



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



November 13, 2008

Bruce W. McClendon FAICP
Director of Planning

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther L. Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Mitch Glaser, AICP, Supervising Regional Planner *MG*
Countywide Studies Section

**SUBJECT: NOVEMBER 19, 2008 – AGENDA ITEM # 6
PROPOSED ELIZABETH LAKE AND LAKE HUGHES COMMUNITY
STANDARDS DISTRICT – ADDITIONAL MATERIALS**

Staff has received additional correspondence regarding the proposed Elizabeth Lake and Lake Hughes Community Standards District (CSD), attached for your consideration.

MWG:jma

Attachments:

1. Written Correspondence (Paul A. Smith)
2. Written Correspondence (Donna R. Black)

Paul A. Smith
738 South Union Avenue #303
Los Angeles, CA 90017

telephone (213) 484-6910
e-mail paulsmith29@yahoo.org

November 12, 2008

Mr. Mitch Glaser, Supervisor Regional Planner and
Mr. 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
Revised Draft Ordinance (11-6-08 Version)
Public Comment

Comments from owner of:

A.P.N. 3224-003-024 (Township 7 North, Range 14 West, Section 29, W½NE¼):
80 acres of unimproved land, and
A.P.N. 5607-022-001 (Lot 126 of Tract 12787): unimproved land

Dear Mr. Glaser & Mr. Adams:

My family has owned property in the Lake Elizabeth area for many years, and the proposed Community Standards District (CSD) has only recently come to my attention. I have received no notification of this pending action from either the Lake Elizabeth Town Council or the County of Los Angeles. In its current form, the CSD would render our property almost entirely unusable.

We support the goals of the CSD, and we support most of its specific provisions. Our family has always intended to have our property developed in an environmentally sensitive way. However, we feel that some aspects of the CSD are ill-considered and should be revised. We believe that the CSD can be modified in such a way that the intent of the current draft is honored, our property rights are preserved, and the needs of the community for preservation and use of open space are more fully realized.

In particular, the 150 ft hillside setback requirement as it is currently worded appears to prohibit us from building on our property, *even though houses built on much this land would not be visible from Lake Elizabeth or the Lake Elizabeth Highway*. Since the objective of the setback requirement is to protect views of the ridgeline, we believe it should be modified to take into account situations where views are not impacted. The proposed setback requirement, as applied to our property, benefits nobody.

My great aunt, Ruth Gary (aka Ruth Stanwyck), homesteaded our property and lived on it for many years in a structure which has now disintegrated. She brought in water with a tanker, and planted a grain field on several acres of the hilltop. It is not an exaggeration to say that the "farm" was her whole life. She sacrificed everything she had to keep the land. Once her resources were exhausted, our family continued to pay Ruth's property taxes for a number of years, both because the property was so significant to her and because we had the reasonable expectation of developing the land.

Our property consists of APN 3224-015-019, a small lot which my great aunt purchased at the end of Lookabout Road, and APN 3224-003-024, an adjoining 80 acre parcel that includes the ridgeline above Lake Elizabeth which broadens into small plateau extending to the north. Due to several peculiarities of

the topography, most of the larger parcel is not visible from the south. In addition to the hilltop being flat, it is screened from view by a large subsidiary ridge. To the north, the land drops precipitously towards the California Aqueduct and San Andreas Fault, terrain that is almost entirely too rugged to develop. From most of our property no substantial development or recreational areas are apparent.

Our specific objections to the 150 ft hillside setback requirement are

- It does not differentiate the south and north sides of the ridge, which are quite different in character. Buildings on the north side of the ridge are likely to have little to no impact on ridge views.
- It does not take topography into account, exempting property that has little impact on the viewshed.
- The setback of 150 ft is too large, eliminating many good building sites. (I was shocked to read in the comments posted on your website how much more restrictive this is than other CSDs in the county.)
- It appears to lack sufficient flexibility in implementation to readily accommodate reasonable proposals.

On the last point, I must confess that I am operating at a significant disadvantage. I only recently heard about this proposed CSD, while out of town for work. In the few hours that I have had available for research, I have not yet had sufficient time to follow-up the various references to Title 22 or to understand the implications of a variance process, as opposed to director's reviews and conditional use permits. Nor have I had time to explore what recourse my family would have if our property were rendered unbuildable through this CSD. I request an extension of the CSD review process so that the affected property owners can fully participate in developing a plan that meets the needs of the whole community.

