

POSTED

ORDINANCE NO. 167940

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2
3 An ordinance establishing the Los Angeles Airport
4 Dune/El Segundo Dunes Specific Plan for that portion of the
5 Westchester-Playa del Rey District Plan Area that is bounded by
6 Napoleon and Waterview Streets on the north, by Imperial
7 Highway on the south, by Pershing Drive on the east, and by
8 Vista Del Mar on the west.

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

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

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

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

25 WHEREAS, the Los Angeles International Airport
26 Interim Plan (CF 80-4283), adopted on January 12, 1981,
27 identifies the Airport/El Segundo Dunes as an "Open Space

1 Area...to be used for recreation and habitat uses plus related
2 parking," and

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

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

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

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

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

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

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

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WHEREAS, the location of the Airport/El Segundo Dunes within the Los Angeles Metropolitan area provides opportunities for scientific research as well as educational and recreacional 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/El Segundo Dunes Specific Plan applicable to that approximately 302-acre area of the City of Los Angeles as shown upon the following 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

1 native dune-dependent species that exist thereon; to
2 provide for active recreation in the form of a public golf
3 course and related facilities, consistent with the
4 preservation of the Dunes ecology; and to provide for
5 passive recreation in the form of paths, a visitor center,
6 and viewing areas that will give visitors an opportunity
7 to learn about sand dune ecology and to observe both
8 airfield activities and the scenic beauty of the ocean and
9 the Dunes.

10 D. Map. The provisions of this ordinance shall
11 apply within the area shown on the following map:

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WATERVIEW STREET

PROPOSED GOLF COURSE
100 ACRES

PERRINO DRIVE

PARK

VISTA DEL MAR BOULEVARD

WORLD WAY WEST

ECOSYSTEM PRESERVE
200 ACRES

0
600'



IMPERIAL HIGHWAY

1 Sec 2. DEFINITIONS.

2 The following terms used in this ordinance, with the
3 first letter capitalized, are defined below. Terms used in
4 this ordinance shall have the meaning specified in Section
5 12.03 of the Los Angeles Municipal Code, except as specifically
6 defined herein.

7 "Airport" means the Los Angeles International
8 Airport.

9 "Dunes," "Specific Plan Area" and "Plan Area" mean
10 the Los Angeles Airport/El Segundo Dunes of approximately 302
11 acres, as shown on the Map in Section 2 of this Ordinance.

12 "Dunes Habitat Preserve" and "Preserve" mean
13 approximately 200 contiguous acres, as indicated on the Map,
14 set aside for preservation of native dune-dependent species
15 identified in the report, Species Diversity and Habitat
16 Evaluation Across the El Segundo Sand Dunes at LAX, dated July
17 1, 1990, by Dr. Rudi Mattoni.

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

20 "Map" means the map contained in Section 1 of this
21 Ordinance.

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

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25 Sec. 3. LAND USE REGULATIONS.

26 The following regulations shall apply in the Specific
27 Plan area:

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

6 The Executive Director of the Department of Airports
7 (Executive Director) and the General Manager of the
8 Department of Environmental Affairs (General Manager)
9 shall prepare a report describing a program for the phased
10 restoration and maintenance of the Preserve consistent
11 with this Specific Plan. Within 180 days of the approval
12 of the Specific Plan by the Coastal Commission, the
13 Executive Director shall submit the Executive Director's
14 and General Manager's Report (Report) to the Board of
15 Airport Commissioners (Board), for its approval. Within
16 90 days of the receipt of the Report, the Board shall
17 submit the Report to the Coastal Commission for its review
18 and comment.

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

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

27 The Board shall have the responsibility for

1 operation, and maintenance of the Preserve.

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

6 The General Manager shall submit an annual
7 report to the Coastal Commission on the progress of
8 the restoration program.

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

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

21 Existing Airport navigational and safety facilities
22 are permitted. To the extent consistent with Federal laws
23 and legally enforceable Federal regulations, development
24 of additional navigational and safety facilities shall
25 require a Coastal Development Permit. Placement of such
26 facilities shall be compatible with the preservation of
27 habitat values. The Federal Aviation Administration's

1 Very-High Omni Range (VOR) Navigation Beacon and the
2 remote antennae shall have their own security and access
3 provisions. Routine operations and maintenance of the VOR
4 area shall be conducted in such manner as to minimize
5 disruption to adjacent habitat.

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

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

18 Precautions, including the following, shall be
19 taken to preserve the natural dunes ecology in the
20 development of the golf course: grading, earth
21 movement and site alteration shall be kept to a
22 minimum; landscaping shall be consistent with and
23 encourage the presence of native vegetation.
24 Primary access to Golf Course Area facilities shall
25 be from Pershing Drive. A condition of acceptance
26 of a proposal for development of the Golf Course
27 shall be the provision of a revenue stream which can

1 contribute to the ongoing maintenance of the Dunes
2 Habitat Preserve.

