



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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April 21, 2014

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: Mark Child
Advance Planning Division
Department of Regional Planning

Attention Susie Tae

FROM: Anthony Nyivih 
Land Development Division
Department of Public Works

SIGNIFICANT ECOLOGICAL AREA (SEA) ORDINANCE DRAFT 5-DATED MARCH 25, 2014

Thank you for the opportunity to review the fifth draft of the SEA ordinance dated March 25, 2014 (attached). Public Works received this document for review on April 2, 2014.

The purpose of the SEA ordinance is to regulate development within the County's SEAs as defined in Section 22.08.190 of the Los Angeles County Code. These regulations are intended to ensure a process whereby proposed developments assess and disclose biological resources on the site, apply environmentally sensitive design practices, development standards, and prevent impacts to biological resources, which would compromise the conservation of the County's biological diversity.

For specific revisions, additions, or deletions of wording directly from the project document, the specific section, subsection, and/or item along with the page number is first referenced then the excerpt from the document is copied within quotations using the following nomenclature:

Deletions are represented by a **strikethrough**.

Additions are represented by *italics* along with an underline.

Revisions are represented by a combination of the above.

In cases where there are several revisions or deletions of wording directly from the project document, the excerpt from the document using the above nomenclature to modify it will not be used. Instead, replacement language will be provided along with a request to delete the original section, subsection, and/or item.

Prior to Regional Planning's approval of the SEA ordinance, the following items need to be addressed, updated, or revised:

Waste Management

1. As we previously commented, Regional Planning staff indicated that any proposed SEA boundary would be revised to be located outside of property boundaries for all existing and proposed (new and expanded) landfills identified in the Los Angeles Countywide Siting Element (CSE) in order to ensure solid waste disposal operations can be conducted in accordance with their entitlements and that adequate disposal capacity continues to be maintained in accordance with the CSE. Section 2.4.1 of the goals and policies of the CSE states that "the cities in Los Angeles County and the County [Unincorporated Areas] will promote land use policies to discourage incompatible land uses between the existing, expansion of existing, and new solid waste management facilities identified in the CSE and adjacent areas." This siting element was approved by a majority of cities in Los Angeles County containing a majority of the incorporated population as well as the County Board of Supervisors and the Integrated Waste Management Board (now CalRecycle).

Although situating proposed SEA boundaries outside of existing landfill properties may have been the intention, it appears that the SEA Development Map 3, dated December 2013, accessible through <http://planning.lacounty.gov/sea/cup>, still includes proposed SEA boundaries that overlap the property boundary of the active Sunshine Canyon landfill within which operational activities such as grading and drainage associated with solid waste disposal take place in accordance with their current Conditional Use Permit (CUP). The approved CSE document identifies the Sunshine Canyon landfill as a "reserved" landfill site. This site, together with the other active landfills in the County, is essential to meet the solid waste disposal needs of the region and protect public health and safety. Therefore, it is essential that the proposed SEA boundaries be revised so that they lie outside of any existing landfills.

Additionally, Finding No. 20 of the current CUP No. 00-194-(5), for Sunshine Canyon Landfill, described that "The Compound Plan Amendment and Area Plan Amendment approved with the original County approvals were amendments to the County General Plan and the Santa Clarita Valley Area Plan (Area Plan) regarding Significant Ecological Areas (SEAs). The subject property on the County side was located entirely within a SEA and the General Plan and Area Plan prohibited landfills in a SEA. Accordingly, the Board of Supervisors amended the County General Development Policy Map, the Land Use Policy Map, the Special Management Areas Map, and the

Santa Clarita Valley Area Map to exclude the subject site from an SEA. The subject site was redesigned Non-Urban Hillside on the General Development Policy Map, Rural (Non-Urban) on the Land Use Policy Map, Hillside Management on the Special Management Areas Map, and Hillside Management on the Santa Clarita Valley Area Map. The Board also redesignated the site as a planned landfill extension on the Solid Waste Management Plan Map. The Board found that removal of the landfill site from the SEA, which comprised approximately 2.5 percent of the SEA area, would not substantially inhibit gene flow or wildlife movement in the area. Moreover, the action was found to promote the public interest by avoiding any impending waste disposal crisis in the County."

We recognize that the SEA ordinance exempts from the SEA CUP process any development authorized by a valid CUP that existed prior to the effective date of the ordinance (Sections 22.52.2910.C.3). We further acknowledge that the ordinance also permits any development requiring a CUP, where a previously granted CUP has expired, provided that the development is deemed a fundamentally similar use to the development authorized by the previous grant (Section 22.52.2915.D). As previously requested, we still believe that the proposed SEA boundaries need to be revised to be located outside of any existing landfill properties.

Public Works welcomes further discussion on this item with Regional Planning staff.

If you have any questions regarding the waste management comments, please contact Chris Sheppard of Public Works' Environmental Programs Division at (626) 458-5163 or csheppard@dpw.lacounty.gov.

Development Services:

1. Section 22.52.2925, Development Standards, Subsection D, Construction, Item 2, page 16: Modify as follows:

"California Department of Fish and ~~Game~~Wildlife code Sections 3503 and 3513"
2. As previously stated as development services comment No. 1 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, and reiterated in the attached Public Works SEA Ordinance-Draft 4 comment memo dated February 18, 2014, although in concept Public Works does not necessarily disagree with the implementation of crossing points for the safe passage of

species for the construction of new streets and highways that bisect habitat linkages and wildlife corridors (per Section 22.52.2945, Uses Subject to Permits –Conditions of Approval or Issuance, Subsection A, SEA CUP, Item 3, Streets and Highways, page 32 of 46), further discussion with Regional Planning staff prior to adoption of this ordinance will be necessary to discuss options to implement the safe passage of the species.

At the conclusion of the February 18, 2014, ordinance coordination meeting, it was our understanding that Regional Planning would be consulting with the staff biologists and other subject matter experts that typically look at wildlife crossing designs to provide applicable recommendations as to what should be included in the program guide. Public Works looks forward to the outcome of Regional Planning's dialogue with these individuals so that we can collaborate on the specifics of the design/maintenance responsibilities of these facilities. As it is, the last sentence of Item 3 states that "... construction of wildlife crossing structures, in accordance with designs provided in the SEA Program Guide." However, there are not currently any designs provided in the SEA program guide.

3. As previously stated as development services comment No. 3 in the attached Public Works SEA Ordinance–Draft 4 comment memo dated February 18, 2014, Section 22.52.2955, County Development Review Procedures, page 34 of 46: The following modification to the existing language should be incorporated as follows:

"Section 22.52.2955, County Development Review Procedures. The following procedures are required for any development, *to be undertaken by the County*, excluding maintenance activities and activities not otherwise exempted by Section 22.52.2910.C of this ordinance. For the purposes of Section 22.52.2955, the definition of "maintenance activities" shall be established in the SEA program guide."

If you have any questions regarding the development service comments, please contact Juan Sarda of Public Works' Land Development Division at (626) 458-4919 or jsarda@dpw.lacounty.gov.

Transportation:

1. Previously, transportation/water resources comment No. 1 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, and reiterated in the attached Public Works SEA Ordinance-Draft 4 comment memo dated February 18, 2014, requested that certain modifications be placed within

Section 22.52.2620 (now Section 22.52.2910.C of Draft 5) of the ordinance to better define operations that would not be required to be processed under this SEA ordinance.

Therefore, the following modification should occur to Section 22.52.2910, Applicability, Subsection C, Item 6, page 8 of 46 (please note it was discussed at our February 18, 2014, meeting that this statement would be expanded upon. The attached minutes for this meeting reflect the discussions held. Below is a reiteration of the proposed language):

- a. "6. Any of the following activities required, requested, or permitted by a governmental agency:
 - a. Removal or thinning of vegetation/trees for fire or public/roadway/bridge safety (including under bridge hydraulic vegetation reduction) or in response to an emergency; and
 - b. Hazard management activities in response to an emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways, bridges, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g., guardrail, rail and timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements.
 - c. Testing and survey activities required for pending applications, to the satisfaction of a staff biologist.
 - d. Operations and maintenance of flood, water supply, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation/trees; and
 - e. Operation and maintenance of a public water system including replacement of facilities."

If you have any questions regarding the transportation comment, please contact Lani Alfonso of Public Works' Road Maintenance Division, Maintenance District No. 3, at (310) 348-6448 or lalfonso@dpw.lacounty.gov. Similar concerns regarding County maintenance activities for water systems were expressed by Greg Even of Public Works' Waterworks Division. He may be reached at (626) 300-3331 or geven@dpw.lacounty.gov.

Water Resources:

1. Section 22.52.2915, Permitted Uses, Subsection G, page 12 of 46: Modify as follows:

"G. Any development undertaken by the County, the Los Angeles County Flood Control District, or other special district, in accordance with Section 22.52.2955."

2. Section 22.52.2955, County Development Review Procedures, page 34 of 46: Modify as follows:

"The following procedures are required for any development to be undertaken by the County, the Los Angeles County Flood Control District, or other special districts, excluding maintenance activities."

3. Section 22.52.2955, County Development Review Procedures, Subsection A, Information Required, page 34 of 46: Modify the first sentence as follows:

"Information Required. The lead County department, the Los Angeles County Flood Control District, or other special district shall provide a development description..."

4. Section 22.52.2955, County Development Review Procedures, Subsection B, Review, Item 2, SEATAC Review, page 34 and 35 of 46: Modify the second sentence as follows:

"For SEATAC review pursuant to subsection B above, the lead County department, the Los Angeles County Flood Control District, or other special district shall prepare a SEA Site Assessment Report..."

If you have any questions regarding the water resources comments, please contact Charles Darensbourg of Public Works' Watershed Management Division at (626) 458-5923 or cdarensbourg@dpw.lacounty.gov. Greg Even of Waterworks Division also expressed similar concerns regarding these items and may be reached at (626) 300-3331 or geven@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Juan Sarda of Land Development Division at (626) 458-4919 or jsarda@dpw.lacounty.gov.

JS:tb

P:\dpub\subpcheck\Plan\Zoning\Ord.-Adv.\ORD Significant Ecological\Ord.\Ord. Submitted 4-2-14\14-04-15, SEA (Draft April 2, 2014) - DPW .doc

Attach.



