolution certifying the final EIR and adopting Findings for the Centennial Project.

⁵ Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 3 - WEST SAN GABRIEL VALLEY

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹			PROJECT STATUS
2022	Temple City Library Service Area	New Library	Land	\$ 3,480,000	120,000 sq. ft.	Renovation completed in June 2022. ²
			Construction	\$ 32,010,000	30,000 sq. ft.	
			Library Materials	<u>\$ 3,765,944</u>	134,498 items	
			Total Project Cost	<u>\$ 39,255,944</u>		
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	<u>\$ 9,756,616</u>		Not Started
PLANNING AREA 3 SUMMARY			LAND	\$ 3,480,000		
			CONSTRUCTION	\$ 32,010,000		
			LIBRARY MATERIALS	\$ 3,765,944		
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	<u>\$ 9,756,616</u>		
			TOTAL PROJECT COST PROGRAM ADMINISTRATION	\$ 49,012,560		
			Total Cost ³	<u>\$ 51,463,188</u>		

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 3 - WEST SAN GABRIEL VALLEY

¹ New Library: The estimated cost of land is based on an average of \$29 per square foot (varies per Library Planning Area), per CEO-Real Estate Division 2013 analysis. Land size is based on a 1 to 4 building-to-land ratio. The estimated cost of construction is based on an average of \$1,067 per square foot, as per the 2018 average cost of construction for the Willowbrook Library. The size of a library is based on a 0.5 square foot per capita, with a minimum size of 10,000 square feet. The estimated cost of library materials is based on additional materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita.

Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² On September 19, 2017 the Board approved an architectural services contract for the Temple City Library project for a contract amount of \$516,287. On October 18, 2016 the Board approved the refurbishment of the Temple City Library, including the addition of 1,400 sq. ft., with a budget of \$3.9M, \$1.9M funded by the City. Total Project Cost is \$4.1M; \$0.2M funded by Library Mitigation Fees. Additional funding of \$0.2M approved on 9/3/19. The project was completed June 2022.

³ Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 4 - EAST SAN GABRIEL VALLEY

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹				PROJECT STATUS
TBD	West Covina East Library Service Area (Includes the City of West Covina and unincorporated areas)	New Library	Land	\$ 2,960,000	148,000	sq. ft.	Future
			Construction	\$ 39,479,000	37,000	sq. ft.	
			Library Materials	<u>\$ 5,630,772</u>	201,099	items	
			Total Project Cost	<u>\$ 48,069,772</u>			
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	<u>\$ 23,979,932</u>			Not Started
PLANNING AREA 4 SUMMARY			LAND	\$ 2,960,000			
			CONSTRUCTION	\$ 39,479,000			
			LIBRARY MATERIALS	\$ 5,630,772			
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	<u>\$ 23,979,932</u>			
			TOTAL PROJECT COST	\$ 72,049,704			
			PROGRAM ADMINISTRATION	\$ 3,602,485			
			Total Cost ²	<u>\$ 75,652,189</u>			

¹ New Library: The estimated cost of land is based on an average of \$20 per square foot (varies per Library Planning Area), per CEO-Real Estate Division 2013 analysis. Land size is based on a 1 to 4 building-to-land ratio. The estimated cost of construction is based on an average of \$1,067 per square foot, as per the 2018 average cost of construction for the Willowbrook Library. The size of a library is based on a 0.5 square foot per capita, with a minimum size of 10,000 square feet. The estimated cost of library materials is based on additional materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita.

Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 5 - SOUTHEAST

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹			PROJECT STATUS
2022	Carson Library Service Area (Unincorporated areas)	New Library	Land	\$ 6,380,000	220,000 sq. ft.	Renovation. ²
			Construction	\$ 58,685,000	55,000 sq. ft.	
			Library Materials	<u>\$ 6,371,316</u>	227,547 items	
			Total Project Cost	<u>\$ 71,436,316</u>		
2023	Florence Library Service Area (Unincorporated areas)	New Library	Land	\$ 3,480,000	120,000 sq. ft.	New Library ³
			Construction	\$ 32,010,000	30,000 sq. ft.	
			Library Materials	<u>\$ 3,620,344</u>	129,298 items	
			Total Project Cost	<u>\$ 39,110,344</u>		
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	<u>\$ 33,689,292</u>		Not Started
PLANNING AREA 5 SUMMARY			LAND	\$ 9,860,000		
			CONSTRUCTION	\$ 90,695,000		
			LIBRARY MATERIALS	\$ 9,991,660		
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	<u>\$ 33,689,292</u>		
			TOTAL PROJECT COST	\$ 144,235,952		
			PROGRAM ADMINISTRATION	<u>\$ 7,211,798</u>		
			Total Cost ⁴	<u>\$ 151,447,750</u>		

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 5 - SOUTHEAST

¹ New Library: The estimated cost of land is based on an average of \$29 per square foot (varies per Library Planning Area), per CEO-Real Estate Division 2013 analysis. Land size is based on a 1 to 4 building-to-land ratio. The estimated cost of construction is based on an average of \$1,067 per square foot, as per the 2018 average cost of construction for the Willowbrook Library. The size of a library is based on a 0.5 square foot per capita, with a minimum size of 10,000 square feet. The estimated cost of library materials is based on additional materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita.

Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² On February 19, 2019 the Board of Supervisors (Board) approved the refurbishment of the Carson Library with a budget of \$2.3M. The project is pending completion.

³ On May 30, 2017 the Board approved the relocation and renovation of the Florence Library at the Florence-Firestone Constituent Service Center. The project is pending completion.

⁴ Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 6 - SOUTHWEST

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹		PROJECT STATUS
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	\$ 13,344,208	Not Started
PLANNING AREA 6 SUMMARY			LAND	\$ -	
			CONSTRUCTION	\$ -	
			LIBRARY MATERIALS	\$ -	
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	\$ 13,344,208	
			TOTAL PROJECT COST	\$ 13,344,208	
			PROGRAM ADMINISTRATION	\$ 667,210	
			Total Cost ²	\$ 14,011,418	

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 6 - SOUTHWEST

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹	PROJECT STATUS
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¹ Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

**LA COUNTY LIBRARY
CAPITAL IMPROVEMENT PLAN FOR LA COUNTY LIBRARY FACILITIES
AS OF NOVEMBER 15, 2022**

PLANNING AREA 7 - SANTA MONICA MOUNTAINS

ANTICIPATED DATE OF COMPLETION	APPROXIMATE LOCATION	PROJECT DESCRIPTION	ESTIMATED PROJECT COSTS ¹		PROJECT STATUS
TBD	Various Library Service Areas	Enhancement of Existing Library Facilities	Total Project Cost	\$ 259,868	Not Started
PLANNING AREA 7 SUMMARY			LAND	\$ -	
			CONSTRUCTION	\$ -	
			LIBRARY MATERIALS	\$ -	
			ENHANCEMENT OF EXISTING LIBRARY FACILITIES	\$ -	
			TOTAL PROJECT COST	\$ 259,868	
			PROGRAM ADMINISTRATION	\$ 12,993	
			Total Cost ²	\$ 272,861	

¹ Existing Library: Includes an estimated cost of additional library materials needed using an average cost of \$28 per item with a 2.75 item ratio per capita as well as an average cost of \$1,800 per additional computers needed using a 1.0 computer per 1,000 people served.