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

7 C. **Additional Uses.** The following additional uses
8 may be accommodated on the area identified for Golf Course
9 and ancillary purposes:

10 1. A one-acre site for a visitor center
11 featuring interpretive materials on Dunes ecology,
12 connected by trails with appropriate signage to one
13 or more view sites.

14 2. One or more view sites with benches and/or
15 picnic tables, connected by trails to the visitor
16 center and the public park.

17 3. A composting facility adequate to compost
18 green wastes from the Golf Course.

19 4. Parking consistent with Coastal standards
20 for visitor and recreational uses.

21 D. **Irrigation.** Irrigation within the Specific Plan
22 Area shall use reclaimed water when available, except
23 that, during the restoration process, potable water may be
24 used as required within the Dunes Habitat Preserve.
25 Irrigation on the Golf Course Area shall be allowed only
26 if consistent with Department of Water and Power water
27 conservation criteria. Irrigation plans shall be prepared

1 by the Board in consultation with the Bureau of
2 Engineering and the Environmental Affairs Department.

3 E. Bikepaths and Walking Trails. Bikepaths and
4 walking trails shall be established by the Board around
5 the entire Specific Plan Area to the maximum extent
6 feasible before or at the same time as the development of
7 the Golf Course. If feasible, such trails may cross the
8 site in the area of the boundary between the Golf Course
9 and the Dunes Habitat Preserve and/or at its northern
10 edge. Trails and paths shall be designed and constructed
11 so as to cause minimal disruption to dune habitat. Fences
12 and/or walls between the paths and the Dunes Habitat
13 Preserve shall be provided if determined to be necessary
14 for habitat protection. Appropriate signage shall be
15 placed along the trails, identifying native flora and
16 fauna.

17 F. Safety of Airport Flight Operations.
18 Notwithstanding any other provision of this Specific Plan,
19 no use, development or activity regarding the Specific
20 Plan Area may compromise the safety of airport flight
21 operations in any way. Final authority for determining
22 whether airport flight operation safety is compromised
23 rests with the Federal Aviation Administration.

24 G. Monitoring Programs. A monitoring program for
25 all phases of implementation of this Specific Plan shall
26 be prepared by the Board in consultation with the General
27 Manager. However, the monitoring program for the

1 restoration and maintenance of the Preserve shall be
2 included as part of the Executive Director's and General
3 Manager's Report described in Subsection A.

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

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10 Sec. 4. BUILDING PERMITS AND PLAN APPROVALS.

11 A. The Department of Building and Safety shall
12 not issue a building permit for any work or a
13 Certificate of Occupancy for any use in the Specific
14 Plan Area, until the Director of Planning or his or
15 her designee has reviewed the application for the
16 permit or certificate, and determined that it is in
17 conformance with the provisions of this Specific
18 Plan, and that a Coastal Development Permit has been
19 obtained and any appeals to the Coastal Commission
20 have been resolved. Any person aggrieved by any
21 determination of the Director of Planning pursuant
22 to this Subsection may appeal that determination to
23 the Council, utilizing the fees and procedures set
24 forth in Section 17.06 A4 of the Los Angeles
25 Municipal Code.

26 B. The Executive Director shall prepare all
27 necessary grading, landscaping and irrigation, parking,

1 bikeway and walking trail plans. Prior to their
2 implementation, such plans shall be considered and
3 approved by the Board after consultation with the City
4 Council at a noticed public meetings.

5
6 Sec. 5. SEVERABILITY.

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

18 Sec. 6. AUTHORITY OF THE BOARD OF AIRPORT
19 COMMISSIONERS.

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

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27 c:\wp511f\cmh\AirDune.Ord(PC#3)

Sec. 7 The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the east entrance to the Hall of Justice in said City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the said City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 13 1992

ELIAS MARTINEZ, City Clerk,

By Raymond J. Crisp
Deputy.

Approved MAY 18 1992

Tom Bradley
Mayor.

Approved as to Form and Legality

APR 22 1992
JAMES K. HAHN, City Attorney,

By Claudia McGee Henry cc
CLAUDIA MCGEE HENRY, Senior
Assistant City Attorney

File No. E. Nos. 80-4283, 82-1897
& 91-1870

Pursuant to Sec. 97.A of the City Charter approval of this ordinance recommended for the City Planning Commission

See attached report.

Con Howard
Director of Planning

DATE April 14, 1992

DECLARATION OF POSTING ORDINANCE

I, MARIA C. GUTIERREZ, state as follows:

I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 167940, entitled:
L.A. International Airport / El Segundo Dunes
Specific Plan - CPCs 30014 & 91-0461 SP

a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on May 13, 1992, and under direction of said Council and said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on May 19, 1992 I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board at the east entrance to the Hall of Justice of the County of Los Angeles in said City, and one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously and conspicuously for ten days, or more, beginning May 19, 1992 to and including June 28, 1992.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of May, 19 92 at Los Angeles, California.

Maria C. Gutierrez
 Deputy City Clerk

Effective Date: June 28, 1992