ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning – of the Los Angeles County Code related to the update of regulations for Significant Ecological Areas and associated provisions.

...

SECTION 1. Section 22.08.030 is hereby amended to read as follows:

...

-- "Coastal Resource Area (CRA)" means any portion of a lot or parcel of land located within the County's coastal zone and identified as a CRA on the significant ecological areas and coastal resource areas policy map of the General Plan. The regulations applicable to uses in CRAs are established in Part 2 of Chapter 22.46 (the Santa Catalina Island Specific Plan), Part 3 of Chapter 22.46 (the Marina del Rey Specific Plan), and Part 10 of Chapter 22.44 (the Santa Monica Mountains Local Implementation Program). The regulations in Part 28 of Chapter 22.52 (Significant Ecological Areas) shall not apply.

...

SECTION 2. Section 22.08.190 is hereby amended to read as follows:

...

...

-- "sSignificant eEcological aArea (SEA)" means: any portion of a lot or parcel of land identified as a significant ecological area on the significant ecological

areas and coastal resource areas policy map of the General Plan. The regulations applicable to SEAs are established in Part 28 of Chapter 22.52.

~~A. Significant ecological areas/habitat management areas designated on the special management areas map of the general plan.~~

~~B. Environmentally sensitive habitat areas, sensitive environmental resource areas, and rare plant habitat areas, identified in the Santa Catalina Island Local Coastal Program depicting any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.~~

...

-- "Significant Ecological Area Technical Advisory Committee (SEATAC)" means an expert advisory committee which assists the Department and the Commission in their administration of Part 28 of Chapter 22.52. The members of the committee are appointed by the Director and confirmed by the Board of Supervisors.

...

-- "Staff Biologist" means a biologist employed by, or under contract to, the Department.

...

SECTION 3. Section 22.44.100 is hereby amended to read as follows:

A. Except as otherwise expressly provided within a community standards district, property may be used for any purpose permitted in the basic zone to which this district is added, subject to the same limitations and conditions. Where the regulations of a community standards district differ from any provisions in this Title 22, with the

exception of qualified projects allowed by Part 17 of Chapter 22.52, Part 28 of Chapter 22.52, and Part 18 of Chapter 22.56, such regulations shall supercede any contrary provisions as specified in this district.

...

SECTION 4. Section 22.44.144 is hereby amended to read as follows:

...

D. Community-wide Development Standards.

...

10. Significant Ridgeline Protection.

...

c. Any modification to subsection D.10.b. shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the ~~Director,~~ Hearing Officer, or Commission shall make the following findings in addition to those required by Section 22.56.090:

i. Alternative sites within the project have been considered and eliminated from consideration due to their physical infeasibility or their potential for substantial habitat damage or destruction; and

ii. The project maintains the maximum view of the applicable significant ridgeline through design features, including but not limited to, one or more of the following:

(A) Minimized grading.

(B) Reduced structural height.

(C) Use of shapes, materials, and colors that blend with the surrounding environment.

(D) Use of native drought-tolerant landscaping for concealment.

...

SECTION 5. Section 22.44.520 is hereby amended to read as follows:

A. General Applicability. The provisions of this Part 9 shall apply within the rural outdoor lighting district, as depicted on the map following this Part 9 except as otherwise noted herein, to the following:

...

C. Applicability within Significant Ecological Areas. For all uses within a Significant Ecological Area and subject to the provisions of Part 28 of Chapter 22.52, the provisions of this Part 9 shall apply.

SECTION 6. Section 22.52.2430 is hereby amended to read as follows:

22.52.2430 Wineries—Permit requirements.

A. Applicable use permit. If a CUP is otherwise required for a winery by the applicable zone under this Title 22, an applicant may request that the Director consider a winery application in accordance with the minor CUP provisions set forth in Section 22.56.085, unless:

1. The subject lot or parcel of land is located in a national recreation area, or within one mile of a national recreation area; or

2. The applicant requests a modification to any development standard or operating regulation for the winery set forth in Sections 22.52.2410 and 22.52.2420, respectively, of this Part 23.

B. Where a CUP is only required because the applicant requests a modification of any development standard or operating regulation for a winery set forth in Sections 22.52.2410 and 22.52.2420, respectively, of this Part 23, such CUP shall be a full CUP pursuant to Part 1 of Chapter 22.56.

C. Conditions of approval. In addition to any other condition imposed by the ~~Director~~ Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2410 and 22.52.2420 of this Part 23 shall be made conditions of approval for any winery CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION 7. Section 22.52.2460 is hereby amended to read as follows:

22.52.2460 Tasting rooms—Permit requirements.

A. Applicable use permit. An applicant may request that the Director consider a tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085, unless:

1. The subject lot or parcel of land is located in:

a. A national recreation area, or within one mile of a national recreation area;

b. An area of undue concentration for alcoholic beverage sale establishments, as undue concentration is described in Section 22.56.195.B.3 of this Title 22; or

c. A high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or

2. The applicant requests a modification to any development standard or operating regulation for the tasting room set forth in Sections 22.52.2440 or 22.52.2450, respectively, of this Part 23, including a request to allow the tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or quantities of alcohol, beyond what would otherwise be allowed by said Sections.

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~ Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2440 and 22.52.2450 of this Part 23 shall be made conditions of approval for any tasting room CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION 8. Section 22.52.24900 is hereby amended to read as follows:

22.52.2490 Remote tasting rooms—Permit requirements.

A. Applicable use permit. An applicant may request that the Director consider a remote tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085 unless:

1. The subject lot or parcel of land is located in:

a. A national recreation area or within one mile of a national recreation area;

b. An area of undue concentration for alcoholic beverage sale establishments, as undue concentration is described in Section 22.56.195.B.3 of this Title 22;

c. A high crime reporting district, as described in the California Alcoholic Beverage Control Act and/or the regulations promulgated thereunder; or

2. The applicant requests a modification to any development standard or operating regulation for the remote tasting room, as set forth in Sections 22.52.2470 or 22.52.2480, respectively, of this Part 23, including a request to allow the remote tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or quantities of alcohol, beyond what would otherwise be allowed by said Sections.

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2470 and 22.52.2480 of this Part 23 shall be made conditions of approval for any remote tasting room CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION 9. Part 28 of Chapter 22.52 is hereby added to read as follows:

PART 28

SIGNIFICANT ECOLOGICAL AREAS

SECTIONS:

22.52.2900 Purpose.

22.52.2905 Definitions.

22.52.2910 Applicability.

22.52.2915 Permitted Uses.

22.52.2920 Permitted Uses -- Review Procedures.

22.52.2925 Development Standards.

22.52.2930 Uses Subject to Permits.

22.52.2935 Uses Subject to Permits -- Application Procedures.

22.52.2940 Uses Subject to Permits -- Review and Hearing Procedures.

22.52.2945 Uses Subject to Permits -- Conditions of Approval or Issuance.

22.52.2950 Uses Subject to Permits – Findings.

22.52.2955 County Development Review Procedures.

22.52.2960 Voluntary Review Procedures.

22.52.2900 Purpose.

The purpose of this Part 28 is to regulate development within Significant Ecological Areas ("SEAs") by:

A. Reconciling and balancing potential conflicts between conservation and development within the SEAs through the use of environmentally sensitive development standards and design, and identifying and assessing biological resources and potential impacts to such resources; and

B. Ensuring that development conserves biological diversity, habitat quality, and connectivity to sustain species populations and habitats within the SEAs.

22.52.2905 Definitions. For purposes of this Part 28, the following definitions shall apply:

A. "Agricultural Developed Area" means areas that have been developed for agricultural purposes as depicted on the SEA Development Map.

B. "Connectivity Area" means narrowed, primarily undisturbed areas within an SEA that are necessary for maintaining habitat connectivity within an SEA, as depicted on the SEA Connectivity and Constriction Areas Map. Connectivity Areas are 700 feet to 1,500 feet in width.

