SIGNIFICANT ECOLOGICAL AREAS FREQUENTLY ASKED QUESTIONS

GENERAL QUESTIONS

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GENERAL QUESTIONS

Q.1.What is a SEA?

A.1. SEA stands for Significant Ecological Area. The SEAs are mapped in the Los Angeles County General Plan as part of the County's Special Management Areas Policy Map. Areas are mapped as SEAs if they contain irreplaceable biological resources, representing the biodiversity of the County. Generally lands in the SEAs have undisturbed or lightly disturbed habitat. The SEAs are not preserves, and much of the land within the SEA is privately owned property.

Q.2.What is the SEA Program?

A.2. The SEA Program is the name for all the components that make up the Department's policies, regulations and practices for the SEAs. This includes:

- Maps of the SEAs,
- Biological studies of the SEAs,
- SEA specific language, policy and descriptions in the General Plan,
- The SEA Ordinance, and
- The Significant Ecological Area Technical Advisory Committee (SEATAC).

Q.3.What is being changed with SEA Program Update?

A. 3. The SEA Program is being updated as a component of the Los Angeles County General Plan 2035. In addition to proposed changes in the boundaries of the SEAs, the language in the General Plan and the Goals and Policies will be changed (click here to review the SEA language in the current General Plan and the Draft General Plan). The studies and resource descriptions for each SEA are proposed to be updated at this time as well. Lastly, the SEA Program update includes ongoing changes to SEATAC procedures and a re-write of the SEA Ordinance.

Q.4.What is the SEA Ordinance?

A.4. The SEA Ordinance is the primary mechanism that the County uses to regulate development within the SEAs. The current SEA Ordinance is called the Hillside Management and Significant Ecological Areas Ordinance and it was adopted in 1982. This ordinance is Section 22.56.215, of Title 22, the County Zoning Code. Properties mapped within, or partially within, an adopted SEA are subject to the rules in the SEA Ordinance, in addition to other applicable regulations of the Zoning Code. The current SEA Ordinance exempts single family homes and accessory uses and requires a SEA Conditional Use Permit (CUP) for all other development in SEAs.

Q.5.What is a SEA Conditional Use Permit (SEA CUP)?

A.5. A Conditional Use Permit (CUP) requires a development project to go through CEQA review and a public hearing before it can be approved. CUPs are considered "discretionary" permits, meaning that the reviewing authority at the hearing, either the Regional Planning Commission or the Hearing Officer, may set conditions on the project and decide whether or not a project can meet the requirements of the permit. For a SEA CUP, conditions relate to the intent and purpose of the ordinance to prevent "incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property." Many of the conditions imposed under SEA CUPS require projects to take additional care towards sensitive species and biological resources. In addition SEA CUP applications go through at least one review at the Significant Ecological Areas Technical Advisory Committee (SEATAC), before public hearing. Our research has found that the majority of SEA CUP projects are approved at public hearing. Here is a link to our SEA Case Report.

Q.6.What is the Significant Ecological Areas Technical Advisory Committee (SEATAC)?

A.6. SEATAC is a technical advisory committee to the Department made up of experts with a background in the fields of biology and environmental design as well as proven expertise on biological resources in the County. The members of SEATAC meet regularly to discuss the biological reports and impact analysis required of SEA CUP applications. SEATAC gives the Department and the applicant recommendations on the technical aspects of the environmental studies, as well as recommendations on how to prevent or mitigate against project impacts. Following these recommendations SEATAC makes a determination of the overall project compatibility with the goal of conserving the SEA. SEATAC is not a decision making body. SEATAC recommendations are primarily intended to guide Department staff, the applicant and the hearing authority as the decision is made whether to approve a SEA CUP. The case planner is ultimately responsible for making recommendations as to the conditions for approval or denial, and it is the hearing authority at the public hearing which will make the final determination and sets the conditions of approval.

Q.7.What is the history of the SEA Program?

A.7. The SEAs were first studied in the early 1970s and established through adoption of the County General Plan in 1980. In the 1990s the County began preliminary work on studying how the SEAs had held up over time with the 1991 studies of six SEAs and subsequent recommendations. In 1999 the Department hired a consulting firm to make recommendations for updating the SEAs and conduct public outreach. The Los Angeles County Significant Ecological Area Update Study 2000 resulted in one background report and 12 individual SEA recommendation reports. The information generated from their work and the hundreds of public comments received formed the basis of the ongoing effort to update the SEA boundaries, descriptions and ordinance.

