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ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

34 March 19, 2024

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Agenda No. 4
10/24/23

Agenda No. 6
11-28-23

Agenda No. 3
12-12-24

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: Step by Step Los Angeles County: Pedestrian Plans for Unincorporated Communities
Project No. 2018-000002-(All Districts),
Advance Planning No. RPPL2023003022-(All Districts)
Santa Monica Mountains Habitat Impact Fee Update
Project No. PRJ2023-000322-(3),
Plan Amendment No. RPPL2023000732-(3), and
Project No. 2018-003138-(1),
General Plan Amendment No. RPPL2018004782-(1)**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing to incorporate the East Los Angeles, East Rancho Dominguez, Florence-Firestone, and Willowbrook/West Rancho Dominguez Community Pedestrian Plans, and other minor technical revisions into the Step by Step Los Angeles County: Pedestrian Plans for Unincorporated Communities ("Pedestrian Plans").

Further, your Board previously conducted a duly-noticed public hearing regarding the Santa Monica Mountains Habitat Impact Fee Update ordinance ("HIF Ordinance"), which amends Title 22 – Planning and Zoning of the Los Angeles County Code to update the Habitat Impact Fee in the Santa Monica Mountains Coastal Zone Local Implementation Program (Chapter 22.44) and establish a Habitat Impact Fee in the Santa Monica Mountains North Area Community Standards District (Chapter 22.336).

Additionally, your Board previously conducted a duly-noticed hearing regarding Project No. 2018-003138-(1) to authorize construction of 17 attached townhouse condominium residences in five separate buildings on a 1.2-gross-acre vacant lot located at 18002 Colima Road in the unincorporated community of

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Rowland Heights within the Puente Zoned District and East San Gabriel Valley Planning Area ("Colima Project"). Tsai Capital, LLC applied for the Colima Project.

At the conclusion of each public hearing, your Board indicated an intent to approve the Pedestrian Plans, HIF Ordinance, and the Colima Project and instructed our office to prepare the appropriate documents for your Board's consideration.

Enclosed is the resolution, which includes the General Plan amendments required for the Pedestrian Plans, HIF Ordinance, the Colima Project for your Board's consideration.

Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
STARR COLEMAN
Assistant County Counsel
Property Division

APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

SC:ll

Enclosure

c: Fesia A. Davenport, Chief Executive Officer
Jeff Levinson, Interim Executive Officer, Board of Supervisors
Amy J. Bodek, Director, Department of Regional Planning

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
ADOPTING THE STEP BY STEP LOS ANGELES COUNTY: PEDESTRIAN PLANS
FOR UNINCORPORATED COMMUNITIES; AND
ADOPTING THE SANTA MONICA MOUNTAINS
HABITAT IMPACT FEE UPDATE; AND
APPROVING PROJECT NO. 2018-003138-(1),
GENERAL PLAN AMENDMENT NO. RPPL2018004782-(1),
VESTING TENTATIVE TRACT MAP NO. . RPPL2018004778-(1),
VARIANCE NO. 2018005398-(1), AND
CONDITIONAL USE PERMIT NO. RPP2018004781-(1)**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the California Government Code ("Government Code") (commencing with section 65350) provides for adoption and amendments of a jurisdiction's general plan;

WHEREAS, on October 6, 2015, the Los Angeles County ("County") Board of Supervisors ("Board") adopted the County General Plan ("General Plan"), pursuant to Government Code section 65300;

WHEREAS, Government Code section 65358 allows for the amendment of all or part of an adopted general plan and specifies that each amendment may include more than one change to the General Plan;

WHEREAS, the County proposed the adoption of Project No. PRJ-2018000002-(All Districts), consisting of Advance Planning No. RPPL2023003022-(All Districts), which proposes to establish the "Step by Step Los Angeles County: Pedestrian Plans for Unincorporated Communities" ("Pedestrian Plans") as a sub-element to the Mobility Element of the General Plan;

WHEREAS, the Board conducted a public hearing on the matter of the Pedestrian Plans on December 12, 2023;

WHEREAS, on October 24, 2023, the Board conducted a duly-noticed public hearing in the matter of the Santa Monica Mountains ("SMM") Habitat Impact Fee ("HIF") Update, Project No. PRJ2023-00322-(3), consisting of Advance Planning No. RPPL2023000462-(3) and Plan Amendment No. RPPL203000732-(3) (collectively referred to as "HIF Update").

WHEREAS, the Board conducted a duly-noticed public hearing on November 28, 2023, in the matter of Project No. 2018-003138-(1), consisting of Plan Amendment No. RPPL2018004782-(1), Vesting Tentative Tract Map No. RPPL2018004778-(1) ("Vesting Tract Map"), Variance No. 2018005398-(1) ("Variance"), and Conditional Use Permit No. RPP2018004781-(1) ("CUP") (collectively referred to as the "Colima Project") filed by Tsai Capital, LLC ("Applicant") to authorize construction of 17 attached

townhouse condominium residences in five separate buildings on a vacant lot located at 18002 Colima Road in the unincorporated community of Rowland Heights; and

WHEREAS, the Board finds as follows:

PEDESTRIAN PLANS FINDINGS

1. The General Plan must contain a Circulation Element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the Land Use Element of the General Plan.
2. Commencing January 1, 2011, upon any substantive revision of the Circulation Element, the legislative body shall modify the Circulation Element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner suitable to the rural, suburban, or urban context of the General Plan.
3. On September 3, 2019, the Board adopted the Pedestrian Plans into the Mobility Element of the General Plan, which includes a Countywide framework and the first four Community Pedestrian Plans, unincorporated Lake Los Angeles, Walnut Park, West Whittier-Los Nietos, and Westmont/West Athens.
4. This amendment to the General Plan adopts the Community Pedestrian Plans for four additional unincorporated communities: East Los Angeles, Florence-Firestone, East Rancho Dominguez, and Willowbrook/West Rancho Dominguez; and other minor technical revisions to the Mobility Element, as outlined in this resolution. Community Pedestrian Plans for the remaining unincorporated areas will be developed in the future and incorporated into the Pedestrian Plans, as resources allow.
5. The availability of Geographic Information Systems ("GIS") technology allows the development of parcelized and digitized maps. The Pedestrian Plans include not only static maps, but GIS data that generate maps and figures in multiple, dynamic ways.
6. The Pedestrian Plans, developed over three years through collaboration across County departments and unincorporated communities, reflect contributions from residents and stakeholders in East Los Angeles, Florence-Firestone, East Rancho Dominguez, and Willowbrook/West Rancho Dominguez. The effort included review and input from a technical advisory committee ("TAC"), consisting of representatives from the First and Second Supervisorial Districts; the County Departments of Parks and Recreation ("Parks and Recreation"), Public Works, Regional Planning ("Regional Planning"), Arts and Culture, and County Fire; and the Los Angeles County Development Agency and Los Angeles Metro.

