MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Director of Planning

At its meeting held December 7, 2004, the Board took the following action:

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The following item was called up for consideration:

Ordinance for adoption amending the County Code, Title 22 - Planning and Zoning, revising the Santa Monica Mountains North Area Community Standards District ("CSD") to establish restrictions for grading and ridgeline development within the CSD.

Philip Atwell, Stanley Lamport and Anne Hoffman addressed the Board. Ron Hoffman, representing the Department of Regional Planning answered questions posed by the Board.

After discussion, Supervisor Burke requested the Director of Planning to establish within the Department a mechanism to prioritize the processing of any variance case submitted in the Santa Monica Mountains as a result of the aforementioned ordinance.

After further discussion, on motion of Supervisor Yaroslavsky and duly carried by the following vote: Ayes: Supervisors Burke, Yaroslavsky, and Molina; Noes: Supervisors Knabe and Antonovich, the Board took the following actions:

1. Adopted the attached Ordinance No. 2004-0072 entitled, “An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code, relating to the Santa Monica Mountains North Area Community Standards District ("CSD"), to establish restrictions for grading and ridgeline development within the CSD.” This ordinance shall take effect January 6, 2005; and

(Continued on Page 2)

50 (Continued)

2. Instructed the Director of Planning to establish within the Department a mechanism to prioritize the processing of any variance case submitted in the Santa Monica Mountains as a result of the aforementioned ordinance.

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Attachment

Copies distributed:
Each Supervisor
Chief Administrative Officer
County Counsel

COUNTY OF LOS ANGELES

OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

TDD
(213) 633-0901
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(213) 626-7446

December 1, 2004

Agenda No. 11
10/26/04

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

Re: Grading and Ridgeline Ordinance for the Santa Monica Mountains North Area Community Standards District

Dear Supervisors:

On October 26, 2004, your Board instructed our office to prepare a final ordinance to amend Title 22 of the Los Angeles County Code to establish restrictions for grading and ridgeline development within the Santa Monica Mountains North Area Community Standards District. As instructed, enclosed are the analysis and ordinance for your consideration and adoption. The enclosed ordinance includes the amendments that your Board considered at the hearing and directed staff to incorporate into the final version.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By

LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Public Works Division

APPROVED AND RELEASED:

RAYMOND G. FORTNER, JR.
County Counsel

LLH:di

Enclosures

HOA.269649.1

ANALYSIS

This ordinance amends Title 22 - Planning and Zoning of the Los Angeles County Code by revising Section 22.44.133 relating to the Santa Monica Mountains North Area Community Standards District ("CSD") to establish restrictions for grading and ridgeline development within the CSD.

RAYMOND G. FORTNER, JR.
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Public Works Division

LLH:di

11/17/04 (requested)

11/30/04 (revised)

269350_1

ORDINANCE NO. _____

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code, relating to the Santa Monica Mountains North Area Community Standards District ("CSD"), to establish restrictions for grading and ridgeline development within the CSD.

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

SECTION 1. Section 22.44.133 is hereby amended to read as follows:

22.44.133 Santa Monica Mountains North Area Community Standards District.

. . .

D. Community-wide Development Standards.

. . .

4. Grading.

a. No grading permit shall be issued for development associated with a land division prior to the recordation of the final map, except as specifically authorized by the conditions of an approved tentative map.

b. A conditional use permit as provided in Part 1 of Chapter 22.56 shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut plus total fill material. For purposes of computing the 5,000 cubic yard threshold amount, 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. In addition to the requirements of Subsection A of Section 22.56.090, findings shall be made that the grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. Findings shall also be made that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features such as shape, materials, and color to promote blending with the surrounding environment, and use of locally indigenous vegetation for concealment of the project. A list of locally indigenous vegetation appropriate for this Community Standards District shall be maintained by the director.

c. An approved haul route shall be required for the offsite transport of 1,000 cubic yards or more of cut or fill material, or any combination thereof.

d. Grading shall not begin during the rainy season, defined as October 15 of any year through April 15 of the subsequent year.

5. Significant Ridgeline Protection.

a. Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines which, in general, are highly visible and dominate the landscape. The location of the significant ridgelines within this Community Standards District, and the criteria used for their

designation, are set forth on the official Santa Monica Mountains North Area Plan Significant Ridgeline Map, prepared and maintained in the offices of the county department of regional planning, which is adopted by reference as part of this ordinance, and on the map and corresponding appendix following this Section.

b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, wind energy conversion systems, and amateur radio antennas.

c. Where structures on a lot or parcel of land cannot meet the standards prescribed by subsection D.5.b, above, a variance as provided in Part 2 of Chapter 22.56 shall be required. In addition to the required findings set forth in Subsection A of Section 22.56.330, findings shall be made that: (1) alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used; and (2) the proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project such as, but not limited to, minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of locally indigenous vegetation for concealment of the project, as described on the list referenced in subsection D.4.b.

~~5~~6. Schools. A conditional use permit shall be required for all schools otherwise permitted in the basic zone, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, in which no pupil is physically restrained, but excluding trade or commercial schools.

. . .

