

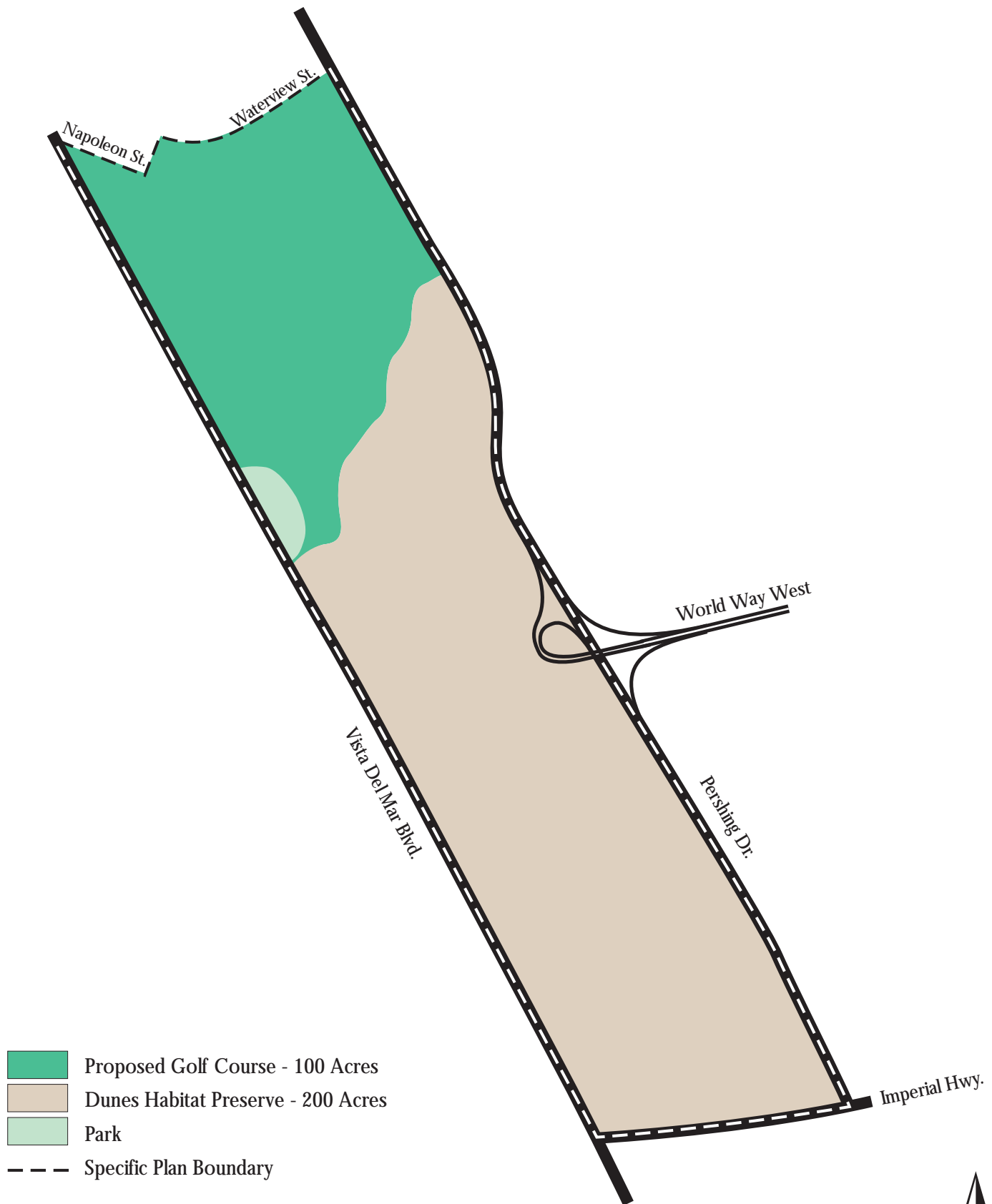
LOS ANGELES AIRPORT/EL SEGUNDO DUNES Specific Plan

Ordinance No. 167,940
Effective June 28, 1992

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L.A. Airport/El Segundo Dunes Specific Plan



LOS ANGELES AIRPORT/ EL SEGUNDO DUNES SPECIFIC PLAN

An ordinance establishing the Los Angeles Airport/El Segundo Dunes Specific Plan for that portion of the Westchester-Playa del Rey Community Plan area that is bounded by Napoleon and Waterview Streets on the north, by Imperial Highway on the south, by Pershing Drive on the east, and by Vista del Mar on the west.

