



# DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



## City Planning Commission

**Date:** February 26, 2015  
**Time:** 8:30 am  
**Place:** Van Nuys City Hall  
Council Chambers, Second Floor  
14410 Sylvan Street Room 201  
Van Nuys, CA 91401

**Public Hearing:** January 12, 2015  
**Appeal Status:** Appealable to City Council  
**Expiration Date:** March 3, 2015  
**Multiple Approval:** No

**Case No.:** CPC-2014-4595-CU  
**CEQA No.:** ENV-2014-4596-CE  
**Incidental Cases:** N/A  
**Related Cases:** N/A  
**Council No.:** ALL  
**Plan Area:** ALL  
**Specific Plan:** ALL  
**Certified NC:** ALL  
**GPLU:** N/A  
**Zone:** All except open space,  
agricultural, and single  
family

**Applicant:** LADWP Solar Programs  
Development

**PROJECT LOCATION:** Citywide

**PROPOSED PROJECT:** The Department of Water and Power requests a master Conditional Use Permit to allow for certain types of solar installations that operate under the Feed-in-Tariff program. Applicable installations are rooftop or carport mounted, and not located in an open space, agricultural, or single family zone. Applicants for all other types of Feed-in-Tariff solar installations would need to pursue an individual conditional use permit. No single physical project is being proposed as part of the subject request.

**REQUESTED ACTION:**

1. Find that the Categorical Exemption is adequate as the CEQA clearance on the subject.
2. Pursuant to Los Angeles Municipal Code Section 12.24-U.7, a **Master Conditional Use** to permit the construction of certain types of solar installations operating under the Feed-in Tariff program.

## RECOMMENDED ACTIONS:

1. **Approve a Master Conditional Use Permit** to allow certain types of solar installations operating under the Feed-in-Tariff (FiT) program.
2. **Find** that the request is Categorically Exempt from environmental review pursuant to: Article 19, Section 15301, Class 1; Section 15303, Class 3; Section 15307, Class 7; Section 15308, Class 8; and Section 15321, Class 21 of the California Environmental Quality Act

MICHAEL J. LOGRANDE  
Director of Planning



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Daniel Scott, Principal City Planner



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## PROJECT ANALYSIS

### Project Summary

Through consultation with the Department of City Planning, the Department of Water and Power (LADWP) is requesting a Master Conditional Use Permit (CUP) pursuant to Los Angeles Municipal Code Section 12.24-U.7 to allow certain types of solar installations operating under the Feed-in-Tariff (FiT) program. Qualifying installations are those within the City of Los Angeles boundaries that are rooftop or carport mounted, and not in an open space, agricultural, or single family zone. Applicants for all other types of FiT solar installations would be required to pursue an individual conditional use permit. No physical project is being proposed as part of the subject request. It simply sets the parameters for how the construction of the solar installation may be approved. The subject request applies to existing and future projects. The subject request was found to be Categorically Exempt from the California Environmental Quality Act on December 15, 2014.

This request was developed to address the requirement for Conditional Use Permit approval for solar FiT program installations. Installations above buildings and carports are covered under the master CUP because they serve a secondary purpose on the property they are located, and their impacts are similar to those of rooftop equipment. They are land-efficient in addition to serving as a renewable energy source. Moreover, by permitting these project types under the proposed CUP, the majority of FiT applicants will have increased certainty within the permitting process and therefore the confidence to invest in the city's budding FiT program. Administratively, these projects would need a simple CUP clearance at the Development Services Center. Projects that do not meet the outlined criteria will continue to request an individual conditional use permit. This process involves seeking a decision from the City Planning Commission (CPC), which reviews each project on the merits of the case. Public noticing is required, and a public hearing may be held prior to the CPC hearing. The process can take roughly 3-6 months to complete.

### Background

Senate Bill 32, signed into law on October 11, 2009, requires locally publicly owned electric utilities – such as the LADWP – to offer a FiT program for the purchase of electricity generated from renewable energy sources. Through the FiT program, the LADWP purchases renewable energy generated within the LADWP service area from private entities. The FiT program helps the LADWP achieve a 33 percent renewable energy portfolio by the year 2020, as mandated by SB2 (1X), a law approved on April 12, 2011.