C. "Constriction Area" means primarily undisturbed areas smaller than a Connectivity Area, that maintain habitat connectivity at critical points between two large undisturbed areas within an SEA as depicted on the SEA Connectivity and Constriction Areas Map. Constriction Areas are less than 700 feet in width.

D. "Developed Area" means areas that have been developed, except those that have been developed for agricultural or grazing purposes as depicted on the SEA Development Map.

E. "Development" means on-site or off-site activity as follows:

1. Construction, modification, expansion, or demolition of any structure, including all associated construction staging;

2. Construction, expansion, or demolition of any driveway, access road, street or highway, including all associated construction staging;

3. Construction, expansion, or demolition of any infrastructure, such as water and sewerage lines, drainage facilities, telephone lines, and electrical power transmission and distribution lines, including all associated construction staging;

4. Alteration to topography, including excavation; drilling; blasting; dredging; tillage and disking; earthworks; and any grading amount, such as cut, fill, or combination thereof;

5. Alteration to existing vegetation, including removal and planting, such as brush clearance for fire safety and landscaping;

6. Fenced areas used for livestock or companion animals including riding rings, kennels, paddocks, and grazing lands.

7. Land division; or

8. Lot line adjustment.

F. "Grazing Developed Area" means areas that have been developed for grazing purposes as depicted on the SEA Development Map

G. "Habitat Preservation Area" means a Natural Open Space area that will be provided to offset SEA Habitat Type development.

H. "Impermeable Fencing" means a fence, wall, or gate that prevents the bypass of animals.

I. "Natural Open Space" means any open space that will remain in an undisturbed natural state.

J. "Priority Biological Resources" means location-specific resources whose preservation is necessary due to the resource's scarcity within an SEA or the County of Los Angeles. Priority biological resources include, but are not limited to areas which contain: core populations of species that are unique or restricted in distribution across the SEAs and the County; core populations of species which have a State or Federal

designation of Endangered, Threatened or Rare; and areas serving as a concentrated breeding, feeding, resting or migrating ground.

K. "Rural Land Use Designation" means any designation in the General Plan that allows residential development at a maximum density that does not exceed one dwelling unit per gross acre.

L. "SEA Connectivity and Constriction Areas Map" means the map maintained by the Department that depicts Connectivity Areas and Constriction Areas within SEAs. The map also depicts potential Connectivity Areas and Constriction Areas within SEAs that could be restored if new developments provide for improvements to wildlife crossing areas in accordance with subsection A. 3 of Section 22.52.2940.

M. "SEA Development Map" means the map maintained by the Department that depicts all Developed Areas, Agricultural Developed Areas and Grazing Developed Areas within SEAs approved for development pursuant to this Part 28, including areas developed prior to the effective date of this ordinance.

N. "SEA Habitat Type" means an area within an SEA that contains a major plant community supporting a species population characteristic of that SEA, as listed in the Appendix following this Part 28.

O. "SEA Program Guide" means the document maintained by the Director that includes species lists and report requirements referenced in this Part 28.

P. "Type A SEA Conditional Use Permit" means a minor conditional use permit for those uses expected to have fewer potential impacts to an SEA.

Q. "Type B SEA Conditional Use Permit" means a conditional use permit for those uses expected to have greater potential impacts to an SEA.

R. "Water Resources" means the sources of surface water, including but not limited to lakes, reservoirs, ponds, rivers, streams, marshes, seeps, springs, vernal pools, and playas. Additional information about specific water resources is provided in the SEA Program Guide.

S. "Wildlife Permeable Fencing" means a fence or gate that may be bypassed by wild animals.

22.52.2910 Applicability.

A. Use Restrictions. A person shall use any lot or parcel of land wholly or partially located within an SEA only as specifically permitted by this Part 28 and subject to all regulations and conditions enumerated herein.

B. Applicability of Zone and Supplemental District Regulations. If this Part 28 applies to a development, all provisions of the zone and any supplemental district in which such development is located shall also apply. Where a provision of the zone or supplemental district regulates the same matter as this Part 28, whichever provision is more protective of biological resources shall apply.

C. Exemptions. The following uses shall be exempt from the provisions of this Part 28:

1. Any development located entirely outside the SEA boundaries;

2. Any development authorized by a valid SEA Conditional Use Permit granted in accordance with Section 22.56.215 as it existed prior to the effective date of the ordinance establishing this Part 28. In such cases, the development shall be governed by the SEA Conditional Use Permit during the life of that permit. Any

modifications that require a new SEA Conditional Use Permit shall be subject to the provisions of this Part 28;

3. Any development authorized by a valid land use approval or permit authorized by this Title 22 that was not subject to Section 22.56.215 as it existed prior to the effective date of the ordinance establishing this Part 28. In such cases, the development shall be governed by the land use approval or permit during the life of that grant. Any modifications that require a new land use approval or permit shall be subject to the provisions of this Part 28;

4. Lot line adjustment(s) of property line(s) between two lots or parcels of land. This exception shall not apply to the adjustment of two or more property lines between three or more contiguous lots or parcels of land in a coordinated effort, regardless of the ownership of the involved lots or parcels of land and regardless of whether the adjustments are applied for concurrently or through multiple successive applications;

5. Development related to any adopted Specific Plan, provided that such development complies with the provisions of that Specific Plan; and

6. Any of the following activities required, requested, authorized, or permitted by a governmental agency:

a. Removal or thinning of vegetation in response to an emergency situation; and

b. Hazard management activities in response to an emergency or other public safety concerns.

c. Testing and survey activities required for pending applications, to the satisfaction of a Staff Biologist.

D. Pending Applications..The following provisions shall apply to complete applications prior to the effective date of the ordinance establishing this Part 28:

1. The applicant may choose whether the application will be reviewed for compliance with this Part 28 or with Title 22 as it existed prior to the effective date of the ordinance establishing this Part 28. In either case, approval of the application is not guaranteed.

2. If an application is reviewed for compliance with Title 22 as it existed prior to the effective date of the ordinance establishing this Part 28, the applicant may modify the application prior to consideration by the Director or the Hearing Officer. The modification may necessitate the submittal of revised, updated, or additional materials and reports. The modification may be revised for compliance with Title 22 as it existed prior to the effective date of the ordinance establishing this Part 28 if it does not change the housing type (e.g. from single-family to two-family or multi-family) nor increase:

a. The residential density;

b. The floor area or lot coverage of non-residential space;

c. The amount of grading; or

d. The area of ground disturbance.

3. A modification to an approved valid application, including modifications pursuant to Part 11 of Chapter 22.56, may be reviewed for compliance with Title 22 as it existed prior to the effective date of the ordinance establishing this

Part 28, unless the development footprint is being expanded or the modified project is considered a new application. In such cases where the development footprint is being expanded or the modified project is considered a new application, the development shall be reviewed for compliance with this Part 28.

F. Modifications to Surface Mining Permits. Surface mining permits and reclamation plans approved under Part 9 of Section 22.56 shall be exempt from the provisions of this Part 28 during the periodic reviews established in Section 22.56.1410, provided that such periodic review does not include proposed changes that would result in any new development outside an approved SEA Developed Area.

22.52.2915 Permitted Uses. Property within SEAs may be used for the following, provided that an observed or likely to occur species of special status officially listed by the State or Federal Governments as Endangered, Threatened or Rare is not discovered; and a ministerial Site Plan Review application is approved pursuant to Sections 22.52.2920 or 22.52.2925:

A. Individual single-family residences, accessory structures to individual single-family residences, and additions to individual single-family residences and their accessory structures, including all related development, on a lot or parcel of land, subject to the development standards provided in Section 22.52.2925, except new single-family residences on two or more lots or parcels of land in a coordinated effort as determined by the Director.

B. Any development located entirely within Developed Areas depicted on the SEA Development Map, subject to compliance with the provisions of Section 22.04.110

and the development standards provided in subsections A, B and C of Section 22.52.2925.

