

Attachment 3

Written Correspondence

(transcription)

181098 Newvale Drive
Lake Hughes, CA 93532

October 7, 2008

Mr. Marshall Adams
Regional Planning Commission
Room 150
Hall of Records
320 W. Temple Street
Los Angeles, CA 90072

RE: Notice of Public Hearing Title 22

Dear Planning Commission:

I believe this intxxxxxxxx of Community Standards is contrary to legislative process as it conflicts with the zoning laws which should be amended rather than standards that impose more regulations and that might be considered a conflict of laws and a taking of personal property rights without representation on a public vote.

Larry Sherman

OCT 20 2008

18109 Newland Drive
Lake Hughes, CA. 93532

OCTOBER 7, 2008

Mr. Marshall Adams
Regional Planning Commission
Room 150
Hall of Records
320 W. Temple Street
Los Angeles, CA. 90072

RE: notice of Public Hearing Title 22

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of personal property rights w/o representation or
a public use.

Lucy Stone

Richard L. and Elaine M. Clark
761 Geronimo Trail
HCR 37, Box 461
Sandy Valley, Nevada 89019-8623

E-mail: Dick: - n4084s@sandyvalley.net

Elaine: - elainec@sandyvalley.net

702 723-5018

November 1, 2008

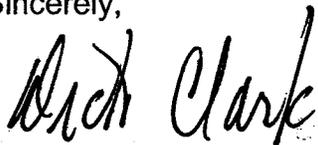
Mr. Marshall Adams, Senior Planner
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1354
Los Angeles, CA 90012-

Re: the Community Standards District (CSD)

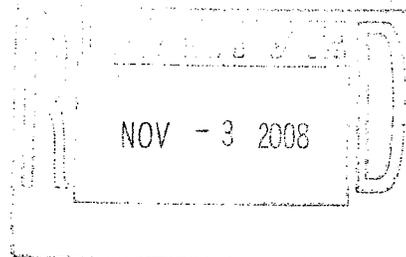
Dear Mr. Adams;

I own 450 acres in the Lake Hughes area, most of which I purchased in 1973 and I'm currently considering developing my property in the near future. I have lived in Lake Hughes off and on for 35 years, so I am very familiar with the area. I became aware of the controversy over the new CSD last week and they appear to be overly restrictive. I am confident there is a compromise that would satisfy both the Lakes Town Council and a developer, which is why I'll be attending the Regional Planning hearing on November 19. I appreciate your time and look forward to meeting you and Mr. Glaser.

Sincerely,



Richard L. (Dick) Clark



Office:

NOV - 3 2008

Mr. Mitch Glaser, Marshall Adams

Supervisor Regional Planner

& Marshall Adams— Countywide Studies Section

Los Angeles County Department of Regional Planning

320 West Temple Street, Room 1354

Los Angeles, CA. 90012

RE: Elizabeth Lake and Lake Hughes Community Standards District
(CSD) draft Ordinance Comments

Dear Mr. Glaser & Adams,

I am a longtime landowner in the Lake Elizabeth area and it has just recently come to my attention of this pending CSD implementation. I have received nothing from the county to date. I learned about the Lake Elizabeth CSD while at the Leona Valley Town Council meeting Wednesday night, 10/29. I own parcels in both district that are being virtually useless with the current 150 ft hillside setback requirement. I have owned these properties in the general Ridge Zone of the CSD. These properties will be wiped out with this Hillside call out.

I am in support almost complete support of the proposed CSD wording. There are a few key areas that I strongly believe must be modified in order to allow these communities to realize their full potential. These modifications will protect the intent of the CSD as well as protect land owners rights while encouraging more community wide benefits in the use and preservation of natural open space.

One of my parcels 40.2 acres, APN- NI-8-3224-002-006 Sits flat land in the CSD area the vast majority of properties contain slopes in excess of 25 percent and therefore already fall into the existing Hillside Management criterion established in the county's Title 22 Planning and Zoning code. As stated in section 22.56.215 section B.1. The Hillside Management provisions intent is to *'protect resources contained in significant ecological and in hillside management areas.....from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property. In extending protection to these environmentally sensitive areas, it is intended further to provide a process whereby the reconciliation of potential conflict within these areas may equitably occur'*. This code establishes, among other things, project density and open space criterion within hillside properties.