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February 18, 2014

IN REPLY PLEASE
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TO: Mark Child
Advance Planning Division
Department of Regional Planning

Attention Susie Tae

FROM: Anthony Nyivih 
Land Development Division
Department of Public Works

SB

SIGNIFICANT ECOLOGICAL AREA (SEA) ORDINANCE DRAFT 4 DATED DECEMBER 5, 2013

Thank you for the opportunity to review the fourth draft of the SEA Ordinance dated December 5, 2013 (attached). Public Works received this document for review on January 15, 2014.

The purpose of the SEA ordinance is to regulate development within the County's SEAs as defined in Section 22.08.190 of the Los Angeles County Code. These regulations are intended to ensure a process whereby proposed developments assess and disclose biological resources on the site, apply environmentally sensitive design practices and development standards, and prevent impacts to biological resources, which would compromise the conservation of the County's biological diversity.

For specific revisions, additions, or deletions of wording directly from the project document the specific section, subsection, and/or item along with the page number is first referenced then the excerpt from the document is copied within quotations using the following nomenclature:

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Prior to Regional Planning's approval of the SEA ordinance, the following items need to be addressed, updated, or revised:

General Comment

1. Further discussion and clarification is necessary as to how this ordinance applies to Public Works facilities (such as Water District sites and maintenance yards) as well as to our various maintenance activities.

If you have any questions regarding the general comment, please contact Juan Sarda of Public Works' Land Development Division at (626) 458-4921 or jsarda@dpw.lacounty.gov.

Waste Management

1. As previously stated as Waste Management Comment No. 1 in the attached Public Works SEA ordinance–Draft 3 comment memo dated May 2, 2013, further discussion with Regional Planning's staff is necessary to clarify how Conditional Use Permits (CUP) that are for the continued operation of a facility or that were previously authorized by any of the review processes indicated in Section 22.52.2910, Applicability, Subsection C, Exemptions, Item 3, will be handled in respect to this ordinance.

Specifically, the Calabasas and Sunshine Canyon landfill sites, which are both active landfill sites, were originally entitled under a CUP and, therefore, it is our understanding that these sites would be exempt from the requirements of this ordinance per Section 22.52.2910, Subsection C. It is not clear, however, how these sites and the associated landfill activities (lining, flattening/stabilizing, hillside slopes, construction of temporary access roads, filing a footprint with solid waste, etc.) within the site would be handled once the current CUP expires.

Regional Planning's response, No. 8, on the attached response matrix for Draft 3 of the SEA ordinance indicates that the County would go through a streamlined process for these types of landfill facilities. However, there is still outstanding questions regarding an already existing landfill would have to go through a County development review procedure per Section 22.52.2955 or if it would be completely exempt whether the project were previously authorized by any of the review processes under Section 22.52.2910, Applicability, Subsection C, Exemptions, Item 3.

In addition, response No. 8 on the attached matrix indicates that outreach will be conducted with local governmental departments to discuss this issue. We look forward to discussing this item with Regional Planning staff since these sites are essential to meeting the solid waste disposal needs of the 88 cities in the County of Los Angeles and the unincorporated County communities in order to protect public health and safety. It is essential that this issue be vetted through prior to adoption of the ordinance.

2. It was previously stated as Waste Management Comment No. 2 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, that Public Works recommends that composting facilities be required to obtain a CUP, and/or a SEA-CUP, when located wholly or partially within a SEA or Ecological Transition Area. Regional Planning's response, No. 9, on the attached response matrix for Draft 3 of the SEA Ordinance indicates that composting facilities would require an SEA CUP since this use is not listed as a "permitted use" under 22.52.2915 or an "exempted use" under 22.52.2910, item C, or conducted within a "Developed Area." In addition, response No. 9 indicated that no specific standard conditions for composting facilities in SEAs are being considered under this proposed ordinance. It was further indicated that Regional Planning staff would like to discuss this issue with Public Works' staff.

While no specific standard conditions are being proposed under this ordinance, Public Works welcomes further discussion regarding this issue so that it is clear how these types of facilities will be processed/handled since composting facilities are anticipated to serve a more widespread and greater role within the solid waste management industry as local landfill capacities diminish and State regulations move toward heightened efforts for materials reuse and recycling. CUP conditions for composting facilities could provide mechanisms by which to further protect public health and safety as well as the environment.

If you have any questions regarding waste management comment Nos. 1 and 2, please contact Emiko Thompson of Public Works' Environmental Programs Division at (626) 458-3521 or ethomp@dpw.lacounty.gov.

3. Regional Planning staff previously indicated that any proposed SEA boundary would be revised to be located outside of property boundaries for all existing and proposed (new and expanded) landfills identified in the Los Angeles Countywide Siting Element (CSE) in order to ensure solid waste disposal operations can be conducted in accordance with their entitlements and that adequate disposal capacity continues to be maintained in accordance with the CSE. Section 2.4.1 of the goals and policies of the CSE states that "the cities in Los Angeles County and the County [Unincorporated Areas] will promote land use policies to discourage

incompatible land uses between the existing, expansion of existing, and new solid waste management facilities identified in the CSE and adjacent areas." This siting element was approved by a majority of cities in Los Angeles County containing a majority of the incorporated population as well as the County Board of Supervisors and the Integrated Waste Management Board (now CalRecycle).

Although situating proposed SEA boundaries outside of existing landfill properties may have been the intention, it appears that the SEA Development Map 3, dated December 2013, accessible through <http://planning.lacounty.gov/sea/cup>, includes proposed SEA boundaries that overlap the property boundary of the active Sunshine Canyon landfill within which operational activities such as grading and drainage associated with solid waste disposal take place in accordance with their current Conditional Use Permit (CUP). The approved CSE document identifies the Sunshine Canyon landfill as a "reserved" landfill site. This site, together with the other active landfills in the County, is essential to meet the solid waste disposal needs of the region and protect public health and safety. Therefore, it is essential that the proposed SEA boundaries be revised so that they lie outside of any existing landfills.

We recognize that Draft 4 of the SEA ordinance exempts from the SEA CUP process any development authorized by a valid CUP that existed prior to the effective date of the ordinance (Sections 22.52.2910.C.3). We further acknowledge that Draft 4 also permits any development requiring a CUP, where a previously granted CUP has expired, provided that the development is deemed a fundamentally similar use to the development authorized by the previous grant (Section 22.52.2915.A.4). However, we still believe that the proposed SEA boundaries need to be revised to be located outside of any existing landfill properties.

Public Works welcomes further discussion on this item with Regional Planning staff.

If you have any questions regarding waste management comment No. 3, please contact Tobie Mitchell of Public Works' Environmental Programs Division at (626) 458-4946 or tmitchell@dpw.lacounty.gov.

Development Services:

1. As previously stated as Development Services Comment No. 1 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, although in concept Public Works does not necessarily disagree with the implementation of crossing points for the safe passage of species for the

construction of new streets and highways that bisect habitat linkages and wildlife corridors (per Section 22.52.2940, Conditional Uses–Conditions of Approval, Subsection C, Other Conditions, Item 1a, Streets and Highways, page 32 of 46), further discussion with Regional Planning staff prior to adoption of this ordinance will be necessary to discuss options to implement the safe passage of the species.

In addition, further discussion is necessary to discuss the conditioning/enforcement process behind these types of facilities when a street or highway already exists as there is potential for a Regional Planning condition to greatly impact facilities within the public right of way.

Lastly, further discussion is necessary to discuss which entity will be responsible for the ongoing maintenance activities of these proposed wildlife crossings. Regional Planning's response, No. 108 (regarding Development Services comment No. 1), on the attached response matrix for Draft 3 of the SEA Ordinance indicates that this "item will be added to the agenda of items to discuss with Public Works in our outreach to our sister agencies." Public Works welcomes this discussion.

2. Further clarification is necessary as to the timing behind the adoption of the HMA ordinance and the SEA ordinance. Revised wording within Section 22.52.2910, Applicability, Subsection C, Exemptions, Items 2 and 3, of the December 5, 2013 Draft SEA ordinance (page 8 of 46 of Draft 4) currently references Section 22.56.215 of the Los Angeles County Code as it exists today, which addresses both Hillside Management and Significant Ecological Areas. Therefore, if the HMA ordinance, which is repealing Section 22.56.215 in its entirety and replacing it with a new Section 22.56.215 that addresses just HMA's, is adopted first, the reference within the proposed SEA ordinance will not serve its intended purpose.
3. Section 22.52.2955, County Development Review Procedures, Subsection B, Review Determination, page 37 of 46: The following modification to the existing language should be incorporated as follows:

"22.52.2955 County Development Review Procedures. The following procedures are required for any development, to be undertaken by the County, excluding maintenance activities and activities not otherwise exempted by Section 22.52.2910.C of this ordinance. ~~to be undertaken by~~ the County:

A. Notification. The lead County department shall provide a document describing the details of the development as well as any relevant environmental documents to Regional Planning.

B. Review Determination. The development shall be reviewed at an initial project appraisal in accordance with Section 22.52.2920 or 22.52.2935.A. Following the initial project appraisal, Regional Planning shall apply the criteria provided in Section 22.52.2935.D.1 to determine whether the development would meet the criteria for a Type B SEA CUP. If the development meets such criteria, the development shall be reviewed by SEATAC.

C. SEATAC Review. If the development requires SEATAC review pursuant to subsection B above, the lead County department shall prepare an SEA Site Assessment Report and an SEA Impacts Report and shall present the development to SEATAC. Following SEATAC review of the proposed development, Regional Planning shall prepare a report of recommendations and shall provide such report to the lead County department. The report shall disclose whether SEATAC finds the development to be compatible with the purpose of this Part 28 and shall include any recommendations that would improve the quality of the development's studies and design. 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."

Regional Planning's response, No. 217, on the attached response matrix for Draft 3 of the SEA ordinance (regarding Development Services comment No. 2 on the attached Public Works Comment memo dated May 2, 2013) indicates in part that "this language suggestion (that was provided previously) was not used in Draft 4, as County projects are exempted differently." We respectfully disagree and suggest that further clarification in the document is necessary to identify which activities will be required to be processed under this ordinance and which will not. Public Works welcomes a discussion regarding this item.

4. Development Services Comment No. 3 of the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, indicates that we understand that information as to the procedures that will be followed if a County project does not meet the criteria of Section 22.52.2670.C (Section 22.52.2935D.1 in this current Draft 4) are not explicitly described in Section 22.52.2680 (Section 22.52.2955 in this current Draft 4). Further clarification is necessary.