Between 2000 and 2011, the SEA boundaries and descriptions were assessed and revised. The maps and descriptions were publicly circulated alongside each draft of the Los Angeles County General Plan. In

2010, an expert panel of biologists familiar with Los Angeles County reviewed the maps, the public comments, and current biological theories to check the earlier work against new assumptions.

In the fall of 2011, the Department released a final draft map of the SEA boundaries. This map has been used as the map of the proposed SEAs. In November of 2011 the first public draft of the proposed SEA Ordinance was released. Subsequent drafts of the SEA Ordinance were released in June 2012, December 2012 and December 2013.

In 2012, several SEAs in Santa Clarita were expanded or created during the adoption of the Santa Clarita Valley Area Plan. These expanded and new SEAs were consistent with those SEAs proposed for the areas in the SEA Program Update maps.

Q.8.How can I stay informed about this program?

A.8. Please check in with our SEA Program webpage regularly. You may also email or call us and request to be added to our contact list. Email: Emma Howard at ehoward@planning.lacounty.gov or call: 213-974-6476 Monday through Thursday, 8 a.m. to 5:30 p.m.

Written comments for our department may be addressed to:

SEA Program Update, c/o Emma Howard
Los Angeles County Department of Regional Planning
Floor 13
320 W. Temple Street
Los Angeles, CA 90012

Q.9. Does the SEA Program duplicate other laws and regulations maintained by state and federal departments like state and federal agencies such as California Department of Fish and Wildlife, the US Army Corps of Engineers, US Fish and Wildlife Service or the Regional Water Quality Control Boards?

A.9. The SEA Ordinance does not duplicate the regulations of other agencies at the state and federal level. Firstly, the SEA Ordinance has a specific focus on the preservation of Los Angeles County's biodiversity. Some species which are rare at the state and federal level may be common in the County, and some which are rare in the County may not considered of significance for state and federal protection. Thus the focus of each agency's regulations differs and may result in different desired outcomes.

Secondly, land use regulation is a local state power maintained by local governments. The granting of development rights on land within the SEA boundaries is the purview of the County. The permitting process in the local zoning code is the primary regulation that determines the scope, location and type of development permitted in a given area. The primary decision for the design and use of a project in an SEA is made at the local level. Local land use patterns and permitting processes support and enhance the work of state and federal agencies with specific approaches tailored to their individual needs and

environments.

Q.10. What is the difference between SEAs in the unincorporated County and SEAs in incorporated cities?

A.10. The County has no land use jurisdiction within incorporated cities. SEAs in cities are not regulated by the County. Cities have their own General Plans and environmental preservation programs unrelated to the County. The individual profile of each Proposed SEA lists the cities that that SEA is located within.

The designation of proposed SEAs within incorporated cities is done for two reasons. Primarily the designation of these areas, many already preserved lands, better illustrates the extent of ecosystems and linkages across the County. Additionally, the majority of land designated as an SEA outside of the County's jurisdiction was mapped as a part of the original SEA program and exist today as County SEAs.

Q.11.What is the difference between a SEA and a Coastal Resource Area (CRA)?

A.11. The proposed Significant Ecological Areas and Coastal Resource Areas Map designates 9 areas as Coastal Resource Areas (CRAS). The SEA Ordinance will not apply to Coastal Resource Areas. Although Coastal Resources areas have equivalent ecological significance to SEAs, all CRAs are within the California Coastal Zone, and the SEA Ordinance is superseded by the CA Coastal Act . Both Santa Catalina Island and the Coastal Zone of the Santa Monica Mountains have Local Coastal Programs which regulate development in these areas.

PROPERTY OWNERS:

Q.12. How do I know if I'm in a SEA?

A.12. You can look up your property on our GIS Net 3 web mapping application. Click here to be taken straight to GIS Net 3. Click here for a quick tutorial. Call us at 213-974-6476, Monday to Thursday between 8:30 am and 5:00 pm, if you need more assistance.

Q.13.What happens when I apply to build on property in an existing SEA?