7. To develop the Pedestrian Plans, the County Department of Public Health ("Public Health") contracted with three community-based organizations to lead outreach ("outreach") efforts: Public Matters in East Los Angeles, Los Angeles Neighborhood Initiative in Florence-Firestone and East Rancho Dominguez, and Los Angeles Walks in Willowbrook/West Rancho Dominguez.
8. Between August 2021 and January 2023, each organization used a variety of strategies, from stakeholder interviews, surveying, and tabling at various school and community events, to community walk audits and arts engagement activities. In addition, community advisory committees were established in each community, with members representing youth, seniors, homeowners, businesses, and other key stakeholders.
9. The goal of the outreach was to facilitate a dialogue with community members about the physical and social barriers to walking, identify preferred routes and potential improvements, and build broader understanding and support for roadway safety improvements.
10. Community feedback was supplemented by a technical analysis of existing roadway and sidewalk conditions, collision, and crime data. The TAC allowed participants to share information and identify the various ways their agencies can contribute to improving walkability in the unincorporated communities.
11. The outreach team undertook a second phase of outreach from October 2023 through March 2023, returning to the four communities with the draft plan to ensure that it addressed stakeholders' concerns and their voices were heard. This phase included community meetings and workshops.
12. The County has prepared an Addendum to the Pedestrian Plans' Final Mitigated Negative Declaration ("MND"), as some changes or additions to the Pedestrian Plans have become necessary, but none of the conditions have occurred that require preparation of a Subsequent MND, as described in section 15162(a) of the California Environmental Quality Act ("CEQA") Guidelines.
13. Consistent with Government Code section 65352.3, in June and July 2022, California Native American Tribes, traditionally and culturally affiliated with the project areas according to the State Native American Heritage Commission's SB 18 list, were notified of the Pedestrian Plans and invited via certified mail to request consultation. However, no responses were received before or after the statutory 90-day timeframe.
14. In accordance with Section 22.222.120 of the Los Angeles County Code ("County Code"), a public hearing notice was published in newspapers of general circulation in English, detailing where to find the Spanish version online, in the Los Angeles Times, Our Weekly, Eastside Journal, Belvedere Citizen, Los Angeles Sentinel, The Daily Breeze, and Bell Gardens Review; and in

Spanish in La Opinión. Full-color, community-tailored postcards noting the availability of the Pedestrian Plans materials online and at County libraries were mailed to stakeholders on Regional Planning's Zoned Districts courtesy notification list; California Native American Tribes on the State Native American Heritage Commission's Senate Bill ("SB") 18 list for the Pedestrian Plans areas; and to California Native American Tribes on Regional Planning's Assembly Bill 52 list.

15. On September 20, 2023, the Regional Planning Commission ("Commission") held a duly-noticed public hearing for the Pedestrian Plans. Following a presentation by Public Health, the Commission requested correcting mention of the Metro Rail L line in the Pedestrian Plans to the E line.
16. During the September 20, 2023, public hearing, 23 community members provided testimony to the Commission; all speakers were supportive of the Pedestrian Plans.
17. The Commission voted unanimously to close the public hearing and recommended that the Board approve the Pedestrian Plans; and the Addendum to the MND.

HABITAT IMPACT FEE UPDATE FINDINGS

1. The County adopted the SMM Local Coastal Program ("LCP") in 2014 and an LCP amendment in 2018, which require Regional Planning to update the existing Habitat Impact Fee ("Existing Fee") within five years of certification of the LCP.
2. The HIF Update fulfills the LCP's mandate to update the Existing Fee that applies in the SMM Coastal Zone.
3. The SMM HIF Update amends the two components of the LCP: the SMM Land Use Plan ("LUP") and the SMM Local Implementation Plan in Title 22 of the County Code, to replace the Existing Fee.
4. The HIF Update also amends the SMM North Area Community Standards District ("CSD") in Title 22 of the County Code by establishing an HIF in the SMM North Area CSD.
5. The Existing Fee was developed by the California Coastal Commission ("Coastal Commission") using aggregate cost data for habitat impact mitigation from coastal development permit actions within the region. The Existing Fee was implemented in the LCP as an interim measure until an updated HIF could be determined based on conditions specific to the SMM to ensure the actual cost of compensatory impact mitigation is provided.

6. The HIF Update is consistent with the Existing Fee by supporting a no-net-loss approach for, and containing rare and biologically significant habitats, in the SMM. For unavoidable permanent impacts to on-site resources, off-site acquisition and permanent preservation is the highest and best approach to protect biological resources.
7. The HIF Update accounts for the current costs for acquisition and long-term management of and in the SMM.
8. The HIF Update proposes \$83,478 per acre (from the Existing Fee level of \$15,500 per acre) for the approved building site area, driveway/access roads and turnaround areas, any required irrigated fuel modification zones, and required off-site brush clearance areas (assuming a 200-foot radius from all structures), and \$20,870 per acre (from the Existing Fee level of \$3,900 per acre) for non-irrigated fuel modification areas (on-site).
9. The HIF levels will be adjusted for inflation annually. Annual inflation adjustments to the fee levels shall not require amendments to the LCP or the SMM North Area CSD.
10. The funds generated by the HIF Update in the SMM Coastal Zone shall be directed to the appropriate SMM Habitat Impact Mitigation Account reserved for the acquisition and long-term management of parcels containing H1/H2 Habitats in the SMM Coastal Zone. The funds generated by the HIF Update in the SMM North Area shall be directed to the appropriate SMM Habitat Impact Mitigation Account reserved for the acquisition and long-term management of parcels containing S1/S2 Habitats in the SMM North Area.
11. An update to the Existing Fee is required by the LCP and is, therefore, consistent with the General Plan. The HIF Update is consistent with and supportive of the goals, policies, and principles of the General Plan, including: Policy C/NR 3.1, to conserve and enhance the ecological function of diverse natural habitats and biological resources; and Policy C/NR 3.2, to create and administer innovative County programs incentivizing the permanent dedication of Significant Ecological Areas and other important biological resources as open space areas.
12. The HIF Update supports a no-net-loss approach for land containing rare and biologically significant habitats in the SMM. Approval of the HIF Update will be in the interest of the public health, safety, and general welfare and in conformity of good zoning practice.
13. The HIF Update is consistent with other applicable provisions of the LCP and Title 22 of the County Code.

