

**DRAFT RESOLUTION
REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2017-003725-(1-5)
ADVANCE PLANNING NO. RPPL2017006228
GENERAL PLAN AMENDMENT NO. RPPL2018003985
ENVIRONMENTAL ASSESSMENT NO. RPPL2018004477**

WHEREAS, pursuant to Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350), the County of Los Angeles (“County”) is authorized to adopt amendments to its General Plan and elements thereof;

WHEREAS, pursuant to Article 1 of Chapter 4 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65800) and Chapter 22.232 of the County Code, the County is authorized to adopt amendments to Title 22 of the County Code (Planning and Zoning);

WHEREAS, the Regional Planning Commission of the County of Los Angeles (“Commission”) has conducted a duly noticed public hearings on October 8, 2014; December 10, 2014; May 17, 2017; July 12, 2017; November 8, 2017; September 26, 2018; and February 27, 2019 to consider Project No. 2017-003725-(1-5) which includes amendments to the General Plan and Title 22 (~~Planning and Zoning~~) of the Los Angeles County Code (~~“County Code”~~) related to the Significant Ecological Areas Program (“SEA”) Update; and

WHEREAS, the Commission finds as follows:

1. The SEA Ordinance implements the goals and policies of the General Plan by establishing permitting requirements, design standards, and review processes for development within SEAs.
2. The SEA Ordinance is a countywide ordinance that will apply to all areas mapped as SEAs within the General Plan Significant Ecological Areas and Coastal Resource Areas Policy Map (Figure 9.3), except for the Santa Monica Mountains SEA and Santa Catalina Island Coastal Resource Area (“CRA”). The Santa Monica Mountains SEA will be subject to the current SEA ordinance (1982 SEA ordinance) until the Santa Monica Mountains North Area Community Standards District (“SMMNA CSD”) is amended. The regulations in the SMMNA CSD will be more restrictive than the regulations proposed in this SEA Ordinance update. The Santa Catalina Island CRA will also be subject to the 1982 ordinance until the Santa Catalina Island Local Coastal Program is amended.

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3. The Conceptual SEA Update is an amendment to the General Plan 2035 that will to make minor text changes and mapping changes ~~in order~~ to make the Conceptual SEAs become full SEAs and subject to the new SEA ordinance. During the General Plan 2035 adoption process, County the Board of Supervisors ~~decided to~~ designated certain proposed expanded SEAs as “Conceptual SEAs”, pending further review for compatibility with community plans in Altadena, Rowland Heights, and Hacienda Heights. As a part of the SEA Ordinance update and the East San Gabriel Valley Area Plan outreach, the County Department of Regional Planning (“Department”) heard from many constituents in the area who believed that the Conceptual SEAs should be officially adopted as a part of the SEA Ordinance update process.
4. The SEAs categorized as “Conceptual” amended per General Plan Amendment No. RPPL2018003985} are located in the communities of Altadena (Altadena Foothills and Arroyos SEA), and Hacienda Heights and Rowland Heights (Puente Hills SEA).
5. The SEA Ordinance Update proposes changes to the permitting and review processes, establishes new design and development standards, requires mandatory open space preservation, and enforces unpermitted activities in the SEAs. These include:

Development Standards and Thresholds

Standard industry-recognized concepts were used to create development standards for addressing identified SEA Resources, SEA Protected Trees, water resources and specific land uses. The development standards for the SEA Resources have maximum thresholds of disturbances allowed for each SEA Resource category. Development that meets these requirements will receive a streamlined Ministerial SEA Review. Development unable to meet the development standards will require a SEA Conditional Use Permit (“SEA CUP”) process similar to the current SEA CUP process.

Preliminary Biological Review

In the ~~updated~~ new SEA Ordinance, prospective applicants will be asked to identify existing SEA Resources on-site in a Biological Constraints Map (“BCM”) at the beginning of the design phase, prior to application submittal. Applicants must attend a SEA Counseling meeting, to receive guidance from staff on how the conceptual project design can avoid and minimize impacts to SEA Resources.