The LADWP Board adopted the FiT Program for an initial 100MW of eligible renewable energy projects on January 11, 2013 and an additional 50MW bundle was approved by City Council on July 1, 2014. The FiT Program is open to projects between 30kW to 3MW in size in LADWP service territory. Energy purchases are procured under a contract for a term of up to 20 years.

To maintain steady pacing from an administration, engineering, and construction perspective, the FiT program is offered in a series of allocations of energy available to sell. A new allocation has been released every six months since the program launched. The LADWP is anticipated to launch the 5th allocation on March 9, 2015. Most FiT projects have been in the form of solar energy.

To be clear, solar FiT projects are different from net-metered projects, such as the common solar installations seen on the rooftops of single family homes as well as other net metered

projects on small to large commercial installations. All of the energy generated by solar FiT projects feed directly to the system grid and is sold to LADWP. By contrast, net-metered projects primarily feed a use on-site, most typically a single family home. Net-metered projects do not require a CUP and are thus not covered by this CUP

On September 18, 2014 the Zoning Administrator issued ZA-2014-3398-ZAI which determined that a solar FiT photovoltaic power source is considered a solar panel energy generating facility – a facility designed to generate electric power primarily for off-site use or sale. Such uses are subject to a conditional use permit per Los Angeles Municipal Code sections 12.24 –T,3(b) and 12.24 –U,7, Electric power generating sites, plants, or stations.

### **Conclusion**

Approval of the subject request will allow solar FiT projects on rooftops and carports in zones other than open space, agricultural, and single family zones. Existing and future subject project applicants will seek an over-the-counter approval, rather than an individual conditional use permit filed with the Department of City Planning.

The request was crafted with careful consideration to both the solar developer and community needs. Open space, agricultural, and single family zones are not included in the request, as these installation types are commercial in nature and in such contexts would require a closer look through a conditional use process. Additionally, a lot coverage requirement in conjunction with a carport use was included to avoid expanses of carports on parking lots that may limit redevelopment for upwards of 20 years.

Staff's recommendation is for approval of the requested conditional use permit. With the recommended conditions of approval, the expansion of the FiT program can be implemented in an appropriate manner citywide. These installation types perform a function that is beneficial to the community, city, and region, are compatible with the neighboring uses due to their likeness to adjacent rooftop equipment, and are consistent with the general plan, which seeks to conserve and protect natural resources.

## CONDITIONS OF APPROVAL

### Entitlement Conditions

1. **Use.** Solar Feed-in-Tariff installations are permitted on the rooftop of a building with a valid certificate of occupancy or the rooftop of a parking structure, provided that the site is not located in an agricultural, single family or open space zone.
2. **Use.** Solar FiT installations are permitted on a carport or other structure that shelters automobiles in a parking area, provided that:
  - a. The project is not located in an agricultural, single family or open space zone; and
  - b. A minimum of ten percent of the site (which may include a lot or lots with common ownership) is covered by buildings with a valid certificate of occupancy, or the solar installation is located on top of a parking structure.
3. **Definitions.** For the purposes of this grant:
  - a. A carport is a structure with a minimum clearance of seven feet that shelters an automobile.
  - b. A ground mounted installation is a structure that supports a solar panel that is mounted below a height of seven feet and consist of a solar panel installation that does not cover a use.
4. Solar FiT installations must be maintained free of debris and graffiti and in working condition.
5. Applicants of FiT solar projects, not the LADWP, shall be responsible for the respective permits, operations, maintenance, code compliance, and any other administrative aspect of proposed FiT solar projects.

### Administrative Conditions of Approval

6. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
7. **Code Compliance.** All other use, height, and area regulations of the Municipal Code, applicable ordinances including Specific Plans and overlays, if any, and all other requirements of government and regulatory agencies, including but not limited to the Fire Department, would be required to be complied with in the development and use of the property, except as such regulations are superseded.
8. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

**9. Indemnification.**

- a. The applicant of this Master CUP for FiT project installations shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this Master CUP approval, which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- b. The applicant of any proposed individual FiT project installation shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul the approval of any individual FiT project installation, which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

- 10. Responsibility.** Individual FiT projects approved in connection with this Conditional Use Permit, either by the Los Angeles Department of Building and Safety, or by the Department of City Planning, or both, are the responsibility of the FiT project developer or project operator. Any disputes resulting from the project, including the lack of compliance with any conditions issued, shall be handled by the FiT project developer or operator.