14. Regional Planning staff ("Staff") conducted several meetings with conservation agencies, the Ventura County Resource Management Agency, and the Coastal Commission to collect data and receive input on the Existing Fee structure and current costs associated with the acquisition and long-term management of parcels containing H1/H2 Habitats and S1/S2 Habitats in the SMM.
15. Pursuant to County Code Section 22.222.180 (Publication), a public hearing notice was published in two local newspapers (The Malibu Times and The Acorn) and email notices sent to 477 email contacts. The public hearing notice and materials were posted on the HIF Update website.
16. The HIF Update is exempt from CEQA, pursuant to CEQA Guidelines sections 15061(b)(3), 15265, and 15378(b)(4) and the County Environmental Document Reporting Procedures and Guidelines. CEQA does not apply to the HIF Update under the "common-sense" exemption (CEQA Guidelines section 15061(b)(3)) because it does not have the potential for causing a significant effect on the environment. The HIF Update is more protective of natural resources than the existing County Code, and no construction activities are proposed or authorized by the HIF Update. Also, the Coastal Commission is responsible for complying with CEQA under CEQA Guidelines section 15265 because the HIF Update is a local coastal program. Finally, the HIF does not qualify as a "project" under CEQA because it is a funding and fiscal activity that does not involve any commitment to specific projects that may result in a potentially significant physical impact on the environment. (CEQA Guidelines section 15378(b)(4).)
17. On April 19, 2023, the Commission conducted a duly-noticed public hearing to consider the HIF Update. One member of the public addressed the Commission to provide testimony in favor of the HIF Update. The Commission recommended approval to the Board.
18. On October 24, 2023, the Board held a public hearing. After hearing the Staff presentation and testimony from the public, the Board closed the public hearing and, by a unanimous vote, took the following actions:
 - A. Made a finding the HIF Update is consistent with Chapter 3 policies of the California Coastal Act, SMM LUP, and the SMM North Area Plan;
 - B. Indicated its intent to approve the HIF Update, as recommended by the Commission;
 - C. Instructed County Counsel to prepare the final Plan Amendment amending the General Plan and County Code, Title 22 – Planning and Zoning, and submit the final documents to the Board for consideration;
 - D. Instructed the Director of Regional Planning ("Director") to submit the HIF Update to the Coastal Commission for consideration;

- E. Instructed the Director to work with the necessary County departments to establish and administer the SMM Habitat Impact Mitigation Account, with interest-bearing, to record funds generated for the acquisition, conservation, and long-term management of parcels containing H1/H2 and S1/S2 Habitats in the SMM;
- F. Instructed the Director of Parks and Recreation to administer the SMM Habitat Impact Mitigation Special Fund, subject to the parameters outlined in Regional Planning's letter to the Board dated October 24, 2023; and
- G. Made a finding the HIF Update is exempt from CEQA.

COLIMA PROJECT FINDINGS

1. The Colima Project is a development project consisting of 17 attached townhouse condominium residences in five separate buildings on a 1.2-gross-acre (0.78-net-acre) vacant lot located at 18002 Colima Road in the unincorporated community of Rowland Heights within the Puente Zoned District and East San Gabriel Valley Planning Area ("Project Site"). The Project Site is zoned C-3-DP (Unlimited Commercial-Development Program).
2. The Colima Project plan amendment amends the Rowland Heights Community Plan ("Community Plan") LUP Map, a component of the General Plan, for the Project Site from land use category C (Commercial) to U4 (Urban 4 – Maximum 22 Dwelling Units Per Gross Acre) to facilitate the density of 14 dwelling units per gross acre.
3. The Vesting Tract Map is a related request to create one 1.2-gross-acre (0.78-net-acre) multi-family lot with 17 attached townhouse condominium residences in five separate buildings on the Project Site.
4. The Variance is a related request to authorize 35-foot-high, three-story townhouses with a 15-foot front setback along Colima Road. The Rowland Heights CSD allows a maximum building height of 45 feet above grade in the C-3 Zone but limits new buildings within 300 feet of Colima Road to a maximum of two stories, pursuant to Subsections D.2 and D.3 of Section 22.332.070 (Rowland Heights CSD – Zone Specific Development Standards) of the County Code. This request enables the establishment of typical townhouse configurations with parking on the ground floor and two stories above parking designed and intended for human habitation. The Rowland Heights CSD also requires a minimum 20-foot front setback for buildings that front Colima Road, pursuant to Subsections B.2 and D.1 of Section 22.332.070 of the County Code.
5. The CUP is a related request for townhouses under an approved development program in the C-3-DP Zone, pursuant to County Code Sections 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R) and 22.52.040 (Development Program Zone).

6. Surrounding zoning within a 500-foot radius of the Project Site includes:
 - North: A-1-6,000 (Light Agricultural – 6,000 Square Feet Minimum Required Lot Area) and City of Industry;
 - South: R-1-10,000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area);
 - East: R-3 (Limited Multiple Residence); and
 - West: R-4 (Medium Density Multiple Residence).

7. Surrounding land uses within a 500-foot radius of the Project Site include:
 - North: Vacant land and single-family residence commercial uses;
 - South: Single-family residences;
 - East: 68-unit attached condominium development; and
 - West: 620-unit apartment complex.

8. The Colima Project is exempt from the Inclusionary Housing Ordinance ("IHO") because it was deemed complete in September 2020, prior to the effective date of the IHO. However, two of the 17 units are volunteered as affordable units at the moderate-income level (120 percent Average Median Income ("AMI")).

9. The Colima Project is a housing development that would be inconsistent with the General Plan and Zoning if the Board does not approve the plan amendment changing the land use category from C to U4.

10. The Project Site is currently designated land use category C, which does not allow for the development of residential units. Land use category U4, however, permits medium-density residential townhouses, condominiums, and apartments. Under the U4 land use category, multi-family residential uses up to a maximum density of 22 dwelling units per gross acre are permitted. The Colima Project consists of 17 dwelling units on a 1.2-gross-acre lot, which equates to a density of 14 dwelling units per gross acre. Therefore, the Colima Project's use and density are consistent with the allowable density under the U4 land use category.

11. Changing the land use category from C to U4 is necessary to realize an unmet local and regional need for more housing at a variety of income levels.

12. The Colima Project is consistent with the C-3-DP zoning classification because attached multi-family residences and townhouses are permitted in the C-3 Zone with a CUP, pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones).

- 13. The Colima Project is consistent with the following goals and policies of the Community Plan:
 - A. LUP 1: Prohibit residential uses in industrial areas. Residential uses in commercial areas are allowed only when ancillary to primary commercial uses.
 - B. LUP 4: Restrict multiple family or attached housing to the U3, U4, and U5 categories.
 - C. Conservation and Open Space Policy 8: Encourage the use of solar energy for water and space heating.
 - D. Recreation Policy 4: Require all new subdivisions dedicate land for local parks according to the requirements of the Quimby Law. Fees may be paid in lieu of park land dedication only when the land requirement is less than five acres. Where only part of a given ownership is being developed at a particular time, the amount of park space required will be based on the most intense development allowed on the entire site.