C. Any development that is located entirely within Agricultural Developed Areas depicted on the SEA Development Map, subject to the development standard provided in Section 22.52.2925.B. If the development entails the conversion of land in a natural state or used for outdoor, unpaved agricultural activities, into land characterized by permanent hardscaping (including but not limited to pavement, parking lots, concrete drainage structures, or building pads) or into land characterized by multiple man-made structures (including but not limited to poles and towers), such development shall be subject to the following provisions:

1. The development site shall be limited to 10 percent of the gross area of the lot or parcel of land, not to exceed a total of three gross acres. If more than one lot of contiguous land is owned by the same entity, the areas permitted for development on each lot may be combined into a single development site on one of the lots, provided that prior to approval of the Site Plan Review application, a covenant and agreement is recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to hold the lots as a single parcel of land;

2. The development site shall be depicted as a Developed Area on the SEA Development Map;

3. The development shall be subject to the development standards provided in subsections A, B and C of Section 22.52.2925; and

4. Prior to approval of the Site Plan Review application, the property owner shall file a covenant and agreement, to be recorded in the office of the County

Registrar-Recorder/County Clerk, agreeing that any additional development on the lot or parcel of land shall be considered a conditional use and shall be subject to all provisions in this Part 28 relating to conditional uses.

D. Any grazing located entirely within a Grazing Developed Area depicted on the SEA Development Map, subject to the development standards provided in subsections H and J of Section 22.52.2925. For the purposes of Grazing Developed Areas, setbacks from mature tree on the Tree Species List and Water Resources, as provided in the SEA Program Guide, shall include any necessary fencing that prevents access by grazing animals.

E. Any development requiring a Variance (Part 2 of Chapter 22.56), Conditional Use Permit (Part 1 of Chapter 22.56), Cemetery Permit (Part 4 of Chapter 22.56), Mobilehome Permit (Part 6 of Chapter 22.56), Director's Review (Part 12 of Chapter 22.56) or Housing Permit (Part 18 of Chapter 22.56) at the site of an existing development where a previously granted Variance, Conditional Use Permit, Cemetery Permit, Mobilehome Permit, Director's Review or Housing Permit has been used and subsequently expired, provided that the development is deemed fundamentally similar in use and scale as authorized by the previous grant and the expiration occurred no more than two years prior to the date of pending application submittal.

F. Modifications to any development previously authorized by a valid Site Plan Review, Director's Review, Variance, Conditional Use Permit, Cemetery Permit, Mobilehome Permit, Director's Review, Oak Tree Permit, or Housing Permit, unless considered a new application, shall be subject to the applicable development standards provided in Section 22.52.2925.

G. Any of the following activities to improve the quality of biological or water resources in an SEA as conducted by a governmental agency or a non-profit land conservation organization that meets the Statement of Qualifications of Non-Profits Requesting to Hold Mitigation Land as defined in Government Code Section 65965, to the satisfaction of the Director:

1. Non-native vegetation removal programs,

2. Native habitat restoration programs, and

3. Construction of wildlife crossing structures;

G. Any development undertaken by the County, in accordance with Section 22.52.2955.

22.52.2920 Permitted Uses -- Review Procedures.

A. Information Required For SEA Site Plan Reviews. Any application for ministerial Site Plan Review required by Section 22.52.2915, except subsection G, shall contain the following information:

1. Name and address of the applicant and of all persons owning any or all of the property proposed to be used;

2. Evidence that the applicant:

a. Is the owner of the premises involved, or

b. Has written permission of the owner or owners to make such application, or

c. Is or will be the plaintiff in an action in eminent domain to acquire the premises involved, or any portion thereof, or

d. In the case of a public agency, is negotiating to acquire a portion of the premises involved;

3. Location of subject property (address or vicinity);

4. Legal description of property;

5. Proposed development or use;

6. A site plan drawn to a scale satisfactory to and in the number of copies prescribed by the Director, indicating the use, location, and size of all buildings and structures, yards, driveways, access areas, vehicle and bicycle parking areas, pedestrian facilities, landscaping, walls or fences, areas used for livestock or companion animals, and other similar features;

7. Such other data, including plans, drawings, diagrams or pictures, as may be required to determine compliance with the provisions of this Title 22; and

8. A fee for an SEA ministerial site plan review as required in Section 22.60.100.

B. Staff Biologist Site Review.

1. A Staff Biologist shall conduct a site review to assess the location of biological resources and physical conditions at the development site prior to approval of the Site Plan Review application. When determined by the Director, site reviews shall include a site visit. Such development site review shall include identification and delineation of the following, which are subject to the applicable development standards provided in Section 22.52.2925:

a. SEA Habitat Types, including acreage;

b. Priority Biological Resources.

c. Mature trees on the Tree Species list in the SEA Program Guide; and

d. Water Resources, including the width, and location of all natural watercourses; located on the lot or parcel of land. The extent of Water Resources shall be determined using the methodologies provided in the SEA Program Guide.

2. During the Staff Biologist site review, if instances of an observed or likely to occur species of special status officially listed by the State or Federal Governments as Endangered, Threatened or Rare are discovered, the application shall be referred to the California Department of Fish and Wildlife, and the applicant shall comply with all relevant State and Federal laws and obtain all necessary State and Federal permits and shall be required to file an SEA conditional use permit.

C. SEA Site Plan Expiration Where Not Used. An approved site plan which is not used within the time specified in the approval, or if no time is specified, within two years after the granting of such approval, becomes null and void and of no effect, except that where an application requesting an extension is filed prior to such expiration date, the Director may extend such time once for a period not to exceed one year.

22.52.2925 Development Standards. The following development standards shall apply to uses permitted by Sections 22.52.2915 and **22.52.2930**, except where otherwise noted in those Sections:

A. Landscaping. Landscaped areas within an SEA shall not include invasive species listed on the Invasive Species List provided in the SEA Program Guide.

B. Outdoor Lighting. Outdoor lighting within an SEA is only permitted in areas to be developed. All outdoor lighting in an SEA shall comply with the standards established in Part 9 of Chapter 22.44.

C. Fencing. All fencing within an SEA shall be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, or razor wire. All hollow fence posts or fences with top holes, such as metal pipes, shall be capped to prevent the entrapment of bird species.

1. Impermeable Fencing. Impermeable fencing is permitted within Developed Areas and Grazing Developed Areas in order to protect structures and residences from wildlife incursions and to contain livestock and companion animals outside of undisturbed natural areas.

2. Wildlife Permeable Fencing. Wildlife permeable fencing is permitted within SEAs to delineate lot boundaries or to section off development features such as streets or trails. The maximum permitted height for wildlife permeable fencing is 42 inches and such fencing shall include a minimum of 18 inches clearance at the base of the fence, as measured from the finished grade. The horizontal and vertical elements of wildlife permeable fencing may be constructed of rails, boards, or wires. All vertical elements in a wildlife permeable fence shall be spaced a minimum of 24 inches apart. Horizontal elements consisting of boards or rails shall be spaced a minimum of 24 inches apart. Horizontal elements consisting of at least one wire shall be spaced a minimum of 12 inches apart. If the top horizontal element is not rail or board, the top wire shall utilize visibility treatments, such as specifically treated wire, wire covered with

PVC, or wires that are flagged. D. Construction. Construction activities shall comply with applicable State and Federal regulations, including, but not limited to :

1. The Migratory Bird Treaty Act (16 U.S.C. Section 703); and

2. California Fish and Game Code Sections 3503 and 3513.

E. Brush Clearance or Fuel Modification for Fire Safety. The following standards shall apply when areas of brush clearance or fuel modification are required by a governmental agency for fire safety:

1. New structures and infrastructure requiring areas of brush clearance shall share such brush clearance areas with those already created for existing structures and infrastructure on the same lot or parcel of land or on adjoining lots or parcel of land; and

2. New structures and infrastructure requiring areas of brush clearance shall not be located in such a way that any portion of the required areas includes dedicated open space areas on the lot or parcel of land or on adjoining or adjacent lots or parcels of land. In addition, such structures or infrastructure shall not be located in a way that any portion of the required areas of brush clearance will include undisturbed natural areas on adjoining or adjacent lots or parcels of land.