² Total cost for all facilities or improvements will be financed by existing and future library facilities mitigation fees and other funding sources.

BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	10/26/2022		
BOARD MEETING DATE	11/15/2022		
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th		
DEPARTMENT(S)	Department of Regional Planning Department of Public Works		
SUBJECT	Wireless Facility Ordinance – Titles 16 and 22		
PROGRAM			
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
DEADLINES/ TIME CONSTRAINTS			
COST & FUNDING	Total cost:	Funding source:	
	\$		
	TERMS (if applicable):		
	Explanation:		
PURPOSE OF REQUEST	Adopt an ordinance amending Title 16 and Title 22 of the Los Angeles County Code to regulate wireless facilities		
BACKGROUND (include internal/external issues that may exist including any related motions)	Board motion of 3/9/2019 directing Regional Planning to adopt an ordinance for wireless facilities Board motion of 10/13/2020 directing several County departments, including Regional Planning, to explore strategies to bridge the Digital Divide for underserved communities in the County.		
EQUITY INDEX OR LENS WAS UTILIZED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain how: These ordinances will be a component of the Digital Divide initiatives to bring internet services to underserved communities by facilitating streamlined procedures for personal wireless services.		
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how: This is from a Board motion in 2019.		
DEPARTMENTAL CONTACTS	Name, Title, Phone # & Email: DRP – Amy Bodek, Director, 213.974.6401, ABodek@planning.lacounty.gov		

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

AMY J. BODEK, AICP
Director,
Regional Planning

DAVID DE GRAZIA
Deputy Director,
Regional Planning

DENNIS SLAVIN
Chief Deputy Director,
Regional Planning

JON SANABRIA
Deputy Director,
Regional Planning

CONNIE CHUNG, AICP
Deputy Director,
Regional Planning

JOSEPH HORVATH
Administrative Deputy,
Regional Planning

November 15, 2022

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 WIRELESS FACILITIES ORDINANCE
PROJECT NO. R2021-002931-(1-5)
ADVANCE PLANNING CASE NO. RPPL2021007939
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

The recommended action is to amend Title 16 (Highways) and Title 22 (Planning and Zoning) of the Los Angeles County Code with the Wireless Facilities Ordinance (Ordinance), to establish application requirements and development standards for wireless communication facilities (wireless facilities), including small cell facilities (SCF), on private property and in the public right-of-way for the unincorporated areas of Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Find the adoption of the Ordinance is exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project;
2. Indicate its intent to approve the proposed Ordinance (Advance Planning Case No. RPPL2021007939), including the amendments to Title 22 as recommended by the Regional Planning Commission (RPC), and with additional modifications as proposed by the Department of Regional Planning, and to approve the amendments to Title 16; and
3. Introduce, waive reading, and place on a subsequent Board agenda for the adoption of the amendments to Title 16 and Title 22.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On March 5, 2019, the Board approved a motion that directed the Director of Regional Planning to prepare an ordinance that, at a minimum, defines and establishes standards for the location, height, and design of wireless facilities; conduct outreach to residents, wireless service providers, and other interested parties; and present the ordinance and the appropriate environmental document to RPC and the Board for their consideration. Furthermore, recent wildfires and the COVID-19 pandemic have disclosed systemic inequities in digital access across Los Angeles County, and in response, the Board adopted a number of motions in October 2020 and February 2021, directing various County departments to report back on recommendations and strategies to address these inequities, broadly known as the “digital divide.”

Small cell facilities (SCF) are a subset of wireless facilities comprised of smaller equipment that are typically installed on streetlight and utility poles and other structures. Due to a large number of applications submitted for SCF in the public-right-of-way over the past few years, Regional Planning partnered with Public Works to create a new framework that would streamline permitting for wireless facilities, including SCF. Under this framework, Regional Planning will review wireless facilities on private property and in the public right-of-way, and Public Works will now oversee the review of SCF in the public right-of-way. The proposed Ordinance will satisfy a key component of the Chief Information Officer’s Digital Divide Regional Strategy for improving access to broadband services and digital resources. Additionally, the After Action Review (AAR) of the Woolsey Fire Incident, submitted to the Board in November 2019, identified communication services and delivery as an area in need of improvement. The AAR included a recommendation to increase the availability of communication systems for public notifications of evacuations, which may include wireless services.

Currently, Regional Planning processes applications for all types of wireless facilities, including SCF in the public right-of-way, through a Departmental policy memo dated July 26, 2010. The policy memo has not been updated to accommodate the growth of wireless services or advances in wireless technology, nor recent federal and state regulations, orders, and case law. The memo did not include any standards for SCF in the public right-of-way, which is an emerging and prevalent technology in wireless communications. The proposed Ordinance will supplant the policy memo and shift the intake, review, and processing of applications for SCFs in the public right-of-way from Regional Planning to Public Works through the Title 16 amendment and establish new development standards and review of all other wireless facilities by Regional Planning through the Title 22 amendment of the Ordinance.

Key Components

The amendment to Title 16 will add Chapter 16.25 – SCF to establish development standards for SCF in highways and other public rights-of-way, and streamlines the review process with Public Works prior to issuance of a road encroachment permit for the installation, replacement, or maintenance of an SCF. Proposed SCFs on County-owned streetlights and traffic signals shall obtain and comply with additional standards listed in Public Works' Master Licensing Agreements. No approval from Regional Planning is required unless it is a new SCF located in a Coastal Zone, Significant Ecological Area, or a Scenic Highway. Placement of SCF are given preference in the following order: 1) existing support structures such as streetlights and utility poles; 2) replacement support structures; 3) traffic signal poles; and 4) new towers. SCF shall conform to development standards which include the following: 1) use stealth designs to conceal the SCF; 2) shall not obstruct or interfere with the public use of the highway or County use of its infrastructure on the highway; 3) shall not obstruct any illumination from the support structure; 4) shall maintain the structural integrity of the support structure; 5) be placed at least eight feet above the ground on the support structure; and 6) if placed on an extension arm, be at most six feet from the support structure. SCF that are unpermitted, for which an agreement is revoked, or where relocation is required, are to be removed within 90 days at the owner's expense.

The Title 22 amendment for wireless facilities establishes application requirements and land use regulations, including zoning and development standards, for wireless facilities subject to review by Regional Planning. Existing standards for wireless facilities in community standards districts or specific plans will take precedence. Additionally, the proposed Ordinance will not apply to areas covered by a local coastal program. The Santa Monica Mountains Local Coastal Program has existing regulations in place specifically for wireless facilities, but the remaining local coastal programs will be amended for wireless facilities at a later time.