- 14. The Colima Project supports the Guiding Principles of the Community Plan with the plan amendment changing the land use category from C to U4. The plan amendment is necessary because multi-family housing is not allowed in the C land use category. The Colima Project facilitates the construction of 15 market-rate units and two affordable units not exceeding 120 percent AMI to meet local and regional needs for housing. This medium-density multi-family housing development in the U4 land use category is consistent with the Community Plan. The development will adhere to the Green Building Standards Code and will provide multi-family buildings that are solar ready. The Colima Project includes on-site amenities, such as a tot lot and a public-accessible five-foot-wide path providing connection from the public sidewalk in front of the Colima Project to the 12-foot-wide public equestrian easement behind the Project Site. Payment of Quimby fees will be required because the Project Site is less than five acres.

- 15. The Colima Project is consistent with the following goals and policies of the General Plan:
 - A. Policy LU 1.3: In the review of project-specific amendments to the General Plan, ensure they support the Guiding Principles.
 - B. Policy LU 1.4: In the review of a project-specific amendment(s) to the General Plan, ensure the project-specific amendment(s): (a) is consistent with the goals and policies of the General Plan; and (b) shall benefit the public interest and is necessary to realize an unmet local or regional need.

- C. Policy LU 4.1: Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.
 - D. Policy LU 5.1: Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types, and styles.
 - E. Policy LU 10.3: Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features, such as massing, materials, color, detailing, or ornament.
 - F. Policy LU 10.6: Encourage pedestrian activity through the following:
 - (a) designing the main entrance of buildings to front the street;
 - (b) incorporating landscaping features; (c) limiting masonry walls and parking lots along commercial corridors and other public spaces;
 - (d) incorporating street furniture, signage, and public events and activities;
 - and (e) using wayfinding strategies to highlight community points of interest.
 - G. Policy LU 10.12: Discourage gated entry subdivisions to improve neighborhood access and circulation, improve emergency access, and encourage social cohesion.
16. The Colima Project supports the Guiding Principles of the General Plan as follows:
- A. The amendment employs Smart Growth: The Project Site is located in an urban area and does not contain sensitive habitat or known cultural resources. The Colima Project provides new housing near commercial and industrial jobs, places of worship, and existing public services, including schools, transit, recreational areas, and libraries. The Colima Project includes mitigation measures in the event of accidental discovery of unknown cultural resources. The Colima Project is required to comply with the County's Low Impact Development Ordinance and the Green Building Standards Code.
 - B. The amendment ensures community services and infrastructure are sufficient to accommodate growth: Will-serve letters for the Colima Project have been issued by the County Sanitation Districts and Rowland Water District. The Colima Project does not propose any uses prohibited by the existing zoning, and it has been determined that the needs of fire protection, Sheriff protection, schools, parks, libraries, and other public facilities have been adequately met through the Colima Project conditions of approval.

- C. The amendment provides the foundation for a strong and diverse economy: The Colima Project provides for-sale market rate and moderate-income level housing. The units are attached condominiums which provide entry-level home ownership opportunities and are priced accordingly.
 - D. The amendment promotes excellence in environmental resource management: The Project Site is currently a vacant and underutilized lot in an urban area and does not contain any natural habitat. The Colima Project is an infill development with a medium density of 14 dwelling units per gross acre. The Colima Project maximizes the Project Site's smaller footprint by attaching units and stacking habitable areas above enclosed parking areas. The Colima Project will comply with the County's Low Impact Development Ordinance and the Green Building Standards Code.
 - E. The amendment provides healthy, livable, and equitable communities: The Colima Project will provide new housing at a medium density within walking distance (one-quarter of a mile) of existing jobs and services located along Colima Road. The Colima Project includes a landscaped public sidewalk and on-site trees near the sidewalk for additional shade. The Colima Project also includes a publicly accessible walkway through the development that connects to the 12-foot-wide equestrian trail easement that adjoins the southerly property boundary. The public trail easement connects to Schabarum Regional Park.
 - F. The amendment will benefit the public interest and is necessary to realize an unmet local or regional need: The Plan Amendment is necessary to allow residential use at a compatible density on an underutilized site near other multi-family developments, commercial corridors, bus stops, and community serving facilities. The Plan Amendment would result in a net gain of 17 attached condominium units, including two affordable units at the moderate-income level. The Colima Project benefits the public interest and is necessary to realize an unmet local and regional need, which is housing at all income levels. The Colima Project will pay its fair share of costs for new infrastructure required for the development.
17. The Colima Project is a 17-unit residential infill project and places new for-sale housing near jobs, services, and access to the regional bus network.
 18. The Colima Project is consistent with the standards identified in County Code Section 22.332.070 (Rowland Heights CSD – Zone Specific Development Standards) ("Zone Specific Development Standards Section") related to required yard areas, structure height, lot coverage, architectural features, buffers, general and parking lot landscaping, and deceleration/acceleration lane, as described below. The Variance is needed to reduce the front-yard setback from 20 to

15 feet and authorize all five residential buildings to exceed the two-story building limitation by including a third story.

19. The Colima Project is consistent with the minimum required yard areas for uses in the C-3 Zone with the Variance, pursuant to the CSD identified in County Code Section 22.20.050 (Development Standards for Zones C-H, C-1, C-2, C-3, and C-M) and the Zone Specific Development Standards Section. The CSD requires a minimum 20-foot front setback for buildings that front Colima Road. Accordingly, the Colima Project requires the Variance because it includes a 15-foot front setback. The Variance is consistent with the minimum 15-foot front yard setback for residential uses in Commercial Zones outside the CSD.
20. The height of the proposed buildings is consistent with the maximum permitted building height of 45 feet, pursuant to the Zone Specific Development Standards Section. The five buildings are proposed to range in height from 30.5 feet to 35 feet.
21. The Colima Project requires a Variance to allow buildings to have three stories because the Zone Specific Development Standards Section limits the number of building stories to two stories for new structures on lots that front Colima Road. The Colima Project proposes all five residential buildings to have three stories to provide for a garage on the first floor and habitable areas on the second and third floors.
22. The Colima Project is consistent with the Zone Specific Development Standards Section's lot coverage standard limiting new building coverage to 40 percent of the property's net area, which is 33,976 square feet. The development proposes a total of 11,121 square feet of building coverage, which is equal to 32 percent lot coverage.
23. The Colima Project is consistent with the Zone Specific Development Standards Section's architectural features standard, which prohibits long, unbroken façades and requires 25 percent of the façade of each structure that adjoins a street or residentially-zoned property to consist of materials or designs that are distinguishable from the rest of the building as follows:
 - A. Building No. 1 (street facing): Total façade area equals 2,335 square feet with 87 percent consisting of architectural features.
 - B. Building No. 2 (street facing): Total façade area equals 1,767 square feet with 86 percent consisting of architectural features.
 - C. Building No. 3 (street facing): Total façade area equals 2,125 square feet with 42 percent consisting of architectural features.
 - D. Building No. 4 (north): Total façade area equals 1,380 square feet with 45 percent consisting of architectural features.

