

# WILDLIFE CORRIDOR CONSERVATION AUTHORITY

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## MEMORANDUM

Date: November 4, 2015

To: The Advisory Committee Members

From:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

Subject: **Agenda Item XI: Consideration of resolution recommending that the Governing Board authorize a comment letter to Los Angeles County on Draft Significant Ecological Areas Ordinance.**

Background: The next draft version of Los Angeles County's Significant Ecological Areas Ordinance is scheduled to be released on the County's website around December 2015 per County staff. That is an estimate and is not set in stone. The Wildlife Corridor Conservation Authority (WCCA) followed closely and wrote numerous comment letters on the County of Los Angeles General Plan Update, Significant Ecological Areas Ordinance Update, and the proposed Significant Ecological Areas (SEAs) boundaries, over a period of almost 14 years. If the attached resolution is adopted, the Advisory Committee would recommend that the Board authorize WCCA staff to write a comment letter on the next draft of the SEA Ordinance. The following provides additional background information based on WCCA staff's communication with County staff and through other research.

On March 24, 2015, the Los Angeles County Board of Supervisors indicated its intent to approve the General Plan Update. On October 6, 2015, the Board of Supervisors certified the Final Environmental Impact Report and adopted the General Plan Update. The General Plan Update will be effective November 2015.

"Conceptual SEAs" were included in the documents that the Board approved. For the Puente Hills SEA, in Rowland Heights Community General Plan and Hacienda Heights Community Plan, the previously Proposed SEAs (that were not dedicated open space or Existing SEAs) were shown as Conceptual SEAs. See attached map. (Similarly, Conceptual SEA boundaries were shown in Altadena where the Proposed SEA overlapped with the Altadena Community Plan.) Once the area plans are developed by the County in the future, the boundaries on the Conceptual SEAs may change at that time and the revised SEAs may be adopted. It is WCCA staff's understanding that protections of the existing SEA Ordinance would not apply to Conceptual SEAs, unless and until they become SEAs once the area plans are developed/adopted.

Per County staff, the SEA Ordinance Update was separated from the General Plan Update. In late 2014, the Regional Planning Commission removed the SEA Ordinance from the calendar. The Board of Supervisors did not consider the SEA Ordinance at its March 24, 2015 hearing on the General Plan Update. According to communications with County staff, this is so the County can address opposition and do more outreach.

### **Upcoming Draft of SEA Ordinance**

The latest version of the SEA Ordinance was Draft 6 (September 2014). County staff indicated the next draft will look different than Draft 6. County staff recently reached out to WCCA staff to discuss when is a good time to provide input on the next draft. However, the elements of the next version of the SEA Ordinance are not set, so it is difficult for WCCA staff to provide input. WCCA provided written comments on previous drafts. WCCA staff asked for more clarification regarding the direction the new draft is going. The following summarizes some points describing the potential direction the next version is taking. However, this direction may change. Another disclaimer is that this is based on WCCA staff's understanding of communications with County staff.

- In addition to the recent General Plan Update, the Antelope Valley Area Plan (AVAP) was recently adopted. Both of these plans inform the process for a revised SEA Ordinance. County staff need to look at what needs to change in the SEA Ordinance to reflect those plans and motions by Board of Supervisors. County staff indicated if some components are taken out, other parts fall apart.
- County staff indicated that there were some items that the County could move forward on such as monitoring. Monitoring could include tracking of numbers, locations, and types of permits, and updating the map of development locations. Current tracking of SEAs is minimal. The County could also put together a SEA Program Guide. Draft 6 discussed the SEA Program Guide.
- County staff indicated it is possible that the County will just implement the necessary changes per the General Plan and AVAP and not revamp the SEA Ordinance. Once the County has more data, the County may be prepared in the future for restructuring the SEA Ordinance.
- The County is striving to balance the need for conservation with the right to develop properties.
- County staff indicated that although the Draft 6 SEA Ordinance has a two-track SEA-Conditional Use Permit (CUP) process (Type A and Type B), the next draft may have a single track. It is possible the next draft will not base the requirement for a CUP

on impacts (Draft 6 was based on impact that triggered Type A or Type B SEA-CUP), so the process would be similar to the current process.

- The Antelope Valley Area Plan exempted single family homes and their accessory structures from the SEA Ordinance (within the boundaries of the AVAP). Single family homes will continue to be exempt within the AVAP under any new SEA Ordinance. This brings up the consideration of whether that provision should/would apply within all areas (not just in the AVAP) in the next draft of the SEA Ordinance. In Draft 6, single family homes were not exempt.
- Some parts of Draft 6 SEA Ordinance may remain the next draft. These include: definition of development, improved findings and conditions, and requirements for open space. Some of these items come from the General Plan.
- Applicability of the SEA Ordinance is being considered, specifically whether it would apply to an entire parcel (if the SEA is only located on part of the parcel), or if it would apply to only that portion of the parcel that contains the SEA.

### **Anticipated Schedule**

County staff indicated an expected schedule for the revision of the SEA Ordinance. This is not a definitive timeline. The next draft of the SEA Ordinance may be available in December 2015. In February 2016, the California Environmental Quality Act document may be available for public comment. Although there would be no formal comment period in December and January under this estimated schedule, the County would accept comments if they are submitted. County staff offered to give a presentation to WCCA in December; however WCCA does not typically meet in the month of December. It is WCCA staff's opinion that it would be worth it to provide comments to the County sooner rather than later. The subject action would recommend that the Governing Board authorize WCCA staff to write a comment letter on the next draft of the SEA Ordinance.