The Title 22 amendment proposes to permit wireless facilities in most zones, with development and design standards for each type of wireless facility: structure-mounted (including monopoles and faux trees), ground-mounted, roof-mounted, facade-mounted, architectural towers, temporary facilities, and SCF on private property. The standards require screening, shrouding and/or camouflaging, and encourage streamlined designs to reduce visual impacts to the extent technically feasible. Depending on the type of wireless facility and whether it is a new or existing facility, different applications are required that align with the Federal Communication Commission's Rules and Orders on the maximum number of days to approve each type of wireless facility. These applications may range from a Ministerial Site Plan Review with a maximum 60-day review period, to a Conditional Use Permit (CUP) with a maximum 150-day review period. Additional regulations apply to wireless facilities in sensitive areas, such as

significant ecological areas, significant ridgelines, scenic highways and on properties containing historical resources. Wireless facilities that require a CUP shall meet additional findings that the facilities comply with additional development standards, is the least visually intrusive as technically feasible, is necessary to meet a coverage gap, and does not create a safety hazard. Waivers from development standards may be provided through the CUP if a development standard effectively prohibits wireless services, results in a design that is technically infeasible, or conflicts with federal and state regulations.

After the RPC made its recommendation on the Title 22 portion of the Ordinance at its hearing on March 23, 2022, non-substantive changes were made to the Title 22 amendments, which are shown as redlines in the attachment. These changes include expansion of the statement for the Ordinance; corrections to spelling, grammar, capitalization, and punctuation; changes to section numbers; changes to references to federal and other laws; replacement of “structure” with “base station or tower;” addition of “qualified architectural historian” to do historic resource assessments; edit to clarify that chimneys and chimney-like textures as concealment are prohibited; and removal of the superfluous Severability section as Title 22 already has such a controlling provision at Section 22.02.100.

General Plan Consistency

The proposed Ordinance is consistent with the General Plan and supportive of its policies, including Policy PS/F (Public Services and Facilities) 6.2: Improve existing wired and wireless telecommunications infrastructure; and Policy PS/F 6.3: Expand access to wireless technology networks, while minimizing visual impacts through colocation and design.

Implementation of Strategic Plan Goals

Adoption of the proposed Ordinance will promote Goal II – Fostering Resilient and Vibrant Communities, through Strategy II.1 – Drive Economic and Workforce Development in the County. Readily available broadband access for County consumers, students, and workers will enhance access to online information, educational opportunities, and web-enabled information systems, which in turn will drive economic vitality for the County’s communities. The proposed Ordinance will also promote Goal III – Realize Tomorrow’s Government Today through Strategy III.3 – Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, in which the County’s assets can be maximized for the delivery of broadband services by all users in the County, and to streamline the County’s review of applications for wireless facilities.

FISCAL IMPACT/FINANCING

Adoption of the proposed Ordinance will not result in additional costs to the County. Applications for wireless facilities will be offset by fees that are to be collected at the time of application submittals. Certain wireless facilities that will be streamlined by ministerial review will have lower fees associated with ministerial applications. Because a safe harbor amount for fees has been established by federal rules for SCF, they will be processed ministerially. Implementation and enforcement of the proposed Ordinance is an ongoing responsibility of Public Works and Regional Planning, and thus covered by both departments' operating budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The amendments contained in the Ordinance are consistent with applicable federal and state law.

In addition to the public hearing conducted by the RPC on March 23, 2022, for the Title 22 amendments, a public hearing before the Board is required pursuant to Section 22.232.040.B.1 of the County Code and Section 65856 of the California Government Code. Required notice was given pursuant to the requirements set forth in Section 22.222.180 of the County Code.

ENVIRONMENTAL DOCUMENTATION

This project (Wireless Facilities Ordinance) is exempt from the California Environmental Quality Act ("CEQA"). The project will establish application requirements and development standards for wireless facilities within the unincorporated County, including authorization for modifications to existing facilities as well as for minor alterations to land with the construction or conversion of small structures. These actions are within a class of projects that have been determined not to have a significant effect on the environment and which meet the criteria set forth in section 15301 and 15303 of the State CEQA Guidelines ("Guidelines") and Class 1 and 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. Any wireless facility applications that do not qualify for these exemptions will undergo required environmental review under CEQA.

Upon your Board's approval of the recommended actions, the department will file a Notice of Exemption with the County Clerk in accordance with section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES OR PROJECTS

Approval of the proposed Ordinance will not significantly impact County services.

For further information on Title 16 amendment of the Ordinance, please contact Barbara Childers, Principal Engineer, Road Encroachment Unit at (626) 458-4995 or bchilders@dpw.lacounty.gov. For further information on Title 22 amendment of the Ordinance, please contact Bruce Durbin, Supervising Regional Planner, Ordinance Studies Section at (213) 974-6432 or bdurbin@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP
Director of Regional Planning

Reviewed by,



Mark Pestrella, PE
Director of Public Works

MP:AJB:CC:BD:AS:ar

Attachments:

1. Project Summary for Title 22
2. Proposed Ordinance for Titles 16 and 22
3. RPC Hearing Proceedings for Title 22 Ordinance
4. RPC Resolution for Title 22 Ordinance
5. Guidelines for Wireless Facilities in Title 22
6. Notice of Exemption

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

Project Information
(Legislative Actions)

Project No.	<u>2021-002931</u>
Project Location	<u>Los Angeles County</u>
Unincorporated Community	<u>Countywide</u>
Zoned District	<u>All Zoned Districts</u>
Project RPC Approval Date	<u>3/23/2022</u>
Board Meeting Set Date	<u>11/15/2022</u>

Planner Name	<u>Bruce Durbin</u>
Phone #	<u>(213) 974-6432</u>
E-mail	<u>bdurbin@planning.lacounty.gov</u>

Applicant(s)/Agent Name	<u>LA County Department of Regional Planning</u>
--------------------------------	--

Mailing Address	<u>320 W. Temple St., Los Angeles CA 90012</u>
------------------------	--

Phone #	<u>(213) 974-6411</u>
E-mail	<u>info@planning.lacounty.gov</u>

Additional Information (If any)	<u></u>
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Owner Name	<u></u>
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Mailing Address	<u></u>
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Phone #	<u></u>
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E-mail	<u></u>
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Additional Information (If any)	<u></u>
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Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE:	March 23, 2022
PROJECT NUMBER:	2021-002931
PERMIT NUMBER(S):	RPPL2021007939
SUPERVISORIAL DISTRICT:	1-5
PROJECT LOCATION:	Countywide
OWNER:	N/A
APPLICANT:	Los Angeles County
CASE PLANNER:	Alyson Stewart, Senior Regional Planner astewart@planning.lacounty.gov

Los Angeles County ("County") completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included for the project, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA).

This project (Ordinance) qualifies for a Categorical Exemption, (Class 1 – Existing Facilities, and Class 3 – New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and County environmental guidelines. The project includes authorization for modifications to existing facilities as well as for minor alterations to land with the construction or conversion of small structures. Both actions will not have a significant effect on the environment.