WHEREAS, the California Coastal Act of 1976 declares the State's coastal zone to be "a distinct and valuable resource of vital and enduring interest" for all its citizens, as well as a "delicately balanced ecosystem;" and

WHEREAS, the Coastal Act states that "permanent protection of natural and scenic resources is a paramount concern to present and future residents" of both the State and the Nation; and

WHEREAS, the Coastal Act further requires preservation of "the ecological balance of the coastal zone," in order to promote "public safety, health and welfare," as well as to protect wildlife and other natural resources; and

WHEREAS, the Los Angeles City Department of Airports has removed more than 800 homes from these Dunes since 1965 to reduce noise impacts on housing and is now proposing to provide habitat protection and recreation uses on the site; and

WHEREAS, the Los Angeles International Airport Interim Plan (CF 80-4283), adopted on January 12, 1981, identifies the Airport/El Segundo Dunes as an "Open Space Area . . . to be used for recreation and habitat uses plus related parking;" and

WHEREAS, the Airport/El Segundo Dunes, which consist of approximately 302 acres, are a small remnant of a once-vast dune ecosystem and constitute an endangered landform; and

WHEREAS, 900 species of flora and fauna have recently been recorded on these Dunes, 35 of which are limited in range to Southern California Dunes systems; and

WHEREAS, at least 11 rare species of flora and fauna are known to exist within the boundaries of the Airport/El Segundo Dunes, all of which are considered to be globally endangered; and

WHEREAS, dune-dependent species are concentrated in areas within approximately 200 acres of the Dunes, as identified in the July 1990 report, Species Diversity and Habitat Evaluation Across the El Segundo Sand Dunes at LAX, by Dr. Rudi Mattoni; and

WHEREAS, approximately 100 acres of the Dunes have been drastically altered, do not contain significant habitat resources, and are therefore suited for public recreational uses; and

WHEREAS, a golf course is desired to meet the recreational needs of the City's residents and to augment dune habitat; and

WHEREAS, the City's Conservation Plan identifies the portion of the Dunes intended for preservation as an "Ecologically Important Area;" and

WHEREAS, the location of the Airport/EI Segundo Dunes within the Los Angeles Metropolitan area provides opportunities for scientific research as well as educational and recreational activities for a large urban population; and

WHEREAS, the recreational and educational values of the Dunes would be further enhanced by provision of a view area, bike and walking paths, and a visitor center featuring dune habitat and dependent species;

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1.

ESTABLISHMENT OF SPECIFIC PLAN

- A. The City Council hereby establishes this Los Angeles Airport/EI Segundo Dunes Specific Plan applicable to that approximately 302-acre area of the City of Los Angeles as shown on the Specific Plan map.
- B. The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and do not convey any right not otherwise granted under the provisions and procedures of that Chapter, except as specifically provided herein. The provisions of this Plan shall prevail in any conflict between the language of this Plan and the Code.
- C. This Specific Plan is enacted in order to restore and preserve the natural ecology of the Dunes and those native dune-dependent species that exist thereon; to provide for active recreation in the form of a public golf course and related facilities, consistent with the preservation of the Dunes ecology; and to provide for passive recreation in the form of paths, a visitor center, and viewing areas that will give visitors an opportunity to learn about sand dune ecology and to observe both airfield activities and the scenic beauty of the ocean and the Dunes.
- D. Map. The provisions of this ordinance shall apply within the area shown on the Specific Plan map.

Section 2.

DEFINITIONS

The following terms used in this ordinance, with the first letter capitalized, are defined below. Terms used in this ordinance shall have the meaning specified in Section 12.03 of the Los Angeles Municipal Code, except as specifically defined herein.

