ORDINANCE NO. 2009-0024

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code to establish the Elizabeth Lake and Lake Hughes community standards district and to make conforming changes to Section 22.56.085.

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

SECTION 1. Section 22.44.110 is hereby amended to read as follows:

22.44.110 List of districts.

The following community standards districts are added by reference, together with all maps and provisions pertaining thereto:

District Number	District Name	Ordinance of Adoption	Date of Adoption
. . .	. . .	. . .	. . .
33	Baldwin Hills	2008-0057	10-28-2008
34	Elizabeth Lake and Lake Hughes		

SECTION 2. Section 22.44.143 is hereby added to read as follows:

22.44.143 Elizabeth Lake and Lake Hughes Community Standards District.

A. Intent and Purpose. The Elizabeth Lake and Lake Hughes Community Standards District ("CSD") is established to enhance the quality of life in these communities by preserving and protecting their rural character and the beauty of their environmental setting. Elizabeth Lake and Lake Hughes are distinguished by a mix of

dispersed residential, recreational, and commercial uses as well as sensitive features including hillsides, natural lakes, national forest lands, significant ecological areas, the Pacific Crest Trail, and local preserves. The standards contained in this CSD are intended to protect native vegetation, preserve night sky, minimize the placement of urban infrastructure, and maintain low residential densities in both communities.

B. District Boundary. The boundaries of the CSD are shown on the map following this section.

C. Applicability. This CSD shall apply to all development proposals except for site plan reviews and/or zoning conformance reviews for which applications were submitted and deemed complete prior to the effective date of this CSD.

D. Community-Wide Development Standards.

1. Highway and Local Street Standards.

a. Highway Standards. Routes on the highway plan shall use alternate rural highway standards, except for locations where existing infrastructure or commercial and pedestrian traffic are such that the Department of Public Works determines that curbs, gutters, and sidewalks are necessary for safety or to provide pedestrian access compliant with the Americans with Disabilities Act.

b. Local Street Standards.

i. Local streets shall use the inverted shoulder cross-section with a paved width of twenty-eight (28) feet, except for locations where additional pavement is required for geometric improvements by the Department of Public Works or where commercial, industrial, or institutional uses necessitate alternate

designs, as determined by the Department of Public Works. This limit excludes the width of any inverted shoulder or concrete flow line.

ii. New curbs, gutters, and sidewalks are prohibited unless deemed necessary for the safety of pedestrian and vehicular traffic by the Department of Public Works after consultation with the Department of Regional Planning.

2. Street Lighting. The addition of street lights is prohibited unless deemed necessary by the Department of Public Works. Where installed:

a. Street lights shall be compatible in style and material with the poles on which they are mounted;

b. Street lights shall be placed the maximum distance apart with the minimum lumens allowable by the Department of Public Works; and

c. Street lights shall be designed to prevent off-street illumination and glare. Fully shielded fixtures shall be used to deflect light away from adjacent parcels.

3. Exterior Lighting. (Reserved)

4. Utilities.

a. Utility Lines. All wires and cables which provide utility services, including telephone, television, electricity less than ten (10) kilovolts, and similar services, shall be placed underground.