G. Applicability.

1. The provisions of subsections D.4.b, D.4.c, D.4.d, and D.5 shall not apply to a new development project where, as of the effective date of the ordinance adding those subsections, any of the following has occurred related to such project:

a. A complete application has been submitted for any subdivision, permit, variance or site plan review;

b. At least one public hearing session has been conducted on any application described in subsection a, above; or

c. A final approval has previously been granted for any application described in subsection a, above, provided that the building location and anticipated grading for the project are clearly depicted on the approved project plans and the project is developed in accordance with those plans.

For purposes of this subsection G.1, a complete application shall be defined as an application that the director finds to contain all of the required documents and information so as to allow the matter to be scheduled for any applicable public hearing or decision.

2. Notwithstanding the provisions of subsection D.5, a person shall have the right to repair or replace a damaged or destroyed residence or accessory structure(s) which, as of the effective date of the ordinance adding that subsection, was legally established, provided such repaired or replaced residence or accessory structure(s) is built in substantially the same location as the one that was damaged or destroyed. Proof that the residence or accessory structure(s) was legally established shall be demonstrated to the director prior to the commencement of any construction activity. The repaired or replaced residence or accessory structure(s) may be enlarged cumulatively up to 25 percent or 1,200 square feet, whichever is less, based on the gross floor area existing immediately before such residence or accessory structure(s) was damaged or destroyed. A different location for the residence or accessory structure(s) may be approved by the director if the applicant shows that the new location will avoid known hazards on the project site, such as geotechnical, fire, and/or hydrologic hazards, and also shows that such other location will not result in damage to significant biological resources.

3. A legally established residence or accessory structure(s) existing as of the effective date of the ordinance adding subsection D.5 that is located on a significant ridgeline, or within the ridgeline protection area of 50 vertical and 50 horizontal feet from the significant ridgeline, may be cumulatively enlarged up to 25 percent or 1,200 square feet of gross floor area, whichever is less. Proof that the residence or accessory structure(s) was legally established shall be demonstrated to the director prior to the commencement of any construction activity.

4. Any amount of legal grading that has occurred on a lot or parcel of land, or in connection with a project, prior to the effective date of the ordinance adding subsections D.4.b and D.4.c, shall not be counted toward the grading thresholds set forth in those subsections. Proof that such grading was legal shall be demonstrated to the director prior to the commencement of any construction activity. 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 adding subsections D.4.b and D.4.c, other than grading completed for a project described in subsection G.1, above, shall be counted cumulatively toward the grading thresholds set forth in those subsections.

APPENDIX FOR SECTION 22.44.133

SANTA MONICA MOUNTAINS NORTH AREA COMMUNITY STANDARDS DISTRICT

CRITERIA FOR SIGNIFICANT RIDGELINES

The designation of the significant ridgelines within the Santa Monica Mountains North Area Community Standards District is based on the following criteria:

- Topographic complexity: Ridges that have a significant difference in elevation from the valley or canyon floor. Generally, these ridges are observable from any location on the valley floor, from a community, or from a public road. Geologic conditions in the Santa Monica Mountains North Area make this a common condition.