Regional Planning's response, No. 218, on the attached response matrix for Draft 3 of the SEA Ordinance indicates that "if a project does not meet the criteria for Type B; it will be a Type A." The response goes on to state that "for County projects this means there will be no review by the DRP. We will have a more in depth discussion of this process for County agencies with all affected agencies."

Public Works is glad to hear that if the project is deemed a Type A project that no further review by Regional Planning will be necessary; however, this is not explicitly stated in the ordinance. A suggested modification to the last two sentences of Section 22.52.2955, Item B, is shown below:

"Following the initial project appraisal, Regional Planning shall apply the criteria provided in Section 22.52.2935.D.1 to determine whether the development would meet the criteria for a Type B SEA CUP. If the development meets such criteria, the development shall be reviewed by SEATAC. If the development does not meet this criteria, it shall be deemed a Type A SEA CUP and no further review by Regional Planning is necessary."

Public Works welcomes a more in depth discussion of this process with Regional Planning Staff.

If you have any questions regarding the development services comments, please contact Juan Sarda of Land Development Division at (626) 458-4921 or jsarda@dpw.lacounty.gov.

Transportation:

1. Previously, Transportation/Water Resources Comment No. 1 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, requested that certain modifications be placed within Section of 22.52.2620 (now Section 22.52.2910.C of Draft 4) of the Ordinance to better define operations that would not be required to be processed under this SEA ordinance. The changes were not made to the applicable section and Regional Planning's response, No. 86, on the attached response matrix for Draft 3 of the SEA Ordinance indicates that "County-maintained areas and structures are not subject to the main provisions of the SEA ordinance." Although we are pleased to know that Regional Planning staff is indicating the above, the ordinance needs to specifically contain language that states this.

Therefore, the following modification should occur to Section 22.52.2910, Applicability, Subsection C, Item 7, page 9 of 46 (Please note this statement has been expanded upon from our comments on Draft 3 of the ordinance):

- a. "7. Any of the following activities required, requested, or permitted by a governmental agency:
1. Removal or thinning of vegetation/trees for fire/roadway/bridge safety (including under bridge hydraulic vegetation reduction) or in response to an emergency; and
 2. Operations and maintenance of flood, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation/trees; and
 3. Hazard management activities in response to emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways, bridges, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g., guardrail, rail and timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements."

In addition, further discussion is necessary regarding if the definition of "Development" on page 4 of 46 of this ordinance would need to be revised to better reflect and take into account Public Works' ongoing maintenance operations.

If you have any questions regarding Transportation comment No. 1, please contact Lani Alfonso of Public Works' Road Maintenance Division, Maintenance District No. 3., at (310) 348-6448 or lalfonso@dpw.lacounty.gov. Similar concerns regarding County maintenance activities for flood control facilities were also previously expressed by Hector Bordas, formerly of Public Works' Flood Maintenance Division; Ron Castaneda of Road Maintenance Division, Maintenance District No. 5.; and David Sharkey of Road Maintenance Division, Maintenance District No. 4.

2. As previously stated as Transportation Comment No. 2 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, further discussion is necessary with Regional Planning staff to better understand why the SEA areas extend into United States Forest Service (USFS) areas when the USFS already requires an environmental review for all projects within the forest boundaries. It is recommended that the SEA's be limited to non-Forest Service areas so as not to expend County resources where Federal resources are already necessary.

Regional Planning's response, No. 236, on the attached response matrix for Draft 3 of the SEA ordinance indicates that Regional Planning "will provide [Public Works] with more information about the rationale behind the inclusion of Forest lands." We have not been informed as to the reasoning behind this to date. It is essential that this issue be vetted through prior to adoption of the ordinance; therefore, Public Works welcomes a discussion regarding this item.

Transportation comment No. 2 was previously provided by Ryan Butler of Road Maintenance Division, Maintenance District No. 5. If you have any questions regarding this comment, please contact Ron Castaneda of Road Maintenance Division, Maintenance District No. 5, at (661) 947-7173 or rcastaneda@dpw.lacounty.gov.

3. Transportation Comment No. 1 in the attached Public Works SEA Ordinance–Draft 3 comment memo dated May 2, 2013, indicated that further discussion is necessary with Regional Planning staff to better understand how Public Works' stockpile sites will be processed under this SEA ordinance.

Regional Planning's response, No. 55, on the attached response matrix for Draft 3 of the SEA ordinance states that "County-maintained areas and structures are not subject to the main provisions of the SEA ordinance and that the SEA Development Map will not affect County operations or facilities." The response goes on to state that we are to refer to "22.52.2955, County Development Review Procedures."

Further clarification is necessary as to how a dynamic site such as a stockpile site would be processed under this ordinance. In addition, if such sites truly are not affected, it is unclear why the mapped SEA's overlap these sites. Regional Planning's response goes on to state that follow up with Public Works will occur to discuss this process in greater detail. Public Works welcomes this discussion.

Lastly, it is recommended that the SEA development maps allow for the detailed analysis of which road, bridge, flood protection facilities, and guardrail facilities may be impacted by the proposed ordinance.

If you have any questions regarding transportation comment No. 3, please contact Ron Castaneda of Road Maintenance Division, Maintenance District No. 5, at (661) 947-7173 or rcastaneda@dpw.lacounty.gov. David Sharkey of Road Maintenance Division, Maintenance District 4, also had similar concerns. He may be reached at (562) 622-5813 or dsharkey@dpw.lacounty.gov.

Susan Tae
February 18, 2013
Page 10

If you have any other questions or require additional information, please contact Juan Sarda of Land Development Division at (626) 458-4921 or jsarda@dpw.lacounty.gov.

JS:tb

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GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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May 2, 2013

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: John Gutwein
Land Use Regulation Division
Department of Regional Planning

Attention Emma Howard

FROM: Anthony Myivih
for Land Development Division
Department of Public Works

THIRD DRAFT SIGNIFICANT ECOLOGICAL AREA (SEA) ORDINANCE

Thank you for the opportunity to review the Third Draft Significant Ecological Area (SEA) Ordinance dated December 31, 2012. The draft SEA Ordinance is conceptually similar to the organization and concept introduced in the June 2012 SEA Ordinance Summary Draft; however, the Third Draft SEA Ordinance has substantial additions in many sections.

The purpose the SEA Ordinance is to regulate development within the County's SEAs as defined in Section 22.08.190. These regulations are intended to ensure a process whereby proposed developments assess and disclose biological resources on the site, apply environmentally sensitive design practices and development standards, and prevent impacts to biological resources, which would compromise the conservation of the County's biological diversity.

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Additions are represented by *italics* along with an underline.

Revisions are represented by a combination of the above.

In cases where there are several revisions or deletions of wording directly from the project document, the excerpt from the document using the above nomenclature to modify it will not be used. Instead, replacement language will be provided along with a request to delete the original section, subsection, and/or item.

Prior to Regional Planning's approval of the SEA Ordinance, the following items need to be addressed, updated, or revised:

General Comments

1. Section 22.52.2620, Applicability, page 5 of 29: Modify the first paragraph as follows:

"The provisions of this Part 25 shall apply to any ground disturbance, wholly or partially, located within a SEA and to any use or project, including construction activities, storage, fuel modification zones, and related ~~off-site~~ on-site and off-site improvements such as grading, roads, sewer lines, water lines, and drainage facilities, wholly or partially, is located within a SEA, except for:..."

2. Section 22.52.2620, Applicability, Subsection E, page 7 of 29: Modify the proposed subsection as follows:

"Any ground disturbance, use, or project designed such that the entire footprint of the ground disturbance, use, or project, including construction activities, storage, fuel modification zones, and related ~~off-site~~ on-site and off-site improvements such as grading, roads, sewer lines, water lines, and drainage facilities, is located outside of the SEA."

3. As of January 2013, the State Agency changed its name from the California Department of Fish and Game to the California Department of Fish and Wildlife and, therefore, the Third Draft SEA Ordinance shall be updated accordingly. The following sections have been identified as needing an update as noted above:

- a. Section 22.52.2640, Development Standards, Subsection D, Construction, Item 2, page 9 of 29;
- b. Section 22.52.2650, Permitted Uses, Subsection B, Site Plan Review, Item 2, page 14 of 29;
- c. Section 22.52.2670, SEA Conditional Use Permit Review, Subsection 22.52.2670.C, SEA CUP Criteria, Item 1c, Significant Ecological Area Sites, page 18 of 29.

4. Section 22.52.2640, Development Standards, Subsection K, Water Resources, Item 3c, Riparian Resources, page 12 of 29: Modify the last sentence of the item as follows:

"If the watercourse is greater than 100 feet wide in a wet year, the setback shall be 300 feet as measured from the outer edge of riparian habitat on each side of the watercourse."

5. Section 22.52.2670, SEA Conditional Use Permit Review, Subsection G, Staff Report, Item 4, page 25 of 29: It appears that this item should be modified as follows:

"Any recommended changes to the proposed ground disturbance, use, or project that are necessary to substantiate the findings required by Subsection ~~G~~ H below;"

If you have any questions regarding the general comments, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Waste Management

1. Further discussion with Department of Regional Planning staff will be necessary to clarify how Conditional Use Permits (CUP) that is for the continued operation of a facility will be handled in respect to this Ordinance. Specifically, the Calabasas and Sunshine Canyon landfill sites, which are both active landfill sites, were originally entitled under a CUP and, therefore, it is our understanding that these sites would be exempt from the requirements of this Ordinance per Section 22.52.2620, Subsection D. It is not clear, how these sites and the associated landfill activities (lining, flattening/stabilizing, hillside slopes, construction of temporary access roads, filling a footprint with solid waste, etc.) within the site would be handled once the current CUP expires. These sites are essential to meeting the solid waste disposal needs of the 88 cities in the County of Los Angeles and the unincorporated County communities in order to protect public health and safety. Therefore, it is essential that this issue be vetted through prior to adoption of the ordinance.
2. It is recommended that composting facilities be required to obtain a CUP, and/or a SEA-CUP, when located wholly or partially within a SEA or Ecological Transition Area. It is understood that composting facilities are currently considered "agricultural use," which is permitted by the Specific Plan and, accordingly, do not require a CUP. Composting facilities, however, are

anticipated to serve a more widespread and greater role within the solid waste management industry as local landfill capacities diminish and State regulations move toward heightened efforts for materials reuse and recycling. CUP conditions for composting facilities could provide mechanisms by which to further protect public health and safety as well as the environment.