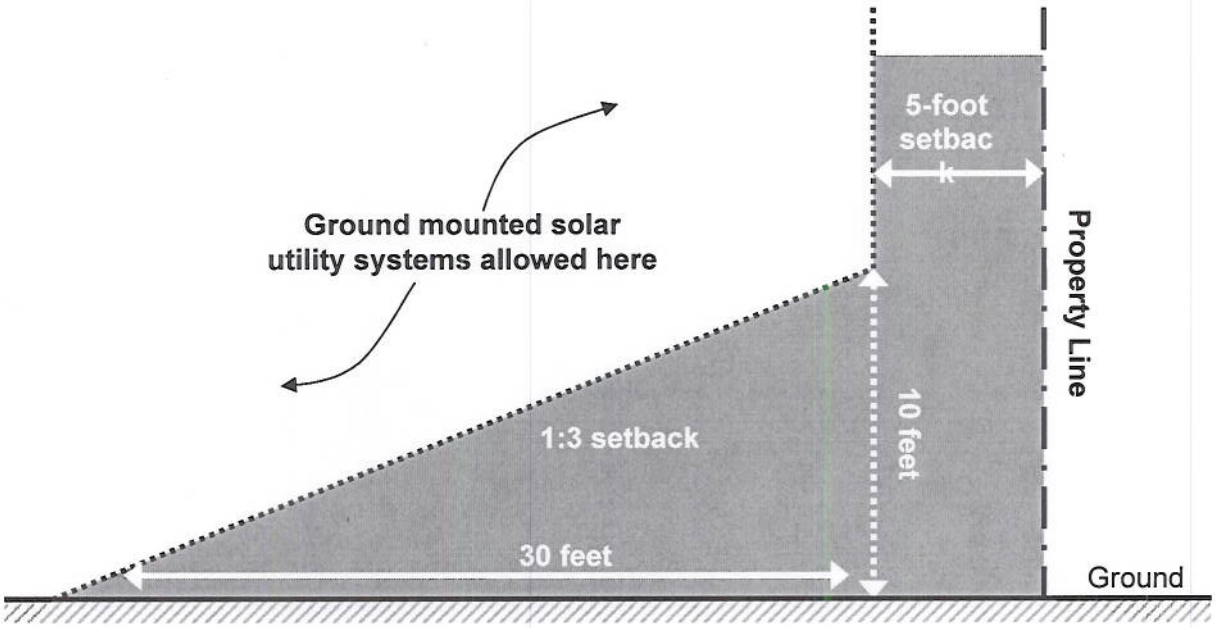
b. Utility Devices.

i. Solar Utility Devices.

(A) Ground mounted solar energy systems shall be placed at least five (5) feet from the nearest property line; and

(B) Ground mounted solar energy systems less than ten (10) feet in height shall be set back an additional three (3) feet from the nearest property line for every one foot less than ten (10) feet in height.

Figure 1



ii. Other Utility Devices. Utility devices, including air conditioning or heating units and satellite dish antennas, shall be placed at ground level. This requirement may be modified by the Director due to practical difficulties or unnecessary hardships. Such modifications shall be exempt from the procedures otherwise required subsection G of this section.

iii. Wireless Telecommunication Facilities. Ground-mounted antennas and monopoles shall be disguised as trees.

5. Signs. No sign otherwise permitted by this Title 22 shall exceed thirty-two (32) square feet in sign area with the exception of Community Identification Signs.

6. Vegetation Conservation.

a. Native vegetation shall be defined as those plants designated for the corresponding Ecological Zone in the Los Angeles County Drought-tolerant Approved Plant List, maintained by the Department of Regional Planning.

b. All property development shall use only native vegetation in landscaped areas and to re-vegetate graded slopes, provided the available species are determined adequate to prevent erosion by the Department of Public Works. Where fuel modification is required, species from the Desirable Plan List, maintained by the Fire Department, may be used in Fuel Modification Zones A and B.

c. To remove or destroy greater than thirty (30) percent of the native vegetation on a lot or parcel of land, the applicant shall substantiate the following:

i. That the applicant has obtained verification by an engineer, architect, biologist, or equivalent that removal or destruction is necessary because continued existence at present location(s) precludes the reasonable use of the property for a permitted use in the zone and the cost of alternative development plans would be prohibitive; or

ii. That it is required by the Fire Department; or

iii. That it is necessary for work performed under a permit issued by the Department of Public Works to control erosion or flood hazards.