## FINDINGS

### **Master Conditional Use Permit – Pursuant to Section 12.24 U.7 of the Municipal Code.**

- 1. That the project will enhance the built environment in the surrounding neighborhood or perform a function or provide a service that is essential or beneficial to the community, city or region.**

The Feed-in Tariff (FiT) provides a service that is essential and beneficial to the communities, city, and region of Los Angeles. It is a means to increase the local generation of renewable energy, which reduces levels of greenhouse gas emissions. This will assist Los Angeles in achieving its environmental obligations and goals of increased energy generated from renewable resources and reduced levels of greenhouse gas emissions. It helps harness an important and abundant renewable resource in Southern California. These distributed generation resources are located within LADWP's service territory, thereby generating power close to where it is consumed. The FiT program also provides the benefit of creating local jobs and positively contributing to the local economy.

- 2. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.**

This request is for a citywide Master CUP in order to allow future and existing FiT installation projects located on rooftops, carports, and other support structures sheltering automobiles to be permitted. Individual projects will be subject to review by the Development Services Counter. The subject request does not propose a specific physical project, demolition or renovation; it simply sets a process framework for certain types of FiT projects.

The proposal provides for rooftop and carport FiT projects within the City boundaries except when located in an open space, agricultural, or single family zone, as stated in condition of approval one and two. Further, future projects are subject to the project site's zoning requirements such as height and setback restrictions, and other overlay zones (e.g. specific plans). As such, they will be reviewed for compatibility. All other FiT project types such as ground mounted projects must pursue a separate conditional use permit pursuant to 12.24 U.7 - electric power generating sites, plants or stations.

The subject request only includes rooftop and carport FiT projects in higher intensity zones. These rooftops often contain equipment and appurtenances similar to solar panels that are not easily visible. However, when rooftops are visible, the visual characteristics of solar panels are similar to and compatible with those of standard similar rooftops, which are generally plain or utilitarian in appearance and may contain elements such as ventilation equipment, wireless telecommunication facilities, HVAC systems, and other utility boxes. Thus, rooftop and carport FiT projects in these zones are appropriate for this type of use and are compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

- 3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**



There are eleven elements of the General Plan. Each of these elements establishes policies that serve to guide development throughout the City. Many of the policies derived from these elements are implemented in the form of code requirements of the Los Angeles Municipal Code. This project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code, and instead proposes to utilize the Conditional Use allowed for under Section 12.24U.7 – electric power generating sites, plants or stations – to establish a review path for FiT projects. This supports the following purpose, intent, and provisions of the General Plan:

- **Chapter 9 of the General Plan Framework Element, Infrastructure and Public Services, under System #9, Power**, recognizes the need for the City “to improve fuel diversity, take advantage of low-priced surplus electricity and to minimize the air emissions in the South Coast Air Basin.” The sourcing of electricity from solar installations on private properties serves this need, as solar energy does not produce any air emissions and does not involve high production costs like a centralized power generating plant would. Solar energy also improves fuel diversity by providing an alternative power source to help the City reduce its reliance on less clean technologies such as coal and natural gas.
- **The Conservation Element of the General Plan, under Section 19, Resource Management (Fossil Fuels): Oil**, lists as Policy # 1: “continue to encourage energy conservation and petroleum product reuse,” and under that policy, Program #3: “alternative fuel and energy sources research and use.” The expansion of solar energy as an alternative fuel source for the City will help to support this program and policy. Alternative fuel and energy source use is timely and important to the city as the trend toward reducing the individual consumer’s reliance on oil develops, such as seen in the increase of transportation electrification and the popularity of owning private electric vehicles.
- **The Conservation Element of the General Plan, under Section 20, Resource Management (Fossil Fuels): Gas**, identifies the issue of “depletion of nonrenewable natural gas resources.” By providing an alternative fuel source, solar energy can help to reduce the City’s reliance on nonrenewable energy sources such as natural gas.
- **Air Quality Element of the General Plan, Objective 1.1**, “to reduce air pollutants consistent with the Regional Air Quality Management Plan (AQMP).” The expansion of the City’s reliance on solar energy will enable it to increase transportation electrification, and reduce its reliance on less clean technologies that contribute to air pollution, such as coal.
- **Economic Development Objective 7.4 of the Framework Element**, “Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.” With a clear path of approval in place, the community and solar development community will benefit from increased certainty.