Streamlined Review Process

The SEA Counseling meeting paves a path for a more streamlined review process. Although surveying and drafting a BCM will require an investment in time and resources early in the design process, it will result in better sited and

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designed projects to accommodate the biological constraints of the property. In the ~~updated~~ new ordinance, a Ministerial SEA Review will be processed as a biological review in conjunction with the appropriate land use permit. A staff biologist will conduct the biological review. Projects qualifying for a Ministerial SEA Review will not have to submit additional biological studies and documentation nor be reviewed by the SEA Technical Advisory Committee (“SEATAC”).

Natural Open Space Preservation

Both Ministerial SEA Reviews and SEA CUPs will be required to provide natural open space preservation. The ratios for open space preservation are based on the amount and type of SEA Resources disturbed.

SEA Protected Trees

The SEA Protected Trees development standard and Protected Tree Permit were developed to better assess impacts on native trees in the SEAs. Mitigation ratios were developed for the Protected Tree Permit. The Protected Tree Permit will allow for development that otherwise meets all development standards except for the SEA Protected Trees development standard.

Enforcement

Any activity defined as development in the SEAs prior to an approved permit, is prohibited. A Ministerial SEA Review or SEA CUP shall be obtained to assess the impacts of the unpermitted development and require necessary mitigations. If neither permit is obtained, then a Restoration Permit shall be required to restore the disturbed area to a close resemblance of its original natural habitat.

6. The SEA Ordinance and Conceptual SEA Updates work towards achieving General Plan Goal C/NR 3. In comparison to the existing SEA Ordinance, the ~~updated~~ new SEA Ordinance is more protective of the natural habitats that ~~make up~~ comprise the SEAs. The ~~updated~~ new SEA Ordinance requires preliminary assessment of biological resources to guide sustainable development and provides for permanent preservation of sensitive habitats. The adoption of the Conceptual SEAs as part of the SEA policy map will ensure additional protections for those areas.
7. The SEA Ordinance Update component of the project qualifies for a Categorical Exemption (Class 8 Exemption, Actions by Regulatory Agencies for Protection of the Environment) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The SEA Ordinance Update will reduce the environmental impacts to SEAs through the streamlined review process and development standards by guiding ground and vegetation disturbance to avoid or minimize impacts to the SEAs. The use of the development standards limits the development footprint, maintains wildlife movement corridors, and requires

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setbacks from SEA Resources. The requirement of natural open space preservation enables permanent protection of within the SEAs.

8. An Addendum to the Certified Final Environmental Impact Report (“EIR”) for the General Plan Update, adopted on October 6, 2015, was prepared for the Conceptual SEAs Update component of this project in compliance with CEQA requirements. The Addendum was not required to be circulated for public review per Section 15164 of CEQA. The proposed amendments to the General Plan do not change any impacts of the General Plan and its implementation programs, which were analyzed within the Final EIR, ~~which was prepared as a Programmatic EIR. The Certified Final EIR fully analyzed the areas categorized as Conceptual SEAs as part of the proposed Altadena Foothills and Arroyos, and Puente Hills SEAs. The General Plan EIR did not make any specific mention of Conceptual SEAs. A Modified Environmental Checklist Form (Initial Study) was not created for this project since there are no potential project impacts that would require revisions to the Certified Final EIR. Please see Attachment H for the Addendum to the Certified Final EIR.~~
9. County departments were consulted during the Project’s development. Departments consulted include Public Works, Public Health, Parks and Recreation, and Fire. Comments and recommendation on review procedures for County projects were received from County departments and were incorporated into the Public Hearing Draft of the SEA Ordinance and Implementation Guide.
- ~~10. The Department conducted a robust public engagement campaign during the period from March to September 2018. The objectives of the engagement efforts were to provide general understanding of the SEA Program, discuss the draft SEA Ordinance, and answer any specific questions members of the public may have regarding the draft SEA Ordinance.~~
10. On October 8, 2014, the Commission conducted a continued public hearing for the General Plan 2035 Update. The SEA Program Update was a part of the General Plan Update which included updated boundaries, policies, and updated ordinance. Staff recommended that the SEA Ordinance be taken off calendar to allow additional time to address stakeholders concerns regarding the SEA Ordinance, and to allow for more comprehensive community-level outreach; the remaining pieces of the SEA Program Update progressed with the General Plan 2035 Update. Thirteen individuals testified at the hearing. The majority spoke in opposition of the expansion of SEAs on mining properties, agricultural areas, and Economic Opportunity Areas proposed in the Antelope Valley Area Plan Update, and expressed concerns over the implementation of the SEA Ordinance. One individual spoke in support of the SEA Program, with recommendations to change the SEA Ordinance. Three individuals inquired about zoning consistency and the impact on a specific property in Kinneloa Mesa.

