

## **2.0 POLICIES AND ORDINANCES**

City General Plan and Zoning designations establish the framework that will guide future management of the Project Area. The summaries below provide an overview of these planning tools.

### **2.1 MEASURES A AND B**

On July 11, 2000, the City held a special election to approve new general plan and zoning classifications for the “Hillside Wilderness Preserve” and “Hillside Recreation Area”. Monrovia residents also voted to approve a parcel tax as a means of funding acquisition of the hillside open space. These measures were identified as Measures A and B, respectively.

Measure A was approved by 84% of the electorate. This measure ratified the City Council’s decision to maintain the lowest possible density by establishing development densities and zoning definitions for properties that could be purchased and held as undeveloped open space (e.g., 70-75 single family residences maximum). Additionally, the voters ratified the City Council’s approval of the Madison Avenue Specific Plan – Alternative Land Plan “C Modified”; the Cloverleaf Canyon Specific Plan amendment for the Leonard, Fors and Woodward properties as amended – Alternative Land Plan “C Modified”; amendment of the Cloverleaf Canyon Specific Plan for the Doug Wright property as amended – Alternative Land Plan “C Modified”; and, approved the amendment of the Cloverleaf Canyon Specific Plan (excluding Wright property) – Alternative Land Plan “C Modified”.

In this same election, Measure B was approved by 77% of the electorate. This measure authorized a special tax to generate: 1) generate \$10 million over 30 years (through the annual revenue stream or as a bonded lump sum) to purchase land zoned as “Hillside Wilderness Preserve” and “Hillside Recreation Area” as permanent open space, and 2) \$80,000 per year of ongoing property tax revenue for future maintenance of the Project Area.

### **2.2 GENERAL PLAN**

The City General Plan, contains guidelines to guide the City in land use management and addresses hillside open space in the Land Use, Circulation, and Recreation elements. A summary of the General Plan policies relating to the Project Area follow.

#### **2.2.1 Land Use Element**

The Open Space Designations in the Land Use Element of the General Plan (July 20, 1993) were amended to reflect the results of the Special Election (July 11, 2000). Descriptions of the Hillside Wilderness Preserve and Hillside Recreation land use classifications continue to be provided under Open Space Designations in the Land Use Element of the General Plan (January 15, 2008). In addition, the Special Election (July 11, 2000) ratified the specific plans and the following goals and objectives relating to biking and hiking trails.

### **Madison Avenue, Cloverleaf Canyon, and Leonard, Fors & Woodward Specific Plans.**

**Madison Avenue.** The voter ratified Madison Avenue Specific Plan establishes goals, objectives and policies as follows:

#### **Biking/Hiking/Trails**

**a. Goal**

Provision of a network of trails throughout the Specific Plan Area with minimum disturbance of the natural terrain.

**b. Objectives**

- (1) Provide a trail system which is an integral part of the hillside area.
- (2) Provide recreation uses that may include hiking, and biking uses.
- (3) The development of a trail system shall be explored which ties any private trail system, that may be developed into the regional trail network.
- (4) A public component of the trail system will be assured through land dedication, public easement or other City approved mechanism.
- (5) The Specific Plan shall, to the extent feasible, provide for the immediate or future connection of trails.
- (6) The trails shall be so designed to take into consideration impacts to residential development (new and existing) with respect to privacy and safety.
- (7) Provide landscape linkage throughout the development that consists of natural open space and/or active open space area.

**c. Policies**

- (1) Utilize the emergency access roads to integrate the system.
- (2) Provide a continuous trail network between the urbanized valley floor and the Angeles National Forest.
- (3) Provide access to scenic vistas in the southern foothills and ridgelines and open space reserves in the northern portion of the planning area.
- (4) Trails are an integral part of the Specific Plan and provide recreation opportunities that may include biking, and hiking uses.
- (5) Emergency access roads are for emergency ingress and egress connecting isolated or cul-de-sac streets and are not open to through vehicular circulation but may be part of the pedestrian circulation system.
- (6) All trail systems developed shall be dedicated for public use including establishment of a recreation easement.