7. Trails.

a. When required by the Department of Parks and Recreation, in accordance with the trails map in the Antelope Valley Area Plan, new land divisions, including minor land divisions, shall contain accessible multi-use trails for pedestrian hiking and walking, mountain bicycling, and equestrian uses. Where feasible, access to these trails must be located in the vicinity of the subject land division. These trails shall provide connections, where feasible, to significant recreational uses, including but not limited to, open space areas, parks, trail heads, bike paths, historical trails or sites, equestrian centers, equestrian staging areas, camp grounds, and conservation or nature preserve areas.

b. Trail construction shall be completed in accordance with the conditions set forth by the Department of Parks and Recreation. All information pertaining to trail requirements shall be shown on the tentative parcel or tract map and on the final parcel or tract map prior to the final map recordation.

8. Density-controlled Development. Density-controlled development shall be permitted only if each lot or parcel of land created contains a minimum net area of two and one-half (2 1/2) acres.

9. Hillside Management. In evaluating the design of a development in a hillside management area for a conditional use permit pursuant to Section 22.56.215, the Hearing Officer or Commission shall require that the proposed development minimizes impacts to existing viewsheds through all reasonable design measures.

10. 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 locations of the significant ridgelines within this CSD are shown on the map following this section.

b. The highest point of a structure shall be located at least one hundred-fifty (150) vertical feet and one hundred-fifty (150) horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and wind energy conversion systems.

c. No portion of any structure shall be located less than fifty (50) horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and wind energy conversion systems.

d. Any modification to the requirements set forth in subsection D.10.b or D.10.c shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the Hearing Officer or Commission shall make the following findings in addition to those required by Section 22.56.090:

i. Alternative sites within the project site have been considered and eliminated from consideration due to their physical infeasibility or their potential for substantial habitat damage or destruction; and

ii. The project maintains the maximum view of the applicable significant ridgeline through design features, including but not limited to one or more of the following:

(A) Minimized grading.

(B) Reduced structural height.

(C) Use of shapes, materials, and colors that blend with the surrounding environment.

(D) Use of native drought-tolerant landscaping for concealment.

11. Grading.

a. 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 five thousand (5,000) cubic yards of total cut plus total fill material within any twenty-four (24)-month period. For purposes of computing the five thousand (5,000) cubic yard threshold amount, grading required by the Fire Department to establish a turnaround or for brush clearance shall be excluded, but not grading for any private street, right-of-way, or driveway leading to such turnaround.

b. In approving such a conditional use permit, the Hearing Officer or Commission shall make the following findings in addition to those required by Section 22.56.090:

i. The grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features, including but not limited to, locating the building pads in the area of the project site that have the least slope or near a street traveled by the public; and

ii. The grading will be accompanied by other design features that maximize preservation of visual quality and community character, including but not limited to, reduced structural height, the use of shapes, materials, and colors that blend with the surrounding environment, and the use of native vegetation for concealment.

12. Land Divisions.

a. Gated or guarded entrances to subdivisions or any portion thereof shall be prohibited.

b. Project Design. Applications for development shall include a specific written analysis demonstrating conformance with the following objectives:

i. Preserve existing natural contours and natural rock outcropping features.

ii. Required provisions for access and public safety should be designed to minimize encroachment on existing natural contours and natural rock outcropping features by the use of techniques such as:

(A) Curvilinear street designs; and

(B) Landform grading designs that blend any manufactured slopes or required drainage benches into the natural topography, using

colored concrete to blend visually with the natural soil or using berms to conceal improvements.

E. Zone-Specific Development Standards.

1. Residential and Agricultural Zones.

a. Lot Design. Each new lot or parcel of land created by a land division shall contain a minimum net area of two and one-half (2 1/2) acres.

b. Required Yards.

i. Front yards. Each lot or parcel of land shall have a front yard of at least twenty (20) feet in depth.

ii. Side yards.

