



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



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September 12, 2007

TO: DRP Staff

FROM: Bruce W. McClendon, FAICP  
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**SUBJECT: Subdivision & Zoning Ordinance Interpretation No. 03-2007  
Santa Monica Mountains North Area CSD Grading & Significant  
Ridgeline Ordinance Implementation Guidelines**

This document is intended to provide additional guidance to County staff who will be implementing amendments to the Santa Monica Mountains North Area CSD (Planning and Zone Code Section 22.44.133) relating to grading and Significant Ridgeline protection. Adopted as Ordinance 2004-0072 by the Board of Supervisors on December 7, 2004, these amendments became effective on January 6, 2005.

### **IMPLEMENTING THE GRADING PROVISIONS**

#### **Field Changes**

It is often necessary to make changes in the field to an approved grading plan. It should, however, be made clear with a warning to applicants that a plan prepared by a professional engineer based on understated grading estimates may result in a work stoppage, if the project goes over 5,000 cubic yards and triggers the requirement for a CUP with appropriate mitigation as required by the Ordinance. Everyone needs to keep in mind that the purpose of the Ordinance is to review large grading projects to assure minimized grading and conformity with policies of the NAP.

#### **Minor Grading**

The Ordinance is clear with respect to any new grading:

**“Any grading on a lot or parcel of land, or in connection with a project or any subsequent project, which is undertaken at any time after the effective date of the ordinance ...shall be counted cumulatively toward the grading thresholds set forth...”**

The Ordinance provides an incentive for owners to carefully consider plans for improvements involving grading on their properties. If an owner obtains a CUP for grading over the 5,000 cubic yard threshold, but then comes back a short time later for any additional amount of grading, a new CUP is required.

### **Required Fire Turnarounds**

Grading for required standard fire turnarounds is exempt from Ordinance provisions:

**“... grading necessary to establish a turnaround required by the county fire department, but not the grading for any access road or driveway leading to such turnaround, shall be excluded.”**

Only turnarounds specifically required by the Fire Department – not the access road itself or “extra” turnarounds – are exempt from the Ordinance. All other grading for the access road counts toward the cumulative totals.

### **Grading During the Rainy Season**

The Ordinance prohibits the commencement of a grading project during the rainy season. It is not the intent of the Ordinance to prohibit the completion or protection of grading begun at any other time.

### **Emergency Grading**

The Ordinance is not intended to tie the hands of County Departments in emergency situations. These emergency situations might include emergency slope repair/stabilization in a public right-of-way, or removal of material deposited by slope failure. In the event that a slope failure occurs on private property that threatens or destroys life or structures, stabilization and/or removal of the material would be exempt from the Ordinance, if performed under the supervision of the Department of Public Works. The material could be stored on another legally graded area.

### **Over-Excavation and Re-Compaction**

These actions are exempt from the Ordinance provisions, except that movement of fill materials to un-graded or illegally graded areas within a project would be subject to the thresholds and provisions of the Ordinance.

### **Illegal Grading**

Illegal grading, regardless of the date of grading, shall be considered as proposed grading for a new project under the provisions of the Ordinance and shall be included in the cumulative total.

### **Grading Depicted on Site Plan**

The site plan should indicate the amount of grading as well as the area impacted by grading. If someone comes in to modify their application, the new grading amount (if

any) cannot exceed the previously-approved amount in order for the modification to be exempt from the Ordinance.

## **IMPLEMENTING THE SIGNIFICANT RIDGELINE PROVISIONS**

### **Maps**

In addition to the Ordinance map, seven topographic map sheets depicting designated significant ridgelines (DSR) in the North Area, with map scale at 1"=500,' are available to assist in implementation of the Ordinance. The contour interval is 10 feet, with index contours every 100 feet. These maps are available:

- At the Regional Planning LDCC (front counter) in Los Angeles
- At the Building & Safety counter in the Calabasas One Stop Center
- On GIS-NET (also available to DPW), by clicking "Supplemental Maps" in the upper right corner. Using Adobe tools, site maps can be produced in a scale of up to 1"=60' using the "Zoom-In Tool" and the "Graphics Select Tool."
- On CD for Regional Planning and Public Works personnel.