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11. On December 10, 2014, the Commission conducted a continued public hearing for the General Plan Update. The Commission considered the General Plan Update in its entirety and the Final EIR, closed the public hearing, and recommended the EIR and General Plan Update to the Board for approval. Seven individuals testified at the hearing on various topics. Regarding SEAs, one individual expressed concerns over not having been notified of the changes to the SEA Program. Another individual commented on the importance of maintaining the proposed SEAs, and suggested that some large sites in the East San Gabriel Valley be designated Rural Land 40 (RL 40) to prevent parcel fragmentation. The Commission expressed concerns over the proposed SEAs in existing community plan areas. Before closing the public hearing related to SEAs, the Commission directed staff to designate proposed expanded SEAs within the communities of Altadena, Hacienda Heights and Rowland Heights as "Conceptual SEAs," and add language to clarify that the Conceptual SEAs be further considered and effective upon the preparation of community-based planning efforts. It was noted that the existing adopted SEA boundaries within these areas will remain in place and will not be affected by the designation of proposed expanded SEAs as Conceptual SEAs.
12. On May 17, 2017, the Commission conducted a duly-noticed public hearing where staff gave a presentation on the history of the SEA Program and the latest updates to the SEA Ordinance. The Commission heard from a number of testifiers and continued the hearing to provide additional time for public review and comment and for staff to further refine the draft language to be consistent with the Zoning Code Technical Update. The Commission continued the public hearing to July 12, 2017 and requested that staff return with a document responding to the comment letters received.
13. On July 12, 2017, the Commission conducted a continued public hearing. The Commission requested further clarification on portions of the updated SEA Ordinance. The Commission also had questions on the relationship between the SEA Ordinance and the then-pending Accessory Dwelling Units Ordinance. The Commission requested information on the number of permits processed, the draft Implementation Guide, and the overall intent and purpose of the SEA Ordinance. The Commission also directed staff to conduct additional outreach given that there was only one testifier in attendance.
14. On November 8, 2017, the Commission conducted a continued public hearing. Staff provided additional information in response to questions and comments raised by the Commission at the July 12, 2017 public hearing. Staff also introduced an alternative approach for the SEA Ordinance that would incorporate an early biological review to streamline the process and help design projects that avoid or minimize impacts. Staff requested that the SEA Ordinance be taken off calendar to allow Staff to revise the ordinance, complete the SEA Implementation Guide, allow the Santa Monica Mountains North Area Plan effort to proceed

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separately in developing more specific policies and standards for the Santa Monica Mountains SEA based on habitat mapping, and allow for further outreach. The Commission took the matter off calendar.

15. On March 14, 2018, Staff presented an updated on the SEA Ordinance to the Commission as a Discussion Item. Staff presented the Public Review Draft of the SEA Ordinance and Implementation Guide, and notified the Commission of the start of a 75-day public review period.