F. SEA Connectivity Areas. Development within a Connectivity Area shall not be located within portions that are less than 1,000 feet in width, or reduce the width of a Connectivity Area to less than 1,000 feet at any point.

G. SEA Constriction Areas. Development within a Constriction Area shall not be located within portions that are less than 200 feet in width, or reduce the width of a Constriction Area to less than 200 feet at any point.

H. Habitat Preservation Areas.

1. Habitat Preservation Areas shall be provided as calculated through the Staff Biologist site review and in accordance with the SEA Habitat Preservation Areas Ratio in the Appendix following this Part 28.

2. Habitat Preservation Areas shall be contiguous for each SEA Habitat Type.

3. Prior to approval of the Site Plan Review, a covenant and agreement shall be recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to set aside the Habitat Preservation Areas as Natural Open Space in perpetuity and with an exhibit clearly depicting the Habitat Preservation Area. Habitat Preservation Areas shall also be depicted as such on the SEA Development Map.

I. Priority Biological Resources. Development within a Priority Biological Resource shall be required to file an SEA conditional use permit.

J. Trees. New structures and infrastructure shall be set back at least 50 feet from the dripline of any mature tree on the Tree Species List provided in the SEA Program Guide identified during the Staff Biologist site review.

K. Water Resources.

1. Water Resources Impacts. The applicant shall demonstrate to the satisfaction of the Director that runoff created by the development will not increase or diminish the supply of the water resources or add pollutants to the Water Resources identified through the Staff Biologist site review; and

2. Water Resources Setback. All development shall be set back from any Water Resources identified through the Staff Biologist site review and in accordance with the following chart:

Water Resource	Water Resource Size	Setback
Lakes, reservoirs & ponds	Any Size	150 feet or the watershed boundary, whichever is greater
Rivers & streams	Less than 50 feet wide in a wet year	75 feet
	50 to 100 feet wide in a wet year	150 feet
	Greater than 100 feet wide in a wet year	300 feet
Marshes, seeps and springs	Less than one half acre	75 feet
	One half acre up to one acre	150 feet
	Greater than one acre	300 feet
Vernal pools, and playas	Any size	150 feet or the watershed boundary, whichever is greater

22.52.2930 Uses Subject to Permits. Property may be used for:

A. The following uses, provided an SEA conditional use permit ("SEA CUP") has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit, subject to the provisions of this Part 28 and Part 1 of Chapter 22.56:

1. Any development not otherwise permitted by Section 22.52.2915, including development of new single-family residences on two or more lots or parcels of land in a coordinated effort, regardless of the ownership of the involved lots or parcels

and regardless of whether the developments are applied for concurrently or through multiple successive applications, as determined by the Director.

2. Any development permitted by Section 22.52.2915 except subsection G that does not comply with all applicable development standards.

3. Any development that is otherwise permitted by Section 22.52.2915 except subsection G, that as determined during the Staff Biologist site review, would occur at the site of the habitat for an undiscovered or previously thought extinct species; or the site of the habitat for a species of special status officially listed by State or Federal agencies as Endangered, Threatened or Rare.

B. Temporary uses, provided the permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit, subject to the provisions of this Part 28 and Part 14 of Chapter 22.56 in accordance with Section 22.52.2940.B.

22.52.2935 Uses Subject to Permits -- Application Procedures. The following shall apply to uses subject to an SEA CUP:

A. Initial Project Appraisal.

1. Required When. An initial project appraisal shall be required before an SEA CUP application may be submitted to the Director.

2. Review. An initial project appraisal consists of a preliminary review meeting with a Staff Biologist and a Department staff planner to discuss the proposed development, and ensure that the prospective applicant is clearly advised of the requirements of this Part 28.

3. Information Required. The prospective applicant shall prepare and submit to the Director the following information:

a. All information required by subsections A.1, A.3, A.5 and A.6 of Section 22.56.030, including identification of any anticipated site design and construction measures intended to protect biological and ecological resources;

b. The number of acres on the development site located within the SEA;

c. The number of acres on the development site located within the SEA that will be retained as Natural Open Space and any associated management provisions;

d. Panoramic or composite photographs taken from each corner of the development site and from the highest elevated points within the development site, taken no more than 90 days prior to application submission, with a photograph key; and

e. A fee equivalent to One-Stop Counseling as specified in Section 22.60.100.

B. SEA CUP Application Materials.

1. A complete SEA CUP application shall contain the following:

a. Documentation that an initial project appraisal has been completed, including information submitted for the initial project appraisal;

b. All information required by Section 22.56.030;

c. Statement as to whether any modifications to the SEA development standards or SEA CUP conditions of approval, is requested;

d. A burden of proof statement that substantiates the findings required by Sections 22.52.2950 and 22.56.040;

e. An SEA Site Assessment Report detailing the habitat types, Priority Biological Resources, water resources and other features located on the development site, as described in the SEA Program Guide;

f. An SEA Site Impacts Report detailing the anticipated impacts to the habitat types, priority biological resources, water resources and other features I located on the development site, as described in the SEA Program Guide; and

g. The filing fee as required in Section 22.60.100 for an SEA CUP Determination. If an initial project appraisal has been completed within the 12 months prior to the application submission date, the fee paid for the initial project appraisal shall be credited against the filing fee.

2. Additional information may be required by the Director as necessary for adequate evaluation with the provisions of this Part 28.

3. The Director may accept information and materials submitted for another permit required by State or Federal regulations if determined that such information and materials are sufficient for the adequate evaluation with the provisions of this Part 28. C. Staff Biologist Site Review. After a complete SEA CUP application is submitted, a Staff Biologist shall conduct a site review to assess the location of biological resources and physical conditions at development site prior to an SEA CUP Determination. When determined by the Director, site reviews shall include a site visit Such development site review may include identification and delineation of the

following, which are subject to the applicable development standards provided in Section 22.52.2925:

1. SEA Habitat Types, including acreage;

2. Priority Biological Resources;

3. Tree species listed in the SEA Program Guide; and

4. Water Resources, including the width, and location of all natural watercourses located on the lot or parcel of land. The extent of Water Resources shall be determined using the methodologies provided in the SEA Program Guide.

D. SEA CUP Type Determination.

1. Criteria. Using the application materials and information from the Staff Biologist site review, the Director shall determine that a Type B SEA CUP is required if:

a. The proposed development may create an isolated area of natural habitat. For purposes of this subsection D.1.a:

i. "Natural Habitat" means any natural area that is not proposed to be developed, including proposed Habitat Preservation Areas and Natural Open Space areas.

ii. "Isolated" means any configuration where the Natural Habitat on the development site is not contiguous to at least 30 percent of the perimeter of the development site, and such perimeter does not adjoin natural areas on the adjoining lots or parcels of land.

b. The development is located within the habitat of a species of special status officially listed by the State or Federal Governments as Endangered, Threatened or Rare;

c. The conversion of land as described under subsection C of Section 22.52.2915 exceeds half of the proposed development site or an area one acre in size, whichever is greater;

d. The development is located within a Connectivity Area or Constriction Area identified during the Staff Biologist site review, and will reduce the mapped Area below the minimum widths required in subsections F or G or Section 22.52.2925; or

e. The development is located within the Water Resources setbacks provided in subsection J of Section 22.52.2925 or stormwater runoff from the development cannot be captured and retained on-site.

2. Notification. Following the determination, the Director shall send a notice to the applicant by first class mail.

a. Type A SEA CUP. If the Director determines that a Type A SEA CUP is required, the notice shall require the applicant to submit the filing fee and any deposits as required in Section 22.60.100 for a Minor Conditional Use Permit for Significant Ecological Areas (Type A) within 14 calendar days from the date of the notice.

b. Type B SEA CUP. If the Director determines that a Type B SEA CUP is required, the notice shall require the applicant to submit the filing fee and any deposits as required in Section 22.60.100 for a Type B SEA CUP. The notice shall

also include that an SEA CUP type determination appeal may be filed pursuant to subsection D.3 below.