Notice of Exemption

To:

☐ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

☐ County Clerk
County of: Los Angeles, Business Filings
12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From:

Public Agency: LA County Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: Los Angeles County Department of Regional Planning

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemption. State code number: _____
- ☐ Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects. State type and section number: _____
- Others: _____

Reasons why project is exempt: _____

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency

☐ Signed by Applicant

Date Received for filing at OPR: _____

ANALYSIS

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code, to establish regulations for wireless facilities on private property in the unincorporated areas of Los Angeles County and associated provisions will provide a land use review and permit approval process that meets the requirements imposed by the Federal Communications Commission and other applicable law. It will establish standards to regulate the placement, design, and aesthetics of wireless facilities to minimize visual and physical impacts to surrounding properties; create streamlined permitting procedures for the installation, operation, and modification of wireless facilities while protecting the public health, safety, and welfare of County residents; require conditional use permits for macro-wireless facilities that do not meet development standards or require a waiver for special circumstances; and help facilitate the provision of equitable, high-quality wireless communications service infrastructure to serve the current and future needs of the County's residents, visitors, businesses, and local governments.

DAWYN R. HARRISON
Acting County Counsel

By



ROLAND TRINH
Senior Deputy County Counsel
Property Division

RT:bh

Requested: 08-02-2022

Revised: 09-21-2022

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code, to establish regulations for wireless facilities on private property in the unincorporated areas of Los Angeles County and associated provisions will provide a land use review and permit approval process that meets the requirements imposed by the Federal Communications Commission and other applicable law. It will establish standards to regulate the placement, design, and aesthetics of wireless facilities to minimize visual and physical impacts to surrounding properties; create streamlined permitting procedures for the installation, operation, and modification of wireless facilities while protecting the public health, safety, and welfare of County residents; require conditional use permits for macro-wireless facilities that do not meet development standards or require a waiver for special circumstances; and help facilitate the provision of equitable, high-quality wireless communications service infrastructure to serve the current and future needs of the County's residents, visitors, businesses, and local governments.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.14.230 is hereby amended to read as follows:

22.14.230 W.

. . .

Winery. A facility that is used for processing grapes or other agricultural products into wine, including mobile bottling or crushing facilities, operated under a Type 02

license issued by the California Department of Alcoholic Beverage Control, where processing involves the fermentation, crushing, bottling, testing, or aging of wine.

Wireless facility. The following terms are defined for the purposes of Section 22.140.760 (Wireless Facilities).

Associated equipment. As defined in Title 47 of the Code of Federal Regulations section 1.6002(c), or any successor provision, equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with an antenna, located at the same fixed location as the antenna, and when collocated on a structure, is mounted or installed at the same time as such antenna.

Antenna facility. As defined in Title 47 of the Code of Federal Regulations section 1.6002(d), or any successor provision, an antenna and associated equipment.

Architectural tower. A stand-alone tower that incorporates architectural elements and is constructed for the purpose of supporting and concealing wireless facilities, such as a faux belfry, minaret, cupola, water tower or tank, silo or other agricultural-type structure, clock tower, windmill, or another similar structure.

Base station. As defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(1), or any successor provision, a structure or equipment at a fixed location that enables the Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network. A base station includes a structure where a wireless facility may co-locate on, but is not built for the sole or primary purpose of supporting a wireless facility. This term does not include a tower or any equipment associated with a tower.

Collocation. As defined in Title 47 of the Code of Federal Regulations section 1.6002(g)(1) and (2), or any successor provision, (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modifying a pre-existing structure for the purpose of mounting or installing an antenna facility on that structure.

Eligible Facilities Request. As defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(3), or any successor provision, a request for modification of an existing tower or base station that, within the meaning of the Spectrum Act, does not substantially change the physical dimensions of that tower or base station, and involves collocation, removal, or replacement of transmission equipment. For the purposes of eligible facilities requests, collocation is as defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(2), or any successor provision.

Faux rock outcroppings. Artificial rocks that are used to conceal a wireless facility and are designed to mimic actual rocks typically found in proximity to the proposed project site and appropriate for that location.

Faux tree. An artificial tree that is used to conceal a wireless facility and is designed to mimic an actual tree typically found in proximity to the proposed project site and appropriate for that location.

FCC. The Federal Communications Commission or its lawful successor.

Macro facility. A wireless facility that does not meet the requirements of a small cell facility or an eligible facilities request.

Personal wireless services. As defined in Title 47 of the United States Code section 332(c)(7)(C)(i), or any successor provision, commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

Personal wireless services facility. As defined in Title 47 of the United States Code section 332(c)(7)(C)(ii), or any successor provision, a wireless facility that is used for the provision of personal wireless services.

Small cell facility. As defined in Title 47 of the Code of Federal Regulations section 1.6002(l), or any successor provision, a "small wireless facility" is a personal wireless services facility that meets the following conditions:

1. The facility is mounted on a structure up to 50 feet in height, including antennas, as defined in Title 47 of the Code of Federal Regulations section 1.1320(d), or any successor provision, or is mounted on a structure and extends no more than 10 percent in height above other adjacent structures, whichever is greater;

2. Each antenna associated with the facility, excluding associated antenna equipment (as defined under "antenna" in Title 47 of the Code of Federal Regulations section 1.1320(d), or any successor provision), is no more than three cubic feet in volume;

3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4. The facility does not require antenna structure registration under Title 47 of the Code of Federal Regulations Part 17, or any successor provisions;

5. The facility is not located on Tribal lands, as defined under Title 36 of the Code of Federal Regulations section 800.16(x), or any successor provision; and

6. The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in Title 47 of the Code of Federal Regulations section 1.1307(b), or any successor provision.

Substantial change. As defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(7), or any successor provision.

Support structure. As defined in Title 47 of the Code of Federal Regulations section 1.6002(m), or any successor provision, for "structure," a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of services).

Temporary facility. A wireless facility used to provide wireless services on a temporary or emergency basis, such as, but not limited to, a large-scale special event, following a duly proclaimed local or State emergency as defined in California Government Code section 8558, or any successor provision, or during repair, maintenance, or upgrading of existing facilities. Temporary facilities include, without

limitation, cells on wheels, sites on wheels, cells on light trucks, or other similar wireless facilities, and shall:

1. Be in place for no more than six months (or such other longer time as the County may allow in light of the event or emergency);

2. Provide notice to the Federal Aviation Administration;

3. Not require marking or lighting under Federal Aviation Administration regulations;

4. Be less than 200 feet in height; and

5. Either involve no excavation or involve excavation only as required to safely anchor the facility, including footings and other anchoring mechanisms, by no deeper than 24 inches below ground if the ground is undisturbed, or no deeper than 12 inches above the depth of any previous disturbance if the ground is disturbed.

Tower. A structure that is built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas, including on-site fencing, equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with that tower but not installed as part of an antenna. This definition does not include utility poles.

Wireless facility. The antenna facility used for the provision of wireless services at a fixed location, including, without limitation, any associated support structure(s).

. . .

SECTION 2. Section 22.16.030 is hereby amended to read as follows:

22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

...

C. Use Regulations.

1. Principle Uses. Table 22.16.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
...						
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses						
...						
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells, and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	CUP	CUP	SPR	
Wireless facilities, in compliance with Section 22.140.760.D.1	SPR	SPR	SPR	SPR	SPR	Section 22.140.760
Wireless facilities, in compliance with Section 22.140.760.D.2	CUP	CUP	CUP	CUP	CUP	Section 22.140.760
...						

SECTION 3. Section 22.18.030 is hereby amended to read as follows:

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

...