- E. Building No. 5 (street facing): Total façade area equals 1,780 square feet with 55 percent consisting of architectural features.
24. The Colima Project is consistent with the CSD's development standards for buffers. The CSD requires new structures on lots adjoining a Residential Zone to be placed at least three feet from the shared property boundary. Under the Zone Specific Development Standards Section, if a new structure exceeds 15 feet in height, the structure's side setback must increase by one foot for every one foot in height above 15 feet. Building Nos. 2 and 3 are proposed to be closest to the adjoining R-4 Zoned property. Both buildings do not exceed a building height of 35 feet. Due to the height of the proposed structures in relation to the property line, both buildings must be placed an additional 20 feet from the three-foot setback (a total of 23 feet from the property line). Building No. 2 is approximately 62 feet from the property line, and Building 3 is 31 feet from the property line.
25. The Colima Project is consistent with the CSD's development standards for landscaping and screening for projects with a net area of 30,000 square feet and greater. The Project Site contains a net area of 33,976 square feet. Therefore, the Zone Specific Development Standards Section requires 10 percent of the net area to be landscaped. The Colima Project provides landscaping that covers an area of 10,054 square feet of landscaping, which represents 29 percent of the net area. The Colima Project Site landscaping includes ground cover, trees, shrubs, perennials, and vines, as shown on the preliminary landscape plan. The uncovered guest parking area and trash enclosure are screened from Colima Road by the trees and shrubs proposed along the property's frontage.
26. The parking lot area for the five uncovered guest parking spaces does not need to be landscaped. The Zone Specific Development Standards Section requires parking lot landscaping when 20 or more parking spaces are provided.
27. A lane for decelerating and accelerating is not required because the property's frontage is 598 feet. The Zone Specific Development Standards Section requires a deceleration/acceleration lane for lots with at least 600 feet of frontage along Colima Road.
28. The Colima Project is consistent with the parking requirements for townhouses under County Code Section 22.112.070 (Required Parking Spaces). The attached multi-family development provides 34 parking spaces for residents (two parking spaces per unit) and five guest parking spaces. The Colima Project provides 13 bicycle parking spaces total, including 11 long-term bicycle parking spaces and two short-term bicycle parking spaces, which is consistent with County Code Section 22.112.100 (Bicycle Parking Spaces and Bicycle Facilities).

29. The Colima Project is consistent with the maximum allowed fence/wall heights under County Code Section 22.110.070 (Fences and Walls). This Section allows front-yard fences/walls to have a maximum height of three and one-half feet, and side- and rear-yard fences/walls to have a maximum height of six feet. The Vesting Tract Map depicts a retaining wall that is two and one-half-feet high along the front property boundary. A retaining wall that will not be above three feet high is proposed along the westerly property boundary. A two-foot-high retaining wall topped with a six-foot-high non-view obscuring fence is proposed along the southerly (rear) property boundary.
30. The Colima Project consists of five buildings, which contain three to six attached townhouses each. This is consistent with County Code Section 22.140.600 (Townhouses), which requires the number of units per building to be specified. The default limit is six units, unless another amount is specified.
31. At least 10 feet are provided between primary buildings, which is consistent with County Code Section 22.140.600 (Townhouses).
32. Site plans showing the location of all proposed structures, along with conceptual building elevations and floor plans, were submitted as Exhibit "A." Exhibit "A" shows the height, bulk, arrangement, color, and appearance of proposed buildings in conformance with County Code Section 22.52.040 (Development Program). Exhibit "A" also includes grading, yards, walls, walks, and landscaping. The Subdivision Committee and Regional Planning reviewed and cleared Exhibit "A," dated August 18, 2020.
33. The Colima Project does not include phased development. The Board finds the submitted Exhibit "A" does not propose phased final map recordation or construction. As shown on Exhibit "A," the Colima Project is expected to be fully constructed all at once, pursuant to County Code Section 22.52.040 (Development Program).
34. The Colima Project's conditions of approval, in conjunction with CSD requirements, will ensure completion of the proposed development by the Subdivider and will not allow for substitution of a lesser type of development that is contrary to the public convenience, welfare, or development needs of the area, pursuant to County Code Section 22.52.040 (Development Program).
35. The Colima Project is consistent with the standard identified in County Code Section 21.40.040 (Contents—Information and Documents Required). The total amount of grading stated on the tentative map is 5,775 cubic yards, including 1,700 cubic yards of cut, 250 cubic yards of fill, 1,450 cubic yards of export, and 2,375 cubic yards of over-excavation.

36. The Colima Project is consistent with the minimum tree planting requirement of one tree for every 25 feet of street lot frontage identified in County Code Section 21.32.195 (On-Site Trees). The Project will be required to provide 20 trees along its 498.4-foot frontage.
37. The Colima Project is consistent with the standards identified in County Code Section 21.24.380 (Condominiums and Community Apartment Projects). The Colima Project proposes a common walkway a minimum of five feet in width providing direct access into the Project Site from public sidewalks along its frontage. The common walkway is not located along a fire lane in the Project Site.
38. The proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
39. Prior to the Board's public hearing on the Colima Project, an Initial Study was prepared for it, in compliance with CEQA, the State CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Initial Study found the Colima Project could potentially have a significant effect on the following environmental factors: biological resources; cultural resources; hazards/hazardous materials; noise; and tribal cultural resources ("TCRs"). However, the Initial Study concluded these potential environmental impacts would not be significant if the Colima Project incorporated recommended feasible mitigation measures. These measures would mitigate and minimize impacts to: nesting habitats for native birds; roosting habitats for bats; unknown archeological and paleontological resources, if encountered; and unknown TCRs, if encountered. The mitigation measures also include informing future residents about proper management and disposal of household hazardous waste.
40. Based on the Initial Study, an MND was the appropriate environmental document for the Colima Project under CEQA. The mitigation measures necessary to ensure the Colima Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Colima Project.
41. Based on the MND, MMRP, the comments received during the public review process, and the whole administrative record, there is no substantial evidence the Colima Project, as conditioned, will have a significant effect on the environment. The MND reflects the independent judgment and analysis of the Board. The Colima Project's design features and mitigation measures ensure it will not have a significant effect on the environment.