- (7) Exhibits illustrate the minimum trail improvements required with each land use plan. Additional trails may be required in conjunction with the Tentative Tract Map review and approval.

Hiking, biking trails maps were ratified for “C Modified” and are shown in Appendix B.

**Leonard, Fors & Woodward Concept Plan.** The voter ratified Leonard, Fors and Woodward Concept Plan includes goals, objectives, and policies as follows:

**Biking/Hiking Trails**

**a. Goal**

Provision of a network of trails throughout the Area with minimum disturbance of the natural terrain.

**b. Objectives**

- (1) Provide a trail system, which is an integral part of the hillside area.
- (2) Provide recreation uses that may include hiking and biking uses.
- (3) The development of a trail system shall be explored which ties any private trail system that may be developed, into the regional trail network.
- (4) A public component of the trail system will be assured through land dedication, public easement or other City approved mechanism.
- (5) The land use plans shall, to the extent feasible, provide for the immediate or future connection of trails.
- (6) The trails shall be so designed to take into consideration impacts to residential development (new and existing) with respect to privacy and safety.
- (7) Provide landscape linkage throughout the development that consists of natural open space and/or active open space area.

**c. Policies**

- (1) Utilize the emergency access roads to integrate the system.
- (2) Provide trails within the Plan Area to insure a continuous trail network between the urbanized valley floor and the Angeles National Forest.
- (3) Provide access to scenic vistas, ridgelines and open space reserves north of the planning area.
- (4) Trails are an integral part of the Plan and provide opportunities that may include biking, and hiking uses.

- (5) Emergency access roads are for emergency ingress and egress connecting isolated or cul-de-sac streets and are not open to through vehicular circulation but may be part of the pedestrian circulation system.
- (6) All trail systems developed shall be dedicated for public use including establishment of a recreation easement.

The Clamshell Truck Trail under “C Modified” is to serve as the trail system. It shows the Lower Clamshell Motorway running from Ridgeside Drive to Arcadia as the existing Multi-Use Trail Mountain Bike and Pedestrian and a proposed Multi-Use Trail Mountain Bike and Pedestrian Trail. The map is shown in Appendix B.

### **2.2.2 Circulation Element**

The General Plan Circulation Element (January 2008) contains a pedestrian facilities plan that notes that, “Trails are an integral part of the hillside area of Monrovia.” The Element states, “Development of an integrated regional trail network system should be considered under the Hillside Specific Plan.” Policies relating to trails and the hillsides are interlaced throughout the document and include:

Goal 6: Protect and encourage non-motorized transportation such as bicycle and pedestrian travel.

Policy 6:3 – Maintain existing pedestrian facilities (sidewalks and trails) and encourage new development to provide pedestrian routes to adjacent development. Respond in a timely manner to citizen requests regarding maintenance concerns on all public pedestrian facilities.

Goal 7: Develop and maintain a safe and efficient system of hillside streets and bike trails for movement of vehicles, people and goods.

Policy 7:4 – Improve existing fire breaks and fire roads for better emergency access.

Policy 7:6 – Develop standards for adequate trail access including accommodations for parking at trailheads.

Additionally, the Element recognizes the value of the Traffic Safety Committee in Policy 3:5 – Continue the activities of the Traffic Safety Committee.

### **2.2.3 Recreation and Open Space Element**

The General Plan Recreation and Open Space Element (January 4, 1966) contains objectives and principles relating to the need to protect and preserve existing natural resources while expanding recreation opportunities into the hillsides. The Recreation Element calls for making those areas of the City that have scenic, historical and locational advantages available to satisfy the cultural, recreational and leisure time needs of the residents. The Recreation Element states that the City is critically short of parkland to serve its residents. As the City is largely built out, and therefore, not able to provide the ideal location for needed facilities, the recommendations call for development of a joint-use agreement between the City and the County of Los Angeles to provide recreation facilities. The purpose of this agreement would be to expand Canyon Park to create a 1,300-acre park of “major importance” and to locate alternative access routes to reduce the potential for an “unreasonable”

traffic load on Canyon Boulevard. Preservation of the properties within the Project Area though different than that described previously, meets the intent of the proposed improvements identified in the Recreation Element of the Monrovia General Plan.