3. Appeal. Within 14 calendar days of the date of notice, an applicant may file an appeal of the Director's SEA CUP type determination to the Hearing Officer. No fee shall be required for such appeal. The appeal shall be limited to whether the SEA CUP application meets the criteria provided in subsection D.1 above. The Hearing Officer shall consider such appeal during a public meeting held within 45 calendar days from the date that the appeal is filed, and shall notify the appellant of the decision by first class mail. The decision of the Hearing Officer shall be final and effective on the date of decision and shall not be subject to further appeal.

4. Subsequent Determinations.

a. If the Director determines that a Type B SEA CUP application was required and the proposed development is reconfigured or redesigned to avoid the criteria for a Type B SEA CUP before the notice of hearing is published, the Director may determine that a Type A SEA CUP shall be required. Refund of fees shall be in accordance with subsection B of Section 22.60.120.

b. If the Director determines that a Type A SEA CUP is required and the proposed development is reconfigured or redesigned prior to consideration by the Hearing Officer, the Director may determine that the revised development requires a Type B SEA CUP. If so, the Director shall send a notice to the applicant by first class mail pursuant to subsection D.2.b above. The notice shall also include that an appeal may be filed pursuant to subsection D.3 below.

22.52.2940 Uses Subject to Permit – Review and Hearing Procedures.

A. For an SEA CUP:

1. Application Review. A SEA CUP shall be reviewed as follows:

a. Type A SEA CUP. A Type A SEA CUP shall not be subject to SEATAC review. A Type A SEA CUP may be considered by a Hearing Officer in accordance with the public hearing procedures provided in Part 4 of Chapter 22.60.

b. Type B SEA CUP. A Type B SEA CUP shall be subject to SEATAC review, and may be considered by the Commission in accordance with the public hearing procedures provided in Part 4 of Chapter 22.60.

c. Where an application is filed concurrently with an application for an SEA CUP, the Hearing Officer or Commission may consider and approve such applications concurrently. The Hearing Officer or Commission in making their findings shall consider each case individually as if separately filed.

2. SEATAC Review. SEATAC may make recommendations to the Director regarding any additional studies, site design modifications, conditions of approval, or mitigation measures to substantiate the required findings in Section 22.52.2950. SEATAC shall also provide the Director with a final recommendation of the proposed development's compatibility with the SEA based on the purpose and findings of this Part 28.

3. Staff Report.

a. General. In addition to the information required herein, a staff report shall be prepared for the Hearing Officer or Commission containing a detailed evaluation of the SEA CUP application, which includes but not limited to the following:

i. SEA Site Assessment Report;

ii. SEA Site Impacts Report;

iii. Appraisal of measures taken to protect SEA Habitat Types, Priority Biological Resources, or Water Resources located on the development site;

iv. Any recommended changes to the proposed development necessary to substantiate the findings required by Section 22.52.2950; and

v. Any conditions of approval recommended in addition to those specified in Section 22.52.2940, or where recommended to be modified, that are necessary to ensure that the proposed development substantiates the findings required by Section 22.52.2950 and is consistent with the provisions of the General Plan, any relevant Area or Community Plan, and this Title 22.

b. Type A SEA CUP. The staff report for a Type A SEA CUP shall also evaluate whether provision of Natural Open Space is warranted in accordance with subsection A.2.i of Section 22.52.2945.

c. Type B SEA CUP. The staff report for a Type B SEA CUP shall also include the following:

i. SEATAC determination of the proposed development's compatibility with the SEA; and

ii. A summary of SEATAC recommendations pertaining to the proposed development, noting if and where the SEATAC recommendations differ from Department recommendations.

B. For temporary uses, in addition to the provisions of Part 14 of Chapter 22.56, all applications for a Temporary Use Permit within a Significant Ecological Area shall be subject to the Staff Biologist site review in accordance with subsection C of Section 22.52.2935.

22.52.2945 Uses Subject to Permits -- Conditions of Approval or Issuance.

A. SEA CUP. Except as noted herein or where modified by the Hearing Officer or Commission pursuant to Section 22.52.2950, the following shall be made conditions of approval for any SEA CUP:

1. Development Standards.

a. All applicable development standards of Section 22.52.2925 shall be made conditions of approval; and

b. Priority Biological Resources. Development within Priority Biological Resources shall require the provision of Natural Open Space to preserve the affected Priority Biological Resource at a minimum ratio of 4:1 (preservation to development) onsite. Offsite provision of Priority Biological Resources may only occur when recommended by staff.

2. Open Space.

a. Natural Open Space Provision.

i. Type A SEA CUP. Natural Open Space may be required to preserve Habitat Preservation Areas or other impacted biological resources if the development is one gross acre or greater in size, and if the impacts detailed in the

SEA Site Impacts Report warrant provision of Natural Open Space. Any Priority Biological Resources shall be set aside as natural open space.

ii. Type B SEA CUP. Natural Open Space shall be required to preserve Habitat Preservation Areas, Priority Biological Resources or other biological resources:

iii. The land to be provided as Natural Open Space shall be prioritized as follows from highest to lowest:

(1) Areas on the same lot or parcel of land that will preserve the same SEA Habitat Types, Priority Biological Resources, or Water Resources that will be impacted by the development;

(2) Areas on any lot or parcel of land within the same SEA that will preserve the same SEA Habitat Types, Priority Biological Resources, or Water Resources as those that will be impacted by the development;

(3) Areas on any lot or parcel of land within the same SEA that will preserve SEA Habitat Types, Priority Biological Resources, or Water Resources that are more rare in that SEA than those which will be impacted by the development;

(4) Areas on any lot or parcel of land within the same SEA that will preserve the narrowest point of any Connectivity Area or Constriction Area depicted on the SEA Connectivity and Constriction Areas Map; and

(5) If no Natural Open Space can be set aside within the same SEA, Natural Open Space may be provided within the nearest adjacent

SEA. Areas within the nearest adjacent SEA shall be prioritized in the same order as this subsection 2.a.iii above.

iv. The following may be used to satisfy requirements for Natural Open Space, in accordance with subsection A.2.a.iii above:

(1) Habitat Preservation Areas required by Section 22.52.2925;

(2) Natural Open Space Areas required by Section 22.56.215 (Hillside Management Areas); or

(3) Natural Open Space Areas provided as a mitigation measure pursuant to California Environmental Quality Act review or otherwise provided to satisfy the requirements of any other County, State or Federal regulations.

b. Open Space Use and Configuration.

i. Except as otherwise permitted pursuant to Section 22.56.215, no improvements shall be constructed within required Natural Open Space areas.

ii. To the greatest extent feasible required Natural Open Space areas shall be designed to be:

(1) Contiguous with a low perimeter to surface area ratio; and

(2) Provide maximum alignment or connectivity with offsite natural resources and preserved open spaces.

iii. Required Natural Open Space areas within a land division shall be configured into separate open space lot(s) if the land division is in a

non-urban or rural land use designation with 20 or more proposed dwelling units and residential lots of 15,000 net square feet or smaller.

c. Open Space Recordation.

i. If the development is a land division, required Natural Open Space areas located within the land division shall be depicted on the tentative map and the final map or parcel map waiver to the satisfaction of the Director, and shall be subsequently recorded on the final map or parcel map waiver as a fee lot or as Open Space – Restricted Use Area. Required Natural Open Space areas located outside the land division shall be labeled as Open Space – Restricted Use Area on a covenant and agreement, to be recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to maintain the area as Natural Open Space in perpetuity. All required Natural Open Space areas shall also be depicted on the SEA Development Map.

ii. If the development is not a land division, required Natural Open Space areas provided for the development shall be depicted on the site plan or lot line adjustment exhibit to the satisfaction of the Director. Required Natural Open Space areas located shall be labeled as Open Space – Restricted Use Area with a covenant and agreement, to be recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to maintain the area as Natural Open Space in perpetuity. All required Natural Open Space areas shall also be depicted on the SEA Development Map.

d. Open Space Ownership and Management. If the development is a land division and separate open space lots are created, or if required Natural Open Space is provided on the entirety of an off-site lot or parcel of land, the

following shall apply for the ownership and maintenance, in order of priority from highest to lowest as approved by the Director:

i. Dedication of the open space lot(s) to hold and manage the Natural Open Space under a mandate to protect in perpetuity to the satisfaction of the Director, to:

(1) A governmental entity such as a county, city, state, federal, or joint powers authority; or

(2) A non-profit land conservation organization that meets the Statement of Qualifications of Non-Profits Requesting to Hold Mitigation Land as defined in Government Code Section 65965, and acceptable by the Director.

ii. A covenant and agreement, agreeing to hold and manage the Natural Open Space under a mandate to protect it in perpetuity. Such covenant and agreement shall be recorded in the office of the County Registrar-Recorder/County Clerk.

iii. If a maintenance agreement is established in accordance with subsection 2.d.ii above, the ownership and management of the open space lot(s) may subsequently be dedicated to an entity listed in subsection 2.d.i above, provided that the relevant condition is modified pursuant to Part 11 of Chapter 22.56.