Airport means the Los Angeles International Airport.

Dunes, Specific Plan Area, and Plan Area mean the Los Angeles Airport/El Segundo Dunes of approximately 302 acres, as shown on the Map.

Dunes Habitat Preserve and **Preserve** mean approximately 200 contiguous acres, as indicated on the Map, set aside for preservation of native dune-dependent species identified in the report, Species Diversity and Habitat Evaluation Across the El Segundo Sand Dunes at LAX, dated July 1, 1990, by Dr. Rudy Mattoni.

Golf Course Area means a public golf course on approximately 100 contiguous acres, as indicated on the Map.

Map means the Specific Plan map contained in this ordinance.

Program means the phased restoration and maintenance of the Dunes Habitat Preserve.

Section 3.

LAND USE REGULATIONS

The following regulations shall apply in the Specific Plan Area:

- A. **Restoration and Maintenance of the Preserve.** The Dunes Habitat Preserve, as shown on the Map, shall be restored as reasonably feasible to natural state for the express purpose of providing a permanent preserve for dune-dependent species.

The Executive Director of the Department of Airports (Executive Director) and the General Manager of the Department of Environmental Affairs (General Manager) shall prepare a report describing a program for the phased restoration and maintenance of the Preserve consistent with this Specific Plan. Within 180 days of the approval of the Specific Plan by the Coastal Commission, the Executive Director shall submit the Executive Director's and General Manager's Report (Report) to the Board of Airport Commissioners (Board) for its approval. Within 90 days of the receipt of the Report, the Board shall submit the Report to the Coastal Commission for its review and comment.

The Board shall initiate the Program within 180 days of the completion of the Coastal Commission review of the Report.

The General Manager and the Board shall have responsibility for the restoration of the Preserve as funding for restoration efforts become available. The Board and the General Manager may seek funding for the Program from any available source.

The Board shall have the responsibility for operation and maintenance of the Preserve.

The General Manager, the Board, and the Executive Director (upon approval of the Board) may retain parties to assist in carrying out their duties and responsibilities under the Program and this Specific Plan.

The General Manager shall submit an annual report to the Coastal Commission on the progress of the restoration Program.

Access to the Preserve shall be restricted consistent with the site's environmental sensitivity. Regulations for such access (including hours and terms of supervision) shall be approved by the Board. Access may also be restricted by the Board and/or Executive Director based on the security needs of the Department of Airports.

Principal uses within the Preserve shall be limited to habitat restoration and maintenance directed primarily toward enhancement for threatened and endangered species; scientific research; and education. Except when associated with habitat restoration and maintenance, site alteration shall be kept to an absolute minimum.

Existing Airport navigational and safety facilities are permitted. To the extent consistent with Federal laws and legally enforceable Federal regulations, development of additional navigational and safety facilities shall require a Coastal Development Permit. Placement of such facilities shall be compatible with the preservation of habitat values. The Federal Aviation Administration's Very-High Omni Range (VOR) Navigation Beacon and the remote antennae shall have their own security and access provisions. Routine operations and maintenance of the VOR area shall be conducted in such manner as to minimize disruption to adjacent habitat.

- B. **Public Golf Course.** A public golf course shall be permitted on approximately 100 contiguous acres, as indicated on the Map, subject to a Coastal Development Permit. Appropriate ancillary facilities may be sited on the Golf Course Area.

The Board, in consultation with Departments of Planning, Airports and Environmental Affairs, the Mayor, and the Councilmember for the District in which the Golf Course will be located, shall prepare a Request for Proposal to develop the Golf Course Area in accord with the provisions of this Specific Plan.

Precautions, including the following, shall be taken to preserve the natural dunes ecology in the development of the golf course: grading, earth movement and site alteration shall be kept to a minimum; landscaping shall be consistent with and encourage the presence of native vegetation. Primary access to Golf Course Area facilities shall be from Pershing Drive. A condition of acceptance of a proposal for development of the Golf Course shall be the provision of a revenue stream which can contribute to the ongoing maintenance of the Dunes Habitat Preserve.