These Waste Management comments were provided by Emiko Thompson of Public Works' Environmental Programs Division; however, if you have any questions regarding them, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Development Services:

1. Section 22.52.2640, Development Standards, Subsection F, Streets and Highways, page 9 of 29: Public Works agrees with the proposed implementation of crossing points for the safe passage of species for the construction of new streets and highways, which bisects habitat linkages and wildlife corridors. However, the implementation of wilderness crossing points for the safe passage of species must be further discussed with Regional Planning staff to discuss the options to implement the safe passage.
2. Section 22.52.2680, County Project Review, page 27 of 29: Modify the first sentence as follows:

"22.52.2680 County Project Review. The following review procedures are required for any ground disturbance, use, or project to be undertaken by the County not otherwise exempted by Section 22.52.2620 of this ordinance."
3. Section 22.52.2680, County Project Review, Subsection B, Review Determination, page 27 of 29: The last sentence of this subsection states "If the project meets such criteria, the project shall be reviewed by SEATAC," however, information as to the procedures that will be followed if the project does not meet the criteria of Section 22.52.2670.C are not included and should be.

It is our understanding that once an Initial Project Appraisal in accordance with Section 22.52.2670.A.1 is conducted for a County project, and it is determined, using the criteria of Section 22.52.2670.C, that the project does not require a Type B SEA CUP and, therefore, does not need a review by SEATAC that Regional Planning would issue a clearance letter to the project's lead County department. Said clearance letter would then be included within the project documents presented to the project's decision making body.

If you have any questions regarding the development services comments, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Transportation/Water Resources:

1. Section 22.52.2620, Applicability, Subsection H, page 7 of 29: Modify the proposed subsection as follows:
 - a. "H. Any of the following activities required, requested, or permitted by a governmental agency:
 1. Removal or thinning of vegetation for fire safety; and
 2. Operations and maintenance of flood, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation; and
 3. Hazard management activities in response to public safety concerns including maintenance, preservation, or restoration of existing roadways or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures located near or within dedicated public right of way or associated easements."

These transportation/water resources comments were provided by Lani Alfonso of Road Maintenance Division, Maintenance District No. 3, and Hector Bordas of Flood Maintenance Division; however, if you have any questions regarding them, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Transportation:

1. Section 22.52.2610, Definitions, Subsection H, SEA Developed or Disturbed Areas Map, page 5 of 29: Further discussion with Regional Planning staff is necessary to better comprehend the purpose of the "SEA Developed or Disturbed Areas Map" and understand the exemptions, if any, that apply to areas shown on this map. Public Works currently utilizes many material stockpile sites located on land either owned or leased by the County for road maintenance purposes, some of which are either fully or partially within an "SEA Developed or Disturbed Area" as mapped at <http://planning.lacounty.gov/gisnet3>. Since stockpile sites are active sites that may or may not have obtained a CUP when

they were first created, it is unclear if they are exempt from the requirements of this Ordinance the way they are currently written. It is, however, recommended that County stockpile sites be excluded from the requirements of the Ordinance in some manner along with any Road Maintenance District yards.

Similarly, it is unclear from looking at the mapped SEA Developed or Disturbed areas on <http://planning.lacounty.gov/gisnet3> why the entire road right of ways are not being fully mapped and only the roadway itself is deemed a SEA developed and disturbed area. Maintenance activities could occur within the road right of way not just within the paved roadway itself and, therefore, these areas should also be mapped. An example of where this is occurring is on Sierra Highway near the Santa Clara River. Further clarification/discussion is necessary.

2. Further discussion is necessary with Regional Planning staff to better understand why the SEA areas extend into United States Forest Service (USFS) areas when the USFS already requires an environmental review for all projects within the forest boundaries. It is recommended that the SEA areas be limited to non-Forest Service areas so as not to expend County resources where Federal resources are already necessary.

These transportation comments were provided by Ryan Butler of Road Maintenance Division, Maintenance District No. 5; however, if you have any questions regarding them, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

MD:tb

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.

...

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 6 of Chapter 22.44 (the Malibu Coastal Program District). 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:

...

-- “Significant eEcological aArea tTechnical aAdvisory eCommittee (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.

...

-- “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.~~

...

-- "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 22.44.520 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 5. 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 a SEA that are necessary for maintaining habitat connectivity within a 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 a 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 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 fuel modification and landscaping;
6. Land division; or
7. Lot line adjustment.

F. “Habitat Preservation Area” means a Natural Open Space area that will be provided to offset SEA Habitat Type development.

G. “Impermeable Fencing” means a fence, wall, or gate that prevents the bypass of animals.

H. “Natural Open Space” means any open space that will remain in an undisturbed natural state.

I. “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 acre.

J. “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 Section 22.52.2940.A.3.

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

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

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

N. “Type A SEA Conditional Use Permit” means a conditional use permit for those uses expected to have fewer potential impacts to a SEA.

O. “Type B SEA Conditional Use Permit” means a conditional use permit for those uses expected to have greater potential impacts to a SEA.

P. “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.

Q. “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 a 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 restrictive 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 for fire or public safety, or in response to an emergency; 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.

22.52.2915 Permitted Uses. Property 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 Section 22.52.2920, except as modified herein:

A. Individual single-family residences, accessory structures, and additions to individual single-family residences and 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 Sections 22.52.2925.A, 22.52.2925.B, and 22.52.2925.C.

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 Sections 22.52.2925.A, 22.52.2925.B, and 22.52.2925.C; 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 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) on a site where a

previously granted Variance, Conditional Use Permit, Cemetery Permit, Mobilehome Permit, Director's Review or Housing Permit has 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. Such development shall be subject to all applicable development standards provided in Section 22.52.2925.

E. 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.

F. Any of the following activities to improve the quality of biological or water resources in a SEA 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, excepting 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, 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 a site plan review as specified in subsection A of Section 22.60.100.

B. Staff Biologist Site Review.

1. A Staff Biologist shall conduct a site review which may include a site visit, as determined by the Director, to assess the location of biological resources and physical conditions at the development site prior to approval of the Site Plan Review application. 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. Tree species listed in the SEA Program Guide; and
- c. Water Resources, including the width, depth and location of all natural and artificial watercourses; drains; or conduits for stormwater drainage located on or on an adjoining 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 a 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, except where otherwise noted:

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

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

C. Fencing. All fencing within a 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 in areas to be developed in order to protect structures and residences from wildlife incursions and to prevent livestock and companion animals from accessing undisturbed natural areas.

2. Wildlife Permeable Fencing. Wildlife permeable fencing is permitted 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 the following State and Federal regulations, as applicable:

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 for Fire Safety. The following standards shall apply when areas of brush clearance 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. Habitat Preservation Areas shall also be depicted on the SEA Development Map.

I. 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.

J. 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. The Director may consult with the County Department of Public Works prior to making this determination; 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 a 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 each permit, subject to the provisions of this Part 28 and Part 1 of Chapter 22.56:

1. 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, excepting subsection G, but does not comply with all applicable development standards.

3. Any development that is otherwise permitted by Section 22.52.2915, excepting subsection G, but; 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 special status officially listed by the State or Federal Governments as Endangered, Threatened or Rare.

B. The following uses, provided the specified 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, for:

1. Temporary uses subject to the provisions of Part 14 of Chapter 22.56; in accordance with Section 22.52.2940.B.

2. Surface mining operations, provided that reclamation plans, as required by Section 22.56.1290 are also reviewed in accordance with Section 22.52.2940.C.

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

A. Initial Project Appraisal. 1. Required When. An initial project appraisal shall be required before a 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 prospective development, and ensure that the prospective applicant is clearly advised of the requirements of this Part 28.

3. Information Required. For an initial project appraisal, the prospective applicant shall prepare and submit to the Director the following information:

a. All information required by Sections 22.56.030.A.1, 22.56.030.A.3, 22.56.030.A.5, and 22.56.030.A.6, 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 may 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.

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. A SEA Site Assessment Report detailing the habitat, species of special interest, or water resources located on the development site, as described in the SEA Program Guide;
 - f. A SEA Site Impacts Report detailing the anticipated impacts to the habitat, species of special interest, or water resources located on the development site, as described in the SEA Program Guide; and
 - g. The filing fee required by Section 22.60.100 for a 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 may conduct a site review including a site visit, as determined by the Director, to assess the location of biological resources and physical conditions at development site prior to a SEA CUP Determination. 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 Habitats, including acreage;
2. Tree species listed in the SEA Program Guide; and
3. Water Resources, including the width, depth and location of all natural and artificial watercourses; drains; or conduits for stormwater drainage located on or on an adjoining 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;

i. For purposes of this subsection D.1.a:

(1) “Natural Habitat” means any natural area that is not proposed to be developed, including proposed Habitat Preservation Areas and Natural Open Space areas.

(2) “Isolated” means any configuration where the Natural Habitat on the development site is not contiguous to at least 30% 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 identified as candidate, sensitive, or special status species by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service;

c. The conversion of land as described under Section 22.52.2915.C 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 22.52.2925.F or G; or

e. The development is located within the Water Resources setbacks provided in Section 22.52.2925.J 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 required by Section 22.60.100 for a Type A SEA CUP 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 required by Section 22.60.100 for a Type B SEA CUP. The notice shall also include that an appeal may be filed pursuant to subsection D.3 below.

3. Appeal. Within 14 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 Section 22.60.120.B.

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 a 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 a 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, species, 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 Section 22.52.2945.A.2.i.

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 Section 22.52.2935.C.

C. For surface mining operations:

1. All reclamation plans required by Part 9 of Chapter 22.56 shall be subject to 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 22.56.1410.

2. A staff report shall be prepared for the Hearing Officer or Commission for the reclamation plan and shall include a summary of SEATAC recommendations pertaining to the reclamation plan, noting if and where the SEATAC recommendations differ from Department recommendations.

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. All applicable development standards of Section 22.52.2925 shall be made conditions of approval for any SEA CUP.