3. Streets and Highways. New streets or highways, or improvements to existing streets or highways that bisect Connectivity Areas or Constriction Areas, may be conditioned to include the construction of wildlife crossing structures, in accordance with the guidance provided in the SEA Program Guide.

4. For all applicable conditions, the requirements shall specify whether it applies to the entire development, to the portion of the development within the SEA, or to an individual lot or parcel of land.

5. For a land division, the conditions may specify that any subsequent applications to modify the SEA CUP pursuant to Part 11 of Chapter 22.56 need only relate to the lots or parcels of land affected by such modification.

B. Temporary Uses. In addition to the provisions of Part 14 of Chapter 22.56, the following conditions of issuance shall apply to temporary uses permitted by subsection B of Section 22.52.2930:

1. Noise. The use shall not generate noise in excess of 45db(A) as measured at the subject property line;

2. Lighting. In addition to the provisions of Part 9 of Chapter 22.44, outdoor lighting required for the use shall not project into any undisturbed areas on the lot or parcel of land; and

3. Access. Access to portions of the lot or parcel of land may be restricted through the employment of security staff at the event, posting of signage, or fencing, to protect sensitive natural resources as recommended by a Staff Biologist or Department staff planner following the review required by subsection C of Section 22.52.2935.

22.52.2950 Uses Subject to Permits – Findings. For an SEA CUP:

A. If the Hearing Officer or Commission finds that the application substantiates, in addition to those required by Section 22.56.090, the following findings, the Hearing Officer or Commission may approve an application for an SEA CUP :

:

1. The development site has been adequately surveyed; and any potential impacts to SEA Habitat Types, Priority Biological Resources, Water Resources, and Connectivity Areas and Constriction Areas, are properly disclosed;

2. Any Natural Open Space provided in conjunction with the proposed development has high ecological value because it contains Connectivity Areas and/or Constriction Areas, SEA Habitat Types, Priority Biological Resources, Water Resources, and/or species of special interest;

3. That the proposed development was designed first to avoid or minimize impacts to the areas of highest biological value on portions of the lots or parcels of land within an SEA or that a project has special circumstances.

a. To demonstrate avoidance, a project must either:

i. Be entirely located outside of any Habitat Preservation Areas or Priority Biological Resources, or

ii. Provide Natural Open Space in a ratio of four to one (4:1) for the entire lot or parcel of land. The design for such provision must prioritize inclusion of the highest value Habitat Types and Priority Biological Resources.

b. To demonstrate minimization a project must meet the development standards established in subsection A of Section 22.52.2945

c. To demonstrate special circumstances, a project must meet the findings under in subsection B of Section 22.52.2950 for modification, and have established an on or offsite level of resource preservation in the same SEA to the satisfaction of the Director and under the review of SEATAC; and

4. The proposed development will preserve SEA viability. For purposes of this finding, SEA viability cannot be preserved when the proposed development may cause any of the following:

a. Bisection of the SEA;

b. Closing of a Connectivity or Constriction Area;

c. Removal of the entirety of a Habitat Type characteristic of the SEA;

d. Removal of the only known location of a Priority Biological Resource; or

e. Removal of habitat that is the only known location of a new or rediscovered species.

B. For any modifications to the development standards as provided in Section 22.52.2925, or conditions of approval as provided in Section 22.52.2945, the Hearing Officer or Commission shall also find that the SEA CUP application substantiates the following:

1. Such modification is necessary to satisfy other regulations in effect for the use within the County Code, State regulations, or Federal regulations; or

2. Due to topographic or physical features of the site, compliance with all of the applicable development standards and/or conditions of approval would substantially and unreasonably interfere with any proposed development on the site, and such modifications are not contrary to the purpose of this Part 28.

22.52.2955 County Development Review Procedures. The following procedures are required for any development to be undertaken by the County,

excluding maintenance activities. For the purposes of this Section 22.52.2955, the definition of "maintenance activities" shall be established in the SEA Program Guide.

A. Information Required. The lead County department shall provide a development description, including any relevant environmental documentation, to the Department of Regional Planning. Information and materials submitted for another permit required by State or Federal regulations may be accepted if the Director determines that such information and materials are sufficient for the adequate evaluation with the provisions of this Part 28.

B. Review.

1. Initial Project Appraisal. The development shall be reviewed at an initial project appraisal in accordance with subsection A of Section 22.52.2935.

2. SEATAC Review. The Director may determine that SEATAC review is required based on the initial project appraisal and the criteria provided in subsection D.1 of Section 22.52.2935. For SEATAC review pursuant to subsection B above, the lead County department shall prepare an SEA Site Assessment Report and an SEA Impacts Report in accordance with subsections B.1.e and B.1.f of Section 22.52.2935.

C. Recommendation.

1. For projects without SEATAC review, the Director may submit a report to the lead County Department that includes recommendations developed as part of the initial project appraisal.

2. For projects with SEATAC review, the Director shall submit a report to the lead County department after SEATAC review. The report shall include any

recommendations to improve the quality of the development's studies and design, and whether SEATAC concludes the development is compatible with the purpose of this Part 28. The report shall be included as part of the development's publicly available documents and presented as part of any subsequent reports to the Board of Supervisors and its attendant commissions.

D. Individual Departmental Procedures. Within the Program Guide, each lead County department may further establish definitions and procedures applicable to their Department, including definition of maintenance activities, method of notification, information required, and process timelines. Such additional procedures may not alter the fundamental requirements of subsections A, B or C of Section 22.52.2955, and shall be submitted to the Director for review and approval.

22.52.2960 Voluntary Review Procedures. Voluntary review is established to assess the biological resources on the project site and/or to ensure environmentally sensitive project design for any development that otherwise does not require an SEA CUP pursuant to Section 22.52.2930. The applicant may request an initial project appraisal in accordance with subsection A of Section 22.52.2935 and/or SEATAC review in accordance with subsection A.2 of Section 22.52.2940.

