

Note: SEA Ordinance Draft 8 can be found at:
<http://planning.lacounty.gov/sea/meetings>

Agenda Item 9(e)
SMMC
5/22/2017

Understanding Draft 8 of the SEA Ordinance Update

The SEA Ordinance Update Draft 6 was heard by the Regional Planning Commission in 2014. At that time, the draft ordinance was placed on hold until other SEA Program components were heard, such as the 2015 SEA Program updates adopted by the County Board of Supervisors, which included:

- Changes to the SEA map boundaries proposed through the General Plan and Antelope Valley Area Plan updates. The adopted boundaries are illustrated within General Plan Figure 9.3 [SEA and CRA Policy Map](#).
- General Plan goals and policies ([Chapter 9, pg 132](#)) and SEA Selection Criteria and Descriptions (found within [Appendix E](#)).
- Applicability language of the SEA ordinance ([22.56.215.A](#)) which was revised to only require a CUP when the proposed development is within a SEA.

2017 SEA Ordinance Update is intended to:

- Improve the SEA Program and continue to provide balance between preservation of biodiversity and the critical public need to develop.
- Guide proposed development to least impactful locations when in an SEA through identification and review of SEA resources, linkages, and corridors, and providing development standards that regulates distances from SEA resources and wildlife connectivity corridors.
- Focus the review of projects within SEAs on ground and vegetation disturbing activity.
- Clarify when the SEA review process applies and when SEATAC review is necessary.
- Implement Program No. C/NR-2 SEA Ordinance and mitigation measure BIO-1, 2, and 3 of the General Plan; and prepare the ordinance to fit into the new Zoning Code format (Technical Update).

Draft 8 has been revised in the following way:

- Clarifies that the SEA Ordinance will require a “SEA Review” of “SEA Resources” disturbance and sustainability of wildlife corridors on a property within an SEA.
- The SEA Review includes a review of the Biological Constraints Analysis (BCA) of the proposed projects’ development footprint.
- Clarified and refined the list of uses which will require either a ministerial or discretionary review along with the “SEA Review”.
- Revised fees to reflect the type of SEA Review required and account for not needing SEATAC review of all projects proposed within a SEA. The level of review will be dependent on the project proposal and not solely because it is within a SEA. The three new fees are as follows: County Biologist Site Visit \$525.20, Biological Constraints Analysis Review (BCA Review) \$1,090.40, and SEATAC Review \$5,276.53.
- Added new definitions, including: SEA Resources, SEA Corridor, and Linkage.
- Clarifies that a SEA Review is only required when SEA Resources are found.

SEA Ordinance Update Timeline

May 17	Regional Planning Commission (RPC) Public Hearing
July 12	RPC continuance and possible action
TBD	Board of Supervisors Public Hearing and adoption (new regulations go into effect 30 days after Board of Supervisors adoption)+

SEA Ordinance FAQs

What is the purpose of the SEA Ordinance?

The SEA Ordinance is meant to guide development to least impactful areas on a property to preserve SEA Resources and protect wildlife corridors.

How will uses be regulated within a SEA?

Uses are regulated through the base zoning and applicable regulations within the Zoning Code. In addition, when there is a disturbance to vegetation or wildlife corridor, the SEA ordinance will require compliance with additional development standards, preservation ratios and findings of compatibility between the proposed development and the SEA Resources. The focus of the SEA Review is on the ground disturbing activity and impacts to SEA Resources and wildlife corridor movement.

How will a SEA Review be conducted?

All ground disturbing and or vegetation removal activity will require, at minimum, a ministerial review to verify if the proposed development footprint will be compatible with SEA Resources and wildlife corridors. This review will consist of a Biological Constraints Analysis (BCA) to be reviewed by the County Biologist. If the proposed activity or development will disturb SEA Resources and wildlife corridors, then a discretionary review will be required. The SEA Resources Review will also identify SEA Resources proposed development should design around or the preservation ration which will be required.

What uses may not need additional discretion?

Uses and activities which will not disturb the ground, such as Testing and Surveys conducted without machinery and accessed by existing roads or driveways, new crops, or renewals of land use permits in where no ground disturbing activity or vegetation removal is proposed (Section 22.52.2940.A of Draft 8).

What will the discretionary review process look like for activities which disturb SEA Resources?

A Minor Conditional Use Permit (mCUP) or a CUP will be required to review the compatibility of the proposed development with the SEA Resources on-site. A minor CUP will be required for the review of single-family residences, restoration or vegetation removal programs, testing and surveys in where machinery will be used, and modifications to the SEA development standards. A CUP will be required for all other uses permitted by the base zone, including subdivisions.

When will SEATAC be required?

Discretionary projects which do not meet the definition of a small-scale project or will require mitigation for the disturbance of SEA Resources will be reviewed by SEATAC to ensure preservation of SEA Resources.

What are the new fees proposed?

The fees have been adjusted to reflect the new SEA Review process for SEA Resources and need for SEATAC. A new County Biologist Site Visit fee of \$525.20 has been added to verify the determination of SEA Resources on a property (Section 22.52.2940.A.3.b of Draft 8); a Biological Constraints Analysis Review (BCA Review) of \$1,090.40 was added to reflect the County Biologists review of a BCA, and a SEATAC Review fee of \$5,276.53 was added to be used only by projects which will require SEATAC review. The general filling fee for ministerial and discretionary permits will be used instead of the existing SEA CUP fee. For example, a single-family residence (outside of the AV) would require a SEA Review fee (to review the BCA and identify SEA Resources) and a mCUP for the review of the use (with SEA development standards and findings of compatibility).