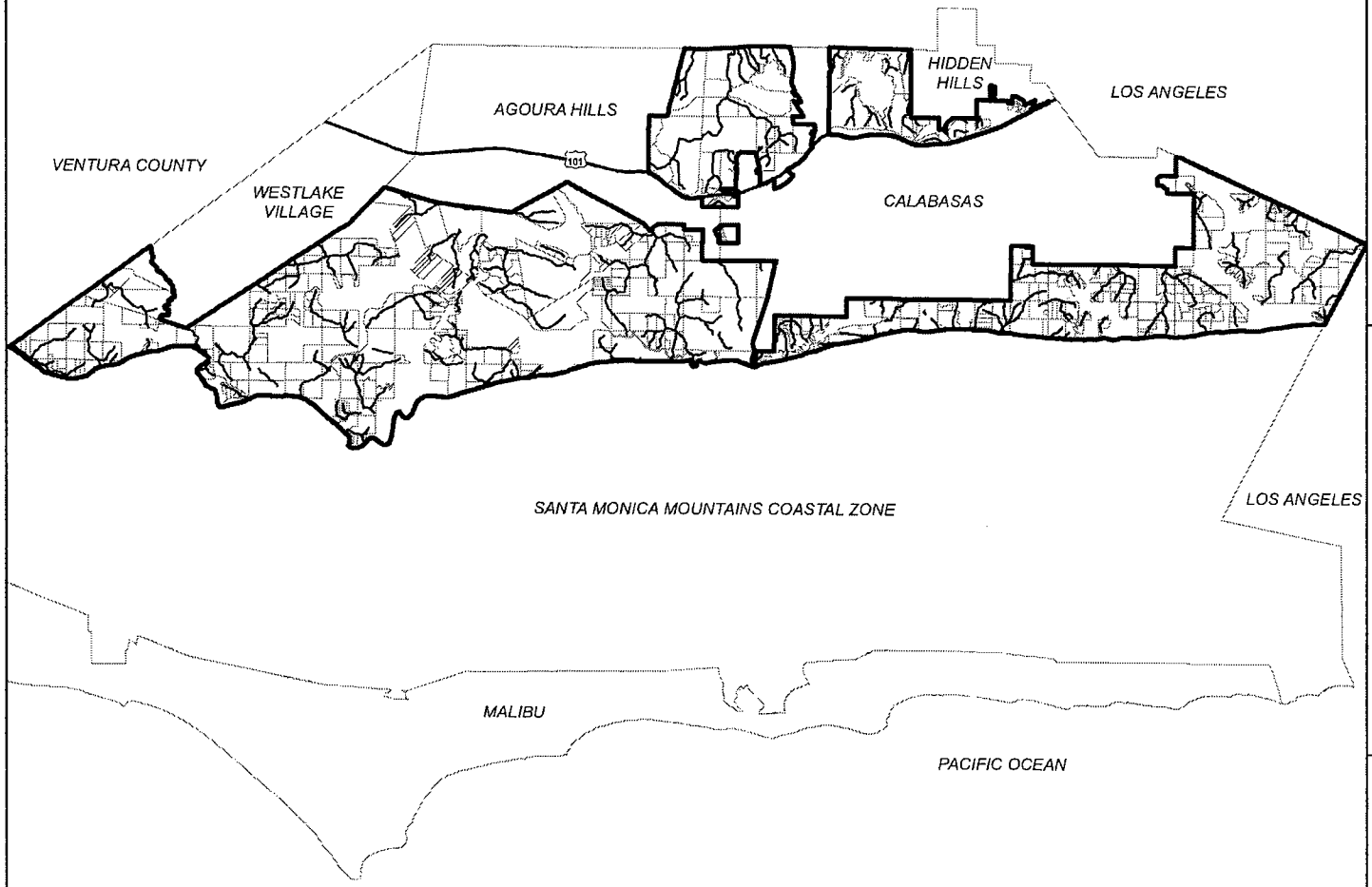
- Near/far contrast: Ridges that are a part of a scene that includes a prominent landform in the foreground and a major backdrop ridge with an unbroken skyline. This includes a view into a valley from a public road or viewpoint located at a higher altitude, such as along the valley rim or a pass. Often, layers of ridges are visible into the distance, such as when looking west from Topanga Canyon Boulevard over Henry Ridge to Saddle Peak, and from Mulholland Highway looking east toward Cornell and Malibu Lake. This contrast can be experienced viewing an entire panorama or a portion of a panorama from an elevated point.
- Cultural landmarks: Ridges that frame views of well-known locations, structures, or other places, which are considered points of interest in the Santa Monica Mountains North Area. These landmarks include Paramount Ranch, Peter Strauss Ranch, and Malibu Lake.
- Uniqueness and character of a specific location: Peaks and their buttressing ridges. This is represented by ridges that frame rocky outcroppings, other unique geological features, and areas of extraordinary natural beauty, such as Ladyface Mountain and Saddle Rock. Ridges that frame Malibu Canyon-Las Virgenes Road – a state-designated county scenic highway – Mulholland Highway, Kanan Road, Topanga Canyon Boulevard, and other scenic routes are also included.

- Existing community boundaries and gateways: Ridges and surrounding terrain that provide the first view of predominantly natural, undeveloped land as a traveler emerges from the urban landscape. These lands introduce visitors to the visual experiences they will encounter in the Santa Monica Mountains North Area. Community boundaries and gateways include the surrounding ridges that provide a skyline and boundary to the rural communities found in the North Area. Examples include the ridges viewed from the Ventura Freeway traveling west from Calabasas, and the ridges along Triunfo and Lobo Canyons.

[2244133LHCOC]

Santa Monica Mountains North Area Community Standards District

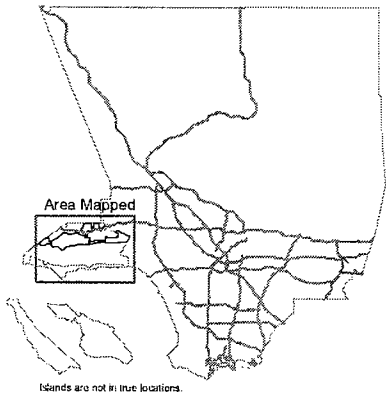
Significant Ridgelines



Legend:

- CSD Boundary
- City / Community Boundaries
- Parcel Boundary
- Freeway
- Significant Ridgelines

Key Map:



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0 0.375 0.75 1.5 2.25 3 Miles

Los Angeles County
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

SECTION 2. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Gloria Molina

Chair

ATTEST:

Violet Varona-Lukens

Executive Officer - Clerk of the Board of Supervisors of the County of Los Angeles

I hereby certify that at its meeting of December 7, 2004, the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Yvonne B. Burke	Supervisors	Michael D. Antonovich
	Zev Yaroslavsky		Don Knabe
	Gloria Molina		

Effective Date: January 6, 2005

~~Operative Date:~~

Violet Varona-Lukens

Executive Officer - Clerk of the Board of Supervisors of the County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.
VIOLET VARONA-LUKENS
Executive Officer
Clerk of the Board of Supervisors

By Deputy

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By

Raymond G. Fortner, Jr.
County Counsel

2004-0072