## **2.3 ORDINANCES REGULATING HILLSIDE LAND USE**

In 2000, the majority opinion of the City electorate adopted zoning changes to hillside areas to limit development of the City's hillside open space lands and to protect the natural resources, viewshed and recreation opportunities that these lands offer. These ordinances are discussed below.

### **2.3.1 Ordinance No. 2000-06**

Ordinance No. 2000-06 was adopted July 11, 2000 as a result of the passage of Measure A. This ordinance establishes the development and use standards for those areas designated as Hillside Wilderness Preserve and Hillside Recreation Area. The ordinance protects the open space and hillside areas by limiting the allowable types and densities of development on lands designated as Hillside Wilderness Preserve and Hillside Recreation in the City's General Plan and Zoning Map. The following excerpts from Ordinance No. 2000-06 set forth the community's purpose and objectives for this plan.

The purpose of the ordinance is to protect, preserve and enhance the existing open space in the City of Monrovia.

Included in the ordinance were these relevant objectives:

- To preserve existing designated open space areas in the City for the foreseeable future.
- To encourage the preservation of natural resources and private and public outdoor recreational uses permitted in open space areas by State and local law.

In summary, Measure A provided for the preservation of open space in the foothill areas of the City by:

- Redesignating hillside property in the General Plan and zoning ordinance as "Hillside Wilderness Preserve (HWP) or "Hillside Recreation" (HR).
- Ratifying the City Council's March 16, 2000 approval of "Plan C Modified for the Madison Specific Plan, the Cloverleaf Canyon Specific Plan, and the Leonard, Fors, Woodward amendments." This ratification established the Clamshell Motorway and connector routes.
- Allowing land to be added to the Hillside Wilderness Preserve or Hillside Recreation planning areas, but no other substantive changes without voter approval (unless certain narrow exceptions are met).

### **2.3.2 Ordinance No. 2000-07 (A)**

The passage of Measure B on July 11, 2000, authorized Ordinance No. 2000-07 (A). This ordinance is the implementation tool that enables the City to collect funds to purchase open space in the City's

foothills by means of a special open space tax on property that was initiated in the 2000-2001 fiscal year. Proceeds can only be used for the following:

- Acquisition and maintenance of open space and recreational land in the City, including repayment of money borrowed for those purposes; and
- Maintenance of open space and recreational land includes, but is not limited to:
  - weed abatement and other fuel modifications as required for fire safety;
  - maintenance of fire access roads and pedestrian trails;
  - reestablishment and habitat enhancement for native species; and
  - steps to correct or prevent landslides, mudslides, or slope failures or prevention of landslides.

## 2.4 GRANT REQUIREMENTS FOR PROPERTY ACQUISITIONS

In 2000, when the residents of Monrovia passed Measure B to provide matching funds for Federal, State or private grants, the City Council appointed the Wilderness Preserve Steering Committee (WPSC) to take over where the Natural Resources Review Commission (NRRC) left off. The NRRC previously identified target properties to preserve in the hillsides. With capital to acquire properties, the City Council established the WPSC to review the existing information pertaining to potential hillside land availability, desirability, appraised value, funding availability, and the desires and goals of the community. The WPSC prioritized the properties to be acquired and reviewed the grants and funding. The Committee consisted of two City Council members, one Community Services Commissioner, one Planning Commissioner, one member of the Monrovia Mountains Conservancy, one member of the Foothills Wildlife Conservancy, the two co-chairpersons of Measures A & B Campaign, and one member at-large. The Community Development Director was the lead staff person to the WPSC.

City Staff began applying for grants to begin purchasing available properties in the hillsides. Staff brought the information to the WPSC and the committee prioritized the purchases of property, reviewed the grant requirements, and the grant process. The WPSC had 48 meetings between August 2000 and April 2004.

The following summarizes the funding sources, describes the properties that were purchased with those funds, and highlights the selection criteria.