Although I have no doubt that staff intended to "work closely with the community for many months" developing this CSD, and that they believed that they were working with the community, they were in fact working with only *part* of the community. Their outreach and notification efforts left something to be desired. Thus the "overwhelming support" they recorded in May was not representative. It is difficult for me to read items 3 and 4 of the proposed resolution with equanimity after not being included in the process. For years I have dreamed about how we could develop our land in such a way as to preserve its natural beauty.

A lot of good work has gone into this proposal. I entirely agree with the stated intent of the CSD to "minimize urban infrastructure and maintain low residential densities." I wish that this language had been retained in the resolution, where it is translated into "larger lots and setbacks." I believe there are more effective ways of maintaining the rural character that we all love in Lake Elizabeth than "larger lots and setbacks." Wouldn't small clusters of houses amidst large swaths of open space sometimes be more appropriate? The issue is *not* "What should the general character of Lake Elizabeth be?" I believe there is substantial agreement on that. It is, "What is the best way to achieve that character?" and "How can we achieve these goals equitably, in a process that respects the rights of all the stakeholders?"

Thank you for your consideration of these issues.

Sincerely,

Paul A. Smith
Administrator of the Estate of Ruth Gary

Temporary telephone number for November: 203-285-1543



Cox, Castle & Nicholson LLP
2049 Century Park East, 28th Floor
Los Angeles, California 90067-3284
P 310.277.4222 F 310.277.7889

Donna R. Black
310.284.2293
dblack@coxcastle.com

November 13, 2008

File No. 52559

Regional Planning Commission
County of Los Angeles
170 Hall of Records
320 West Temple Street
Los Angeles, California 90012

Re: Proposed Elizabeth Lake and Lake Hughes Community Standards District

Dear Commissioners:

We represent Tomblin & Associates Group, Inc. ("Tomblin"), which has significant land holdings in the Elizabeth Lake and Lake Hughes area. A portion of the Tomblin land is located within the proposed Elizabeth Lake and Lake Hughes Community Standards District ("CSD"), at the extreme western edge of the Town Council boundaries. Tomblin owns considerably more property which is adjacent to but outside the proposed CSD.

During the September 17, 2008, Planning Commission hearing, we advised the Commission that Tomblin had not had sufficient opportunity to study the CSD proposal, and the Commission continued the hearing to November 19, 2008, to allow for additional review. Tomblin is not opposed to the concept of a CSD overlay designed to preserve and protect the rural character of the area and believes that, with certain modifications, as discussed below, a workable CSD that is respectful and protective of all interests can be achieved.

The CSD as currently drafted requires that each new lot or parcel of land created by a land division shall contain a minimum net area of two and one-half acres and clustering is prohibited. This results in an unnecessary sacrifice of open space and makes development largely uneconomic. However, an appropriate average lot size, with clustering allowed, would avoid unnecessarily disturbing land that could better be devoted to open space.

The proposed CSD also requires that existing viewsheds be protected, but does not establish reasonable standards for doing so. Line of sight studies could provide valuable information that would do far more to preserve the character and appearance of the area, than could be achieved simply by imposing arbitrary restrictions on ridgeline development. Such restrictions could result in the denial of important projects, such as wind power farms, which must be located on or near ridgelines in order to be effective.

Allowing time for additional studies to help create a more workable CSD need not leave the Elizabeth Lake and Lake Hughes area unprotected from unwise and unfettered development in the meantime. Tomblin would support adoption of interim safe guards for all

Regional Planning Commission
November 13, 2008
Page 2

residential developments in excess of 10 units until a permanent ordinance is more carefully considered.

Based on the foregoing, we respectfully request that this hearing be continued to allow time for additional studies to be conducted and revised proposed regulations to be promulgated and reviewed by property owners and other interested members of the public in the Elizabeth Lake and Lake Hughes area.

Very truly yours,

A handwritten signature in black ink that reads "Donna R. Black". The signature is written in a cursive style with a large, stylized "D" and "B".

Donna R. Black

CJM/DRB:rsf
52559\1371633v3
cc: Mitch Glaser