### CEQA Findings

The Director of Planning has determined that the subject request is categorically exempt from the California Environmental Quality Act (CEQA) (ENV-2014-4596-CE) pursuant to the following:

- **Article 19, Section 15301, Class 1 of the California Environmental Quality Act** because the request will facilitate the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.
- **Article 19, Section 15303, Class 3 of the California Environmental Quality Act** because the request will facilitate construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable within a two year period.
- **Article 19, Section 15307, Class 7 of the California Environmental Quality Act** because the request is an action by a Regulatory Agency for Protection of Natural Resources.
- **Article 19, Section 15308, Class 8 of the California Environmental Quality Act** because the request consists of actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.
- **Article 19, Section 15321, Section 21 of the California Environmental Quality Act** because the request consists of actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate or other entitlement for use which is issued, adopted or prescribed by the regulatory agency or a law, general rule, standard or objective which is administered or adopted by the regulatory agency.

## **PUBLIC HEARING AND COMMUNICATIONS**

The Public Hearing on this matter was held at the Marvin Braude San Fernando Valley Constituent Services Center, 6262 N. Van Nuys Blvd, Los Angeles, 91401 on Monday, January 12, 2015. An informational session took place from 5:30-6:30pm, and the hearing proceeding began at 6:30pm.

### **Summary of Public Hearing and Communications**

Twenty (22) people signed in at the hearing.

1. Present: Approximately twenty (20) people attended.
2. The applicant, the LADWP, spoke at the hearing and described the background and intent for the Master CUP.
3. Speakers: seven (7) people provided testimony.

### **Public Hearing Testimony Notes**

1. Unsure if the CUP covers past built projects.
2. Supports FiT program. CUP would make many projects infeasible, so he supports the MCUP. It is also good for local businesses.
3. Thanks the North Valley APC, DCP, DWP for their work. FiT projects are a commercial use that need regulation. Her community sees no problem with the proposed project types to receive a Master CUP.
4. Supports the CUP. Suggested that the CUP project types be expanded to include any other solar FiT project if the local neighborhood council supports it.
5. Supports the CUP. It is critical for economy development and conservation goals. There are many public benefits such as jobs and investment, as well as a significant reduction in greenhouse gas emissions. A CUP generates uncertainty for these projects, but this CUP provides clarity for applicants while still allowing the community a voice to address specific concerns. He thanked the DWP, DCP, and Mayor's Office, and encouraged the city departments to collaborate to ensure a smooth implementation, as approval and timing is critical for financing.
6. An advocate for solar. Suggested that ground mounted installations also be included in the CUP, particularly in industrial zones.
7. Supports the CUP. Believes that open space is being targeted for FiT projects. Does not want to see FiT projects in residential areas.

### **Communications Received**

#### Emails – Inquiries

The Department received seven (7) emails from people interested in the process.

#### Phone calls – Inquiries

The Department received three (3) phone calls from people interested in the process.

The concerns identified at the public hearing held on January 12, 2015 were addressed in this Staff Report. Those who inquired about the process for review were added to the interested parties list.



LINN K. WYATT  
CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING ADMINISTRATORS**

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LOURDES GREEN  
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CPC-2014-4595-CU

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September 18, 2014

Public Counters  
Department of Building and Safety  
Other Interested Parties

CASE NO. ZA 2014-3398(ZAI)  
ZONING ADMINISTRATOR'S  
INTERPRETATION

Section 12.24-T,3(b) of the Los Angeles Municipal Code – Vesting Conditional Use Applications and 12.24-U,7 of the Los Angeles Municipal Code – Conditional Use Permits, City Planning Commission with Appeals to City Council, Electric Power Generating Sites, Plants, or Stations

CITYWIDE

A solar photovoltaic power source is similar to a thermal power source. Therefore, solar panel energy generating facilities-facilities designed to generate electric power primarily for offsite use or sale-are considered electric power generating sites, plants, or stations, and are subject to conditional use permits per Sections 12.24-T,3(b) and 12.24-U,7.

Section 12.21-A,2 of the Code provides in pertinent part:

2. Other Use and Yard Determinations by the Zoning Administrator. The Zoning Administrator shall have the authority to determine other uses, in addition to those specifically listed in this article, which may be permitted in each of the various zones, when in his or her judgment, the other uses are similar to and no more objectionable to the public welfare than those listed. The Zoning Administrator shall also have the authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.