A.13. If any part of your property is located within an adopted SEA, and you apply for a permit to develop then the entire parcel is subject to the provisions of the current Hillside Management (HMA) and Significant Ecological Areas (SEA) Ordinance. The HMA and SEA Ordinance requires a SEA Conditional Use Permit (CUP) for most development within the SEAs, with the exception of single family homes and accessory uses to single family homes or existing uses. For more information about how to apply for specific permits please contact us at: (213) 974-6411 or email: zoningldcc@planning.lacounty.gov. Our office hours are between 7:30 am and 5:30 pm; Monday

through Thursdays.

Q.14.For single family homes in the SEAs, how does the current SEA ordinance differ from the proposed SEA Ordinance?

A.14. The current ordinance exempts single family homes from the SEA Ordinance entirely. Most of the single family homes in the County are built through the "site plan" or "ministerial" review process, instead of the "discretionary" process described in question 5 above. Ministerial review means that when a project meets all the standards required of it, it must be approved and the same rules apply for all projects. No public hearing is required for these ministerial projects. Discretionary projects like Conditional Use Permits may have specific conditions set on them that differ from project to project, and always require a public hearing.

The proposed SEA Ordinance will only require a ministerial review process for single family homes, but they will no longer be exempted from the SEA Ordinance. The difference lies in the standards required of those homes. Homes approved within the SEAs will need to meet simple design standards specific to the preservation of biological resources. Examples of these design standards include requirements to place fences that wildlife cannot cross only around the built portions of the property, to place homes some distance away from sensitive resources such as streams or oak trees, and to record easements for natural areas on portions of the lot. Homes which meet these standards will remain ministerial and will not require an SEA CUP, will not go through public hearing and will not be reviewed by SEATAC.

Q.15.What the major changes proposed for the SEA Ordinance?

A.15. Under the proposed ordinance, only those developments actually within an SEA will require the SEA Ordinance. Building on a piece of the property outside of the SEA Boundary will not require SEA permitting.

The SEA Ordinance will also create more tiered approach to permitting in the SEAs that favors flexibility and sensitive design. There are three main features of this tiered approach:

1. Exemptions for safety activities and existing permitted uses (*currently these activities are not exempted*).

2. Site plan reviews for minimal impact uses; new single family homes, new or changed uses within mapped SEA Developed Areas (*This map shows the outlines of buildings, active uses, agricultural operations, disturbed parcels, and fuel modification zones. This map is intended to identify already existing development within the SEAs. For more information on the SEA Development Map click here*) and biological restoration activities. These site plan reviews require specific new development standards.

3. Two types of SEA CUPs: Type A and Type B. Type A SEA CUPs will be required for uses that are less intense and unlikely to threaten the conservation of the SEAs. Type A SEA CUPs will have an initial

project appraisal, review by staff biologist, a decision made by a hearing officer and may require the dedication of some open space. This review is intended to be faster and less expensive than the SEA CUP currently in effect.

Type B SEA CUPs, which are equivalent in cost and length of process to the current SEA CUP, will be required only for high intensity uses, where proposed projects may pose a significant risk of threatening the sustainability of an SEA. This process will require an initial project appraisal, review by SEATAC, public hearing at the Regional Planning Commission and the dedication of open space.

Lastly, projects may change between Type A and Type B SEA CUPs during the review process. If a project Type B SEA CUP application, which proposed significant impacts to the SEA is redesigned it may move down to a the Type A SEA CUP and vice versa for Type A SEA CUP projects which change design to affect more sensitive areas.

Q.16. Does the SEA Program prevent me from building?

A.16. No. The SEA Ordinance is a zoning overlay. It places specific regulations targeted at preserving the sustainability of the SEAs, on top of regulations that already apply, such as regulations specific to that zone, or those of a community specific district. Neither the current SEA Ordinance, or the Proposed SEA Ordinance prohibit any uses that are allowed in the underlying zone. Many uses in SEAs are subject to the SEA Conditional Use Permit, which is not a prohibition on development but does require additional review and decision making. Please see question five above for more information on the SEA CUP. Our research has found that the majority of SEA CUP projects are approved at public hearing. Here is a link to our SEA Case Report.

Q.17. What if I do not want my property to be in an SEA?

A.17. Please contact us to discuss any issues with the SEA boundaries. Email: Carl Nadela at cnadela@planning.lacounty.gov or call: 213-974-6476 Monday through Thursday, 8 a.m. to 5:30 p.m.