42. The MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid Colima Project's potentially adverse environmental impacts. The MMRP's requirements are incorporated into the conditions of approval for the Colima Project, and its approval is conditioned on the Applicant's compliance with the attached conditions of approval and MMRP. The MMRP and its mitigation measures ensure the Colima Project will not have a significant effect on the environment.
43. The Applicant is subject to payment of the California Department of Fish and Wildlife fees related to the Colima Project's effect on wildlife resources, pursuant to section 711.4 of the California Fish and Game Code.
44. Pursuant to County Code Sections 21.16.070 (Notice of Public Hearing) and 21.16.075 (Posting), the community was properly notified of the public hearing before the Commission on June 21, 2023, by mail, newspapers (Daily Journal and La Opinion), and property posting. Additionally, the Colima Project notice and case materials are available on Regional Planning's website. On May 10, 2023, a total of 483 public hearing notices were mailed to all property owners, as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, including to those on the courtesy mailing list for the Puente Zoned District and to additional interested parties.
45. The Colima Project is not limited to five public hearings under the Housing Crisis Act (SB 330), California Government Code section 65905.5(a), because it is inconsistent with the General Plan and Zoning without the plan amendment. Although the Colima Project is not limited to five public hearings, the Board finds no more than three public hearings were conducted in connection with it after it was deemed complete. Public hearings occurred on the following dates after the Colima Project was deemed complete:
 - A. Board hearing held on November 28, 2023;
 - B. Commission hearing held on June 21, 2023; and
 - C. Subdivision Committee meeting held on September 24, 2020.
46. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Subdivisions Section, Los Angeles County Department of Regional Planning.

THEREFORE, THE BOARD OF SUPERVISORS:

STEP BY STEP LOS ANGELES COUNTY: PEDESTRIAN PLANS FOR UNINCORPORATED COMMUNITIES

1. Certifies the Addendum to the previously certified MND for the Pedestrian Plans was completed in compliance with CEQA and reflects the independent judgment and analysis of the County; certifies it has reviewed and considered the information contained in the Addendum, and adopts the Addendum; and
2. Approves Advance Planning No. RPPL2023003022-(All Districts).

SANTA MONICA MOUNTAINS HABITAT IMPACT FEE UPDATE ORDINANCE

1. Finds the HIF Update is consistent with Chapter 3 policies of the California Coastal Act, SMM LUP, and SMM North Area Plan;
2. Finds the HIF Update is exempt from CEQA; and
3. Approves General Plan Amendment No. RPPL2023000732-(3).

COLIMA PROJECT

1. Certifies the MND for the Colima Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies it independently reviewed and considered the MND, and the MND reflects its independent judgment and analysis as to the environmental consequences of the Colima Project; certifies it considered the MMRP, finding the MMRP is adequately designed to ensure compliance with the mitigation measures during the Colima Project implementation; determines, on the basis of the whole record before it, there is no substantial evidence the Colima Project will have a significant effect on the environment; adopts the MND; and
2. Approves General Plan Amendment No. RPPL2018004782-(1).

(Signature page follows)

The foregoing resolution was on the 19th day of March, 2024, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.




JEFF LEVINSON, Interim Executive Officer of the Board of Supervisors of the County of Los Angeles

By: 
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel

By: 
Starr Coleman
Assistant County Counsel

Attachments

- Exhibit A – Step by Step Los Angeles County: Pedestrian Plans for Unincorporated Communities of East Los Angeles, Florence-Firestone, East Rancho Dominguez, and Willowbrook/West Rancho Dominguez
- Exhibit B – Santa Monica Mountains Habitat Impact Fee Update Ordinance
- Exhibit C – Proposed Amendment to the Santa Monica Mountains Land Use Plan

Exhibit A

Exhibit B

REVISED
ANALYSIS

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to update the Habitat Impact Fee in the Santa Monica Mountains Coastal Zone Local Implementation Program (Chapter 22.44) and establish a Habitat Impact Fee in the Santa Monica Mountains North Area Community Standards District (Chapter 22.336).

DAWYN R. HARRISON
County Counsel

By *Andriy Pazuniak*
ANDRIY PAZUNIAK
Deputy County Counsel
Property Division

AP:II

Requested: 11-16-2023

Revised: 03-14-2024

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to update the Habitat Impact Fee in the Santa Monica Mountains Coastal Zone Local Implementation Program (Chapter 22.44) and establish a Habitat Impact Fee in the Santa Monica Mountains North Area Community Standards District (Chapter 22.336).

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.44.1950 is hereby amended to read as follows:

22.44.1950 Mitigation.

New development shall be sited and designed to avoid any impacts to H1 Habitat, with the exception of uses permitted within H1 Habitat and H1 Habitat ~~Buffer~~, consistent with Section 22.44.1890. New development shall be sited and designed to avoid any impacts to H2 "High Scrutiny" Habitat and H2 Habitat, if feasible. If there is no feasible alternative that can avoid all impacts to H2 "High Scrutiny" Habitat and H2 Habitat, or if development is permitted within H1 Habitat or H1 Habitat ~~Buffer~~, then the alternative that would result in the fewest or least significant impacts shall be selected, consistent with Sections 22.44.1910 and 22.44.1920. The CDP shall include conditions that require implementation of all feasible mitigation measures that would significantly reduce adverse impacts of the development. Mitigation shall not substitute for the implementation of the project alternative that would avoid impacts. In addition to other mitigation measures required by the LCP, the following mitigation is required for unavoidable impacts to H1 Habitat and H2 Habitat.

A. Resource Conservation Program. Unavoidable impacts to H1 ~~h~~Habitat from the provision of less than a 100-foot H1 ~~h~~Habitat ~~b~~Buffer, and/or to H2 Habitat from direct removal or modification, shall, at a minimum, be compensated ~~by the following~~, at a minimum pursuant to a Resource Conservation Program ("RCP"), as set forth below. At its sole election, the County may require restoration as mitigation instead of reliance on the ~~Resource Conservation Program~~RCP.

1. The County will administer ~~a Resource Conservation Program ("RCP")~~, whichthe RCP. The RCP shall consist of the expenditure of funds to be used for the acquisition and permanent preservation of land in the Santa Monica Mountains ~~e~~Coastal zZone containing substantial areas of H1 Habitat and/or H2 ~~h~~Habitats. The County commits to expend no less than \$2,000,000 over a 10-year period. The RCP shall demonstrate that the lands preserved are, at a minimum, in the Santa Monica Mountains Coastal Zone and proportional to the habitats impacted from permitted development in area (acreage or partial acreage) and habitat value/function.