The Los Angeles County General Plan as supplemented by the Antelope Valley Area wide plan has established land use. The Hillside Management criterion in the title 22 Planning and Zoning code further refines allowable density in hillside areas. The existing zoning for each property already establishes minimum lot size. The question isn't how many homes should be allowed on a piece of property. The question is how well can the property be planned to provide for the allowable homes while preserving key environmental resources and enhancing community wide benefit of these natural resources?

It is my contention that we need to give planners and designers as many tools in their creative toolboxes as possible to allow for the most flexible of design in their pursuit of effective low impact development. To that end elimination of streetlights, except at intersections, and establishing guidelines for exterior lighting to protect the night sky are positive measures. Elimination of standard curb, gutter and sidewalk requirements can be positive, but their absolute prohibition may yield unintended results. For instance in many cases the use of curbs direct storm flows to properly designed storm conveyance systems. The elimination of curbs will make it much more difficult to handle point source pollutants such as oils and grease on roadway surfaces that are now treated in storm conveyance systems. So, the area may look more rural without curbs, yet not be as environmentally friendly without them. I use this just as an example of potential unintended results.

This brings me to my number one concern with the draft CSD.

Section E -Zone Specific Standards – 1. Residential and Agricultural Zones – a. Lot Design, states that 'each new lot or parcel of land created by a land division shall contain a gross area of not less than two and one-half acres'. I question how this number was chosen and why. I request an explanation and planning justification to support that the rural character and beauty of these rural communities cannot be preserved if a lot is less than two and one-half acres in size.

It preserves large contiguous open space in a common ownership form that protects natural resources which can be enjoyed by the community at large. Having common ownership over large contiguous open space areas affords community benefits that otherwise would be prohibitive if these same lands were under multiple private ownerships.

Due to liability and personal property right infringement concerns private home owners are extremely reluctant to allow the public to cross their private property; whereas common open space encourages the provision of hiking and equestrian trails as well as passive recreational use of the land. Also, it is quite difficult for a private home owner to maintain two and one-half acres of land, it is almost impossible to have uniform maintenance of such larger parcels across several private owners. Having less land to be maintained by any single home owner and more land in common ownership has the greatest chance of ensuring protection of natural resources, which I would define as protecting rural character.

With the imposition of a two and one-half acre minimum lot size the location of the lot line will now dictate the land planning process and roads will be aligned to fit the needed lot configurations. This will more than likely result in more roadways in less than optimal locations. This flies in the face of trying to create low impact development.

With two and one-half acre lots each individual home owner can stable horses on their own property. Now this is also true on one acre minimum lots, but the difference is that with the one acre lots sufficient area can be set aside to establish a proper equestrian boarding facility instead of several individual home owners boarding their horses on their own property.

I realize on any topic how something appears depends on where you are standing. As a major land owner interested in creating a great neighborhood that will be an excellent neighbor to the surrounding community I strongly believe that this proposed ridgeline ordinance should be removed

The vast majority of undeveloped land within the CSD boundary has current zoning ranging from A-1 Light Agricultural one acre minimum (A-

1-1) to A-2 Heavy Agricultural two acre minimum (A-2-2). The draft CSD appears to be in conflict with current zoning standards which will allow one and two acre minimum lot sizes. When you combine the protections already afforded to the community through the implementation of the Hillside Management standards as well as the rights afforded to property owners through existing zoning law it appears the county already has sufficient mechanisms to *'provide a process whereby the reconciliation of potential conflict within these areas may equitably occur'*.