C. Use Regulations.

1. Principal Uses. Table 22.18.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses							
...							
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	CUP	CUP	CUP	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>Section 22.140.760</u>
...							

SECTION 4. Section 22.20.030 is hereby amended to read as follows:

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses								
...								
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal or accessory to the storage and distribution of water	CUP	CUP	CUP	CUP	CUP		CUP	
Wireless facilities, in compliance with Section 22.140.760.D.1	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.760
Wireless facilities, in compliance with Section 22.140.760.D.2	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.760
...								

SECTION 5. Section 22.22.030 is hereby amended to read as follows:

22.22.030 Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.

...

C. Use Regulations.

1. Principal Uses. Table 22.22.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	M-1.5	M-2	M-2.5	Additional Regulations
...					
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses					
...					
Wharves	SPR	SPR	SPR	CUP	SPR
Wireless facilities, in compliance with Section 22.140.760.D.1	SPR	SPR	SPR	SPR	Section 22.140.760
Wireless facilities, in compliance with Section 22.140.760.D.2	CUP	CUP	CUP	CUP	Section 22.140.760
...					

SECTION 6. Section 22.22.040 is hereby amended to read as follows:

22.22.040 Land Use Regulations for Zone M-3.

A. Permitted Uses. Premises in Zone M-3 may be used for any use, except that a use listed in Subsections B and C, below, is permitted only as provided in such sections, below, and uses listed in Subsection D, below, are prohibited. In addition, the following uses are permitted in Zone M-3:

...

4. Wireless facilities, in compliance with Section 22.140.760.D.1.

...

C. Other Permits Required. If an application for a specified permit has first been approved, premises in Zone M-3 may be used for the following:

...

5. Wireless facilities, in compliance with Section 22.140.760.D.2.

...

SECTION 7. Section 22.22.050 is hereby amended to read as follows:

22.22.050 Land Use Regulations for Zones B-1 and B-2.

Table 22.22.050-A, below, identifies the permit or review required to establish each use.

TABLE 22.22.050-A: LAND USE REGULATIONS FOR ZONES B-1 AND B-2			
Use or Structure	B-1	B-2	Additional Regulations
...			
Surface mining operations	SMP	SMP	
<u>Wireless facilities</u>	=	=	
...			

SECTION 8. Section 22.24.030 is hereby amended to read as follows:

22.24.030 Land Use Regulations for Rural Zones.

...

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
...			
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses			
...			
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells, and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>CUP</u>	<u>Section 22.140.760</u>
...			

SECTION 9. Section 22.26.020 is hereby amended to read as follows:

22.26.020 Institutional Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principal Uses. 22.26.020-B, below, identifies the permit or review required to establish each use.

TABLE 22.26.020-B: LAND USE REGULATIONS FOR ZONE IT		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
...		
Police stations	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>Section 22.140.760</u>

...

SECTION 10. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principle Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
...		

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Stations, bus, railroad, and taxi	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	SPR	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	CUP	<u>Section 22.140.760</u>
...		

SECTION 11. Section 22.26.040 is hereby amended to read as follows:

22.26.030 Specific Plan Zone.

...

B. Land Use Regulations.

...

3. Wireless Facilities. If a zone or land use category within a Specific Plan is silent with regard to wireless facilities, the Director may accept an application for a wireless facility if the Director determines that a wireless facility is similar to another use permitted within such zone or land use category, in accordance with the following:

a. If the wireless facility is in compliance with Section 22.140.760.D.1, the Director may accept a Ministerial Site Plan Review application (Chapter 22.186); or

b. If the wireless facility is in compliance with Section 22.140.760.D.2, the Director may accept a Conditional Use Permit application (Chapter 22.158).

c. This provision shall not apply if the Specific Plan Zone is within a local coastal program.

. . .

SECTION 12. Section 22.26.060 is hereby amended to read as follows:

22.26.060 Parking Restricted Zone.

. . .

B. Land Use Regulations.

. . .

3. Use Regulations.

a. Principal Uses. Table 22.26.060-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.060-B: PRINCIPAL USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
. . .		
Surface mining operations	SMP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>Section 22.140.760</u>
. . .		

SECTION 13. Section 22.140.760 is hereby added to read as follows:

22.140.760 Wireless Facilities.

A. Purpose. The purpose of this Section is to:

1. Facilitate wireless communications service providers to provide equitable, high-quality wireless communications service infrastructure to serve the current and future needs of the County's residents, visitors, businesses, and local governments quickly, effectively, and efficiently.

2. Establish streamlined permitting procedures for the installation, operation, and modification of wireless facilities, while protecting the public health, safety, and welfare of the County residents.

3. Establish standards to regulate the placement, design, and aesthetics of wireless facilities to minimize visual and physical impacts to surrounding properties.

4. Comply with all applicable federal and State laws and regulations regarding wireless facilities.

B. Applicability. This Chapter applies to all wireless facilities located on private property and public property, except for small cell facilities to be located in the public right-of-way which are subject to Chapter 16.25 (Small Cell Facilities) in Title 16 (Highways) of the County Code. Wireless facilities shall be permitted in all zones except Zones B-1 and B-2, subject to the required application as specified in Subsection D, below. Where another regulation in Title 22 applies to a wireless facility, that regulation shall take precedence over this Section. This Section shall not apply to areas within a local coastal program.

C. Exemptions. The following shall be exempt from the provisions of this Section:

1. A single ground or building-mounted antenna not exceeding the maximum height permitted by this Chapter, including any mast, is subject to the following restrictions:

a. A satellite dish antenna 39.37 inches or less in diameter and (a) intended for the sole use of a person occupying the same parcel to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot provided it is no higher than needed to receive or transmit an acceptable quality signal and in no event higher than 12 feet above the roofline.

b. A non-satellite dish antenna 39.37 inches or less in diameter or diagonal measurement and (a) intended for the sole use of a person occupying the same parcel to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite; or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot.

2. Amateur radio antennas that are in compliance with Section 22.140.040 (Amateur Radio Antennas).

3. Like-kind equipment replacements to an existing cabinet, vault, shroud, or generator that do not increase pre-existing visual or noise impacts and are substantially similar in appearance and the same or less in size, dimensions, and weight.

4. The following temporary facilities that will be placed for less than seven consecutive days, provided any necessary building permit or other approval is obtained and the property owner's written consent is provided to the County:

- a. Facilities installed and operated for large-scale events;
- b. Facilities needed for coverage during repairs, upgrades, or the temporary relocation of an existing and already-approved facility; and
- c. Emergency generators to provide auxiliary power to wireless facilities for seven or fewer days, provided they are to be located on private property, and comply with the Noise Ordinance in Title 12 (Environmental Protection) and other applicable law.

D. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required to authorize the following:

- a. Installation and operation of a small cell facility located on private property and public property that is not a public right-of-way;
- b. An Eligible Facilities Request, as defined in Section 22.14.230 (W), for an existing facility that was previously approved with a Ministerial Site Plan Review (Chapter 22.186), but does not include a small cell facility

located in the public right-of-way, which instead is subject to Chapter 16.25 (Small Cell Facilities) of the County Code;

c. Installation and operation of a macro facility on an existing base station or tower that meets all standards in Subsection E, below, and does not require a waiver;

d. Installation and operation of a temporary facility other than those described in Subsection C.4, above; and

e. Placement and operation of an emergency generator to provide auxiliary power to a wireless facility for more than seven days, but no more than 90 days, provided the generator is not located in the public right-of-way, and complies with the Noise Ordinance in Title 12 (Environmental Protection) and other applicable law.