(A) Each lot or parcel of land with an average width of less than fifty (50) feet shall have side yards of at least seven (7) feet each; and

(B) Each lot or parcel of land with an average width of fifty (50) feet or greater shall have side yards of at least ten (10) feet each.

iii. Rear yards. Each lot or parcel of land shall have a rear yard of at least twenty (20) feet in depth.

iv. Required front, side, and rear yards shall be measured from the property boundary, unless such boundary is located within a private street providing access to one or more lots or parcels of land, in which case required yard areas shall be measured from the edge of the street or right-of-way closest to the interior of the lot or parcel.

c. Fences.

i. Fences and walls shall not include glass or clear plastic material.

ii. At least seventy five (75) percent of the surface area of a fence or wall within required front yard areas shall be open and non-view obscuring with the open area evenly distributed horizontally along the entire length of the fence or wall. Retaining walls shall be exempt from this requirement.

iii. To allow for wildlife movement on a lot or parcel of land with a net area of one-half (1/2) acre or greater, all fences and walls within required yard areas shall comply with the following standards:

(A) No horizontal member shall be placed less than eighteen (18) inches or more than forty-two (42) inches above finished grade;

(B) For wire fences, the second highest horizontal wire shall be placed at least twelve (12) inches below the topmost wire; and

(C) Barbed wire shall not be used for the topmost or bottommost horizontal member.

d. Housing Standards. All single-family residences, including Factory Built Housing and Manufactured Housing, shall meet the following standards, in addition to those in Section 22.20.105:

i. Structures shall provide eaves not less than twelve (12) inches in depth on all sides, as measured from the finished exterior wall surface; and

ii. Structures shall be placed on a foundation which shall be enclosed by brick, mortar, wood, or other siding material, as approved by the Director.

2. Commercial and Manufacturing Zones.

a. Structure Design. Building facades shall have not more than fifty (50) percent of their surface area covered in any one of the following materials: glass, stucco, or metal.

b. Alcoholic Beverage Sales. No business engaged in the sale of alcoholic beverages for off-site consumption, with the exception of renewals for existing permits, shall be located within one thousand (1,000) feet of any property containing an existing legally-established public or private school, family child care home, or child care center.

F. Area-Specific Standards. (Reserved)

G. Modification of Development Standards.

1. Modification Authorized. Modification of the development standards specified in subsections E.1.b (Required Yards) and E.1.c (Fences) shall be subject to the procedures specified in this section. Modification of the other development standards in this CSD, except for modifications regarding location of utility devices pursuant to subsection D.4.b.ii, shall be subject to a variance, as provided in Part 2 of Chapter 22.56.

2. Application. The procedure for filing a request for modification shall be the same as that for director's review, as set forth in Part 12 of Chapter 22.56, except that the applicant shall also submit:

a. A list, certified by affidavit or statement under penalty of perjury, of the names and addresses of all persons who are shown on the latest available assessment role of the County of Los Angeles as owners of the subject property and as owning property within one thousand (1,000) feet from the exterior boundaries of the subject property;

b. Two sets of gummed mailing labels with the property owners' names and addresses and one photocopy of the labels;

c. A one thousand (1,000)-foot ownership map drawn to a scale of one inch to one hundred (100) feet indicating the location of all such properties and the owners of such properties; and

d. A filing fee, as set forth in Section 22.60.100 under Site Plan for Director's Review for Modification of Development Standards in a Community Standards District.

3. Notice.

a. At least thirty (30) days prior to the date a decision is made, the Director shall send notice of the pending application by first-class mail to the property owners on the list provided by the applicant and to the Lakes Town Council.

b. The notice shall describe the development proposal and the request for modification. The notice shall also indicate that the recipient of the notice or

a representative of the Lakes Town Council may submit a written protest to the Director within fourteen (14) calendar days following the date on the notice and that such written protest shall provide evidence as to why the request for modification does not meet one or more of the findings identified in subsection G.4.a, below.