2. Open Space.

a. Natural Open Space Provision.

i. Type A SEA CUP. Natural Open Space may be required 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.

ii. Type B SEA CUP. Natural Open Space shall be required based on the area of proposed development divided by the total area of the SEA within unincorporated County, as listed in the following chart:

Percent Area of Entire County SEA Proposed By Development Proposal	Acreage Ratio (Acres of Natural Open Space to be provided : Acres of SEA to be developed)
0 to less than 5%	none required
5% to less than 10%	0.5:1
10% to less than 15%	1:1
15% to less than 20%	2:1
20% and greater	4:1

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, species, 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, species, 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, species, 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. Required Natural Open Space areas shall be contiguous to the greatest extent feasible.

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 land use designation with 20 or more 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 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 higher to lower:

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 designs 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 Section 22.52.2930.B:

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 Section 22.52.2935.C.

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

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

1. The development site has been adequately surveyed; and any potential impacts to SEA Habitat Types, species of special interest, 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, Water Resources, and/or species of special interest; and

3. 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 habitat that is the only known location of a SEA species; 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 Section 22.52.2935.A.

2. SEATAC Review. The Director may determine that SEATAC review is required based on the initial project appraisal and the criteria provided in

Section 22.52.2935.D.1. For SEATAC review pursuant to subsection B above, the lead County department shall prepare a SEA Site Assessment Report and a SEA Impacts Report in accordance with Section 22.52.2935.B.1.e and 22.52.2935.B.1.f.

C. Recommendation.

1. For projects without SEATAC review, the Director of Regional Planning 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 of Regional Planning 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 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 22.52.2955.A, B or C, and shall be submitted to the Director of Regional Planning 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 a SEA

CUP pursuant to Section 22.52.2930. The applicant may request an initial project appraisal in accordance with Section 22.52.2935.A and/or SEATAC review in accordance with subsection 22.52.2940.A.2.

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

Significant Ecological Areas Ordinance Update – Draft 5 – Released March 25, 2014

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
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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-	Woodland	High

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Canyon Oak Forest		
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 Communities	Herbland	High
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 6. 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 7. 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 any surface mining operation located in a Significant Ecological Area, the reclamation plan was reviewed by SEATAC in accordance with Section 22.52.2940.C.

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 8. 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 9. 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,~~ 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 Sections 22.52.2935.D.3 and 22.52.2935.D.4.

...

SECTION 10. 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 — Type A, for
~~construction projects up to 3,500 square feet of total new building area and where no~~
~~land division is proposed~~ — ~~\$9,226.00~~ 8,619.00.

...

— Site Plan Review, Ministerial, Special Districts including CSD's,
ESHA, SEA, SERA, etc., except Transit Oriented Districts — \$956.00.

...

SECTION 11. 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:

A1. Three-fourths of the fee shall be refunded if the case is withdrawn prior to the preparation and mailing of the notice of completeness.

B2. 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.

C3. 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.

Dubiel, Matthew

From: Dubiel, Matthew
Sent: Friday, February 21, 2014 4:52 PM
To: 'Connie Chung'; 'Susan Tae'; 'Alyson Stewart'; 'Bruce Durbin'; Morgan, Jason; Hernandez, Bella; Sharkey, David; Rothman, Dayna; Bordas, Hector; Lafferty, Dan; Lee, Rudy; Cline, Craig; 'Thuy Hua'; 'Brianna Menke'; 'Emma Howard'; Rehman, Waqas; 'Jones, Jill M.'; Even, Greg; Cruz, Jemellee; Wood, Pat; Nyivih, Anthony; Sarda, Juan; Burger, Steve; Moynihan, Niall; Alfonso, Lani; Castaneda, Ronald; Sheridan, Steve; Vander Vis, Art; Darensbourg, Charles
Cc: Smith, Brian; Pachano, Fabrizio
Subject: 2/18/14 DPW & DRP General Plan/Ordinance Meeting Minutes and Action Items

Thank you for attending Tuesday's (2/18/14) meeting that was held between Public Works and Regional Planning. As you know the meeting was to discuss DPW's concerns on the General Plan as well as other ordinances that are currently being processed. The documents listed below were discussed using DPW's comment memos as a guide. The following is a summary of discussion items and follow-up actions (as Steve Burger, Juan Sarda, and I recall it) agreed upon by both Departments. Should there be something written below that has been misinterpreted or is missing please let everyone know by 2/26/14 so the information below can be deemed final.

Not everyone signed the sign-in sheet however I believe I have included everyone in attendance (those listed in the "To" section of this email were in attendance). If you notice that I missed someone please let me know.

I apologize for the length of the email, but given that our meeting was over 5.5 hours long there are a lot of meeting minutes.

Thank you.

General Plan (DPW Comment memo Dated January 2, 2014)

Link to latest Draft released to the Public by DRP:

<http://planning.lacounty.gov/generalplan/draft2014> .

Link to DPW Comment Letter dated 01/02/14: <P:\ldpub\General\DRP - DPW Coordination>

<Meeting\General Plan Comments\2014-01-02 LA County Draft General Plan Oct 2013 version-DPW Comments.pdf>:

General Comment #1:

- DRP indicated that the proposed land use designations outlined in the General Plan should not impact Operations at PW facilities. The land-use designations are simply further defining the uses that are currently found in the 1980 General Plan.
- Discussions took place regarding simply changing the "OS-W" designation in table 6.2 of the latest General Plan (page 79 <http://planning.lacounty.gov/generalplan/draft2014>) to "W". Steve Burger (DPW-LDD) indicated that the designation of "OS" for something that is not intended to be "Open Space" (as we all think of it) could be misconstrued by developers, the planning commission, and the Board offices which is why the designation of "W" may be better. Patricia Wood (DPW-WRD) indicated that the designation should not preclude our maintenance activities.

- Dayna Rothman indicated her concerns regarding surplus properties being sold and what impact these designations would have. **Dayna** we don't recall if any follow-up is necessary regarding this item. Please let everyone know.

Action Items:

DPW: Patricia Wood (WRD) to look further at the actual designations to see if any changes need to be made beyond the change of designation from OS-W to W for all drainage channels, floodways, etc. and provide any applicable comments to Matthew Dubiel (LDD) by **2/26/14**.

DPW: All Divisions that have properties (maintenance yards, field offices, etc) provide a listing of APN's to Matthew Dubiel (LDD) by **2/26/14** so that they can be transmitted to DRP to double check and ensure that no adverse impacts will occur as the result of proposed Land Use Designations or Zoning Changes.

DPW: Dayna Rothman (S/MPM) to report back if any further concerns still exist from your end.

DRP: Adjust all OS-W designations to "W" and incorporate any additional suggestions from DPW regarding this item.

DRP: Double check all APN's provided to ensure that no adverse impacts will occur to DPW owned facilities as a result of proposed Land Use Designations or Zoning Changes.

Development Services Comment #1:

- Steve Burger indicated that Policy S2.4 as originally written in the October 2013 version (i.e. Policy S2.4 Consider climate change adaptation strategies in flood and inundation hazard planning) should remain even though DPW's comment memo contained a comment from Toan Duong of LDD indicating otherwise.

Action Item:

DRP: Make adjustment accordingly.

Development Services Comment #2:

- Steve Burger indicated that Policy S2.6 as originally written in the October 2013 version (i.e. Policy S2.6 Ensure that the mitigation of flood related property damage and loss limits impacts to biological and other resources) should remain even though DPW's comment memo contained a comment from Toan Duong of LDD indicating otherwise.

Action Item:

DRP: Make adjustment accordingly.

Development Services Comment #3:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #4:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #5:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #6:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #7:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #8:

- DRP indicated comment was addressed as noted, however Patricia Wood of DPW-WRD requested that the reference to “flood control” be renamed as “flood protection” not only in this particular paragraph but throughout the entire document.

Action Item:

DRP: Make adjustment accordingly.

Development Services Comment #9:

- DRP indicated comment was addressed as noted. DPW Commenter (Matthew Dubiel - LDD) satisfied.

Development Services Comment #10:

- DRP (Connie Chung) indicated that the way they addressed this comment was to add in “...including the cost implications to County capital projects”. DPW Commenter (Steve Burger - LDD) recommended that DRP follow-up with the CEO (Jan Takata).

Action Item:

DRP to follow up with Jan Takata (CEO)

Development Services Comment #11:

- DRP (Connie Chung) indicated that they have addressed this comment by identifying DPH as the lead agency instead of DPW. Matthew Dubiel of DPW-LDD indicated that the intention of Steve Burger’s comment was to only identify the first bullet (“Continually review and update the County’s water conservation ordinance with appropriate enforcement procedures, such as instituting a water conservation hotline and other measures”) as DPH’s responsibility. Dan Lafferty of DPW-WWD indicated that the second bullet (“Study the feasibility of instituting a conservation water rate structure for the Los Angeles County Waterworks Districts that supply water to the unincorporated areas”) has already been completed and therefore should be deleted from the Program Description for PS/F-2.

Action Item:

DRP: Delete the second bullet of PS/F-2 (“Study the feasibility of instituting a conservation water rate structure for the Los Angeles County Waterworks Districts that supply water to the unincorporated areas”). Once this is done the lead agency of “DPH” should remain (with no mention of DPW) as the first bullet is DPH’s responsibility.

Water Resources Comment #1:

- DRP indicated comment was addressed as noted with the exception of the word “the” (“...of the runoff”) which will be added in upon the next Draft . DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #2:

- DRP indicated that Policy M7.1 was removed in its entirety instead of being modified as noted in the DPW comment memo. DPW Commenter (Charles Darensbourg - WMD) satisfied with revision made.

Water Resources Comment #3:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #4:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #5:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #6:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #7:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #8:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #9:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #10:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #11:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #12:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #13:

- DRP indicated that comment was inadvertently not addressed. DPW Commenter (Charles Darensbourg - WMD) indicated that he would double check to see if this modification (deletion) as noted in this comment should actual take place.

Action Items:

DPW: Charles Darensbourg (WMD) to re-review this comment and double check to see if this comment/modification/deletion should still occur and notify Matthew Dubiel of LDD by 2/26/14.

DRP: Make change if necessary.

Water Resources Comment #14:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #15:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #16:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #17:

- DRP indicated comment was addressed as noted with the exception of the "EPA" being identified as the "US EPA". DPW Commenter (Charles Darensbourg - WMD) satisfied if minor change is made.

Action Items:

DRP: Make minor adjustment accordingly.