16. The Department conducted a robust public engagement campaign during the period from March to September 2018. The objectives of the engagement efforts were to provide general understanding of the SEA Program, discuss the draft SEA Ordinance, and answer any specific questions members of the public may have regarding the draft SEA Ordinance.

17. On September 26, 2018, the Commission conducted a duly-noticed public hearing on the draft SEA Ordinance and Implementation Guide. Staff introduced Conceptual SEA Update also be updated. Staff recommended that the Conceptual SEAs in the communities of Altadena, Rowland Heights, Hacienda Heights be adopted as official SEAs. Staff reported that the recommendation was a result of constituents in those communities wanting the conceptual SEAs to become official SEAs. Nine members of the public testified at this hearing on the SEA Ordinance Update and Conceptual SEA Update. Several concerns voiced were the single-family residence exemptions for the Antelope Valley, how the SEA Ordinance will affect existing water hauling businesses and/or CUPs, applicability of the Ordinance to already submitted applications, and notifications of approved Ministerial SEA Reviews. The Commission requested clarification on the definition of heritage trees, performance standards for mitigation trees, and cost estimates for additional County Foresters to properly implement the ordinance. Additional requests from the Commission included addressing public concerns with exempting single-family residences and disturbed farmland in the Antelope Valley and adding a finding for SEA CUPs that would require siting of development in the least sensitive location. The Commission continued the matter off calendar to allow for staff to make the requested changes and address issues raised by the Commission and members of the public.

18. Reserved for Hearing Proceedings.

19. Members of the public had three ~~four~~ opportunities to comment on the draft SEA Ordinance since the project was taken off of the General Plan Update. The first comment period for Drafts No. 7, 8, and 9 during the May 17 and July 12, 2017 Commission public hearings. The first ~~second~~ comment period for the Public Review Draft was from March 14 to May 31, 2018. The comments received included the Antelope Valley exemptions, protection of Conceptual SEAs, applicability of the SEA Ordinance. The ~~second~~ third comment period for the

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Public Hearing Draft (September 2018) was from August 27, 2018 to September 26, 2018. The ~~third~~ fourth comment period for the Public Hearing Draft (February 2019) was from January 28, 2019 to February 27, 2019.

- ~~4220.~~ Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the public hearing notice was published in the Los Angeles Daily News, Antelope Valley Press, and La Opinion.
- ~~4321.~~ Project information was made available to the public online and at nine County public libraries in the communities of East Los Angeles, Florence-Firestone, Topanga Canyon, Hacienda Heights, Rowland Heights, Altadena, Acton, Lake Los Angeles, and Lancaster. Project information and public hearing notice were also emailed to the those who subscribe to the SEA courtesy email list. Additional social media and blog posts have been posted weekly with links to project information.
- ~~4522.~~ The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Environmental Planning and Sustainability section, ~~Los Angeles County~~ of the Department of ~~Regional Planning~~.

THEREFORE, BE IT RESOLVED THAT the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. Hold a public hearing to consider Project No. 2017-003725-(1-5), which includes General Plan Amendment No. RPPL2018003985, Advance Planning No. RPPL2017006228, and Environmental Assessment No. RPPL 2018004477;
2. Find that the Addendum to the Certified Final EIR for the Los Angeles County General Plan Update Project 02-305 has been prepared in compliance with the California Environmental Quality Act and state and local agency guidelines related thereto and reflect the independent judgement of the Board;
- ~~43.~~ Adopt the Conceptual SEAs Update, General Plan Amendment No. RPPL2018003985, an amendment to the General Plan which designates the Altadena Foothills and Arroyos and the Puente Hills Conceptual SEAs as official SEAs and subject to the regulations of the SEA Ordinance; and

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34. Adopt the SEA Ordinance Update, Advance Planning No. RPPL2017006228, containing the proposed amendments to Title 22 (Planning and Zoning), and determine that the amendments are compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on February 27, 2019.

Rosie O. Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____
Elaine Lemke
Assistant County Counsel
Property Division