All uses within the Plan Area, except the Dunes Habitat Preserve, shall be open to the public. However, the Board of Airport Commissioners may adopt rules regulating this access.

- C. **Additional Uses.** The following additional uses may be accommodated on the area identified for Golf Course and ancillary purposes:
1. A one-acre site for a visitor center featuring interpretive materials on Dunes ecology, connected by trails with appropriate signage to one or more view sites.
 2. One or more view sites with benches and/or picnic tables, connected by trails to the visitor center and the public park.
 3. A composting facility adequate to compost green wastes from the Golf Course.
 4. Parking consistent with Coastal standards for visitor and recreational uses.
- D. **Irrigation.** Irrigation within the Specific Plan Area shall use reclaimed water when available, except that, during the restoration process, potable water may be used as required within the Dunes Habitat Preserve. Irrigation on the Golf Course Area shall be allowed only if consistent with Department of Water and Power water conservation criteria. Irrigation plans shall be prepared by the Board in consultation with the Bureau of Engineering and the Environmental Affairs Department.
- E. **Bikepaths and Walking Trails.** Bikepaths and walking trails shall be established by the Board around the entire Specific Plan Area to the maximum extent feasible before or at the same time as the development of the Golf Course. If feasible, such trails may cross the site in the area of the boundary between the Golf Course and the Dunes Habitat Preserve and/or at its northern edge. Trails and paths shall be designed and constructed so as to cause minimal disruption to dune habitat. Fences and/or walls between the paths and the Dunes Habitat Preserve shall be provided if determined to be necessary for habitat protection. Appropriate signage shall be placed along the trails, identifying native flora and fauna.

- F. **Safety of Airport Flight Operations.** Notwithstanding any other provision of this Specific Plan, no use, development or activity regarding the Specific Plan Area may compromise the safety of airport flight operations in any way. Final authority for determining whether airport flight operation safety is compromised rests with the Federal Aviation Administration.
- G. **Monitoring Programs.** A monitoring program for all phases of implementation of this Specific Plan shall be prepared by the Board in consultation with the General Manager. However, the monitoring program for the restoration and maintenance of the Preserve shall be included as part of the Executive Director's and General Manager's Report described in Subsection 3A.

In addition, a monitoring program shall be included as part of any development plan for the Golf Course Area to assure that the Golf Course Area and all facilities therein are maintained in a manner compatible with the Preserve.

Section 4.

BUILDING PERMITS AND PLAN APPROVALS

- A. The Department of Building and Safety shall not issue a building permit for any work or a certificate of occupancy for any use in the Specific Plan Area until the Director of Planning or his or her designee has reviewed the application for the permit or certificate, and determined that it is in conformance with the provisions of this Specific Plan, and that a Coastal Development Permit has been obtained and any appeals to the Coastal Commission have been resolved. Any person aggrieved by any determination of the Director of Planning pursuant to this Subsection may appeal that determination to the Area Planning Commission, utilizing the fees and procedures set forth in Section 11.5.7 of the Los Angeles Municipal Code.
- B. The Executive Director shall prepare all necessary grading, landscaping and irrigation, parking, bikeway and walking trail plans. Prior to their implementation, such plans shall be considered and approved by the Board after consultation with the City Council at a noticed public meeting.

Section 5.

SEVERABILITY

If any provision of this Specific Plan or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not effect other Specific Plan provisions, clauses or applications that can be implemented without the invalid provision, clause or application. To this end, the provisions and clauses of this ordinance are declared to be severable, provided that in the case of such determination of invalidity, the Specific Plan shall be submitted to the Coastal Commission for determination whether it remains consistent with the Coastal Act.

Section 6.

AUTHORITY OF THE BOARD OF AIRPORT COMMISSIONERS

The Board may only use monies from the Airport Revenue Fund established pursuant to Charter Section 239.8 if the Board determines that use of such funds is lawful under the Charter, relevant Federal grant assurances, and bond covenants.