Water Resources Comment #18:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #19:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #20:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #21:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #22:

- DRP indicated comment was addressed as noted. DPW Commenter (Charles Darensbourg - WMD) satisfied.

Water Resources Comment #23:

- DRP indicated comment was addressed as noted. DPW Commenter (Brian Smith - GMED) or another GMED representative was not present at meeting however Patricia Wood of DPW-WRD wanted to revisit this language with Charles Darensbourg of WMD to see if any additional information should be added in regarding how LID does not alleviate the need for flood protection.

Action Items:

DPW: Patricia Wood (WRD) and Charles Darensbourg (WMD) to provide any additional modifications to the LID language in Chapter 9 and provide to Matthew Dubiel of LDD by **2/26/14**.

DRP: To make adjustments accordingly.

Water Resources Comment #24:

- DRP indicated comment was addressed as noted. DPW Commenter (Brian Smith - GMED) or another GMED representative was not present at meeting however suggested language appeared to be incorporated.

Transportation Comment #1:

- DRP indicated comment was addressed as noted. DPW Commenter (Julian Garcia – T&L) satisfied.

Transportation Comment #2:

- DRP indicated comment was addressed as noted and indicated that this item was further discussed through the IEC process. DPW Commenter (Julian Garcia – T&L) satisfied.

Transportation Comment #3:

- DRP (Connie Chung) acknowledged that the Screencheck DEIR has not been finalized and circulated for DPW's review. Julian Garcia of DPW – T&L verified with DRP that comments could still be made on the Traffic Impact Study through the Screencheck DEIR review process. DRP (Connie Chung) concurred. DPW Commenter (Julian Garcia – T&L) satisfied.

Action Items:

DRP: To send DPW Screencheck DEIR for review when it becomes available.

Transportation Comment #4:

- DRP indicated comment was addressed as by modifying Policy 5.4 to add in "Support and pursue funding". DPW Commenter (Waqas Rehman – PDD) satisfied.

Waste Management Comment #1:

- DRP indicated comment was addressed. DPW Commenter (Dave Nguyen - EPD) was satisfied however I believe there was one additional comment regarding an update in the date of the source data? **Dave** can you please provide specifics on that?

Action Items:

DPW: Dave Nguyen (EPD) to provide specifics on what needs to be updated on Table 13.1.

DRP: To change table as indicated by DPW.

R-5U, High Density, Multiple Residence Zones Ordinance (DPW comment memo dated November 20, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_R-5_20140127.pdf

Link to DPW Comment Letter dated 11/20/13:- [P:\ldpub\General\ORDINANCE UPDATES\ORD High Density Multiple Residence Zone \(R-5U\)\2013-11-20 R-5-\(\)U - DPW Comments.pdf](P:\ldpub\General\ORDINANCE UPDATES\ORD High Density Multiple Residence Zone (R-5U)\2013-11-20 R-5-()U - DPW Comments.pdf) Please note these comments are for the August 14, 2013 Draft Ordinance.

General Comment #1:

- DRP (Bruce Durbin) indicated that the proposed zone change should not impact Operations at PW facilities however if additional comfort is necessary then DPW should provide DRP with a listing of APN's of the properties in question so that they can double check and further verify that no impacts will occur to those properties as a result of the proposed Ordinance.

Action Items:

DPW: All Divisions that have properties (maintenance yards, field offices, etc) provide a listing of APN's to Matthew Dubiel (LDD) by **2/26/14** so that they can be transmitted to DRP to double check and ensure that no adverse impacts will occur as the result of proposed Land Use Designations or Zoning Changes.

DRP: Double check all APN's provided to ensure that no adverse impacts will occur to DPW owned facilities as a result of proposed Land Use Designations or Zoning Changes.

Development Services Comment #1:

- A general discussion occurred between DPW-LDD (Steve Burger and Matthew Dubiel) and DRP (Bruce Durbin) regarding the need to add language to the zoning code that would address the potential need for developer-funded infrastructure upgrades at the time development is constructed. Proposed language should allow for sewer upgrades and the ability to analyze traffic impacts and request potential upgrades.

Action Items:

DRP: Provide draft language for DPW to review and concur with.

DPW: Once draft language is received, review.

Development Services Comments #2 through #13 and Transportation Comment #1:

- As we began to have a discussion about the Development Services Comments, DRP (Bruce Durbin) indicated that DRP did not feel that the current project (Zoning Consistency Code Updates) was the appropriate place to address DPW's concerns. Matthew Dubiel of DPW-LDD indicated that it was of his opinion that if the code is being updated that it should be updated to include enough information for DPW to be able to point to a codified section regarding certain design aspects (sight distance, parking standards, locations of trash enclosures, etc) when challenged by an applicant. DRP (Bruce Durbin) indicated that although valid points, they will be put into DRP's file to be addressed at a later date (timeframe unknown), through other ordinances/updates. Steve Burger of DPW-LDD indicated that since most of the comments on this ordinance (and other proposed zoning consistency ordinances) were DPW-LDD related that a separate meeting would be set up with DRP (Bruce Durbin) to discuss these issues further.

- Chris Sheppard of DPW - EPD also indicated to DRP (Bruce Durbin) that additional info should be added to the Development Standards Section of the Ordinance to address recycling requirements that would allow compliance with State Law. DRP (Bruce Durbin) indicated that this request was out of the scope of the current project (Zoning Consistency Code Updates). Chris Sheppard of DPW-EPD disagreed.
- Steve Burger of DPW-LDD went on to state that for now DPW will need to go on record indicating that DPW does not recommend proceeding with the Zoning Consistency Code Updates without addressing DPW comments.

Action Items:

DPW: Matthew Dubiel (LDD) to set up meeting with DRP (Bruce Durbin) to discuss Zoning Consistency Ordinances in more detail.

Water Resources Comment #1:

- DRP (Bruce Durbin) indicated that the “Water reservoirs, dams, treatment plants...” statement was added in to this ordinance because it is listed as a use subject to permits in other existing zones in Title 22 and therefore for consistency it was added here. In addition, it was indicated that that there may be some private water projects that may be subject to DRP’s purview and that DRP will address the “clean-up” items as part of a later ordinance amendment after the Technical Update is adopted.
- Discussions then took place between Dan Lafferty (DPW-WWD), Greg Even (DPW-WWD) and Jill Jones (County Council) regarding the application of this item in the zoning code given the exemption that is listed in Section 53091 of the California Government Code.

Action Items:

DPW - WWD/DRP/County Council: Our recollection was that resolution regarding this item was not agreed upon.

Dan, Greg, Bruce, Jill: Do further discussions need to take place on how best to capture the exemption listed in Section 53091 of the California Government Code in the current zoning ordinance?

Industrial Zones Ordinance (DPW Comment Memo dated November 25, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_industrial-zones_20140127_draft.pdf

Link to DPW Comment Letter dated 11/25/13:- <P:\ldpub\General\ORDINANCE UPDATES\ORD Industrial Zone Ordinance\2013-11-25 Industrial Zones DPW Comments.pdf> . Please note these comments were for the July 29, 2013 Draft Ordinance.

- Not discussed in detail since the same general concerns that are prevalent in the R-5U zone (see above) exist.

Action Items: The same Action Items as noted in the R-5U zone above apply to this Ordinance.

C-RU, Rural Commercial Zones Ordinance (DPW Comment Memo dated November 20, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_C-RU_20140127_draft.pdf

Link to DPW Comment Letter dated 11/20/13: [P:\ldpub\General\ORDINANCE UPDATES\ORD Rural Commercial Zone \(C-RU\)\2013-11-20 C-RU Rural Commercial Zone - DPW Comments.pdf](P:\ldpub\General\ORDINANCE UPDATES\ORD Rural Commercial Zone (C-RU)\2013-11-20 C-RU Rural Commercial Zone - DPW Comments.pdf)

Please note these comments were for the July 16, 2013 Draft Ordinance.

- Not discussed in detail since the same general concerns that are prevalent in the R-5U zone (see above) exist.

Action Items: The same Action Items as noted in the R-5U zone above apply to this Ordinance.

C-MJ, Rural Commercial Zones Ordinance (DPW Comment Memo dated November 20, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_C-MJ_20140127_draft.pdf

Link to DPW Comments dated 11/20/13:- [P:\ldpub\General\ORDINANCE UPDATES\ORD Major Commercial Zone \(C-MJ\)\2013-11-20 C-MJ Zone DPW Comments.pdf](P:\ldpub\General\ORDINANCE UPDATES\ORD Major Commercial Zone (C-MJ)\2013-11-20 C-MJ Zone DPW Comments.pdf) Please note these comments are for the August 14, 2013 Draft Ordinance.

- Not discussed in detail since the same general concerns that are prevalent in the R-5U zone (see above) exist.

Action Items: The same Action Items as noted in the R-5U zone above apply to this Ordinance.

MXD, Mixed-Use Development Zones Ordinance (DPW Comment Memo dated November 20, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_MXD_20140127_draft.pdf

Link to DPW Comment Letter dated 11/20/13:- [P:\ldpub\General\ORDINANCE UPDATES\ORD Mixed Use Development \(MXD\)\2013-11-20 MXD Mixed-Use Zone - DPW Comments.pdf](P:\ldpub\General\ORDINANCE UPDATES\ORD Mixed Use Development (MXD)\2013-11-20 MXD Mixed-Use Zone - DPW Comments.pdf) Please note these comments are for the August 14, 2013 Draft Ordinance.

- Not discussed in detail since the same general concerns that are prevalent in the R-5U zone (see above) exist.

Action Items: The same Action Items as noted in the R-5U zone above apply to this Ordinance.

MXD-RU, Rural Mixed-Use Development Zones Ordinance (DPW Comment Memo dated November 20, 2013):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/gp_zoning_MXD-RU_20140127_draft.pdf

Link to DPW Comments dated 11/20/13:- [P:\ldpub\General\ORDINANCE UPDATES\ORD Rural Mixed-Use Development Zone \(MXD-RU\)\2013-11-20 MXD-RU Rural Mixed Use Zone - DPW Comments.pdf](P:\ldpub\General\ORDINANCE UPDATES\ORD Rural Mixed-Use Development Zone (MXD-RU)\2013-11-20 MXD-RU Rural Mixed Use Zone - DPW Comments.pdf) Please note these comments are for the July 16, 2013 Draft Ordinance

- Not discussed in detail since the same general concerns that are prevalent in the R-5U zone (see above) exist.