*The State Wildlife Conservation Board's Governor's Challenge Grant* was the first grant for the purchase of properties and included \$8,605,000 from the State matched by Measure B City monies. This grant purchased 191.6 acres of land from Miller, Steve Pokrajac and Bowden. The grant provided 50 percent of the money with the balance from Measure B funds. The WPSC gave these lands first priority because they had the greatest potential to be developed.

The Challenge Grant required the State Department of General Services (DGS) approval of the appraisals and, per the California Fish and Game code sections, required that "reasonable public access to lands acquired in fee with funds made available pursuant to this chapter shall be provided except when that access may interfere with habitat protection." The terms and conditions of the grant read:

Grantee agrees that if the Grant funds are received and it acquires the Real Property, such acquisition will be for the purposes of wildlife habitat preservation, restoration and management, wildlife-oriented education and research, and for compatible public uses, all as may be consistent with wildlife habitat preservation.

The grant was obtained based on a submittal from the City that declared:

Upon acquisition, the City of Monrovia will preserve the land and protect its plants and animals and at the same time expand new and exciting outdoor education programs that already serve more than 6,000 regional school children per year, as well as providing walking, hiking and bird watching opportunities. The City of Monrovia, which has more than 89 years of experience managing the wilderness area of the Monrovia Canyon Park, has the staff experience, and resources to manage this project site. All natural resources will be preserved and protected for perpetuity as intended by the citizens of Monrovia.

***The State Habitat Conservation Fund*** contributed \$720,793 to purchase properties with a 50:50 match to the Measure B monies and enabled the purchase of the 11.76-acre Wright, 80-acre Woodward, and 20.7-acre Sachan properties. The Woodward and Sachan properties were funded under the Deer and Mountain Lion Habitat Fund and the Wright property under the Riparian Habitat Fund.

The California Wildlife Protection Act 1990 Habitat Conservation Fund Program project agreement/special provision outlines the requirements for all three properties: “Applicant agrees to provide for public access in accordance with the intended provisions of the program.” Also, the legislation for the use of these monies reads: “Reasonable public access to lands acquired in fee with funds made available pursuant to this chapter shall be provided except when that access may interfere with habitat protection.”

In responding to the question of public access, the grant application detailed:

The acquired land is to be held in perpetuity as a wilderness preserve. The City of Monrovia will utilize its wilderness park to provide for access to the public for limited recreational use. It is intended to expand activities already in place in the Canyon Park Wilderness area which includes hiking, bird watching, and the development of outdoor programs.

For all three grants, a state grant project manager or team from Sacramento reviewed the properties. In each instance, State personnel confirmed that the City of Monrovia intended to develop public access and wanted assurance that the City had provided trails in the past. City staff brought them to Canyon Park to demonstrate the hiking trails and existing outdoor education programs that the City provides. The State noted that the Sachan and Woodward properties already have public access provided on the Lower Clamshell Motorway.

***The Resources Agency in cooperation with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) under Proposition 40, Safe Neighborhood Parks, Clean Water,***

***Clean Air, and Coastal Protection Bond Act of 2000*** awarded the City a grant for \$3.6 million with no matching funds required. In this instance the City paid for appraisals, the Department of General Services (DGS) review and escrow fees. The grant money allowed for the acquisition of the 20-acre Sartwell, 5-acre Emigh, and 124.3-acre Elkins properties.

The RMC grants require public access. Within the grant application, the “Under important points section” states, “The Grantee shall provide for public access. Public access may vary depending on the nature of the project.” The project selection process includes five major criteria. The second criteria, “Access and Location,” emphasizes public access by requiring the applicant to describe how the public will access the project, the various transportation methods that are available to the public to access the project, how the project will remove barriers, if any, to public access, and so on. The fifth criteria, “Community and Regional Impacts,” requires the applicant to describe how the proposed acquisition connects with or complements other recreation, wildlife, scenic, flood control, resource management area trails or projects. The project description in the State of California Resources Agency Grant Agreement is as follows:

Grantee agrees that if the Grant funds are received and it acquires the real Property, such acquisition will be for the purposes of providing open space, non motorized trails, bike paths, trails, and other low impact recreational uses and wildlife habitat restoration and protection for a minimum period of 25 years.