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required to authorize the following:

a. Installation and operation of a new macro facility not installed on an existing base station or tower.

b. Installation and operation of any wireless facility, of any type, that requires a waiver from one or more of the design standards specified in Subsection E, below.

3. Revised Exhibit "A." A Revised Exhibit "A" (Chapter 22.184) application is required to collocate a macro facility on an existing base station or tower with an approved and unexpired discretionary permit that currently hosts another macro

facility, or to make modifications to an existing macro facility with an approved and unexpired discretionary permit, including an Eligible Facilities Request for the macro facility. Certain conditions prescribed as part of the approval of the discretionary permit shall not be binding for modifications to a facility as part of an Eligible Facilities Request only to the extent that the Eligible Facility Request seeks to rectify those conditions (i.e., size, dimensions, or height), and all other conditions shall continue to apply.

4. For every new application, the applicant shall prepare and submit to the Director a report on the radio frequency emissions levels of each wireless facility demonstrating that such emissions comply with adopted FCC guidelines.

E. Development Standards.

1. General Standards. All wireless facilities, except for facilities as part of Eligible Facilities Requests and small cell facilities, shall comply with the following standards. If a waiver is required for one or more of these standards due to technical infeasibility, Subsection D.2.b, above, shall apply.

a. Compliance with all regulations. The facility shall comply with State and federal requirements, standards, and law.

b. Location.

i. Wireless facilities shall not encroach into any required setbacks for structures.

ii. In Residential Zones, including in the public right-of-way, wireless facilities shall be placed no further than five feet from any common property line shared with adjoining lots, and shall be stealth or use

concealment techniques.

iii. Wireless facilities shall be located in compliance with regulations as specified in Chapter 22.102 (Significant Ecological Areas), Division 10 (Community Standards Districts), and Division 11 (Non-Coastal Specific Plans), where applicable.

iv. New wireless facilities shall not be installed on buildings or structures listed or eligible for listing on the National, California, or County historic registers. New towers and support structures installed on the grounds of properties listed or eligible for listing on the National, California, or County historic registers shall be located and designed to eliminate impacts to the historic resource. A historic resource assessment, prepared to the satisfaction of the Director by a qualified architectural historian, may be required for a facility to be located on a site containing an eligible resource to identify impacts to historic resources, and identify mitigation to minimize impacts.

c. Height.

i. In Industrial, Rural, Agricultural, Open Space, Resort-Recreation, and Watershed Zones, the maximum height of a non-building-mounted wireless facility shall be 75 feet.

ii. In Zones R-1, R-2, and R-3, the maximum height of a wireless facility shall be 35 feet.

iii. In all other zones except Zones R-1, R-2, and R-3, the maximum height of a non-building-mounted wireless facility shall be 65 feet.

iv. The height of a wireless facility, including those located within an Airport Influence Area, shall comply with the applicable FAA requirements.

d. Design standards.

i. Cables. All cables that serve the wireless facility shall be located within the interior of the structure, sheathed, or hidden to the fullest extent technically feasible.

ii. Color. All pole-mounted equipment not concealed shall be treated with exterior coatings of a color and texture to match the predominant visual background or existing architectural elements to visually blend in with the surrounding development.

iii. Associated Equipment. Associated equipment shall not be visible, and, if placed on the ground, shall be located in an enclosed structure, such as a building or underground vault (with the exception of required electrical panels), or screened and secured by solid fencing, walls, and gates, and shall conform to the height of the applicable zone. Radio units need not be enclosed but shall use concealment techniques.

iv. Fencing. Barbed wire shall be prohibited.

2. Additional standards for monopoles.

a. To the extent technically feasible, antennas shall be mounted directly on the structure for a streamlined design. If mounting equipment shall be required to make the facility feasible, the maximum length of each mounting

equipment, such as a side arm, bracket, or extension, shall be two feet from the structure.

b. Wireless facilities designed as flagpoles are prohibited.

3. Additional standards for facilities mounted on structures other than towers or buildings. A facility mounted on a structure other than a tower or building, such as an architectural tower, bridge, pole sign, lamppost, monumental sign, outdoor advertising sign, stadium light, utility pole, water tank, or windmill, shall also comply with the following standards:

a. Non-ground mounted equipment shall be shrouded or contained within the structure to the extent technically feasible.

b. Cables shall be flush-mounted or fully sheathed to the structure to prevent visible gaps between the cables and the structure, unless expressly prohibited by a state regulation. Cables shall not be visibly loose or spooled.

c. Shroud and cables shall be finished to match the structure exterior in color.

d. Architectural towers. Architectural towers shall:

i. Completely conceal equipment, including antennas; and

ii. Blend in with the architecture of buildings located near the tower location.

4. Additional standards for roof-mounted facilities.

a. Roof-mounted facilities shall be completely concealed and not visible from any public right-of-way at ground level. Acceptable concealment includes screening or architectural features appropriate to the building such as parapets, penthouses, cupolas, steeples, chimneys, or architectural towers finished to match the building exterior.

b. Chimneys and chimney-like textures as concealment shall not be permitted for the roofs of commercial buildings.

5. Additional standards for façade-mounted facilities.

a. Façade-mounted equipment shall be flush mounted, architecturally integrated, or completely screened.

b. Architecturally integrated and screening elements shall be finished to match the building exterior.

F. Development Standards for Small Cell Facilities.

1. Setbacks. Small cell facilities shall not encroach into any required setbacks for structures.

2. Height and size. The height and size of the small cell facility shall not exceed the dimensions specified in Section 22.14.230 (W) for "small cell facility."

3. Design standards.

a. All antennas, cables, and equipment shall be concealed or located within the antenna shrouds, pole, conduits, and other stealth apparatus.

b. The small cell facility shall be finished with matching colors to blend in with the structure.

G. Modifications to Existing Macro Facilities. Existing macro facilities may be eligible for either:

1. A Ministerial Site Plan Review (Chapter 22.186) application if such facilities are redesigned with shorter mounting equipment that extends no more than two feet from the structure, or with removal of any existing mounting equipment, and with additional screening techniques, such as shrouds or walls, that blend in with the structure, including color and texture, and conforms to all standards in Subsection E, above, and does not require a waiver; or

2. A Revised Exhibit "A" (Chapter 22.184) application for modifications to a facility where such modifications will not bring the facility into conformity with the standards in Subsection E, above, or which requires a waiver.

3. An Eligible Facilities Request may be processed with a Ministerial Site Plan Review (Chapter 22.186) application if minor modifications will bring the facility in conformance with all standards in Subsection E, above, and does not require a waiver. Otherwise, the Eligible Facilities Request may be processed with a Revised Exhibit "A," in accordance with Subsection D.3, above.