Action Items: The same Action Items as noted in the R-5U zone above apply to this Ordinance.

Significant Ecological Areas (SEA) Ordinance (DPW Draft Comment Memo dated February 18, 2014):

Link to latest Draft released to the Public by DRP:

<http://planning.lacounty.gov/assets/upl/sea/SEA Ordinance Draft 4 Final Public Release Version.pdf>

Link to SEA Program Guide:

[http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 \(3\).pdf](http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 (3).pdf)

Link to DPW Draft Comment Letter dated 02/18/14: <P:\ldpub\General\DRP - DPW Coordination Meeting\Significant Ecological Area SEA Ordinance\2014-02-18, SEA Ordinance Draft 4, DPW Comments.pdf> Please note these comments are for the December 5, 2013 Draft Ordinance (Draft 4) which DPW received for review on January 15, 2014.

General Comment #1:

- A general discussion took place regarding DPW's concerns regarding potential issues with exemption eligibility for existing County maintenance activities and what may be considered as maintenance activities per the proposed SEA Ordinance. The proposed Ordinance does not specifically define what maintenance activities are, but rather defines which activities will trigger a review under the proposed SEA Ordinance.
- DRP (Emma Howard) anticipates presenting the SEA Ordinance to the RPC around late March or early April 2014.
- DRP indicated that the SEA Ordinance establishes how potential projects being proposed within an SEA will be reviewed by DRP and that it is not the intention that DRP would review every small project that the County has in the pipeline.
- DRP indicated that projects that already require CEQA documents and oversight by other regulatory agencies (eg. RWQCB, DFW), such as many of the FMD activities, would not necessarily be scrutinized by DRP again but DRP requests that they be made aware of the project.
- The intention of the SEA Ordinance is to establish two distinct processes regarding project reviews: County projects and non-county projects. Draft 4 of the Ordinance outlines a review process for County projects to be streamlined per section 22.52.2955. Non-County projects are to follow a general review process per SEA Ordinance.
- Future Drafts of the SEA Ordinance will outline a clearer picture of the County process to take into account DPW's concerns regarding maintenance facilities. The Draft will be re-worded by DRP (in consultation with DPW) to eliminate any confusion about the County needing to gain a CUP (Type A or B) and identify a more defined, specific County process.
- DPW and DRP agreed that the SEA Ordinance would have a broad approach in establishing requirements for County projects and any exemptions. Specific guidelines applicable to DPW

activities would be addressed through the SEA Program Guide. This will provide the ultimate flexibility to have a dynamic Ordinance in which modifications, revisions, and incorporations could be made (to the Program Guide) without changing the original Ordinance.

- DRP and DPW agreed that establishing a systematic approach on processing and reviewing County projects for SEA Ordinance compliance is the best way of streamlining any review/consultation process. In the beginning, DPW may need to dialog with DRP on many of its maintenance activities to make sure they are in compliance with the SEA Ordinance however; if the same types of activities are being deemed as a “non-issue” these can be documented in the Program Guide as activities that may not need to be vetted each time.
- DPW (Patricia Wood – WRD) expressed concern regarding previously purchased property (by the Board) for Sediment Placement Sites (SPS) and how the SEA Ordinance and reviews by SEATAC would affect this. DRP indicated that SEATAC’s recommendations go to DRP for consideration. DRP also indicated that it would be better to be made aware of SPS sites (APN’s) now so that they can see if there is potential for conflict but it may just be a matter of indicating (to the Board) that due to the importance of flood protection on the previously purchased property these sites need to be used.

Action Items:

DRP: Revise ordinance to incorporate vetted comments that will support the generalized ordinance approach discussed and redistribute through the e-consultation process for DPW to re-review.

Revise ordinance to clarify which Sections will govern the initial project appraisal under Section 22.52.2955-B. Currently, it presumes that every project will be a CUP.

DPW – All Divisions: Review the Program Guide draft located here [http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 \(3\).pdf](http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 (3).pdf) and provide recommendations (**to LDD by 2/26/14**) to incorporate information that addresses specific concerns or establishes specific guidelines pertinent to each reviewing Division. A separate email will be sent to DPW Divisions formally soliciting Divisional Comments however the above link leads to the document so your review can commence. As discussed at the meeting, comments on the Program Guide should take into consideration providing a listing of DPW activities that would be considered “Emergency Activities”, and also recommend procedures that can be established for when projects need to go through the SEA process and be submitted to DRP for review. In addition, the program guide would be a good place to expand on the design/maintenance responsibilities of the wildlife crossings.

DPW – (Patricia Wood – WRD): Provide DRP/LDD by **2/26/14** with a listing of the APN’s associated with SPS sites that there are concerns about.

Waste Management Comment #1:

- DRP (Emma Howard and Susie Tae) confirmed that once a landfill CUP expires the renewal would not be required to comply with SEA Ordinance if the renewal is for the same use and

within the same footprint of the original CUP. The expansion of any landfill facility or change in use, would need to go through the County process outlined in the SEA Ordinance.

Waste Management Comment #2:

- DRP (Emma Howard) confirmed that Third party projects that the County has a vested interest in, such as composting facilities, will need to go through the review process for non-county projects.

Waste Management Comment #3:

- DRP (Emma Howard) indicated that she was not aware of any agreements that landfills would be excluded from the SEA boundaries. If there was any documentation to this effect, DRP has requested that it be sent along to them.
- See Waste Management Comment #1 above for more information on how CUP's for Landfills would be processed.
- DRP (Emma Howard) informed DPW to provide her with a listing of the APN's for County Landfill facilities that have been flagged as being a potential issue.

Action Items:

DPW (Chris Sheppard – EPD): Provide an APN listing to DRP/LDD by **2/26/14** of any Landfills in question.

Development Services Comment #1:

- DPW expressed concerns about the maintenance and design of required wildlife crossings.
- DRP (Emma Howard) indicated that the Program Guide may be a good place to elaborate on wildlife crossing design and maintenance.
- DRP will consult with those (biologists?) that typically look at and require wildlife crossings and what their recommendations are.

Action Items:

DRP: Will work on revised language in the Program Guide addressing maintenance/design concerns.

DPW – All Divisions: Review the Program Guide draft located here [http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 \(3\).pdf](http://planning.lacounty.gov/assets/upl/sea/SEA Program Guide Prelim Draft Dec2013 (3).pdf) and provide recommendations (to LDD by **2/26/14**) to incorporate information that addresses specific concerns or establishes specific guidelines pertinent to each reviewing Division. A separate email will be sent to DPW Divisions formally soliciting Divisional Comments however the above link leads to the document so your review can commence. As discussed at the meeting, comments on the Program Guide should take into consideration providing a listing of DPW activities that would be considered “Emergency Activities”, and also recommend procedures that can be established for when projects need to go through the SEA process and be submitted to DRP for review.

In addition, the program guide would be a good place to expand on the design/maintenance responsibilities of the wildlife crossings.

Development Services Comment #2:

- DRP indicated that both the SEA Ordinance and the Hillside Ordinance would be adopted together and that Section 22.56.215 as it existed prior to the adoption of the Ordinance would still remain “on the books” at DRP and therefore the wording in the new Ordinance makes sense. DPW Commenter (Matthew Dubiel – LDD) satisfied.

Development Services Comment #3:

Action Items:

DRP: will address this comment in Version 5 of the Ordinance.

Development Services Comment #4:

- DRP indicated they will address this comment in Version 5 of the Ordinance taking into consideration the discussions that were held at the meeting regarding the County not being subject to a CUP process.

Action Items:

DRP: will address this comment in Version 5 of the Ordinance.

Transportation Comment #1:

- DPW and DRP agreed that the SEA Ordinance would have a broad approach in establishing requirements for County projects and any exemptions. Specific guidelines applicable to DPW activities would be addressed through the SEA Program Guide. This will provide the ultimate flexibility to have a dynamic Ordinance in which modifications, revisions and incorporations could be made (to the Program Guide) without changing the original Ordinance.
- Although it was noted that the Ordinance should have a broad approach, the group agreed that the following activities should be listed as being exempted in Section 22.52.2910:
 1. Removal or thinning of vegetation/trees for fire/**Public/roadway/bridge** safety or in response to an emergency;
 2. Operations and maintenance of flood, **water supply**, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation/trees; or
 3. Hazard management activities in response to emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways, bridges, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g., guardrail, rail and timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements.
 4. **Operation and maintenance of a public water system, including replacement of facilities.**
- In addition, Section 22.52.2915, Permitted Uses, Subsection D, page 14 of 46 should be modified as follows:

D. Development to be undertaken by the County the Los Angeles County Flood Control District, or other Special District excluding maintenance activities, in accordance with the procedures provided in Section 22.52.2955.

Action Items:

DRP: will address these comments in Version 5 of the Ordinance.

Transportation Comment #2:

- DRP (Emma Howard) reported that she doesn't have a response yet and will follow-up when she does.

Action Items:

DRP: Will follow-up with response to DPW's concern.

Transportation Comment #3:

- **DPW – Ron Castaneda:** I don't recall that there was a conclusion reached on this item. Were you satisfied with the discussions that took place regarding this?

Hillside Management Ordinance (DPW Comment Memo dated February 18, 2014):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/HMA_Ordinance_Draft_Oct2013.pdf -

Link to DPW Draft Comment Letter dated 02/10/14: <P:\ldpub\General\DRP - DPW Coordination Meeting\Hillside Management Ordinance\2014-02-18, Draft Hillside Management Area Ordinance - DPW COMMENTS.pdf> Please note these comments are for the October 17, 2013 Draft Ordinance

General Comment #1 (Discussion regarding how this affects Public Facilities):

- DRP (Brianna Menke) indicated that DPW activities/projects would only need to be in substantial compliance with the Hillside Design Guidelines which indicates that two Best Practices in each Section (for projects less than 10 acres) and three Best Practices in each Section (for projects more than 10 acres). She also indicated that DRP has already begun to revise the October 2013 Draft to indicate that if any of the sections of the Guidelines do not apply to a particular project or activity, this can be regarded as compliance with that particular Section (A Sediment Placement Site will not need to comply with the BMP's listed under "Building Design" Section of the Guidelines.).
- DRP (Susie Tae) indicated that the Guidelines are also being revised to state that hillside project should meet the BMP's instead of the current draft which indicates that hillside projects must meet the BMP's listed in the Guidelines.
- DRP (Brianna Menke) indicated that DRP would be open to the idea of DPW suggesting BMP's that could be met for Public Works projects so that they could be added into the Guidelines.