APPENDIX FOR PART 28

SEA HABITAT TYPE LIST &

CORRESPONDING HABITAT PRESERVATION AREA RATIOS

1. Altadena Foothills and Arroyos SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Oak Woodland	Woodland	High
White Alder Riparian Forest	Stream	High

2. Antelope Valley SEA

Habitat Type	Formation Type	Habitat Value
Alkali Marsh	Wetland	High
Alluvial Scrub	Stream	High
Alluvial Wash	Stream	High
Chaparral	Chaparral	Low
Desert Scrub	Scrub	Medium
Freshwater Marsh	Wetland	High
Joshua Tree Woodland	Woodland	High
Juniper Woodland	Woodland	High
Mesquite Bosque	Wetland	High
Mixed Conifer-Oak Woodland Formations	Woodland	High
Native Grassland Communities	Herbland	High
Non-native Grassland Communities	Herbland	Medium
Southern Cottonwood-Willow Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	High
Wildflower Field	Herbland	High

3. Cruzan Mesa Vernal Pools SEA

Habitat Type	Formation Type	Habitat Value
Coastal Sage Scrub	Scrub	Medium
Mainland Cherry Forest	Woodland	High
Non-native Grassland	Herbland	Medium
Vernal Pool Sites	Wetland	High

4. East San Gabriel Valley SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Freshwater Marsh	Wetland	High
Non-native Grassland	Herbland	Low
Oak Riparian Forest	Stream	High
Oak Woodland	Woodland	High
Southern Willow Scrub	Wetland	High
Walnut Woodland	Woodland	High

5. Harbor Lake Regional Park SEA

Habitat Type	Formation Type	Habitat Value

Chaparral	Chaparral	Low
Freshwater Marsh	Wetland	High
Mulefat Scrub	Wetland	Medium
Non-native Grassland	Herbland	Medium
Southern Cottonwood-Willow Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	Medium
Vernal Pool Sites	Wetland	High

6. Joshua Tree Woodlands SEA

Habitat Type	Formation Type	Habitat Value
Desert Scrub	Scrub	Medium
Joshua Tree Woodland	Woodland	High
Juniper Woodland	Woodland	High
Native Grassland Communities	Herbland	High
Non-native Grassland Communities	Herbland	Medium
Wildflower Fields	Herbland	High

7. Palos Verde Peninsula and Coastline SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Coastal Bluff and Dune Scrub	Scrub	High
Southern Willow Scrub	Wetland	High
Non-Native Grassland	Herbland	Medium

8. Puente Hills SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Freshwater Marsh	Wetland	High
Non-Native Grassland	Herbland	Medium
Oak Riparian Forest	Stream	High
Oak Woodland	Woodland	High
Southern Willow Scrub	Wetland	High
Walnut Woodland	Woodland	High

9. Rio Hondo College and Wildlife Sanctuary SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium

Walnut Woodland	Woodland	High

10. San Andreas SEA

Habitat Type	Formation Type	Habitat Value
Alkali Marsh	Wetland	High
Alluvial Wash	Stream	High
Bigcone Douglas Fir-Canyon Oak Woodland	Woodland	High
Chaparral	Chaparral	Low
Desert Scrub	Scrub	Medium
Foothill Woodland	Woodland	High
Freshwater Marsh	Wetland	High
Joshua Tree Woodland	Woodland	High
Juniper Woodland:	Woodland	High
Native Grassland	Herbland	High
Non-native Grassland	Herbland	Medium
Southern Cottonwood-Willow Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	High
Valley Oak Woodland	Woodland	High
Wildflower Field	Herbland	High

11. San Dimas Canyon and San Antonio Wash SEA

Habitat Type	Formation Type	Habitat Value
Bigcone Douglas-Fir–Canyon Oak Forest	Woodland	High
White Alder Riparian Forest	Stream	High
Alluvial Scrub	Stream	High
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Non-Native Grassland	Herbland	Medium
Oak Woodland	Woodland	High
Oak Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	High
Walnut Woodland	Woodland	High

12. San Gabriel Canyon SEA

Habitat Type	Formation Type	Habitat Value
Alluvial Scrub	Stream	High
Bigcone Douglas Fir–Canyon Oak Forest	Woodland	High
Chaparral	Chaparral	Low

Coastal Sage Scrub	Scrub	Medium
Non-Native Grassland	Herbland	Medium
Oak Woodland	Woodland	High
Oak Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	High
Walnut Woodland	Woodland	High
White Alder Riparian Forest	Stream	High

13. Santa Clara River SEA

Habitat Type	Formation Type	Habitat Value
Alluvial Scrub	Stream	High
Bigcone Douglas Fir-Canyon Oak Forest	Woodland	High
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Freshwater Marsh	Wetland	High
Juniper Woodland	Woodland	High
Native Grassland	Herbland	High
Non-Native Grassland	Herbland	Medium
Oak Riparian Forest	Stream	High
Oak Woodland	Woodland	High
Pinyon-Juniper Woodland	Woodland	High
Southern Cottonwood-Willow Riparian Forest	Stream	High
Southern Sycamore-Alder Woodland	Woodland	High
Southern Willow Scrub	Wetland	High
Vernal Pool Systems	Wetland	High
Wildflower Fields	Herbland	High

14. Santa Felicia SEA

Habitat Type	Formation Type	Habitat Value
Alluvial Scrub	Stream	High
Chaparral	Chaparral	Low
Native Grassland Communities	Herbland	High
Non-native Grassland Communities	Herbland	Medium
Oak Riparian Forest	Stream	High
Oak Woodlands	Woodland	High
Sycamore-Willow Riparian Woodland	Stream	High
Wildflower Fields	Herbland	High

15. Santa Monica Mountains SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Cottonwood-Willow Riparian Forest	Stream	High
Freshwater Marsh	Wetland	High
Native Grassland	Herbland	High
Oak Riparian Forest	Stream	High
Oak Woodland	Woodland	High
Redshank Chaparral	Chaparral	Medium
Rock Outcrop	Rockland	High
Salt Marsh	Wetland	High
Southern Willow Scrub	Wetland	High
Sycamore-Alder Riparian Woodland	Stream	High
Valley Oak Woodland	Woodland	High
Walnut Woodland	Woodland	High
Wildflower Fields	Herbland	High

16. Santa Susana Mountains and Simi Hills SEA

Habitat Type	Formation Type	Habitat Value
Alluvial Scrub	Stream	High
Chaparral	Chaparral	Low
Coastal Sage Scrub	Scrub	Medium
Mainland Cherry Forest	Woodland	High
Native Grassland Communities	Herbland	High
Non-native Grassland Communities	Herbland	High
Oak Woodlands	Woodland	High
Southern Cottonwood-Willow Riparian Forest	Stream	High
Southern Willow Scrub	Wetland	High
Valley Oak Woodland	Woodland	High
Wildflower Fields	Herbland	High

17. Valley Oaks Savannah SEA

Habitat Type	Formation Type	Habitat Value
Chaparral	Chaparral	Low
Native Grassland	Herbland	High

Communities		
Non-native Grassland Communities	Herbland	Medium
Valley Oak Savannah	Woodland	High
Wildflower Fields	Herbland	High

SEA HABITAT PRESERVATION AREAS RATIO REQUIREMENTS

The project shall provide Habitat Preservation Areas for each SEA Habitat Type that will be developed, pursuant to the following chart:

SEA Habitat Type Value	Acreage Ratio (Acres of Habitat Preservation Area to be provided : Acres of SEA Habitat to be developed)	Habitat Preservation Area Requirements
High	3:1	Same Habitat Type as the Habitat Type to be developed
Medium	2:1	May be any Habitat Type with same formation type as those to be developed
Low	1:1	May be any Habitat Type with same formation type as those to be developed

SECTION 11. Section 22.56.030 is hereby amended to read as follows:

22.56.030 Application—Information Required.

A. An application for a conditional use permit shall contain the following information:

...

10. With each application, the applicant shall also file:

a. Maps in the number prescribed, and drawn to a scale specified by the director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the subject parcel of land. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the subject parcel of land shall be provided in lieu of 500 feet,

b. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 500-foot radius or within said 300-foot radius if the application is for a minor conditional use permit in accordance with Section 22.56.085,

c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject parcel of land and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land to be occupied by the use. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the use shall be provided in lieu of 500 feet. One copy of said map shall indicate where such ownerships are located,

...

SECTION 12. Section 22.56.070 is hereby amended to read as follows:

22.56.070 Application-Public Hearing Required-~~Exception~~.

In all cases where an application for a conditional use permit is filed, ~~except where the Director grants the permit pursuant to section 22.56.085~~, the public hearing shall be held pursuant to the procedure provided in Part 4 of Chapter 22.60.

SECTION 13. Section 22.56.085 is hereby amended to read as follows:

22.56.085 ~~Grant or Denial of~~ Minor Conditional Use Permit.

A. ~~Any person filing a~~An application for a minor conditional use permit may ~~request the Director to consider the application in accordance with this section~~be filed for the following uses:

— Altadena Community Standards District, development in a hillside management area as provided in Section 22.44.127.C.2.b.