4. Findings.

a. The Director shall approve or deny the application pursuant to the principles and standards of Section 22.56.1690 and the following findings:

i. There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not apply to other properties within the CSD area; and

ii. That granting the request for modification will not be materially detrimental to properties or improvements in the area or contrary to the intent and purpose of this CSD, as provided in subsection A.

b. The Director shall consider each written protest when making a decision on the application. If he determines that the request for modification does not meet one or more of the above principles, standards, or findings, he may request alterations to the development proposal or impose conditions of approval before making a decision on the application.

c. The Director may refer an application to the Commission for consideration at a public hearing. All procedures relative to the public hearing shall be subject to Part 4 of Chapter 22.60, except that no fee shall be required. The Commission shall approve, conditionally approve, or deny the application pursuant to

the principles, standards, and findings identified in subsection G.4.a. The decision of the Commission shall become final and effective on the date of the decision and shall not be subject to further administrative appeal.

5. Decision.

a. Notice.

i. If the Director approves, conditionally approves, or denies the application, he shall send notice of the decision by certified mail to the applicant, anyone who submitted a written protest, and the Lakes Town Council.

ii. The notice shall indicate that an appeal may be filed by a recipient of the notice or a representative of the Lakes Town Council with the Commission within fourteen (14) calendar days following the date on the notice.

b. Appeal.

i. An appeal shall be accompanied by an additional fee for public hearing, as set forth in Section 22.60.100 under Site Plan Review, Director's Review for Modification of Development Standards in a Community Standards District. All procedures relative to a public hearing set forth in Part 4 of Chapter 22.60 shall be followed.

ii. The Commission shall approve, conditionally approve, or deny the appeal pursuant to the principles, standards, and findings identified in subsection G.4.a. The decision of the Planning Commission shall become final and effective on the date of the decision and shall not be subject to further administrative appeal.

H. Notice and Application Requirements for Proposed Projects or Permits. Applications for conditional use permits, general plan and area plan amendments, specific plans, tentative tract maps and parcel maps, variances, zone changes, and other zoning permits shall contain the following information in addition to that otherwise required by other applicable provisions of Title 21 and Title 22:

1. Maps in the number prescribed and drawn to a scale specified by the Director, showing the location of all property included in the request, the location of all highways and streets, and the location and dimensions of all parcels of land within a distance of three thousand (3,000) feet from the exterior boundaries of the subject parcel(s) of land. One copy of said map shall indicate the uses established on every parcel of land shown within said three thousand (3,000)-foot radius.

2. A list, certified by affidavit or statement under penalty of perjury pursuant to section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the County of Los Angeles as owners of the subject parcel of land and as owning parcels of land within a distance of three thousand (3,000) feet from the exterior boundaries of the subject parcel(s) of land. Two sets of mailing labels for these property owners and one photocopy of the labels shall also be included.

SECTION 3. Section 22.56.085 is hereby amended to read as follows:

22.56.085 Grant or denial of minor conditional use permit by ~~d~~Director.

A. Any person filing an application for a conditional use permit may request the ~~d~~Director to consider the application in accordance with this section for the following uses:

-- Joint live and work units, as provided in Part 19 of Chapter 22.52.

-- Mixed use developments, as provided in Part 18 of Chapter 22.52.

-- Modification of significant ridgeline protection provisions as provided in Section 22.44.143.D.10.b or 22.44.143.D.10.c.

-- Wind energy conversion system, non-commercial (WECS-N)

. . .