Action Items:

DPW: All Divisions that would like to add in BMP's to the Hillside Guidelines Manual that would benefit your Divisions projects please send them to Matthew Dubiel of Land Development Division by **2/26/14**.

Water Resources Comment #1

- This was a comment from DPW-FMD. Art Vander Vis of DPW-FMD indicated that Army Corps regulations require certain facilities, mainly levees and debris dams, to be vegetation free and therefore there is concern regarding meeting the BMP requirements in the Landscaping Section of the Guidelines. DRP (Brianna Menke) indicated that the Landscaping Section in the guidelines contains other requirements that could possibly be met such as avoiding oak tree encroachments. DPW Commenter (FMD) was satisfied.

Water Resources Comment #2

- In addition to the modifications listed in the comment memo it was suggested by Dan Lafferty of DPW-WWD that “Special Districts” be added to modification in the Comment memo. Therefore the revised paragraph should read:

"d. Development to be undertaken by the County, *the Los Angeles County Flood Control District, or other Special District* provided that such development complies with the following procedure: The lead County department *or District* shall prepare a written report that documents substantial compliance with the Hillside Design Guidelines. This report shall be included as part of the development's publicly available documents and included as part of any subsequent project reports to the Board of Supervisors and its attendant commissions. A report shall not be required for maintenance activities or any activities listed in Subsection i, below."

Water Resources Comment #3

- DRP (Brianna Menke and Susie Tae) indicated that work within already-started sediment placement sites such as May and Lincoln that already have fill plans approved through a CUP process would NOT be required to comply with this new ordinance.
- DPW Commenter (Art Vander Vis – FMD and Patricia Wood – WRD) were satisfied.

Water Resources Comment #4

- DPW (Patricia Wood-WRD) expressed concern that recently Board acquired land for the purpose of establishing SPS sites would need to comply with the Hillside Guidelines.
- DPW (Steve Burger-LDD) indicated that Skyline would need to comply but in looking at the lists in the guidelines it should be doable. In addition Art Vander Vis of FMD indicated that since some of the categories of the Guidelines don't apply to a SPS site (such as Building Design) it is not expected that SPS sites would need to comply with this given the information DRP presented.

Water Resources Comment #5

- Art Vander Vis of DPW-FMD provided a description (to DRP) of the process behind the timing of the filling of a SPS.
- DRP (Susie Tae) indicated that the ultimate fill plans would be the plan that would need to comply with the Guidelines (not the interim fill plans). This is similar to the process at landfills.
- DPW Commenter (Art Vander Vis – FMD and Patricia Wood – WRD) were satisfied.

Transportation Comment #1

- DRP (Brianna Menke) indicated this comment will be addressed as noted in next Draft. DPW Commenter (Brian Smith – GMED) was not present but the group was satisfied.

Transportation Comment #2

- DRP (Brianna Menke) indicated this comment will be addressed as noted in next Draft. DPW Commenter (Brian Smith – GMED) was not present but the group was satisfied.

Transportation Comment #3

- DRP (Brianna Menke) indicated this comment will be addressed through the use of a figure/graphics being added to the document materials. DPW Commenter (Brian Smith – GMED) was not present but the group was satisfied.

Transportation Comment #4

- After discussion between Steve Burger of DPW-LDD and Susie Tae of DRP this comment would no longer apply.

Transportation Comment #5

- DRP (Brianna Menke) indicated that we would have the opportunity to review the open spaces proposed on a project since DPW would be reviewing the site plan/map for the project. DPW Commenter (Brian Smith – GMED) was not present but the group was satisfied.

Transportation Comment #6

- DRP (Brianna Menke) indicated this comment will be addressed as noted in next Draft. DPW Commenter (Brian Smith – GMED) was not present but the group was satisfied.

Transportation Comment #7

- Steve Burger of DPW-LDD indicated that this item was taken care of through our discussion regarding Transportation Comment #5 above. All present were satisfied.

Transportation Comment #8

Discussions took place as to if the definition of “maintenance” would need to be further defined in the Hillside Management Area Ordinance. It was mutually decided that it should and Comment 8 should still apply with the additions as noted below:

5. Removal or thinning of vegetation/trees for fire/**Public/roadway/bridge** safety (including under bridge hydraulic vegetation reduction) or in response to an emergency;
6. Operations and maintenance of flood, **water supply**, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation/trees; or
7. Hazard management activities in response to emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways, bridges, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g., guardrail, rail and timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements."

Development Services Comment #1

- DRP indicated that both the SEA Ordinance and the Hillside Ordinance would be adopted together and that Section 22.56.215 as it existed prior to the adoption of the Ordinance would still remain “on the books” at DRP and therefore the wording in the new Ordinance makes sense. DPW Commenter (Matthew Dubiel – LDD) satisfied.

Overall Action Item:

DRP: Revise HMA Ordinance/Guidelines given DPW comments and resubmit through the e-consultation process for further DPW review.

Hillside Design Guidelines (DPW Comment Memo dated February 10, 2014):

Link to latest Draft released to the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/HMA_DesignGuidelines_Draft_2013Oct.pdf

Link to DPW Draft Comment Letter dated 02/10/14: <P:\ldpub\General\DRP - DPW Coordination Meeting\Hillside Design Guidelines\2014-02-10, Hillside Design Guidelines 2013 Draft version, DPW DRAFT Comments.pdf> Please note these comments are for the 2013 Draft Hillside Guidelines

General Comment #1 (Discussion regarding how this affects Public Facilities):

- DRP (Brianna Menke) indicated that DPW activities/projects would only need to be in substantial compliance with the Hillside Design Guidelines which indicates that two Best Practices in each Section (for projects less than 10 acres) and three Best Practices in each Section (for projects more than 10 acres). She also indicated that DRP has already begun to revise the October 2013 Draft to indicate that if any of the sections of the Guidelines do not apply to a particular project or activity, this can be regarded as compliance with that particular Section (A Sediment Placement Site will not need to comply with the BMP's listed under "Building Design" Section of the Guidelines.).
- DRP (Susie Tae) indicated that the Guidelines are also being revised to state that hillside project should meet the BMP's instead of the current draft which indicates that hillside projects must meet the BMP's listed in the Guidelines.
- DRP (Brianna Menke) indicated that DRP would be open to the idea of DPW suggesting BMP's that could be met for Public Works projects so that they could be added into the Guidelines.

Action Items:

DPW: All Divisions that would like to add in BMP's to the Hillside Guidelines Manual that would benefit your Divisions projects please send them to Matthew Dubiel of Land Development Division by **2/26/14**.

Water Resources Comment #1

- This was a comment from DPW-FMD. Art Vander Vis of DPW-FMD indicated that Army Corps regulations require certain facilities, mainly levees and debris dams, to be vegetation free and therefore there is concern regarding meeting the BMP requirements in the Landscaping Section of the Guidelines. DRP (Brianna Menke) indicated that the Landscaping Section in the guidelines contains other requirements that could possibly be met such as avoiding oak tree encroachments. DPW Commenter (FMD) was satisfied.

Water Resources Comment #2 through #6, Transportation Comments #1 through #8, Development Services Comments 1 through 8:

- DRP indicated that they will take these comments and mesh them in with other comments received.

Development Services Comment #9:

- Steve Burger of DPW-LDD indicated that this comment shouldn't apply anymore because a caveat does exist in the Guidelines that indicates "if approved by Los Angeles County Department of Public Works".

Overall Action Item:

DRP: Revise HMA Ordinance/Guidelines given DPW comments and resubmit through the e-consultation process for further DPW review.

Renewable Energy Ordinance (DPW Comment Memo dated November 18, 2013):

Link to the latest Draft released the Public by DRP:

http://planning.lacounty.gov/assets/upl/project/REOV7_public100313.pdf

Link to DPW Comment Letter dated 11/18/13: - P:\ldpub\General\ORDINANCE UPDATES\ORD Renewable Energy Ordinance\2013-11-18 Renewable Energy Ordinance - July 2013 DPW

[Comments.pdf](#) Please note these comments are for the July 2013 Draft Ordinance. The October 2013 Draft that was released to the Public does NOT incorporate DPW comments however we have been informed that DRP plans to incorporate our comments into a February/March 2014 Draft release.

Transportation Comment #1:

- DRP indicated that they believe the Ordinance already addresses this comment. Although the DPW Commenter (Jason Morgan – AVI) was not present at the meeting during this particular discussion item, LDD staff (Matthew Dubiel) informed DRP that this item would need to be added in to further define what is already in the Ordinance. The Ordinance should indicate what the requirements for the FAA rules are ---simply just sending it to the FAA for comment is not enough.

Waste Management Comment #1

- DRP indicated there was no intention of adding the individual types of renewable energy types but rather just add in “any future technologies”. It was agreed by the group that the known technologies would be listed along with “or any other future renewable technologies”. DPW Commenter (Chris Sheppard – EPD) satisfied.

Development Services Comment #1 through #5

- DRP indicated they will implement comments as written. DPW Commenter (Matthew Dubiel – LDD) satisfied.

Development Services Comment #6

- After group discussion this comment should be modified to:

"H. Transmission lines: Transmission lines shall be placed underground to the satisfaction of Public Works and Regional Planning except where above-ground ~~right-of-way~~ crossings are required. A franchise agreement will be required for distribution/transmission facilities within the public right of way."

Development Services Comment #7 through #9:

Action Item:

DRP: After group discussion DRP will work on definition of Grading and propose something that addresses concern. Steve Burger (DPW-LDD) indicated that the definition should mention that any mechanical disturbance that removes the root system (with the exception of access roads, debris basins, and inverter pads) would be

considered grading (within the context of this Ordinance) but this should be run by
DRP's biologist.

Development Services Comment #10

- DRP indicated they will implement comments as written. DPW Commenter (Matthew Dubiel – LDD) satisfied.

Overall Action Item:

DRP: Revise Renewable Energy Ordinance given DPW comments and resubmit through the e-consultation process for further DPW review.

Matthew Dubiel, P.E.
County of Los Angeles Department of Public Works
Land Development Division, Subdivision Mapping Section,
CUP/CEQA/B&T Planning Unit

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