Also, in the standard language under B “Project Execution”, it states as number 4 that the “Grantee shall provide for public access to the Project facilities.” Additionally, when the State team visited the sites, they questioned the City’s ability to provide public access, although they noted the Lower Clamshell Motorway already existed as an access way. City staff accompanied them to Canyon Park to illustrate that the City has the capability to provide and manage trails.

The Grant application noted that:

The acquired hillside wilderness lands are to be held in perpetuity as a wilderness preserve. The City of Monrovia can use the Lower Clamshell Motorway for access and will utilize the Canyon Park structure to provide for access to other areas of the sites for passive recreational use. The City intends to expand activities already in place in the Monrovia Canyon Park Wilderness and are to include not only hiking, but bird watching and the development of outdoor classrooms.

Finally, the project description of the grant is, “Acquire in fee title 149.3 acres of riparian habitat in the foothills of the San Gabriel Mountains. This acquisition will protect sensitive habitat from impending development and provide access to Monrovia Canyon Park, a large regional nature park with an extensive trail system and interpretive education center.”

An additional grant from the ***RMC under Proposition 12 for riparian habitat*** awarded the City \$810,000 with no requirement for matching funds. With these funds, the City purchased the 10-acre Oldson and 8-acre Kissinger properties. The text of Proposition 12 reads, “\$25,000,000 for acquisition or restoration of public lands within the Los Angeles River Watershed, the San Gabriel River Watershed, and the San Gabriel Mountains to provide open space, non motorized trails, bike paths, and other low-impact recreational uses and wildlife and habitat restoration and protection.” The



San Gabriel and Los Angeles Rivers Watershed and Open Space Plan (Plan), *Common Ground from the Mountain to the Sea*, was used to issue monies to Grantees, such as Monrovia. The Plan contains the following guiding principles:

- Create, expand and improve public open space throughout the region,
- Improve access to open space and recreation for all communities,
- Improve habitat quality, quantity and connectivity,
- Connect open space with a network of trails,
- Promote stewardship of the landscape, and
- Encourage sustainable growth to balance environmental, social, and economic benefits.

The Plan notes that the City of Monrovia needs to create a comprehensive network of pedestrian, bike and equestrian trails that use existing corridors (such as rivers, tributaries and power line rights of way) where available and to provide new connections where needed. The Lower Clamshell Motorway was considered an existing “corridor” during the site visit by the RMC representatives. The project evaluation criteria provide three sections that provide for approval of a project including: Trail Resource Value, Access Value, and Recreational Resource Value. These were taken into consideration in the evaluation process when the City received and accepted the Grant. The Grant agreement with the RMC requires the following access requirements: “Grantee agrees to provide reasonable public access to lands acquired in fee with grant monies except where access may interfere with habitat protection. Also, grantee must certify that the property will remain available for compatible public use.” The RMC defines recreation:

Recreational use may be designated active, passive, or both. Passive use refers to activities that are generally low impact such as hiking, fishing, picnicking, bird watching, or non-motorized boating. Active recreational uses may include facilities designed for sports such as soccer or baseball, lakes for motorboats and jet skis, bicycle trails or equestrian trails.

In September 2008, the RMC will conclude a grant review for purchase of the 40-acre Leonard property and if awarded the grant, this property will then be subject to the public access requirement. Lower Clamshell Motorway is proposed as the public access trail through this area. Protection of the milkvetch is discussed in the grant application.

A little more than 80 acres of land has no State requirements for public access, including the 40-acre Dunbar property, the 40-acre Bowden donation, and the McCarthy donation.

The process for the purchase of the properties through the WPSC provided considerable opportunities for public input with 48 committee meetings. The process was methodical, open and transparent in terms of creating the Hillside Wilderness Preserve. The City is obliged to provide for public access by the State agreements. As such, the City needs to determine the most suitable locations for providing public access, while considering habitat protection and environmental sensitivity.