2. ~~For purposes of analyzing and implementing the RCP, and subsection B of this Section 22.44.1950, the County shall prepare a Habitat Fee Study within five years of certification of the LCP to determine the appropriate fees to adequately compensate for adverse impacts to H1 habitat from the provision of less than a 100 foot buffer, and to H2 habitat from direct removal or modification. The Habitat Fee shall be submitted to the Coastal Commission through an LCP amendment within five years of certification of the LCP. After the first five years following certification of the LCP, n~~No CDPs that involve impacts to H1 ~~h~~Habitat from the provision of less

than a 100-foot H1 ~~Habitat~~ Buffer and/or to H2 ~~Habitat~~ from direct removal or modification may be processed until the amount of the in-lieu Habitat Impact Fee pursuant to the study is incorporated into this LCP through an LCP amendment, subject to the provisions of Section 22.44.700, that is certified by the Coastal Commission.

3. The County shall track and prepare an annual monitoring report at the end of each calendar year the RCP is in operation. The report for the calendar year shall itemize all acquisitions made that year, in addition to all of the following information:

...

f. ~~The amount of the Habitat Impact Fee as determined appropriate for each CDP in accordance with the following:~~ that shall be applied to each CDP, as appropriate, in accordance with the following and Subsection B of this Section 22.44.1950. The Habitat Impact Fee shall be calculated using the In-lieu Fee amount set forth in Subsection i, below, which amount shall be updated and adjusted for inflation annually, pursuant to Subsection ii, below.

i. ~~Current In-Lieu Fee, Baseline:~~ During the first five years following certification of the LCP, or until an updated fee is certified through an LCP amendment, the County shall utilize the Coastal Commission's Habitat Impact Fee that was implemented through individual coastal development permit actions prior to certification of the LCP, adjusted for inflation. year following the effective date of this ordinance. ~~The current fee~~ In-lieu Fee amounts are:

(A) ~~\$15,500~~83,478 per acre for the approved building site area, driveway/access roads and turnarounds areas, any required irrigated fuel modification zones, and required off-site brush clearance areas (assuming a 200-foot radius from all structures);

(B) ~~\$3,900~~20,870 per acre for non-irrigated fuel modification areas (on-site);

ii. Updated In-lieu Fee: Beginning one year after the effective date of this ordinance, the amount of the Habitat Impact In-lieu Fee, approved through an amendment to the LCP, pursuant to subsection A.2 of this Section 22.44.1950, shall be used and adjusted for inflation annually. Annual adjustments for inflation to the In-lieu Fee shall not require an amendment to the LCP.

...

5. If, as a result of this annual review anytime during the ten-year period, the County determines that the RCP has not met the goals of providing adequate and proportional compensation for impacts to H1 Habitat and/or H2 ~~H~~Habitat; that the cumulative amount of the Habitat Impact Fee required pursuant to issued CDPs exceeds the minimum \$2,000,000; or that the County has elected to discontinue the RCP, the County shall initiate an LCP amendment, pursuant to the provisions of Section 22.44.700, to modify this policy, in coordination with Coastal Commission staff.

...

B. Habitat Impact Fee. Unavoidable impacts to H1 Habitat from the provision of less than a 100-foot H1 ~~H~~Habitat ~~b~~Buffer and/or to H2 Habitat from direct removal or

modification, shall be compensated by the provision of a required ~~in-lieu~~ Habitat Impact Fee, as a condition of approval of individual projects (CDP's), in either of the cases described in ~~s~~Subsection 1 or 2, below:

...

2. When approved confined animal facilities result in the expansion of the required fuel modification area of the principal permitted use and/or equestrian pasture is approved outside the required fuel modification area of the principal permitted use on a property, pursuant to ~~s~~Subsection D or E of Section 22.44.1940.

3. The amount of the ~~in-lieu~~ Habitat Impact Fee, on a per-acre basis, ~~will~~shall be determined by the ~~in-lieu fee study required pursuant to subsection A2 of Section 22.44.1950~~ set forth in the annual monitoring report, pursuant to Subsection A.3.f of this Section 22.44.1950. No CDPs that involve impacts to H1 Habitat Buffer and/or to H2 Habitat from the provision of less than a 100-foot H1 Habitat Buffer and/or to H2 Habitat from direct removal or modification may be processed until ~~the amount of the in-lieu~~ Habitat Impact Fee is incorporated into this LCP through an LCP amendment, subject to the provisions of Section 22.44.700, that is certified by the Coastal Commission.

4. A determination of the total area of H1 Habitat and/or H2 Habitat impacted by a project and the total Habitat Impact Fee amount required (based on the fee per acre multiplied by the total area of habitat impacted) shall be included in the findings of every ~~coastal development permit~~ CDP approved for development that is subject to the provisions of this policy. A condition of approval on each ~~coastal development permit~~ CDP for development subject to the provisions of this ~~s~~Subsection

shall require the payment of the ~~in-lieu~~Habitat Impact fFee into the "Habitat Impact Fund – Santa Monica Mountains Coastal Zone" administered by the County for use in the Santa Monica Mountains Coastal Zone. The proceeds of the "Habitat Impact Fund – Santa Monica Mountains Coastal Zone" shall be used by the County to purchase and permanently preserve properties that contain substantial areas of H1 Habitat and/or H2 Habitat in the ~~coastal zone of the~~Santa Monica Mountains Coastal Zone.

...

SECTION 2. Section 22.336.060 is hereby amended to read as follows:

22.336.060 Biological Resource Standards.

A. Biological Resources.

...

4. Development Standards for Habitat Categories.

...

f. Streams. Development shall be prohibited in streams,

except where it has been demonstrated that there is no feasible less-environmentally-damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such development shall be subject to

~~mitigation~~Habitat Impact fFees when a mitigation fee is adopted, pursuant to Subsection A.10 of this Section 22.336.060, be consistent with this Section 22.336.060, and be limited to the following uses:

...