The seven topographic maps only enable staff to locate a property and make a decision as to whether or not a DSR is on or otherwise impacts the property. It is recommended that any detailed measuring to determine the extent of the "protected area" be performed by the applicant's engineer on maps of sufficient scale and detail to allow the line of the protected area to be accurately depicted. The technique detailed in the "Measurements to Establish..." section below should be used to determine the protected area. Public Works staff can use the "Land Information Website" resource that produces topographic maps of greater detail to depict property boundaries, but Public Works staff using that tool must lay out by freehand the applicable DSR. Regional Planning staff can quickly produce sufficiently detailed maps by copying the subject property or area from the any of the 7 topographic maps (1"=500' scale) enlarged by a factor of 250 percent. The resultant scale is about 1"=200'.

### **Measurements to Establish Significant Ridgeline Protected Area**

The Ordinance defines the protected area for Significant Ridelines by requiring that:

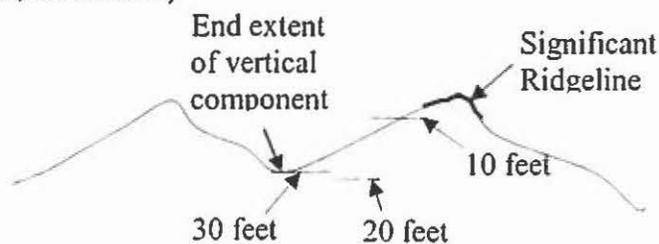
**"The highest point of a structure...shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline..."**

Follow these instructions to add the Significant Ridgeline vertical and horizontal protected areas to a map (see the attached diagram):

#### **Vertical Component**

- 1) The primary method for determining the protected area defined by the vertical component is:
  - a) Draw lines perpendicular to the DSR at these places:
    1. Where contours cross the subject DSR

2. Where the DSR changes direction
  3. At the end of the DSR
  - b) Using the contours, measure outward from the DSR 50 vertical feet (5 contour lines on Regional Planning's maps) below the DSR, along each perpendicular, and mark this point.
  - c) Connect the points to describe the protected area.
- 2) In cases where the topography near a DSR results in elevations that are lower than, equal to, and higher than the SR but are still within the 50-foot vertical protected area, the extent of the vertical component ends where, after going downslope from the DSR and reaching a low point, a change in topography results in a sustained increase in elevation away from the DSR.  
(e.g., a saddle, as shown)



#### Horizontal Component

- 1) Using the appropriate engineer's scale based on the map scale, measure outward from the DSR 50 feet.
- 2) At the end of the DSR, measure a 50-foot radius.

#### PREVIOUS APPROVALS and EXEMPTIONS

There may be instances where a project is proposed with grading over 5,000 yd<sup>3</sup> or that is situated on a Significant Ridgeline where an application was filed prior to the effective date of the Ordinance (effective date January 6, 2005), and the property owner is just coming back now to build under the application or comes back to Regional Planning for an amendment or perhaps new development. Is the development or the proposed amendment exempt from the Ordinance?

First, the application must meet one of the three tests of the Ordinance: 1) a complete application was submitted prior to the effective date of the Ordinance; 2) at least one public hearing was held; or 3) the application was approved. Second, the previous approval must still be valid. All components of the development or proposed amendment must be similar to that considered under the previously-approved application for the development or proposed amendment to be exempt from the Ordinance. For the purposes of this discussion, "previously-approved" means previous to the effective date of the Santa Monica Mountains North Area Grading and Significant Ridgeline Ordinance.

To clarify:

**To be exempt:**

- The previous approval must still be valid.
- The grading amount cannot exceed the amount which was previously approved.
- The extent of the grading – that is, the area disturbed for the grading – cannot exceed the grading footprint which was previously approved.
- The placement of all structures, including retaining walls and driveways, must be the same as previously approved except that minor architectural changes that do not affect the overall height, bulk, occupancy, visibility or footprint of structures may be exempt. If additional structures, including retaining walls, are proposed or structures are proposed in a different location, the project does not qualify as "previously-approved."
- The bulk, height and footprint of all structures cannot exceed that which was previously approved.

**Exemptions do not apply to:**

- New structures never before considered on a previously-approved building pad. While the previously-approved pad is "grandfathered," the new structures are not and must comply with all current development standards – including Significant Ridgeline provisions. Remember that actual grading for the "grandfathered" pad must take place within the footprint and amounts previously approved in order to be exempt.
- New grading never before considered. New grading that falls under a grading permit reviewed and approved after the effective date of the Ordinance (January 6, 2005) counts toward the parcel's cumulative total.

BWM:RDH:GMN