## Background

Solar panel energy has grown in popularity as a renewable power source in Los Angeles due to many factors, including increasing environmental consciousness, local

utility financial incentives, rising energy costs, increasing efficiency and cost reduction of solar panel technology, and sunny Los Angeles weather.

As such, the economy of solar panel energy generation has changed. In 2013, the Los Angeles Department of Water and Power (LADWP) established the Feed-in-Tariff (FiT) program. The FiT program enables the LADWP to purchase energy generated from qualifying solar panel electric generating facilities under standardized contracts.

Within the local regulatory framework, a conditional use permit is required for electric power generating sites, plants, or stations that are "fueled by any thermal power source or technology, provided that the facilities comply with all applicable state and federal regulations." Solar energy can be generated by two forms of technology: thermal and photovoltaic. Photovoltaic employs modern solar panels as its energy source. Therefore, it has been called to question whether solar panel energy generating facilities - facilities designed to generate electric power primarily for offsite use or sale - are subject to a conditional use permit under the procedure established for electric power generating sites (12.24-T,3(b) and 12.24-U,7).

This question is of high importance, as the Zoning Code is an enumerated code. In other words, uses not enumerated in the Code are not permitted. Therefore, if solar panel energy generating facilities - facilities designed to generate electric power primarily for off-site use or sale - do not qualify as electric power generating sites, plants, or stations, they may not be permitted at all.

To be clear, this question does not include solar energy systems that are ancillary to the property's primary use and generate electricity primarily for on-site use. Examples include devices or structural features designed for water heating, space heating or cooling, or solar panels installed on the roof of an occupied single-family home to reduce monthly electric bills.

### **Determination**

A solar photovoltaic power source is similar to a thermal power source. Therefore solar panel energy generating facilities - facilities designed to generate electric power primarily for off-site use or sale - are considered electric power generating sites, plants, or stations, and are subject to conditional use permits per 12.24-T,3(b) and 12.24-U,7.

Section 12.24 was written when solar energy generating sites were not yet contemplated as a realistic primary use of land. Thus, the stipulation of a "thermal power source" was not intended to preclude solar photovoltaic power sources. New technology has simply yielded a similar land use that relies on a different, but comparable, energy source.

### **APPEAL PERIOD - EFFECTIVE DATE**

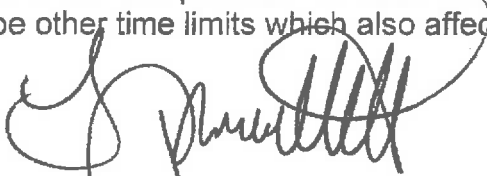
The Zoning Administrator's determination in this matter will become effective after OCTOBER 3, 2014, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal

period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.



LINN K. WYATT  
Chief Zoning Administrator

LKW:lmc





## **Q&A: Solar FiT Program Master CUP**

### **Q: What is the FiT program?**

Senate Bill 1332, approved in September of 2012, requires local publicly owned electric utilities—including the Los Angeles Department of Water and Power (LADWP)—to offer a Feed-in Tariff (FiT) program for the purchase of electricity generated from renewable resources. To meet the State mandate for the FiT program, the LADWP purchases renewable energy generated within the LADWP service area from private entities as defined in SB 1332. Most of the FiT proposals have been in the form of large arrays of solar panels. The FiT program also helps the LADWP meet another state mandate to have an energy portfolio that is 33% renewable by the year 2020.

### **Q: How is the land use of these solar installations regulated within the City of Los Angeles?**

Currently, each FiT installation requires a Conditional Use Permit (CUP) through the Department of City Planning. These projects are commercial in nature in that they sell energy off-site. As determined in the Zoning Administrator Interpretation case ZA 2014-3398(ZAI), FiT installations are considered an electric power generating site, plant, or station, and therefore require a CUP. Individual applicants must seek approval from the City Planning Commission (CPC), which reviews each project on a case by case basis. Public noticing is required, and a public hearing may be held prior to the CPC hearing.

To be clear, solar installations that supply energy on-site (net-metered systems for the customer's personal electricity consumption) do not require discretionary approval from the Department of City Planning if they comply with existing zoning regulations. Net-metered installations are typically seen on rooftops of single family homes.