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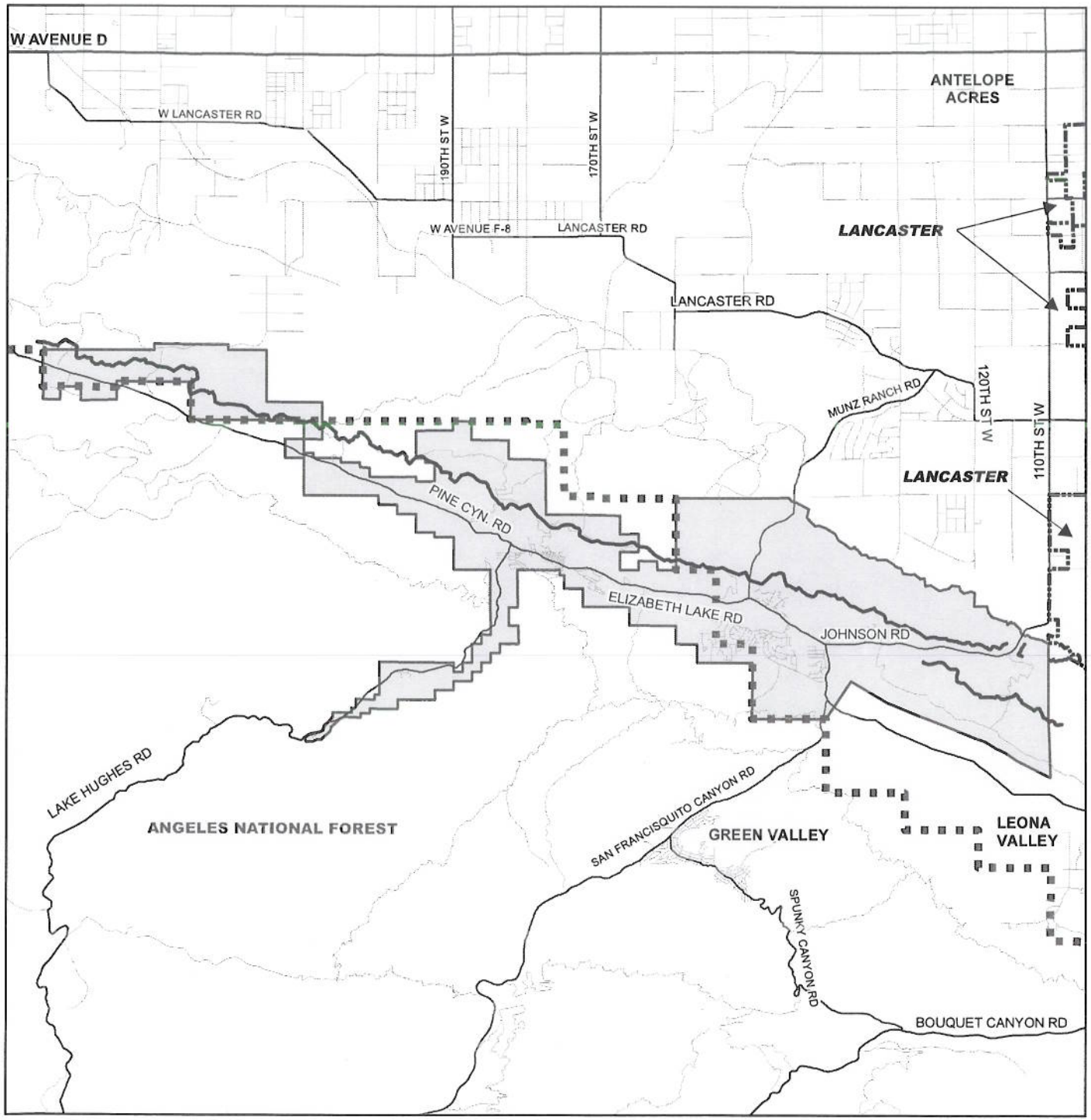

Boundary of The Elizabeth Lake and Lake Hughes Community Standards District with Significant Ridgelines

Legend:

- Significant Ridgelines
- CSD Boundary
- City Boundary
- Forest Boundary

Key Map:

0 2,500 5,000 10,000 Feet

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

SECTION 4. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Don Knabe
Chairman

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of June 30, 2009 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	Gloria Molina	Supervisors	None
	Mark Ridley-Thomas		
	Zev Yaroslavsky		
	Michael D. Antonovich		
	Don Knabe		

Effective Date: July 30, 2009

~~Operative Date:~~

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By
Deputy

APPROVED AS TO FORM:
ROBERT KALUNIAN
Acting County Counsel

By
Leela Kapur
Chief Deputy County Counsel

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