— Apartment houses nonconforming in zones where the use is allowed with a conditional use permit.

— Cargo shipping containers beyond those otherwise allowed in the Agua Dulce Community Standards District, as provided for in Section 22.44.113.E.1.f.ii.

— Development within a Significant Ecological Area, as provided in Part 28 of Chapter 22.52.

— Farmers' markets, as provided in Part 25 of Chapter 22.52.

— Joint live and work units, as provided in Part 19 of Chapter 22.52.

— Mixed use developments, as provided in Part 18 of Chapter 22.52.

— Modification of significant ridgeline protection provisions as provided in Sections 22.44.143.D.10.b., 22.44.143.D.10.c. or 22.44.144.D.10.b.

— Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

— Wind energy conversion system, non-commercial (WECS-N).

— Wineries, subject to the applicable provisions of Part 23 of Chapter 22.52.

B. The purpose of this section is to authorize the ~~director's ex-parte~~ consideration of conditional use permit applications that by their nature are limited in scope and impacts.

~~C. The director shall cause notice of the application to be mailed by first-class mail, postage pre-paid, to all those addresses on the list required by subsection A.10.c of Section 22.56.030 that are within a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the requested use, and to such other persons whose property or interests might, in the director's judgment, be affected by the request. The notice shall describe the project and also indicate that any individual may request a public hearing on the application by filing a written request with the director within 14 calendar days following the date on the notice.~~

~~D. Unless at least two requests for a public hearing have been filed with the director as provided in subsection C of this section, the director may grant such permit without a public hearing if the director finds that the use requested, subject to such~~

~~conditions deemed necessary, will comply with the findings required by Section 22.56.090 and with any applicable requirements of Chapter 22.52, and if he further finds that the impacts of the use requested on safety, facilities and services, and natural resources are minor in nature.~~

~~E.~~C. ~~The director shall notify the applicant and any persons who filed a timely request for a hearing of his decision. Any appeal from the director's decision shall be filed with the hearing officer within 14 days following the date on the notice of director's decision.~~ The decision of the hearing officer may be appealed to the commission. All appeals shall be filed within the time period set forth in, and shall be subject to all of the other provisions of Part 5 of Chapter 22.60 except that the decision of the commission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal.

...

SECTION 14. Section 22.56.237 is hereby added to read as follows:

22.56.237 Significant Ecological Areas.

In addition to the provisions of this Part 1 of Chapter 22.56, a conditional use permit for development within a Significant Ecological Area shall be subject to the provisions of Part 28 of Chapter 22.52.

SECTION 15. Section 22.56.1410 is hereby amended to read as follows:

22.56.1410 Reclamation plan—Findings prerequisite to approval.

...

B. In approving a reclamation plan, the hearing officer:

...

6. Shall require that the mine operator file a covenant against the property with the county recorder containing the following statement before commencing operation of a new surface mine or, in the case of an existing mine as described in subsection D of Section 22.56.1260, within 30 days following notice of approval:

> This property is subject to Reclamation Plan (enter case number), requiring, together with other conditions, the completion of a reclamation program before use of the property for a purpose other than surface mining, except otherwise provided in said plan. Agents of the County of Los Angeles and the State of California may enter upon such land to enforce a reclamation plan and to effect reclamation, subject to compliance with applicable provisions of law~~.~~; and

7. Shall verify that for any surface mining operation located in a Significant Ecological Area, the reclamation plan was reviewed by SEATAC in accordance with subsection C of Section 22.52.2940.

C. The hearing officer may require modification of the reclamation plan or impose such conditions that the hearing officer deems necessary to insure that the plan is in accord with the requirements of Section 22.56.1420.

SECTION 16. Section 22.56.1835 is hereby amended to read as follows:

22.56.1835 List of Temporary Uses. The following temporary uses may be established with a valid temporary use permit:

A. Temporary Uses:

-- Carnivals, exhibitions, fairs, short-term farmers' markets not otherwise governed by Part 25 of Chapter 22.52, festivals, pageants, and religious observances sponsored by a public agency or a religious, fraternal, educational, or service organization directly engaged in civic, charitable, or public service endeavors conducted for no more than six weekends or seven days during any 12-month period except where a longer time period is approved pursuant to Section 22.56.1885. "Weekend" means Saturday and Sunday, but national holidays observed on a Friday or Monday may be included. This provision shall not include outdoor festivals and tent revival meetings.

...

B. Temporary Uses in Significant Ecological Areas:

-- Within a Significant Ecological Area, any of the temporary uses listed under subsection A above, provided that in addition to the provisions of this Part 14 of Chapter 22.56 a temporary use permit for development within a Significant Ecological Area shall be subject to the provisions of Part 28 of Chapter 22.52.

SECTION 17. Section 22.60.010 is hereby amended to read as follows:

22.60.010 Authority of hearing officer. The hearing officer may approve, conditionally approve or disapprove applications for land use permits and variances, subject to the general purposes and provisions of this Title 22. ~~In addition, t~~The hearing officer may also consider an appeal from a final zoning enforcement order issued by the director in accordance with the procedures specified in Section 22.60.390, and may thereafter sustain, modify or rescind such final zoning enforcement order. In addition,

the hearing officer may also consider an appeal of a Significant Ecological Area Conditional Use Permit Determination in accordance with the procedures specified in subsections D.3 and D.4 of Section 22.52.2935.

...

SECTION 18. Section 22.60.100 is hereby amended to read as follows:

22.60.100 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 shall accompany the application or petition:

...

— Conditional Use Permits for Significant Ecological Areas, Determination — $503.00

— Conditional Use Permits for Significant Ecological Areas, Type B— ~~$19,080.00~~18,361.00.

~~— Conditional Use Permits for Significant Ecological Areas for construction projects up to 3,500 square feet of total new building area and where no land division is proposed — $9,226.00.~~

...

— Minor Conditional Use Permits - $1,494.00~~, except that where a public hearing is requested pursuant to Section 22.56.075, an additional fee of $7,230.00 shall be paid~~.

— Minor Conditional Use Permits for Significant Ecological Areas (Type A) — $1,494.00.

...

— Site Plan Review, Ministerial, Special Districts including CSDs, ESHA, SEA, SERA, etc., except Transit Oriented Districts — $956.00.

...

SECTION 19. Section 22.60.120 is hereby amended to read as follows:

22.60.120 Refund of fees or deposits.

A. Withdrawal of applications or petitions. If any application or petition is withdrawn as provided in Section 22.60.090, the county shall refund the following fraction of the filing fee:

~~A~~1. Three-fourths of the fee shall be refunded if the case is withdrawn prior to the preparation and mailing of the notice of completeness.

~~B~~2. One-half of the fee shall be refunded if the case is withdrawn after the preparation and mailing of the notice of completeness, but prior to publication of the notice of hearing or prior to ex parte action by the hearing officer.

~~C~~3. There shall be no refund of any portion of the fee after the notice of hearing has been published or after ex parte action has been taken by the hearing officer.

B. Significant Ecological Area Conditional Use Permits -- Subsequent Determinations. If a Type B SEA CUP type determination changes in accordance with Section 22.52.2935.D.4.a the county shall refund the following fraction of the filing fee:

1. One-half of the Type B SEA CUP fee shall be refunded if the proposed development is reconfigured or redesigned to avoid the criteria for a Type B SEA CUP prior to SEATAC review.

2. One-quarter of the Type B SEA CUP fee shall be refunded if the proposed development is reconfigured or redesigned to avoid the criteria for a Type B SEA CUP after final SEATAC review, but prior to the publication of the notice of hearing.

SECTION 20. Section 22.60.175 is hereby amended to read as follows:

22.60.175 Posting.

Not less than 30 days prior to a public hearing scheduled pursuant to this Title 22, the affected applicant shall post sign(s) according to the following specifications except where the public hearing relates to an application for a minor conditional use permit in accordance with Section 22.56.085:

...