### **Q: What does this Solar FiT program master CUP do?**

The proposed master CUP would encompass limited solar FiT projects: rooftop and carport installations in multi-family, commercial, public facility, and industrial zones. Should the master CUP be granted, future projects meeting those qualifications would be individually reviewed and receive approval at the Department of City Planning Development Services Center. This administrative clearance would be a relatively simple process. All other FiT project types, such those that are ground-mounted, would require an application for an individual CUP in the process described above.

### **Q: What happens next?**

- A presentation and discussion of the proposal on January 12, 2015 will be held at the Marvin Braude Building (6262 Van Nuys Boulevard) at 5:30pm.
- Following the presentation and discussion, a formal public hearing will commence at 6:30pm at the same date and location.
- The City Planning Commission hearing is scheduled for February 26, 2015, at Van Nuys City Hall (14410 Sylvan Street).

For more information on the subject master CUP case # CPC-2014-4595, contact Shana Bonstin at (213) 978-1217. For general questions about the FiT program, contact DWP Solar Programs Development at (213) 367-2100.

# SOLAR FIT MASTER CUP

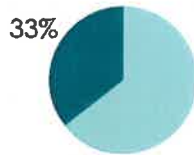
(Conditional Use Permit)

## DEFINING A REVIEW PATH

### WHAT IS FIT? (Feed-in Tariff Program)

State requires DWP to offer a FIT program and supply 33% renewable energy by 2020.

Through FIT, DWP purchases renewable solar energy to help meet its renewable energy obligation.



for



### OUTCOMES OF THE MASTER CUP



Currently, each solar FIT installation requires a CUP. Adoption of the citywide master CUP would result in:

1. Administrative clearance for the following FIT projects:



2. Individual CUPs for all other FIT projects:



### WHAT'S NEXT?



**STAFF HEARING**  
**JANUARY 12, 2015 @ 5:30 PM**  
 MARVIN BRAUDE BUILDING  
 ROOM 1A  
 6262 VAN NUYS BLVD

**CITY PLANNING COMMISSION HEARING**  
**FEBRUARY 26, 2015 @ 8:30 AM**  
 VAN NUYS CITY HALL  
 COUNCIL CHAMBER  
 14410 SYLVAN ST

**DCP CONTACT**  
 SHANA BONSTIN  
 213.978.1217  
 shana.bonstin@lacity.org

**DWP CONTACT**  
 SOLAR PROGRAMS DEV.  
 213.367.2100  
 FIT@ladwp.com

# EXHIBIT D

COUNTY CLERK'S USE

**CITY OF LOS ANGELES**  
OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

CPC-2014-4595-CU

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY  
City Council/Department of City Planning

COUNCIL DISTRICT  
ALL

PROJECT TITLE  
Master CUP for rooftop and carport DWP solar FiT projects in certain zones.

LOG REFERENCE

PROJECT LOCATION  
Citywide

### DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

Through consultation with the Department of City Planning, the Department of Water and Power (LADWP) requests a master Conditional Use Permit (CUP) pursuant to Los Angeles Municipal Code Section 12.24-U.7 for planning to permit certain types of solar installations operating under the Feed-in Tariff (FiT) program. No single physical project is being proposed. The master CUP calls for rooftop and carport installations in commercial, public facility, industrial, and multifamily zones to receive administrative clearance. Applicants for all other FiT solar installations must pursue an independent conditional use permit.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:  
Department of Water and Power

CONTACT PERSON

AREA CODE | TELEPHONE NUMBER | EXT.

This is to advise that on the City of Los Angeles has made the following determinations:  
EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1

Class 1, 3, 7, 8, 21 Category 15301, 15303, 15307, 15308, 15321 (State CEQA Guidelines)

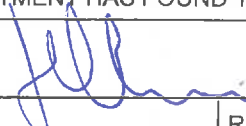
OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

### JUSTIFICATION FOR PROJECT EXEMPTION:

The master CUP calls for solar FiT projects located on rooftops and carports in multifamily, public facility, commercial, and industrial zones to be permitted by administrative clearance. These type of projects: consist of the construction of small facilities; consist of minor alterations to existing facilities; is an action to assure the maintenance, enhancement, or protection of the environment and natural resources; and is an action to enforce a law, general rule, standard, and objective.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE



TITLE

LADWP DIRECTOR PUBLIC SYSTEM PLANNING

DATE

12/19/14

FEE:

N/A

RECEIPT NO.

REC'D. BY

DATE