H. Standards for Wireless Facilities Subject to Conditional Use Permit. All facilities that are subject to a Conditional Use Permit (Chapter 22.158), pursuant to Subsection D.2, above, shall comply with the following standards:

1. Location.

a. Wireless facilities shall be located and designed to minimize visual impacts to vistas from adopted scenic highways and ridgelines.

b. Wireless facilities shall be located to minimize visual impacts on adjacent residences and historic resources.

2. Design standards. Wireless facilities shall incorporate the following concealment measures appropriate for the proposed location:

a. Monopoles. Monopoles shall be designed as follows:

i. Monopoles shall be located to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures in the immediate surroundings to provide the greatest amount of visual screening.

ii. If mounting equipment shall be required for the monopole, the maximum length of each mounting equipment, such as a side arm, bracket, or extension, shall be eight feet from the structure.

b. Faux Trees. Any proposed faux tree shall be designed as follows:

i. Wherever possible, faux trees shall be located within 50 feet of an existing grove of at least two live trees, and shall be similar in appearance to the species of the live trees.

ii. The faux tree species shall be appropriate for the climate and environment of the location.

iii. Antennas shall be painted, coated, or covered

to match their background (e.g., leaves, branches, or trunk) and shall not extend beyond the tree branches or fronds.

iv. Faux branches or fronds shall conceal the antennas to the extent technically feasible and shall be weather-resistant.

v. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark cladding, the pole shall be painted a flat non-reflective paint of the same color as the bark cladding.

c. Faux Rock Outcroppings. Faux rock outcroppings, shall contain all equipment, including antennas, and shall be similar in appearance to real rocks in the immediate vicinity with respect to color, texture, and scale.

d. Architectural Towers. Architectural towers shall:

i. Completely conceal equipment, including antennas; and

ii. Blend in with the architecture of buildings located near the tower location.

I. Findings. If a wireless facility is subject to Subsection D.2, above, the following additional findings shall be made:

1. The facility complies with all applicable standards in this Section, unless a waiver has been requested, pursuant to Subsection L, below;

2. The design of the facility is the least visually intrusive that is technically feasible and appropriate for the location;

3. For new wireless facilities, the facility at the proposed location is necessary to close a significant gap in coverage; and

4. For new wireless facilities, the location of the facility does not create a safety hazard.

J. Conditions of Approval. For wireless facilities subject to Subsection D.2, above, the Commission or the Hearing Officer may impose conditions to ensure that the approval will be in accordance with the findings required by the application. Such conditions may involve any pertinent factors that could affect the establishment, operation, and maintenance of the facility.

K. Permit Duration. A Conditional Use Permit to authorize a wireless facility may be valid for a period of 15 years.

L. Waivers.

1. For wireless facilities subject to Subsection D.2, above, the Commission or Hearing Officer may grant a waiver to one or more of the development standards in this Section if the Commission or Hearing Officer determines that the applicant has established that the denial of an application would:

a. Prohibit or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code section 332(c)(7)(B)(i)(II), or any successor provision;

b. Otherwise violate applicable laws or regulations; or

c. Require a technically infeasible design or installation of a wireless facility.

2. When a determination is made to grant a waiver, one or more of the applicable design or location standards may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible design or installation, and that does not compromise public safety.

SECTION 14. Section 22.250.010 is amended to read as follows:

22.250.010 Filing Fees and Deposits.

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees, as provided in Table 22.250.010-A, below, shall accompany the application or petition.

Table 22.250.010-A may be referred to as the Filing Fee Schedule.

TABLE 22.250.010-A: FILING FEE SCHEDULE		
...		
Site Plan Review, Ministerial	...	
	Residential, hillside areas	\$1,259
	Small cell facilities on existing structures – for up to five facilities	\$500
	Small cell facilities on existing structures – for each facility beyond the first five facilities	\$100
	Small cell facilities on new structure – for each new structure	\$1,000
	...	

[2214230RTCC]

BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	10/26/2022		
BOARD MEETING DATE	11/15/2022		
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th		
DEPARTMENT(S)	Department of Regional Planning		
SUBJECT	Delegated Authority for Approval of Heliport Plans		
PROGRAM			
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
DEADLINES/ TIME CONSTRAINTS			
COST & FUNDING	Total cost:	Funding source:	
	\$		
	TERMS (if applicable):		
	Explanation:		
PURPOSE OF REQUEST	Requests the Board to delegate its authority for approving heliport Conditional Use Permits to the Department of Regional Planning per California Public Utilities Code (PUC) Section 21661.5(b)		
BACKGROUND (include internal/external issues that may exist including any related motions)	CUPs do not go to the Board except on appeal. However, PUC Section 21661.5(a) requires the Board to approve CUPs for heliports. Section 21661.5(b) allows the Board to delegate its authority to the planning agency or commission, but this authority was never delegated.		
EQUITY INDEX OR LENS WAS UTILIZED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:		
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:		
DEPARTMENTAL CONTACTS	Name, Title, Phone # & Email: Bruce Durbin, Supervising Regional Planner (213) 974-6432 bdurbin@planning.lacounty.gov		

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

AMY J. BODEK, AICP
Director,
Regional Planning

DENNIS SLAVIN
Chief Deputy Director,
Regional Planning

CONNIE CHUNG, AICP
Deputy Director,
Regional Planning

DAVID DE GRAZIA
Deputy Director,
Regional Planning

JON SANABRIA
Deputy Director,
Regional Planning

JOSEPH HORVATH
Administrative Deputy,
Regional Planning

November 15, 2022

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:

**REQUEST FOR DELEGATED AUTHORITY
FOR APPROVAL OF PLANS FOR HELIPORTS
ADVANCE PLANNING CASE NO. RPPL2022010366
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

The recommended action is to adopt a resolution to delegate land use authority for the approval of plans for construction of new heliports from the Board of Supervisors (Board) to the Department of Regional Planning (Department) pursuant to California Public Utilities Code Section (PUC) 21661.5(b).

IT IS RECOMMENDED THAT THE BOARD,

1. Find that the proposed action is not a project under the California Environmental Quality Act (CEQA) for the reasons stated herein.
2. Adopt a resolution, effective until such time that it is revoked or modified by the Board through its official action, to delegate authority to approve plans for construction of new heliports to the Regional Planning Commission (RPC) and approve plans for construction of new heliports on County-owned property subject to Government Code Section 65402 to the Director of the Department of Regional Planning (Director), pursuant to PUC Section 21661.5(b).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

California Department of Transportation (CalTrans) has broad authority to regulate the establishment of airports and heliports in California as authorized by the State Aeronautics Act (Section 21001 *et. seq.* of the California PUC. The Board for Los Angeles County has authority to approve plans for construction of airports and heliports within its jurisdiction pursuant to PUC 21661.5(a), and such approval by the Board is required prior to the issuance of an Airport or Heliport Permit by CalTrans.

Generally, land uses on unincorporated property in Los Angeles County that require a Conditional Use Permit (CUP) must obtain final approval from the Department through either the RPC or a Hearing Officer for the Department at a duly noted public hearing pursuant to Title 22 (Planning and Zoning) of the County Code. In the case of an airport or a heliport, a consistency determination by the Los Angeles County Airport Land Use Commission (ALUC) must also be obtained pursuant to the State Aeronautics Act. Actions taken by the RPC or the Hearing Officer can be appealed to the Board.