REVISED

10. Habitat Impact Fees. ~~Reserved~~Unavoidable impacts to S1 Habitat from the provision of less than a 100-foot S1 Habitat Buffer and/or to S2 Habitat from direct removal or modification shall be compensated by the provision of a required Habitat Impact Fee as a condition of approval of individual projects. The Habitat Impact Fee shall be calculated using the In-lieu Fee amount set forth in Subsection a, below, which amount shall be updated and adjusted for inflation annually, pursuant to Subsection b, below.

a. In-lieu Fee, Baseline.

i. \$83,478 per acre for the approved building site area, driveway/access roads and turnaround areas, any required irrigated fuel modification zones, and required off-site brush clearance areas (assuming a 200-foot radius from all structures).

ii. \$20,870 per acre for non-irrigated fuel modification areas (on-site).

b. Updated In-lieu Fee: The In-lieu Fee amount shall be adjusted for inflation annually. Annual adjustments for inflation to the In-lieu Fee shall not require an amendment to the SMMNA CSD.

c. A determination of the total area of S1 Habitat and/or S2 Habitat impacted by a project and the total fee amount required (based on the fee per acre multiplied by the total area of habitat impacted) shall be included in the findings of every permit approved for development that is subject to the provisions of this policy. A condition of approval on each permit for development subject to the provisions of this

Subsection shall require the payment of the Habitat Impact Fee into the "Habitat Impact Fund – Santa Monica Mountains North Area" administered by the County for use in the Santa Monica Mountains North Area. The proceeds of the "Habitat Impact Fund – Santa Monica Mountains North Area" shall be used by the County to purchase and permanently preserve properties that contain substantial areas of S1 Habitat and/or S2 Habitat in the Santa Monica Mountains North Area.

[22441950APCC]

Exhibit C

**PROPOSED AMENDMENT TO THE SANTA MONICA MOUNTAINS
LAND USE PLAN**

...

CO-86a Unavoidable impacts to H1 ~~h~~Habitat from the provision of less than a 100-foot H1 ~~h~~Habitat ~~b~~Buffer, and/or to H2 ~~h~~Habitat from direct removal or modification, shall be compensated by the following, at a minimum.

...

b. ~~For purposes of analyzing and implementing the RCP, and Policy CO-86b below, the County shall prepare a Habitat Fee Study within 5 years of certification of the LCP to determine the appropriate fees to adequately compensate for adverse impacts to H1 habitat from the provision of less than a 100-foot buffer, and to H2 habitat from direct removal or modification. The Habitat Fee shall be submitted to the Coastal Commission through the LCP amendment within five years of certification of the LCP. After the first five years following certification of the LCP, n~~No CDPs that involve impacts to H1 ~~h~~Habitat from the provision of less than a 100-foot H1 ~~h~~Habitat ~~b~~Buffer and/or to H2 ~~h~~Habitat from direct removal or modification may be processed until the amount of the in-lieu Habitat Impact f~~Fee~~ pursuant to the study is incorporated into this LCP through an LCP amendment that is certified by the Coastal Commission.

...

- The number of acres of each sensitive habitat classification allowed to be developed or otherwise impacted from issued CDPs: a) in the previous year, and b) cumulatively since the starting date of the RCP;
- The amount of the Habitat Impact Fee determined appropriate for each CDP in accordance with the following:

1. ~~Current In-Lieu Fee, Baseline: During the first five years following certification of the LCP, or until an updated fee is certified through an LCP amendment, the County shall utilize the Coastal Commission's Habitat Impact Fee that was implemented through individual coastal development permit actions prior to certification of the LCP, adjusted for inflation. The current fee~~ During the first year following the effective date of the updated Habitat Impact Fee in the Santa Monica Mountains Coastal Zone Local Implementation Program (Los Angeles County Code Chapter 22.44), the In-lieu Fee amounts are:

- ~~\$15,500~~ \$83,478 per acre for the approved building site area, driveway/access roads and turnarounds areas, any required irrigated fuel modification zones, and required off-site brush clearance areas (assuming a 200-foot radius from all structures).
- ~~\$3,900~~ \$20,870 per acre for non-irrigated fuel modification areas (on-site).

2. Updated In-Lieu Fee: Beginning one year after the effective date of the updated Habitat Impact Fee in the Santa Monica Mountains Coastal Zone Local Implementation Program (Los Angeles County Code Chapter 22.44), the amount of the Habitat Impact Fee, approved through an amendment to the LCP pursuant to subsection b above, shall be used and adjusted for inflation annually. Annual adjustments for inflation to the In-lieu Fee shall not require an amendment to the LCP.

- A table or tables depicting the cumulative acreage of impact from issued CDPs in relation to the acreage acquired and preserved pursuant to the RCP, the cumulative amount of the Habitat Impact Fee that would otherwise have been required for the issued CDPs, and monies spent and monies remaining under the RCP. All acres of habitat shall be categorized by the number of acres of each sensitive habitat classification impacted/acquired; and
- A summary of other restoration or enhancement efforts in the Santa Monica Mountains, such as TDCs, donation of other property, and grants for further funding of the RCP.

...

CO-86b Unavoidable impacts to H1 Habitat from the provision of less than a 100-foot H1 ~~Habitat~~ Buffer and/or to H2 Habitat from direct removal or modification, shall be compensated by the provision of a required ~~in-lieu H~~ Habitat impact ~~f~~ Fee, as a condition of approval of individual projects (CDP's), in each of the following cases:

- a. When the earliest of the following events occurs: 1) the ten-year period of the RCP ends; or 2) the cumulative amount of the Habitat Impact Fee required for issued CDPs exceeds \$2,000,000; or 3) at such time as the County elects to discontinue the RCP.
- b. When confined animal facilities and/or equestrian pasture are approved outside the required fuel modification area of the principal permitted use on a property pursuant to Policy CO-57, CO-103 or CO-104.

The amount of the ~~Habitat Impact Fee~~, on a per-acre basis, ~~will~~shall be determined by the ~~in-lieu fee study required pursuant to subsection b of Policy CO-86a above~~set forth in the County's annual monitoring report, pursuant to Section 22.44.1950 of the Los Angeles County Code. No CDPs that involve impacts to H1 ~~Habitat~~ from the provision of less than a 100-foot H1 ~~Habitat~~ ~~Buffer~~ and/or to H2 ~~Habitat~~ from direct removal or modification may be processed until the amount of the ~~in-lieu~~Habitat Impact Fee is incorporated into this LCP through an LCP amendment that is certified by the Coastal Commission.

A determination of the total area of H1 Habitat and/or H2 Habitat impacted by a project and the total Habitat Impact Fee amount required (based on the fee per acre multiplied by the total area of habitat impacted) shall be included in the findings of every ~~coastal development permit~~CDP approved for development that is subject to the provisions of this policy. A condition of approval on each ~~coastal development permit~~CDP for development subject to the provisions of this policy shall require the payment of the ~~in-lieu~~Habitat Impact Fee into the “Habitat Impact Fund – Santa Monica Mountains Coastal Zone” administered by the County for use in the Santa Monica Mountains

Coastal Zone. The proceeds of the “Habitat Impact Fund – Santa Monica Mountains Coastal Zone” shall be used by the County to purchase and permanently preserve properties that contain substantial areas of H1 Habitat and/or H2 Habitat in the ~~coastal zone of the Santa Monica Mountains~~ Coastal Zone.

...