In order to ensure that a two and one-half acre average across the entire property is achieved I request that Section D – Community-Wide Standards – 12. Land Divisions – a. Restricted Access Subdivisions be modified as follows:

Another major concern that I have with the current draft CSD is **Section D – Community-Wide Standards – 10. Significant Ridgeline Protection – b.** In my review of other adopted Community Standards Districts in the County I was surprised to learn that the guidelines proposed in this draft CSD are significantly more restrictive than any other adopted CSD. The Acton, Agua Dulce, Leona Valley, Juniper Hills and Southeast Antelope Valley CDS's do not have any significant ridgeline criterion whatsoever. The Castaic Area CSD restricts development within a 50 foot radius from every point on the crest of a primary ridgeline. Even this restriction has qualifying exemptions and a director's review and/or conditional use permit process to allow encroachment into these areas

a. Restricted Access Subdivisions. Restricted access subdivisions shall be prohibited.

b. Density. New land divisions shall have a maximum density of one unit per two and one-half acres, with no lot being smaller than one acre. Density under this section shall be calculated by taking the size of the entire project site and dividing by two and one-half to determine the maximum number of units which may be built.

It appears that The Lakes Draft CSD 'lifted' the significant ridgeline restriction wording from the Santa Monica Mountains North Area CSD and then increased the vertical and horizontal setbacks from 50 feet to 150 feet. I request an explanation and planning justification to support why this community must have ridgeline protection guidelines that are three times more restrictive than the most restrictive area in the

county!!!

The impact with the proposed 150 foot vertical and horizontal setback is egregious. There are areas of the significant ridgeline identified in the CSD ridgeline map that have flattening slopes or even plateaus at their top. This is my property. The designated ridgeline also crosses smaller property ownerships. In both these cases it is possible that the restrictions as proposed in the draft will render entire property ownerships unbuildable. This could be construed as a 'taking' that will subject the county and the town council both to legal action.

The current draft CSD does not differentiate between the Lake Elizabeth/Lake Hughes side of Portal Ridge versus the north side of the ridge. What does it matter if a house is placed on the north side of the ridge if it does not materially impact the view shed of the lakes communities? In this instance these incredibly restrictive setbacks lower the property owner's asset value without providing any benefit to the Lakes Communities at large.

This entire section of the draft CSD is under the assumption that the primary significant ridge (Portal Ridge) is always visible. There are major sections of Portal Ridge (MY 40 ACRES included) that cannot be seen anywhere from Lake Elizabeth Road, the valley's main thoroughfare, due to minor hills and vegetation blocking the view shed. Are significant restrictions needed to protect view sheds if the view you are trying to protect cannot be readily seen from where you are? The same question can be asked relative to long distance views. In many instances the distance from any viewing point to the ridge is measured in miles not in feet. There are certainly proper screening techniques with architectural design and massing, material colors, landscaping and land form grading techniques that can substantially mitigate long distance view shed concerns while allowing proper and rational use of a neighbor's private property.

It is interesting that The Lakes draft CSD appears to only have 'cherry picked' what is wanted out of the Santa Monica Mountains North Area CSD and discarded the rest. What do I mean by this; after defining 50 foot vertical and horizontal significant ridgeline setbacks the Santa Monica Mountains North Area CSD then establishes provisions for variance from the guideline. In the adopted CSD's that have integrated significant ridgeline protection guidelines they always have included variance request provisions. The Lakes CSD must do so as well. Since it appears that the community has an affinity to the wording in the Santa Monica Mountains North Area CSD then I request that the same variance procedure wording also be included into The Lakes CSD.

I respectfully request that Section D – Community-Wide Standards – 10. Significant Ridgeline Protection to be modified as

follows (suggest modifications are underlined):

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 locations of the significant ridgelines within this Community Standards District, and the criteria used for their designation, are set forth on the official The Lakes Community Standard District 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 are shown on the map following this Section.

b. Should it be determined that view shed impacts may occur the highest point of a structure that requires any permit shall be located below any blue sky view obstruction in a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas and wind energy conversion systems.

c. Where structures on a lot or parcel of land cannot meet the standards prescribed by subsection D.10.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.

I want to thank the Regional Staff & the Planning Commission for consideration this serous property impact during this critical time before this moves forward any further

Thank you an advance for your consideration

With Regards,

Stuart W Lautman

*OCT. 31st
2008*

Stuart W. LAUTMAN

Ph. 310.899.1291

Fax 310.576.7768:

Lake Elizabeth Concerned Land Owner

Parcel N1-8 3224-002-006

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