Land uses on County-owned property are subject to review and approval by the Director with a finding that the land uses are consistent with the General Plan, pursuant to Government Code Section 65402(a) and County Code Chapter 22.248. Airports or heliports must also undergo review by ALUC for a consistency determination.

Heliports on unincorporated property in Los Angeles County require a CUP in all zones pursuant to Division 3 in Title 22 of the County Code, and heliports on County-owned property are subject to Government Code Section 65402 review with the Director. All heliport plans require another review by ALUC for a determination of consistency with the County Airport Land Use Plan, and also require a public hearing before the Board for approval pursuant to PUC 21661.5(a).

PUC 21661.5(b) permits the Board to delegate its authority for the approval of plans for the construction of new heliports, including helicopter landing and takeoff areas, to the county planning agency pursuant to Government Code Section 65100, which authorized the establishment of the Department with the powers necessary to carry out local planning and land use in Los Angeles County. As this delegation of authority has not previously been exercised, all heliport plans are still subject to review and approval by the Board.

To achieve greater operational efficiency in planning review and to eliminate the additional hearing before the Board to approve plans for heliports, the Department requests that the Board's authority for approval be delegated to the Department through the RPC or the Director pursuant to PUC 21661.5(b).

Implementation of Strategic Plan Goals

Adoption of the proposed Ordinance will promote Goal III – Realize Tomorrow's Government Today through Strategy III.3 – Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, by reducing time and costs associated with processing and approving heliport cases.

FISCAL IMPACT/FINANCING

The request is not expected to result in any significant costs to the County as it will only delegate authority to the RPC or the Director to approve plans for heliports consistent with their authority to approve other land uses.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The State Aeronautics Act (California Public Utility Code Section 21001 *et. seq.*) includes provisions for the Board to approve plans for airports and heliports, and includes a provision for authority to approve heliport plans be delegated to the Department in accordance with California Government Code Section 65100. Section 21661.5 of the PUC states:

(a) No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the appropriate commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9, and acted upon by that commission in accordance with the provisions of that article.

(b) A county board of supervisors or a city council may, pursuant to Section 65100 of the Government Code, delegate its responsibility under this section for the approval of a plan for construction of new helicopter landing and takeoff areas, to the county or city planning agency.

ENVIRONMENTAL DOCUMENTATION

The request for delegation of authority for approving plans for heliports is consistent with California PUC Section 21661.5(b) and is not subject to CEQA; Public Resources Code Section 21000, et seq.) because it is an activity that is excluded from the definition of a project pursuant to Section 15378(b) of the State CEQA Guidelines (Title 14, Cal. Code Regs., Chapter 3, §§ 15000-15387).

IMPACT ON CURRENT SERVICES OR PROJECTS

The requested delegation of authority is not anticipated to have a significant impact on County services. Submittals of applications for heliports located on unincorporated property are very rarely received; applications for heliports on County-owned properties are more common as they relate directly with County emergency uses. The delegated authority will expedite the review of plans for heliports on both unincorporated properties and County-owned properties. Existing procedures for the review of all heliport plans by ALUC for consistency with the County Airport Land Use Plan will remain unmodified.

For further information, please contact Bruce Durbin, Supervising Regional Planner of the Ordinance Studies and Airport Land Use Commission Section at (213) 974-6432 or bdurbin@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP
Director of Regional Planning

AJB:CC:BD:AS:ar

Attachment:

1. Resolution

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

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
DELEGATING AUTHORITY TO THE REGIONAL PLANNING COMMISSION AND
THE DIRECTOR OF THE DEPARTMENT OF REGIONAL PLANNING
FOR APPROVAL OF PLANS FOR HELIPORTS**

WHEREAS, the California Department of Transportation (CalTrans) is vested with the authority to regulate the establishment of airports and heliports in California as authorized by the State Aeronautics Act (Section 21001 et. seq. of the California Public Utilities Code);

WHEREAS, Public Utilities Code Section 21661.5(a) requires local land use approval of a plan for construction of a heliport (or helipad) by the Board of Supervisors of the county in which the heliport is to be located prior to the issuance of a Heliport Permit by CalTrans;

WHEREAS, the Los Angeles County Board of Supervisors (Board) has delegated its local land use powers to the County Department of Regional Planning (Regional Planning) pursuant to Government Code Section 65100, which authorizes the delegation of such planning agency functions to a planning department, one or more planning commissions, administrative bodies, or hearing officers, or a combination of the above, as the Board deems appropriate and necessary;

WHEREAS, heliports to be established on unincorporated property in Los Angeles County require a Conditional Use Permit in all zones pursuant to Division 3 of Title 22 of the County Code, and all Conditional Use Permits must obtain approval from either the Regional Planning Commission or a Regional Planning Hearing Officer at a duly noted public hearing pursuant to Title 22 (Planning and Zoning) of the County Code prior to Board approval required by Public Utilities Code Section 21661.5(a);

WHEREAS, heliports to be established on County-owned property are subject to review and approval by the Director of Regional Planning with a finding that the land use is consistent with the General Plan pursuant to Government Code Section 65402(a) and County Code Chapter 22.248 prior to Board approval required by Public Utilities Code Section 21661.5(a);

WHEREAS, Public Utilities Code Section 21661.5(b) permits the Board of Supervisors to delegate its authority for the approval of plans for construction of new heliports, including helicopter landing and takeoff areas, to Regional Planning;

WHEREAS, the Board has not previously delegated its land use authority for approval of plans for construction of heliports within the unincorporated areas of Los Angeles County to Regional Planning; and

WHEREAS, the Board has otherwise delegated its land use authority to Regional Planning pursuant to Government Code Sections 65100, 65901, and 65902, and County Code Section 2.68.090.

WHEREAS, FURTHERMORE, all heliports to be established in Los Angeles County also require a consistency determination with the County Airport Land Use Plan by the Los Angeles County Airport Land Use Commission pursuant to the State Aeronautics Act;

NOW THEREFORE, THE BOARD OF SUPERVISORS HEREBY:

1. Delegates the authority to approve plans for construction of new heliports to the Regional Planning Commission, and the authority to approve plans for construction of new heliports on County-owned property to the Director of Regional Planning, pursuant to Public Utilities Code Section 61551.5(b);
2. Certifies that this resolution is effective until such time that it is revoked or modified by the Board of Supervisors through its official action; and
3. Finds that the delegation of authority granted herein is not a project under the California Environmental Quality Act (CEQA; Public Resources Code Section 21000, et seq.) pursuant to Section 15378(b) of the State CEQA Guidelines (Title 14, Cal. Code Regs., Chapter 3, §§ 15000-15387).

The foregoing resolution was adopted on the _____ day of _____, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board also acts.

CELIA ZAVALA,

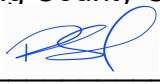
Executive Officer-Clerk of the Board of
Supervisors of the County of Los Angeles

By _____

Deputy

APPROVED AS TO FORM:

DAWYN HARRISON
Acting County Counsel

By  _____

Deputy

Ayes:

Noes:

Absent: