



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 24, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: David McDonald, Senior Regional Planning Assistant
Community Studies North Section

**SUBJECT: LOS ANGELES COUNTY GENERAL PLAN UPDATE
“HILLSIDE MANAGEMENT AREA” ORDINANCE
PROJECT NO. 02-305 (1-5)
AUGUST 6, 2014 – AGENDA ITEM 6.c.**

BACKGROUND

On April 23, 2014, the Regional Planning Commission (“RPC”) conducted a public hearing on the Hillside Management Area Ordinance, a component of Los Angeles County (“County”) General Plan (“General Plan”) Update. The General Plan Update provides the policy framework to guide development in the unincorporated areas through the year 2035, and includes a number of policies regarding compatible development in hillside areas.

The Hillside Management Ordinance (“Adopted Ordinance”) is also being updated. This draft Hillside Management Area (“HMA”) Ordinance (“Draft Ordinance”) will act as an implementation tool for the General Plan.

APRIL 23, 2014 PUBLIC HEARING

During the April 23, 2014 public hearing, the March 24, 2014 Draft HMA Ordinance was presented to Commission. Former staff member Ms. Brianna Menke, who was the project lead at that time, gave a presentation that extensively covered the Draft HMA Ordinance’s earlier drafts and prior discussions with the Commission, its applicability, findings, and the major differences between what is Draft Ordinance and the Adopted Ordinance.

After the presentation, the RPC raised the following questions regarding the Draft Ordinance:

- What is the typical grading threshold for a single family home?
Staff responded that after collaboration with Los Angeles County Department of Public Works (“DPW”), the Draft Ordinance Conditional Use Permit (“CUP”) threshold of 15,000 cubic yards total cut plus fill reflected the estimated amount for a typical single family residence. After DPW confirmed this estimate, the RPC requested staff research the previous 10 hillside management cases processed to confirm the 15,000 cubic yards figure.

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- Would areas such as the Santa Monica North Area, which has a lower threshold of 5,000 cubic yards total cut plus fill as a trigger for a CUP and contains its own density calculation for Hillside Management Areas in its local regulations, retain those lower grading thresholds and density calculations under the Draft Ordinance?
Staff responded that areas within Area Plans and Community Standards Districts (“CSDs”), such as the Santa Monica Mountains North Area, would retain all of their standards with regards to Hillside Management under the Draft Ordinance since they are more restrictive.
- The RPC expressed concern that these local land use regulations would trump the Draft HMA Ordinance since they are more restrictive should be explicitly shown in the ordinance language.
Staff responded that these differences will be included in the Applicability section of a revised Draft Ordinance, and more information about how the Adopted Ordinance and Draft Ordinance compare will be provided.
- The Definitions Section under Improved Open Space includes manufactured slopes and the Commission questioned its inclusion.
Staff responded that the intent was to limit the definition of improved open space, and that manufactured slopes would be reconsidered in a revised Draft Ordinance.

Public testimony included one testifier who commented on the Draft HMA Definitions section, indicating that Parklands public use is defined but that common use is not defined, particularly in reference to property owners associations and homeowners associations.

Staff requested that the public hearing be continued to June 25, 2014, and the RPC continued the matter to June 25, 2014.

Since the April 23, 2014 public hearing, staff has received additional public comments on the Draft Ordinance and public comments pertaining to various other aspects of the General Plan Update. This correspondence is being cataloged into a comment matrix that is regularly updated and available on the General Plan website (http://planning.lacounty.gov/assets/upl/project/gp_comments-matrix-20140320.pdf).

JUNE 25, 2014 PUBLIC HEARING

Staff requested that the public hearing be continued to August 6, 2014 in order to respond to additional public comments received on the Draft Ordinance. There was no discussion or testifiers. The RPC continued the matter to August 6, 2014.

REVISED JULY 24, 2014 DRAFT ORDINANCE

Updated in response to Commission comments, the July 24, 2014 Draft Ordinance has been revised to include the following:

- Definition of HMA was revised from “greater” to “steeper” when referring to 25% slopes (Section 1 & D. 4 a. & b. page 6).
- Manufactured Slopes was removed from the list of definitions for Improved Open Space. (Section B. 4. Page 3).
- Definition of Natural Slope was added (Section B. 6. pages 3-4).

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- In the Permit Required section language was revised to include lower requirements for a Conditional Use Permit may be required in certain Community Standards Districts (Section D.1. page 6).
- A CUP exemption was added to the Permit Required section for on-site and off-site mitigation measures for natural habitat restoration and/or planting of oak trees. (Section D. 3. page 6).
- Language was added in the Permit Required section to include exemptions for public safety activities related to trail restoration and soil erosion (Section D. 9 c. page 8).
- Conditions of Approval Open Space Recordation language regarding the ownership and maintenance was revised to include language regarding priority of open space maintenance, and recordation of conservation easements to include “Irrevocable Offer to Dedicate” (Section F. 5. c page 13).
- Findings language was revised to add “or significant natural” (Section G. 2. page 14).

REVISED HILLSIDE DESIGN GUIDELINES

Three of the comments contained in one of the comment letters were included in the revision to the Draft Hillside Design Guidelines after consultation with the staff biologist to determine their feasibility. All of the following revisions were made in the Site Planning Section which begins on page 4:

- In item 1.2 of the Site Planning section language was added to include when the area does not contain rare, sensitive, or State or federally listed threatened or endangered species.
- Language was also added to item 1.14 on page 5 in the Site Planning section to include the 50 foot buffer does not include fuel modification areas which should be considered as part of the project footprint.
- To item 1.16 on page 5, the words “where appropriate” were added to the end of the sentence.

CONTINUED COLLABORATION AND OUTREACH

In addition to the outreach summary provided for the April 23, 2014 public hearing, staff has also met with the Triunfo-Lobo Canyon Homeowners Association to present information as well as obtain feedback. Staff has also continued to closely collaborate with other affected County Departments, specifically DPW, to rely on their expertise in technical matters such as grading as well as ensure consistency with other County policies.

CORRESPONDENCE

There have been five public comment letters and one comment letter via email received since the April 23, 2014 public hearing, at the time of this report. Those public comment letters are included respectively in Attachment 3.

Public comments received raised include the following concerns or issues:

- The removing of density calculations created vagueness in the regulations, and local and area plans such as the Santa Clarita Area Plan which contain density limits would no longer be valid;
- An assertion was made that 40% of the County would now be off limits to development;

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- By including removal of vegetation in the definition of “development,” agriculture is not allowed in HMAs;
- The CUP grading threshold should be lowered to 5,000 cubic yards cut plus fill for consistency with another community in the County; and
- The Hillside Design Guidelines should have specific language regarding outdoor lighting and wildlife entering homes.

A discussion of the issues raised in the public comment letters are included in the “Staff Analysis” section below.

STAFF ANALYSIS

Issues raised from the April 24, 2014 public hearing include:

Grading Threshold for Single Lot Development

During the April 23, 2014 public hearing, the RPC asked whether the grading threshold amount of 15,000 cubic yards (total cut plus fill) for a CUP may be too high. Staff was instructed to confer with DPW, and determine average or typical grading amounts for a single lot and/or single-family residence.

Staff conferred with DPW, and identified that within the last year, for single-lot development in the unincorporated Santa Monica Mountains Area, the volumes from grading permits issued ranges from 850 cubic yards to 4,500 cubic yards, as calculated total cut plus fill. In the unincorporated Santa Clarita Valley area, the average grading amount reported by DPW is 21,000 cubic yards, total cut and fill combined. Consequently, average grading amounts within the unincorporated community of Santa Clarita has been much higher than the Santa Monica Mountains.

This significant difference between the two unincorporated communities may be based on the fact that a low threshold of 5,000 cubic yards within the Santa Monica Mountains North Area Community Standards District has motivated developers to limit grading and impacts to the hillside, whereas no grading limitation in the Santa Clarita Valley area has not encouraged sensitive hillside design and development.

While staff has not revised the 15,000-cubic yard grading threshold within the July 24, 2014 Draft Ordinance at this time, staff recognizes that there are areas within the County that have significantly more restrictive grading thresholds for a CUP, including 5,000 cubic yards (total cut and fill) within the Santa Monica Mountains North Area CSD, and 2,500 cubic yards (total cut and fill) in the Altadena CSD. These more restrictive community standards would remain in force and continue to apply with the adoption of the Draft Ordinance. As requested by the Commission at the April 23, 2014 public hearing, revised language was added for clarification to the Draft Ordinance to address the more restrictive local regulations such as those found in the Santa Monica Mountains North Area (please see Subsection D.1 of July 24, 2014 Draft Ordinance).

Staff also recognizes that the RPC in its discretion may direct the grading threshold for a CUP to be revised after considering staff’s analysis above, as well as comments and public testimony received during the public hearing process.

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All other changes to the Draft Ordinance, as described in “Revised July 24, 2014 Draft Ordinance” section above, are reflected as Attachment 1.

Density Calculation

The removal of the density calculations, in favor of the Draft Ordinance with project and site-specific design compliance requirements to better protect hillside resources, was vetted with a panel of engineering experts in the field and the public with public outreach over a number of years.

Comments were received requesting language in the draft ordinance that would defer hillside regulations to local plans, such as the Santa Clarita Valley Area Plan (One Valley One Vision), with regard to maximum density for a proposed development. Such language is in the July 24, 2014 Draft Ordinance (see subsection 2 on page 2): “Maximum allowable density or intensity for a proposed development shall be determined by the adopted Area, Community, Neighborhood, or Specific Plan.”

Applicability to Agricultural Uses

Agriculture as a use is regulated by zoning. Where the Draft Ordinance applies, through the definition of “development” as removal of vegetation, the Draft Ordinance also exempts any single-lot development with grading of 15,000 cubic yards total cut plus fill or less, and in areas less than 25% slope. The purpose of the CUP is to evaluate how projects can best protect hillside resources rather than prohibit or hinder specific land uses that are regulated by zoning.

Prohibition on Development

The County contains many areas with mountainous and hillside terrain and significant constraints for its development, and needs to have reasonable protections for its significant natural and aesthetic resources. The Draft Ordinance will not prohibit development on parcels of land with 25% or steeper slopes, but will direct that all reasonable measures be implemented when developing on the 25% or steeper portions of the property, that the proposed development be located on the HMA portions with the fewest hillside constraints, and that sensitive design techniques be used. A CUP is required for development within 25% slopes that is not otherwise exempted as single-lot development or under other limited circumstances.

Other comments received were related to biota and wildlife protection, which are already regulated through the California Environmental Quality Act (CEQA) and/or the County’s Significant Ecological Area ordinance as well as the Rural Outdoor Lighting District provisions (“Dark Skies” Ordinance) and the Building Code.

STAFF RECOMMENDATION

Staff believes that the Draft July 24, 2014 HMA Ordinance is a superior alternative to the Adopted Ordinance in these specific ways:

- It recognizes the diversity of projects in the County, and is written to be project and site-specific. It incorporates sensitive hillside design provisions and protects valuable hillside resources. The Draft HMA Ordinance and the associated Hillside Design Guidelines were vetted with engineers who specialize in hillside engineering projects. The findings requirement that projects substantially comply with the 2014 Draft Hillside Design

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Guidelines will provide flexibility for the many different types of development projects proposed in the HMAs to utilize the best practices of hillside design.

- By including more types of development subject to the Draft Ordinance, more projects will better reflect the best achievable practices of design, better protect natural open space areas, and properly site development so that it is both aesthetically pleasing and has the fewest impacts on valuable hillside resources while still allowing development to occur.

Therefore, staff believes that the July 24, 2014 Draft Ordinance and the Draft July 2014 Hillside Design Guidelines offer the best and most balanced opportunity for the County to protect its valuable hillside resources while also allowing development within the HMAs that incorporates sensitive design practices.

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

I MOVE THAT THE REGIONAL PLANNING COMMISSION DIRECT STAFF TO FINALIZE THE DRAFT HILLSIDE MANAGEMENT AREAS ORDINANCE AND ASSOCIATED DOCUMENTS.

I ALSO MOVE THAT WE CONTINUE THE MATTER TO AUGUST 27, 2014 TO FOCUS ON THE LOS ANGELES COUNTY GENERAL PLAN UPDATE.

- Attachment 1: Revised July 24, 2014 Draft Ordinance
- Attachment 2: Revised Draft Hillside Design Guidelines
- Attachment 3: Public Comment Letters Received Since April 23, 2014 RPC Hearing
- Attachment 4: HMA Comparison Summary

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning – of the Los Angeles County Code related to the update of additional regulations for Hillside Management Areas.

SECTION 1. Section 22.08.080 is hereby amended to read as follows:

...

~~— Hillside Management Area, Nonurban. "Nonurban hillside management area (HMA)" means these areas~~ any portion of a lot or parcel of land which contains terrain having with a natural slope [gradient](#) of 25 percent or [steeper](#) included within the nonurban classification of the general development policy map of the General Plan.

~~— Hillside Management Area, Urban. "Urban hillside management area" means those areas having a natural slope of 25 percent or more included within the urban classification of the general development policy map of the General Plan.~~

...

SECTION 2. Section 22.56.215 is hereby repealed in its entirety.

SECTION 3. Section 22.56.215 is hereby added to read as follows:

22.56.215 Hillside Management Areas -- Additional Regulations.

A. Purpose.

1. This Section is established to ensure that development preserves the physical integrity and scenic value of Hillside Management Areas ("HMA"s), provides open space, and is compatible with community character. These goals are to be accomplished by:

- a. Locating development outside of HMAs to the extent feasible;
- b. Locating development in the portions of HMAs with the fewest hillside constraints; and
- c. Using sensitive hillside design techniques.

2. This Section does not determine maximum allowable density or intensity for a proposed development. Maximum allowable density or intensity for a proposed development shall be determined by the adopted Area, Community, Neighborhood, or Specific Plan. Where there is no adopted Area, Community, Neighborhood, or Specific Plan, the maximum density or intensity for a proposed development shall be determined by the Land Use Element of the General Plan.

B. Definitions. For purposes of this Section the following definitions apply:

1. "Development" means on-site or off-site activity as follows:
 - a. Construction or expansion of any structure or impervious surface, such as hardscape;
 - b. Construction or expansion of any street, highway, or other access road;
 - c. Construction or expansion of any infrastructure, such as water and sewerage lines, drainage facilities, telephone lines, and electrical power transmission and distribution lines;
 - d. Grading, such as cut, fill, or combination thereof, including off-site grading;
 - e. Removal of any vegetation, including fuel modification;

- f. Subdivisions; or
 - g. Lot line adjustments.
2. “Hillside Constraints” mean topographic features such as slopes, hilltops, and ridgelines that may contain hazards and, when developed, cause visible alteration of the topographic feature and its views.
3. “Hillside Design Guidelines” means the document maintained by the Department, as approved by the Director, that provides guidance on best practices and recommended approaches for development in HMAs;
4. “Improved Open Space” means:
- a. Parks, playgrounds, golf courses, and other recreational facilities;
 - b. Riding, hiking, and mountain biking trails;
 - c. Community gardens;
 - d. Vegetated swales;
 - e. Water quality basins and debris basins, provided that such basins are not concrete; or
 - g. Any open space that is subject to fuel modification.
5. “Natural Open Space” means any open space that will remain in an undisturbed natural state or any area that will be restored to a natural state to the satisfaction of the Director.
6. “Natural Slope” means any slope created through or by natural erosion processes; any slope not previously altered by anthropogenic activities such as

cut slopes due to grading, fill slopes constructed with native or import materials, and excavation; or any slope not created as part of a development.

76. “Rural Land Use Designation” means any designation in the General Plan or in any adopted Area, Community, Neighborhood, or Specific Plan, such as Open Space and National Forest land use designations, that allows residential development at a maximum density of one dwelling unit per acre or less or rural commercial and industrial development.

87. “Rural Transition Site” means a project site where at least 51 percent of the project boundary adjoins land within a rural land use designation.

98. “Sensitive Hillside Design Techniques” means any site planning, engineering, landscaping, and/or architectural design technique(s) that, individually or combined, minimize horizontal and vertical cut or fill hillside disturbance; minimize the total volume of grading; minimize impact to scenic hillside views; and are compatible with community character. Such techniques may be found in the Hillside Design Guidelines.

C. Applicability.

1. Pending Applications. The following provisions shall apply to complete applications filed prior to the effective date of the ordinance updating this Section:

a. The applicant may choose whether the application will be reviewed for compliance with this updated Section or with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section. In either case, approval of the application is not guaranteed.

b. If an application is reviewed for compliance with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section, the applicant may modify the application prior to consideration by the Hearing Officer. The modification may necessitate the submittal of revised, updated, or additional materials and reports. The modification may be reviewed for compliance with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section if it does not change the housing type (e.g. from single-family to two-family or multi-family) nor increase:

- i. The residential density;
- ii. The floor area or lot coverage of non-residential space;
- iii. The amount of grading; or
- iv. The area of ground disturbance.

c. A modification to an approved valid application, including modifications pursuant to Part 11 of Chapter 22.56, may be reviewed for compliance with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section, unless the development footprint is being expanded or the modified project is considered a new application. In such cases, a modification shall be reviewed for compliance with this Section.

D. Permit Required. A Conditional Use Permit shall be required for any development located wholly or partially in an HMA, except for:

- 1. Development on a single lot or parcel of land, provided that grading in connection with the development does not exceed 15,000 cubic yards of total cut plus

total fill material. ~~Notwithstanding the foregoing, a Community Standards District may require a Conditional Use Permit for a lesser amount of total cut plus fill material.~~ This exception shall not apply when two or more lots or parcels of land are developed in a coordinated effort, regardless of the ownership of the involved lots or parcels of land and regardless of whether the developments are applied for concurrently or through multiple successive applications.

2. Lot line adjustment(s) of property line(s) between two lots or parcels of land. This exception shall not apply to the adjustment of two or more property lines between three or more contiguous lots or parcels of land in a coordinated effort, regardless of the ownership of the involved lots or parcels of land and regardless of whether the adjustments are applied for concurrently or through multiple successive applications.

3. Activities being undertaken as on-site or off-site mitigation for biota impacts from another development, such as restoration of natural habitat or planting of oak trees.

~~43.~~ Development in one contiguous HMA, provided that the HMA is:

a. Within a rural land use designation, one half acre or less in size (as measured from base of slopes to slopes 25 percent or greater) and not contiguous with any other terrain with a natural slope gradient of 25 percent or ~~steeper~~greater; or

b. Within a land use designation other than rural, one quarter acre or less in size (as measured from base of slopes to slopes of 25 percent or

~~steeper~~ greater) and not contiguous with any other terrain with a natural slope gradient of 25 percent or ~~steeper~~ greater.

54. Development designed such that all HMAs on the development site remain in a natural state or are restored to a natural state to the satisfaction of the Director, and are designated as Open Space - Restricted Use Areas on a recorded final map or parcel map waiver, or on a recorded covenant if not associated with a land division.

65. Development to be undertaken by or for the County, or ~~a~~ special district, provided that such development complies with subsection H.

7. Development located within any adopted Specific Plan, provided that such development complies with the provisions of that Specific Plan.

8. Development related to drilling for and production of oil and gas within the Baldwin Hills Community Standards District ("CSD"), provided that such development complies with the provisions of that CSD.

9. Any of the following activities required, requested, authorized, or performed by a governmental agency:

a. Removal or thinning of vegetation, including trees for fire/public/roadway/bridge safety (including under bridge hydraulic vegetation reduction) in response to an emergency;

b. Operations and maintenance of flood, water supply, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation, including trees; or

c. Hazard management activities in response to an emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways or trails, bridges, soil erosion, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g. guardrail, rail and timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements.

E. Application Materials. If a Conditional Use Permit is required by this Section, the applicant shall submit the following:

1. All materials and information required by Section 22.56.030 and a Burden of Proof statement that substantiates the findings required by subsection G.

2. Site Photographs. Six panoramic or composite color photographs taken from each corner of the development site and from the highest elevated points within the development site, taken no more than 90 days prior to application submission, along with a photograph key. Additional photographs may be required if the Director determines such materials are necessary for adequate evaluation.

3. Proposed Development Exhibits. The following exhibits, each of the same size and scale, showing the natural topography of the site in accordance with the Hillside Design Guidelines:

a. A slope map that includes the following:

i. The land use designation(s) and all existing and proposed development as defined in subsection B.1;

ii. The following slope categories as determined by a licensed civil engineer, licensed land surveyor, or a registered geologist; and associated

color for: Zero to 24.99 percent natural slope (green), 25 to 49.99 percent natural slope (yellow), and 50 percent or greater natural slope (red); and

iii. A table listing the number of gross and net acres, land use designation(s), proposed non-residential square footage and/or proposed number of units, and proposed grading amounts within each slope category and within the overall project boundary.

b. An open space exhibit that includes the following:

i. A site plan depicting proposed lot configuration, proposed streets, proposed grading design, and proposed open space areas. The site plan shall number and label each proposed open space area. The site plan shall also indicate natural open space or improved open space, and within an open space lot or within an Open Space - Restricted Use Area. The site plan shall also depict and describe the type of improved open space within each improved open space area, and

ii. A table listing the acreage and percentage of natural open space areas and improved open space areas on each proposed lot, the total acreage and percentage of natural open space areas, and the total acreage and percentage of improved open space areas.

c. A map showing hillside constraints as defined in subsection B.2.

d. A vegetation exhibit showing existing groundcover, shrubs, and trees;

4. Information on Proposed Structures. If a new structure is proposed, exterior elevation cross sections at a scale satisfactory to the Director,

indicating proposed building, retaining wall heights and proposed retaining wall construction materials; and

5. Additional Materials. The Director may request additional materials at the time of application submission or during review by the Department if the Director determines such materials are necessary for adequate evaluation. These materials may include the exhibits listed in the Hillside Design Guidelines, such as a site profile exhibit, a block elevation exhibit, a proposed landscape plan, a fuel modification plan, a viewshed analysis, or a line of sight exhibit.

F. Conditions of Approval. Every Conditional Use Permit required by this Section shall be subject to the following conditions. Each condition shall specify whether it applies to the entire development, to the portion of the development within HMA(s), or to an individual lot or parcel of land. The Hearing Officer, in granting the HMA Conditional Use Permit may impose additional conditions. Other than as provided herein, any other modification to conditions required by this Section may be granted pursuant to Part 2 of Chapter 22.56:

1. Open Space Requirement.

a. Rural Land Use Designation.

i. Required Open Space. At least 70 percent of the gross area of the development site shall be provided as required open space.

ii. Type of Open Space. Up to 33 percent of total required open space may be provided as improved open space. The Hearing Officer may approve a greater percentage of improved open space if the Hearing Officer finds

that improvement of open space is necessary for public safety or is aesthetically superior.

b. Other Land Use Designations.

i. Required Open Space. At least 25 percent of the net area of the development site shall be provided as required open space. Development in a Residential Planned Development Zone shall also comply with open space requirements in accordance with Section 22.20.460.B.4.

ii. Type of Open Space. The Hearing Officer may approve up to 100 percent of total required open space as improved open space. In a Rural Transition site, up to 50 percent of the required open space may be improved open space. In determining the required amount of improved open space, the Hearing Officer shall consider the characteristics of the development site and the surrounding area.

2. Open Space Use and Configuration.

a. Required open space areas shall not be used for residential, commercial, industrial or agricultural activities, except community gardens and golf courses.

b. At least 51 percent of required natural open space shall be configured into one contiguous area. Land with hillside constraints shall be prioritized for inclusion as required open space.

c. A street may be placed within the contiguous natural open space area if Hearing Officer finds such street is necessary to ensure adequate

circulation or access. Such a street shall not be counted as a portion of the total required open space provided.

d. The contiguous natural open space area shall be contiguous with dedicated natural open space area(s) on adjoining lots or parcels of land as feasible.

e. If the development is located on a Rural Transition Site, the contiguous natural space area shall also be contiguous with the portions of the site perimeter that adjoin land within a rural land use designation as feasible.

f. For a land division:

i. The following types of improved open space shall be configured into, or contained within open space lots, unless owned in common and maintained by a home owner's or property owner's association:

(a) Parks, playgrounds, golf courses, and other recreational facilities;

(b) Riding, hiking, and mountain biking trails; and

(c) Community gardens.

ii. Natural open space shall be configured into separate open space lots if the land division is a density-controlled development as defined by Section 22.08.040, or if the land division is in a rural land use designation with 20 or more dwelling units and residential lots of 15,000 square feet or smaller.

4. Open Space Recordation.

a. If the development is a land division, required open space areas shall be shown on the tentative map and the final map or parcel map waiver, and

shall be subsequently recorded on the final map or parcel map waiver as a fee lot or as an Open Space – Restricted Use Area in the office of the County Registrar-Recorder/County Clerk.

b. If the development is not a land division, required open space areas shall be shown on the site plan or lot line adjustment exhibit. All required open space shall be labeled as Open Space – Restricted Use Area in a covenant recorded in the office of the County Registrar-Recorder/County Clerk.

5. Open Space Ownership and Management. If the development is a land division and open space lots are provided or required by subsection F.2.f, a condition of approval shall provide for ownership and management of the open space lots including documentation demonstrating the best effort in securing dedication to the following entities in order of priority This may be established through one or more of the following in the order of priority:

a. Dedication to a government entity, such as a county, city, state, federal, or joint powers authority;

b. Dedication to a non-profit land conservation organization that meets the Statement of Qualifications of Non-Profits Requesting to Hold Mitigation Land according to Government Code Section 65965;

c. A conservation easement [recorded in the office of the County Registrar-Recorder/County Clerk as an Irrevocable Offer to Dedicate or equivalent instrument](#) that requires the open space to remain in perpetuity and extinguishes all future development rights; or

d. A maintenance agreement with a Home Owners' Association or Property Owner's Association where demonstrated that dedication to the entities above or a conservation easement is infeasible.

6. Design. The Hearing Officer may impose additional conditions pertaining to sensitive hillside design techniques.

7. Land Division. For a land division, the conditions may specify that any subsequent applications to modify the Conditional Use Permit pursuant to Part 11 of Chapter 22.56 need only relate to the lots or parcels of land affected by such modification.

G. Findings. The Hearing Officer shall approve an application for a Conditional Use Permit if the Hearing Officer finds that the application substantiates, in addition to those required by Section 22.56.090, the following findings:

1. That the proposed development preserves the physical integrity of HMAs to the greatest extent feasible, resulting in the least amount of impact to hillside resources, by:

a. Locating development outside of HMAs to the extent feasible,

b. Locating development in the portions of HMAs with the fewest hillside constraints, and

c. Using sensitive hillside design techniques;

2. That the proposed development preserves the scenic value of HMAs to the greatest extent feasible, resulting in the least amount of impact to on-site

and off-site scenic views of slopes and ridgelines as well as views of other unique, site-specific aesthetic or significant natural features of the hillside, by:

a. Locating development outside of HMAs to the extent feasible,

b. Locating development in the portions of HMAs with the fewest hillside constraints, and

c. Using sensitive hillside design techniques;

3. That the proposed development is compatible with community character, and provides required open space compatible with the characteristics of the development site and the surrounding area. Where modified:

a. For development in a rural land use designation, a greater percentage of improved open space is necessary for public safety or is aesthetically superior,

b. For streets within a natural open space area, such street is necessary to ensure adequate circulation or access, or

c. For ownership and maintenance by a home owner's or property owner's association, dedication or a conservation easement as provided herein is infeasible; and

4. That the proposed development is in substantial compliance with the Hillside Design Guidelines.

H. Development by the County, or special district. The lead County department or the district shall prepare a written report that documents substantial compliance with the Hillside Design Guidelines. This report shall be included as part of

the development's publicly available documents and included as part of any subsequent project reports to the Board of Supervisors and its attendant commissions. A report shall not be required for maintenance or operations activities or any activities listed in subsection D.~~89~~ 90 above.

HILLSIDE DESIGN GUIDELINES



2014

A Manual of Sensitive Design Measures for Hillside
Management Areas



JULY 2014 DRAFT FOR PUBLIC REVIEW

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012

HILLSIDE DESIGN GUIDELINES

A MANUAL OF SENSITIVE DESIGN MEASURES FOR HILLSIDE MANAGEMENT AREAS

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OVERVIEW

The policies of the Los Angeles Countywide General Plan (General Plan) seek to preserve significant natural features in hillside areas. The Hillside Design Guidelines (Guidelines) are intended to implement these policies by ensuring that hillside development projects use sensitive and creative engineering, architectural, and landscaping site design techniques. The Guidelines will also help ensure that hillside development projects are designed in a manner that satisfies the findings of the Hillside Management Areas Ordinance (Ordinance). To accomplish this, the Guidelines include over 60 *specific and measurable design techniques* that can be applied to residential, commercial, industrial, and other kinds of projects. Below are a few project type examples:

- A subdivision of 20 single-family lots
- A 20,000 square-foot commercial office building with a parking lot
- A 150,000 square-foot warehouse building
- A three-acre equestrian center with 50 horse stables and outdoor training area
- A five-acre private camp site with a 10,000 square-foot retreat center
- A 10-acre vineyard with a 5,000 square-foot winery

Some design techniques may be more appropriate or feasible than others, depending on the type of project, location, size, complexity, and site constraints. The Guidelines have been created so that several design techniques can be used with any hillside project.

The Guidelines are a living document that can be periodically reviewed and updated as needed, based on innovations in design techniques and changes in development review processes.

PURPOSE

The purpose of the Guidelines and the Ordinance is to:

- *Preserve the physical integrity and scenic value of HMAs;*
- *Provide open space; and*
- *Enhance community character.*

These can be accomplished by locating development outside of HMAs, and, when development within HMAs cannot be avoided, locating development in the lowest and flattest portions of the HMAs, using sensitive hillside design techniques. By using these broad techniques, significant natural features can be preserved - primarily steep hillside terrain, hilltops and ridgelines; unique geologic features (such as rock outcroppings); and natural vegetation.

APPLICABILITY

These Guidelines apply to all projects that are subject to the Ordinance. The County formally defines an HMA as having 25% or greater natural slopes. Development within an HMA triggers the Ordinance requirements. When a project is determined to be subject to the Ordinance, *all areas of the project site* are subject to the Ordinance and not just those portions containing 25% or greater natural slopes. To determine if

a project is subject to the Ordinance, please consult the text of the Ordinance online at <http://planning.lacounty.gov/ord/adopted>.

The Guidelines are optional but encouraged for all other hillside projects not subject to the Ordinance. As stated earlier, HMAs have 25% or greater natural slopes; however, development on 24% or “lesser” slopes can have negative impacts on hillside terrain that could be minimized by following these Guidelines. Using the Guidelines on hillside developments not subject to the Guidelines helps minimize all hillside impacts and maintain compatibility across different projects, enhancing community character. Community members and others are also encouraged to use the Guidelines as a reference tool to study their own neighborhoods for areas that could benefit from the use of sensitive hillside design techniques.

SUBSTANTIAL COMPLIANCE

For projects subject to the Ordinance, Finding 4 requires that the project “substantially comply” with the Guidelines (See the findings in Appendix C. A design review checklist which may be used to determine substantial compliance is found in Appendix D). The Guidelines are divided into five major design categories containing a variety of sensitive hillside design measures (DMs). The five major categories are:

- Site Planning
- Grading and Facilities
- Road Circulation
- Building Design
- Landscaping

For substantial compliance with the Ordinance, projects must use the DMs contained in the Guidelines that can be reasonably implemented in the project design. Due to the variety, size and complexity of development projects, there is no set number of DMs that a project must utilize. Instead, the project applicant should work with County staff to determine the most appropriate DMs for the site. In situations where it is unclear whether a DM is being fully utilized, County staff will use its recommendation for whole or partial DM “credit” towards satisfying the Ordinance findings. The Hearing Officer or Commission is the authority in determining whether a project meets Ordinance findings. County staff will also work with project applicants to determine which DMs can be implemented as project conditions of approval.

OTHER POLICIES AND STANDARDS

In addition to meeting Ordinance findings, hillside projects must also be evaluated by other factors such as General Plan policies, Healthy Design standards, and California Environmental Quality Act criteria. These factors could influence which DMs to use within a project. Projects are encouraged to use DMs that satisfy Ordinance findings in addition to these other factors. Lastly, hillside projects are to be reviewed by Regional Planning and all affected County departments, including Public Works, Fire, Parks and Recreation, and Public Health; and respective requirements may apply that affect project design.

FACTORS AFFECTING RESIDENTIAL DENSITY

Sensitive hillside design techniques can be used to achieve a better project design while still maintaining a desired number of dwelling units. The General Plan land use designation (“plan category”) establishes the appropriate residential density range for a project, including the density maximum. However, there are a number of other factors that can affect the project’s density, such as:

- Land division standards (minimum lot size, lot width, street frontage and access)
- Zoning designation (minimum lot size/lot area per dwelling unit)
- Zoning standards (building setbacks, maximum lot coverage)
- Other site constraints (such high fire hazard zones and wildlife habitat areas)
- Open space and parking requirements
- Public easements and dedications (such as for utilities)
- Community compatibility and neighbor concerns

Many factors can affect the number of dwelling units that may be feasibly developed. A good design can balance many of these factors while still achieving density goals. However, the final decision on the appropriate density will rest with the hearing body after a careful consideration of staff’s recommendation, public testimony, the applicant’s request, and the particular aspects of each project.

LAND DIVISIONS

Past development patterns within the unincorporated County suggest that the largest hillside projects involve land divisions. Land divisions often have large amounts of grading along with the creation of new infrastructure and landscaping. While it should be expected that more DMs will be applicable to land divisions, quantity should not be confused with quality. Smaller land divisions and non-land division projects should be evaluated not only by the number of DMs utilized but by how effectively they are used to achieve a sensitive hillside design.

SENSITIVE HILLSIDE DESIGN MEASURES

1. Site Planning

Conserve land area and form, link open spaces, and promote a more attractive pattern of development that complements the hillside terrain.

- 1.1. Locate 50% or more of the project’s buildings and developable lots within 500 feet (ft.) of existing sewer, water and roadway infrastructure.
- 1.2. Locate at least 50% of the development footprint on the flattest portions of the site¹ (i.e., those areas having slopes of less than 25%) when that area does not contain rare, sensitive, or State or federally listed threatened or endangered species.

¹ “Site” referred to in the Design Measures means the “project site” or “subject property.”
7.24.14

- 1.3. Utilize all previously graded or disturbed areas on the site for new development to the greatest extent possible, before developing new areas, such that new development within undisturbed areas is reduced.
- 1.4. For new land divisions, contain at least 75% of developable lots within blocks that have a perimeter of ¼ mile (1,320 ft.) or less, measured from the roadway centerline. *(Note: The purpose of this design measure is to avoid unattractive “superblocks” of development on the hillside and instead use smaller block sizes that are more distinguishable from each other and can better fit in with the natural topography.)*
- 1.5. For new land divisions, where lot clustering is allowed and compatible with community character, reduce all single-family lot sizes to 15,000 square feet (sf.) or less.
- 1.6. For new land divisions, utilize a variety of small, medium and large lot sizes (such as 5,000, 10,000 and 20,000 sf.) in such a manner that it will produce different building layouts and sizes.
- 1.7. Differentiate pad elevations by 2 to 6 ft. throughout the site by street (or common driveway), by block and/or by lot.
- 1.8. Place the narrow side of the lot (or building pad) such that it allows the building façade to face the roadway.
- 1.9. Utilize terraced building pads in select areas within the site on slopes that exceed 50%.
- 1.10. Preserve the most prominent and unique slopes, hilltops and ridgelines² on the site for recreational uses within dedicated (or common) open space areas.
- 1.11. Exceed the minimum Ordinance open space acreage requirements by 10% or more.
- 1.12. Preserve contiguous undisturbed open space throughout the site, utilizing segments of land that are at least 150 ft. wide.
- 1.13. Utilize at least 25% of the overall project’s disturbed (improved) open space for recreational purposes.
- 1.14. Locate and design improved open space as a buffer (recommended at least 50 ft. wide) between undisturbed open space and development. The 50 foot buffer does not include fuel modification areas which should be considered as part of the project footprint.
- 1.15. Create scenic vista points at prominent locations such as hilltops and ridgelines, providing amenities³ at the points and making them accessible to the public.
- 1.16. Provide private (connector) trails that link together all of the project’s open space areas (1 acre or larger) and connect to any onsite or offsite public trails, where appropriate.

² When ridgelines are mapped “significant ridgelines” by the County, the stricter regulations applicable to those ridgelines shall apply and staff shall determine whether it is appropriate to give credit for this Design Measure.

³ Such as decks, seating arrangements, overhead cover (trellis or gazebo), landscaping and shade trees, and information signs for landmarks or points of interest.

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- 1.17. For new land division blocks of development that exceed 800 ft. between intersections, design mid-block thru-paths that connect to intervening streets or open space areas, and make the paths accessible to the public.
- 1.18. Use other innovative site planning techniques not listed in this section that promote the overall design Objective.

2. Grading and Facilities

Avoid mass landform alteration, preserve the physical shape of the hillside, and maintain pleasant views.

- 2.1. For projects with more than 100,000 cubic yards of onsite earthwork, avoid any mass cut and fill grading that would result a 25 ft. or greater elevation change from the existing natural grade to the finished manufactured grade anywhere over the site.
- 2.2. Use contoured grading lines that match or closely match the existing topography, generally avoiding lines that trace 45 to 90 degrees against the natural contour.
- 2.3. Utilize undulating banks for graded slopes in order to maintain the natural pattern of the topography to the greatest extent feasible.
- 2.4. Design the project's longer graded horizontal slope surfaces and slope increments (typically 300 or more ft. in length) to be variable in terms of height and spacing, in order to replicate natural topographical patterns.
- 2.5. Locate water tanks and other similar types of structures that are 20 or more ft. tall so that their highest point is at least 50 ft. below the crest of the highest hilltop or ridgeline located within 500 ft. on or off the site.
- 2.6. Locate visually intrusive structures (such as water tanks) so that they are hidden from public views, placing them behind hills, buildings, landscaping, existing trees or other more appropriate and attractive screening objects.
- 2.7. Avoid enclosing or surrounding new buildings with berms and block walls. Instead, locate and design the buildings in accordance with the other site planning, road circulation, building and landscaping design measures contained in these Guidelines.
- 2.8. Design drainage facilities as multi-purpose site features⁴ that are attractively landscaped, conserve water, improve water quality, and provide opportunity for recreational activity. *(Note: These features may be counted towards required open space acreage if designed to the County's satisfaction. However, they should not encourage additional grading impacts but rather should be located in areas already designated for improvement such as park sites, roadsides, or previously-graded flat areas.)*
- 2.9. Build retaining walls to be less than six ft. in exposed height, and terrace the walls where appropriate and in a manner that does not substantially increase visual impacts.

⁴ Subject to the approval of Los Angeles County Public Works.
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- 2.10. Use earth-tone colors and materials⁵ for exposed hardscape surfaces such as block walls, retaining walls, drainage terraces and storm gutters.
- 2.11. Use more attractive designs and materials for any walls or fencing used to enclose public facilities (such as debris and retention basins), especially when such facilities are in highly-visible locations and/or are designed as “multi-purpose” site features. *(Note: Safety and security shall be maintained for the facilities when using a more attractive wall or fence design.)*
- 2.12. Use other innovative grading and public facility design techniques not mentioned in this section that promote the overall design Objective.

3. Road Circulation

Preserve the physical shape of the hillside, maintain good connectivity, and provide scenic roadway views.

- 3.1. Provide at least 2 points of paved roadway access⁶ to a County highway (major or secondary) for any project (or portion of development) greater than 50 dwelling units and 10 acres in size. *(Note: This practice should only be considered when the second road connection will not require a substantial amount of additional grading; special consideration may be given when connecting to an adjacent community or providing access to community services such as schools and parks.)*
- 3.2. Locate and design new roadways to follow the existing natural slope contours, avoiding mass landform alteration and excessive grading.⁷
- 3.3. Utilize private drives instead of public streets on 50% or more of the project road circulation system to allow slightly higher gradients (up to 15%) that result in less grading and better conformance to natural slope contours.
- 3.4. Use undulating patterns and varying grades⁸ for roadway segments exceeding 1,000 ft. in length.
- 3.5. Connect roadways to form blocks wherever feasible (2,000 sf. or less block perimeter), such that at least 75% of the development footprint (to include public facilities) is contained within blocks. *(Note: The purpose of this is to provide good access and connectivity for safety reasons, and to use roadways to buffer development from natural vegetated areas.)*
- 3.6. Use cul-de-sacs in limited instances, such as where road connections would require grading into 50% or greater slopes or grading into 25% or greater slopes for a distance of more than 500 ft.
- 3.7. Provide unpaved trail or paved pedestrian path thru-connections for all cul-de-sacs. *(Note: Fee-dedicated strips are recommended instead of easements on private lots.)*
- 3.8. Utilize “edge” (single-loaded) roads along at least 50% of the development perimeter, in areas with steep hillside terrain, and to buffer development from undisturbed open space.

⁵ Subject to the approval of Los Angeles County Regional Planning.

⁶ May be a private roadway or fire lane but shall be un-gated, accessible by the public, and of sufficient width to meet Los Angeles County Fire Department requirements.

⁷ Subject to the sight distance, signing, striping and marking requirements of Los Angeles County Public Works.

⁸ Subject to the maximum allowed street grade requirements of Los Angeles County Public Works.
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- 3.9. Place all new roadways and paved driveways at least 100 ft. below the crest of the tallest hilltop or ridgeline located onsite, or offsite within 500 ft. of the project boundary.
- 3.10. Design “split” roadways or landscaped medians to preserve unique or important natural features (such as oak trees or rock outcroppings).
- 3.11. Use bridge design techniques that are attractive, maximize the preservation of natural watercourses, and allow easy wildlife migration beneath the bridge (minimum 6 ft. of vertical and horizontal clearance recommended)
- 3.12. Use private drives instead of public roadways when it will result in narrower roadway widths that create less grading. (*Note: Private drives should conform to the Los Angeles County Private Drives and Traffic Calming Manual, and should not eliminate sidewalks or reduce sidewalk connections throughout the development.*)
- 3.13. Use other innovative roadway circulation design techniques not mentioned in this section that promote the overall design Objective.

4. Building Design

Promote more attractive views through building siting and orientation, and use of building materials and colors that complement natural hillside features.

- 4.1. Place structures and/or limit their height so that their rooflines are equal to or below the elevation of the roadway grade of the development above.
- 4.2. Utilize terraced (split-level) or “cantilevered” building designs wherever feasible on 25% or greater slopes. (*Note: Split-level homes should have a second floor exterior that is visibly set-back from the first floor exterior so that a terraced profile can be seen from the public view.*)
- 4.3. Use a variety of house, garage and other building placements that better responds to the hillside terrain and created a more interesting and attractive streetscape.
- 4.4. Limit building heights to 2 stories (or 25 ft.) when sited on 25% or greater slopes or when the building pad elevation is located less than 50 ft. below the crest of the nearest hilltop or ridgeline located within a linear distance of 500 ft.
- 4.5. Use a wider variety of architectural treatments and materials⁹ for the facades and exteriors of buildings that are located in highly-visible areas on the site (such as main entryways, higher elevations, and isolated lots or building pads surrounded by open space).
- 4.6. Use pitched roofs (at least 1.5:1) and shingles for new residences.¹⁰
- 4.7. Utilize architectural design techniques to screen rooftop mechanical equipment from public view.
- 4.8. Design building exteriors with stonework and/or woodwork that matches rock and tree varieties found in visible locations on the site or in the surrounding community within a distance of 1 mile.

⁹ Such as metal, stone, wood, brick, plaster, and concrete.

¹⁰ Subject to approval by the Los Angeles County Fire Department.
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- 4.9. For business signs, use wood construction materials and painted lettering/logos, avoiding the use of metal and plastic, and with 18 sf. or less total sign surface area (10 sf. for blade signs) per business establishment.
- 4.10. Design monument signs to be constructed with wood, stone, brick and/or decorative concrete, and to be no more than 6 ft. in height. *(Note: The placement of all monument signs shall accommodate an adequate line of sight to the adjacent roadway.)*
- 4.11. Limit all signs so that they project upward no higher than the roofline of the building (or nearest adjacent building), and do not disrupt sightlines to the horizon.
- 4.12. Illuminate signs from the exterior, with downward-projecting, hooded light fixtures that minimize light trespass.
- 4.13. Use other innovative building design techniques not mentioned in this section that promote the overall design Objective.

5. Landscaping

Preserve existing vegetation, conserve water and provide more attractive and comfortable settings within the developed areas of the hillside project.

- 5.1. Retain and incorporate 50% or more of existing onsite trees and woodlands (particularly native and drought-tolerant species, and oak woodlands) into the overall project landscaping plan¹¹.
- 5.2. Avoid all healthy¹² oak tree encroachments and removals through the sensitive location and design of development.
- 5.3. Landscape all graded slopes and improved open spaces in an attractive manner that accomplishes at least 2 or more of the following beyond a State or County-required minimum (whichever is more restrictive): a) restores habitat; b) conserves water or improves water quality; c) provides shade for pedestrians and bicyclists; d) enhances slope stability (must landscape all slopes \geq 5 ft. high); e) increases fire protection; f) provides recreational opportunities.
- 5.4. Utilize native and drought-tolerant trees, shrubs and ground cover over all exposed graded areas.
- 5.5. Landscape at least 50% of all graded slopes and improved open spaces at a minimum ratio of 1 new shrub per 100 sf. and 1 new tree per 800 sf.
- 5.6. Vary the height, placement and color of appropriate landscaping materials throughout the site.
- 5.7. Use a wide variety of local and non-invasive plant species within the project's improved open space areas, matching or exceeding the variety found onsite and listed in the project's plant surveys and biota reports.
- 5.8. Plant new native and drought-tolerant trees and shrubs of a sufficient interval, size and height to screen hardscape surfaces and unadorned features such as garage doors and block walls.

¹¹ May require consultation with the County biologist prior to conceptual landscaping plan approval.

¹² As determined by a qualified arborist. Only applies to oaks that are the minimum ordinance size or larger.
7.24.14

- 5.9. Use plant materials and irrigation systems that, combined, conserve water 20% or more beyond State and County requirements.
- 5.10. Reapply the graded topsoil to manufactured slopes and improved open space areas.
- 5.11. Use other innovative landscaping design techniques not mentioned in this section that promote the overall design Objective.

APPENDICES

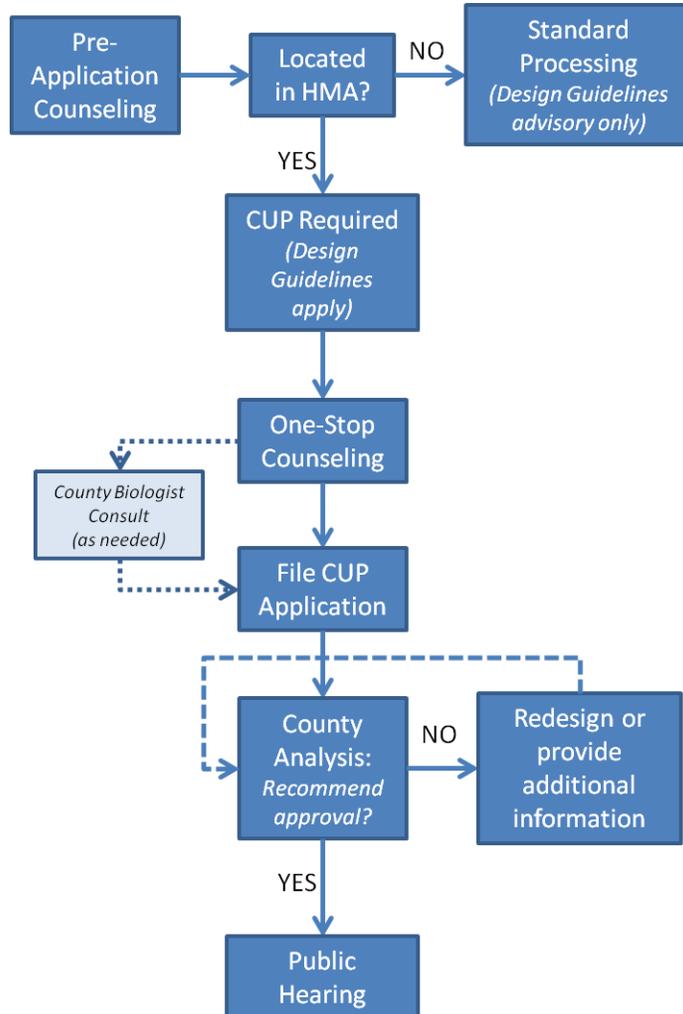
A. List of Design Exhibits

Design exhibits are necessary to evaluate the proposed development in accordance with County policies, code requirements and case processing procedures. Some projects may not need to provide all exhibits listed below, but rather on an as-needed basis at the discretion of County staff when applicable.

- Site Plan (Exhibit “A”) – A plan that shows existing contour intervals (10 ft. or less), existing development and proposed development, to include lots, structures, roadways, driveways, grading and building pads. Should also depict roadway and retaining wall cross sections.
- Site Profile – A scaled drawing that shows a cross-section view of the site from one edge to the other, showing the location of all development in the hillside and the overall extent of hillside encroachment and landform alteration. *(Note: More than one cross section may be required in order to accurately assess hillside impacts.)*
- Block Elevation – (For land divisions or larger multi-unit developments as applicable) A drawing that shows a row of multiple house (or other building) elevations as they would appear to the public from a lower vantage point on or adjacent to the site. May also include depictions of landscape screening.
- Landscape Plan – A color plan that shows all proposed landscaped areas, to include plant materials and any pedestrian and aesthetic features such as walkways, recreation equipment, fountains, gardens, etc. Should also depict existing vegetation that will be preserved, as well as oak or other mitigation trees (if known).
- Fuel Modification Plan – A specific type of landscape plan that shows all fuel modification zone boundaries, distances between boundaries, and types of vegetation, as required by the Los Angeles County Fire Department. (Please refer to the Fire Department’s separate guidelines when creating this plan.)
- Open Space Exhibit – A simplified site plan showing all proposed lots, roadways and grading only; also depicts, numbers and labels the restricted-use areas and separate lots to be preserved as OS; distinguishes between different types of OS and provides a legend that describes each type of OS; and provides a table listing the approximate acreage of the individual OS types and the quantity and percentage of improved (disturbed) and undisturbed OS within each lot, and for the overall project.
- Slope Map – A complete site plan (road and retaining wall cross sections excluded) that depicts the three different slope ranges (<25%, 25-49%, and ≥50%) according to a color scheme of green – yellow – red, respectively.
- Buildout Simulation – A color exhibit that shows how new development would impact existing hillside views. It typically depicts a “before” and “after” perspective view of the hillside(s), and includes realistic or semi-realistic photos or renderings of the actual buildings and landscaping that will be used in the development, showing how they will affect the hillside views.
- Viewshed Analysis – A site plan or cross section showing the specific degree angle of view from one or more vantage points on the site. The “sight-line” is drawn from the point of view (POV) to some object of observation (such as a road intersection or ridge-top) depicted at some distance from the POV on or off-site. The sight line will show any intervening features that may block the line of sight.

B. HMA Ordinance Process

The below process flowchart is for basic information only. Please consult with Regional Planning staff for a more detailed explanation of the entire process.



C. HMA Ordinance Findings

HMA CUP BURDEN OF PROOF

(Section 22.56.215 of the Los Angeles County Zoning Code)

For each item, on a separate sheet, please describe in detail how the project satisfies the specific Finding. Provide an explanation of how the project meets each hillside CUP Finding. (Note: The project must also satisfy the standard CUP Findings contained in Section 22.56.090.)

Finding 1: That the proposed development preserves the physical integrity of HMAs to the best extent feasible, resulting in the least amount of impact to hillside resources, by:

- A. Locating development outside of HMAs to the extent feasible;
- B. Locating development in the portions of HMAs with the fewest hillside constraints; and
- C. Using sensitive hillside design techniques.

Finding 2: That the proposed development preserves the scenic value of HMAs to the greatest extent feasible, resulting in the least amount of impact to on-site and offsite scenic views of slopes and ridgelines as well as views of other unique, site-specific aesthetic features of the hillside, by:

- A. Locating development outside of HMAs to the extent feasible;
- B. Locating development in the portions of HMAs with the fewest hillside constraints; and
- C. Using sensitive hillside design techniques.

Finding 3: That the proposed development is compatible with community character, and provides required open space compatible with the characteristics of the development site and the surrounding area. Where modified:

- A. For development in a rural land use designation, a greater percentage of improved open space is necessary for public safety or is aesthetically superior;
- B. For streets within natural open space area, such street is necessary to ensure adequate circulation or access; or
- C. For ownership and maintenance by a home owner's or property owner's association, dedication or a conservation easement as provided in the Ordinance is infeasible.

Finding 4: That the proposed development is in substantial compliance with the Hillside Design Guidelines.

D. Hillside Project Design Checklist

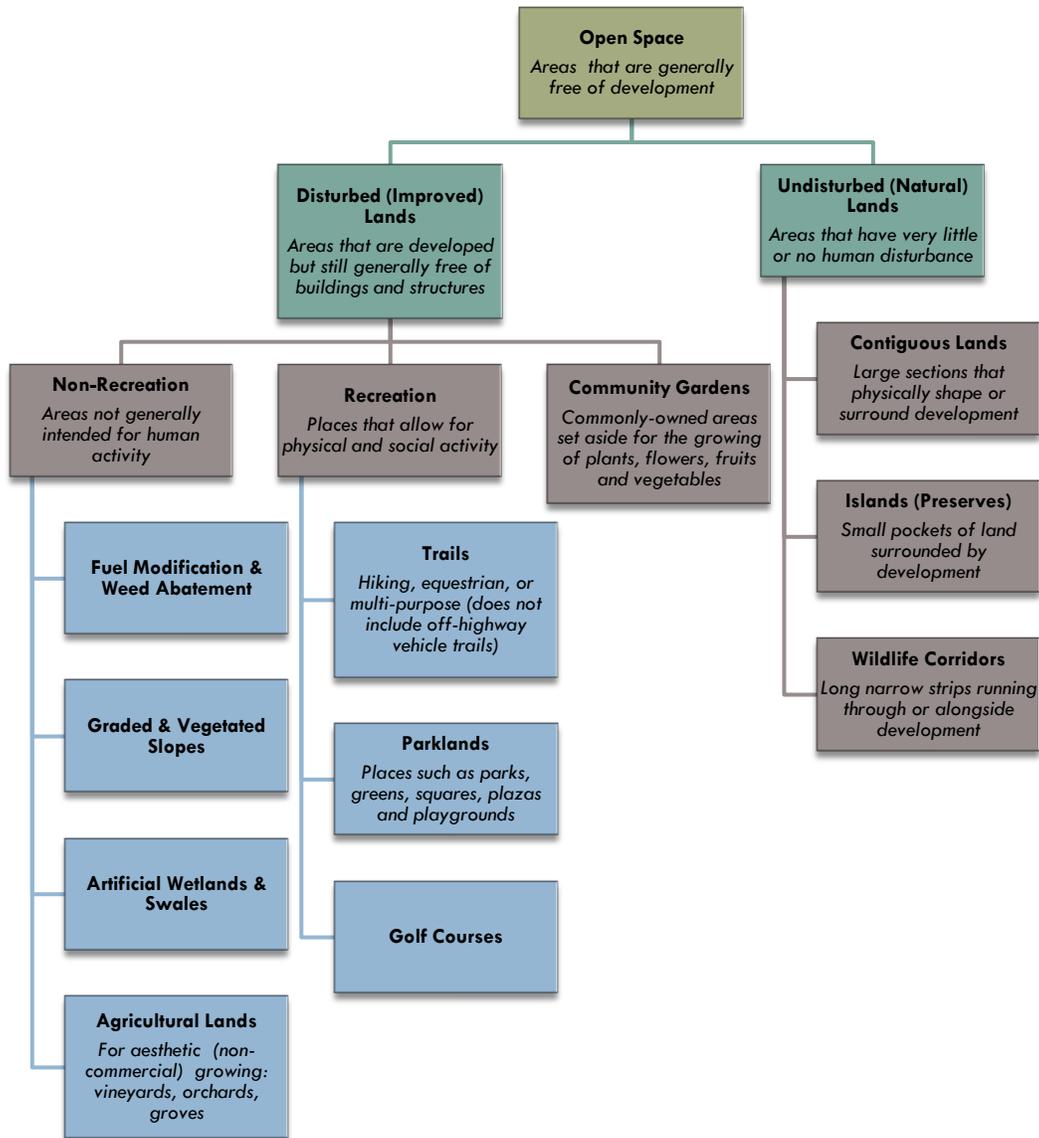
Use this checklist to evaluate a hillside development project. This checklist is intended as a summary only and does not replace the full text contained in the Hillside Design Guidelines. Please carefully read the full text of the Guidelines before completing.

HILLSIDE PROJECT DESIGN CHECKLIST			Date:		
			Project Number:		
	Design Measure	Description	Shown on plans	Does not apply	Notes (Provide information such as: which design measures are key to the project; which are only partially satisfied; and which will be satisfied through conditions of approval.)
SITE PLANNING	1.1	Locate development near existing infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	
	1.2	Locate development in flattest areas	<input type="checkbox"/>	<input type="checkbox"/>	
	1.3	Utilize previously graded or disturbed areas	<input type="checkbox"/>	<input type="checkbox"/>	
	1.4	Create smaller development blocks	<input type="checkbox"/>	<input type="checkbox"/>	
	1.5	Reduce lot sizes to <15,000 sf.	<input type="checkbox"/>	<input type="checkbox"/>	
	1.6	Vary lot sizes	<input type="checkbox"/>	<input type="checkbox"/>	
	1.7	Vary pad elevations	<input type="checkbox"/>	<input type="checkbox"/>	
	1.8	Place the narrow side of the lot or building facing the street	<input type="checkbox"/>	<input type="checkbox"/>	
	1.9	Utilize terraced building pads	<input type="checkbox"/>	<input type="checkbox"/>	
	1.10	Preserve hillside features for recreation	<input type="checkbox"/>	<input type="checkbox"/>	
	1.11	Exceed minimum OS requirements by ≥10%	<input type="checkbox"/>	<input type="checkbox"/>	
	1.12	Preserve contiguous undisturbed OS	<input type="checkbox"/>	<input type="checkbox"/>	
	1.13	Utilize ≥25% of improved OS for recreation	<input type="checkbox"/>	<input type="checkbox"/>	
	1.14	Provide OS buffers	<input type="checkbox"/>	<input type="checkbox"/>	
	1.15	Create scenic vista points	<input type="checkbox"/>	<input type="checkbox"/>	
	1.16	Provide private (connector) trails	<input type="checkbox"/>	<input type="checkbox"/>	
	1.17	Design mid-block thru-paths	<input type="checkbox"/>	<input type="checkbox"/>	
	1.18	Use other innovative site planning techniques	<input type="checkbox"/>	<input type="checkbox"/>	
GRADING AND FACILITIES	2.1	Avoid mass cut/fill grading with great elevation change	<input type="checkbox"/>	<input type="checkbox"/>	
	2.2	Use contoured cut/fill grading lines	<input type="checkbox"/>	<input type="checkbox"/>	
	2.3	Utilize undulating banks for graded slopes	<input type="checkbox"/>	<input type="checkbox"/>	
	2.4	Design variable horizontal slopes	<input type="checkbox"/>	<input type="checkbox"/>	

ROAD CIRCULATION	2.5	Locate public facilities (lower height)	<input type="checkbox"/>	<input type="checkbox"/>	
	2.6	Locate public facilities (screening)	<input type="checkbox"/>	<input type="checkbox"/>	
	2.7	Avoid berms and block walls	<input type="checkbox"/>	<input type="checkbox"/>	
	2.8	Design multi-purpose drainage facilities	<input type="checkbox"/>	<input type="checkbox"/>	
	2.9	Build retaining walls <6 ft./terrace	<input type="checkbox"/>	<input type="checkbox"/>	
	2.10	Use earth-tone colors and materials	<input type="checkbox"/>	<input type="checkbox"/>	
	2.11	Use attractive fence design & materials	<input type="checkbox"/>	<input type="checkbox"/>	
	2.12	Use other innovative grading/facility techniques	<input type="checkbox"/>	<input type="checkbox"/>	
	3.1	Provide at least 2 points of paved access	<input type="checkbox"/>	<input type="checkbox"/>	
	3.2	Locate/design roadways to follow natural contours	<input type="checkbox"/>	<input type="checkbox"/>	
	3.3	Use private drives for hillside preservation	<input type="checkbox"/>	<input type="checkbox"/>	
	3.4	Use undulating patterns and varying grades	<input type="checkbox"/>	<input type="checkbox"/>	
3.5	Connect roadways to form blocks	<input type="checkbox"/>	<input type="checkbox"/>		
3.6	Use cul-de-sacs in limited instances	<input type="checkbox"/>	<input type="checkbox"/>		
3.7	Provide trail/path connections for all cul-de-sacs	<input type="checkbox"/>	<input type="checkbox"/>		
3.8	Utilize "edge" (single-loaded) roads	<input type="checkbox"/>	<input type="checkbox"/>		
3.9	Locate roadways >100 ft. below hilltops/ridges	<input type="checkbox"/>	<input type="checkbox"/>		
3.10	Design split roadways/landscaped medians	<input type="checkbox"/>	<input type="checkbox"/>		
3.11	Use bridge design techniques for preservation/migration	<input type="checkbox"/>	<input type="checkbox"/>		
3.12	Use private drives instead of public roadways for less grading	<input type="checkbox"/>	<input type="checkbox"/>		
3.13	Use other innovative road circulation techniques	<input type="checkbox"/>	<input type="checkbox"/>		
BUILDING DESIGN	4.1	Place/limit structures so that rooflines don't protrude	<input type="checkbox"/>	<input type="checkbox"/>	
	4.2	Utilize terraced (split-level) building designs	<input type="checkbox"/>	<input type="checkbox"/>	
	4.3	Vary building setbacks and orientation	<input type="checkbox"/>	<input type="checkbox"/>	
	4.4	Limit building height to two stories (25 ft.)	<input type="checkbox"/>	<input type="checkbox"/>	
	4.5	Vary façade treatments and materials	<input type="checkbox"/>	<input type="checkbox"/>	
	4.6	Use pitched roofs and shingles	<input type="checkbox"/>	<input type="checkbox"/>	
	4.7	Utilize architectural screening techniques	<input type="checkbox"/>	<input type="checkbox"/>	

	4.8	Design with stonework/woodwork	<input type="checkbox"/>	<input type="checkbox"/>	
	4.9	Use smaller business signs with natural materials	<input type="checkbox"/>	<input type="checkbox"/>	
	4.10	Use smaller monument signs with natural materials	<input type="checkbox"/>	<input type="checkbox"/>	
	4.11	Limit sign height/view projection	<input type="checkbox"/>	<input type="checkbox"/>	
	4.12	Illuminate signs from exterior/reduce light trespass	<input type="checkbox"/>	<input type="checkbox"/>	
	4.13	Use other innovative building design techniques	<input type="checkbox"/>	<input type="checkbox"/>	
LANDSCAPING	5.1	Retain and use $\geq 50\%$ onsite trees	<input type="checkbox"/>	<input type="checkbox"/>	
	5.2	Avoid all oak tree encroachments and removals	<input type="checkbox"/>	<input type="checkbox"/>	
	5.3	Landscape all graded slopes/improved OS beyond requirements	<input type="checkbox"/>	<input type="checkbox"/>	
	5.4	Completely hide all exposed graded surfaces	<input type="checkbox"/>	<input type="checkbox"/>	
	5.5	Landscape $\geq 50\%$ at listed shrub/tree ratios	<input type="checkbox"/>	<input type="checkbox"/>	
	5.6	Vary the height/placement/color of landscaping	<input type="checkbox"/>	<input type="checkbox"/>	
	5.7	Use native/non-invasive species	<input type="checkbox"/>	<input type="checkbox"/>	
	5.8	Plant trees/shrubs to screen hardscape	<input type="checkbox"/>	<input type="checkbox"/>	
	5.9	Use water-efficient plants/irrigation $\geq 20\%$ beyond requirements	<input type="checkbox"/>	<input type="checkbox"/>	
	5.10	Reapply graded topsoil to manufactured slopes/improved OS	<input type="checkbox"/>	<input type="checkbox"/>	
	5.11	Use other innovative landscape design techniques	<input type="checkbox"/>	<input type="checkbox"/>	
		TOTAL (67)	—	—	

E. Open Space Types



F. List of Countywide Hillside Management Policies

[TO BE ADDED]

G. Screening Plant Materials Table

[TO BE ADDED] *A table that lists and describes various species of plants suitable for canopy shape (screening ability). All species listed on the table are examples only and to be selected on a site-specific basis.*

H. Earth Tone Color Palette

[TO BE ADDED] *Visual examples of materials with earth-tone colors to be selected on a site-specific basis.*

REFERENCES

- 1980 Los Angeles Countywide General Plan
- 1980 Los Angeles County Hillside Design Guidelines
- Title 21, Los Angeles County Code (Subdivision Ordinance)
- Title 22, Los Angeles County Code (Zoning Ordinance)
- 2009 LA County Private Drives and Traffic Calming Manual
- 2011 Invasive and Flammable Plant List (<http://planning.lacounty.gov/green>)
- Drought Tolerant Plant List (<http://planning.lacounty.gov/green>)

GLOSSARY

Berm – A graded, “rounded” slope at the top of a hill that helps to screen a development feature from view. Development features that are “bermed” are typically screened or partially screened from public views.

Building Pad – A portion of a site graded flat and level to contain a new building (such as a home) and in some cases accessory structures (such as a garage, guest house or horse stable).

Constraints, Hillside – Topographic features such as slopes, hilltops, and ridgelines that may contain hazards and, when developed, cause noticeable alteration of the topographic feature and its views.

Cut – See “Excavation” below.

Design Measure (DM) - Any of the individual numbered items (such as “1.1” or “3.8”) contained in these Guidelines that provide a specific standard for measuring the sensitivity of a hillside design.

Development – The construction or expansion of any structure or impervious surface, such as hardscape; construction or expansion of any street, or highway, or other access road; construction or expansion of any infrastructure, such as pipes, water and sewerage lines, drainage facilities, telephone lines, and electrical power transmission and distribution lines; grading, such as cut, fill, or combination thereof, including off-site grading; removal of any native vegetation, including fuel modification; subdivisions; and lot line adjustments.

Development Footprint – The total surface area of the project site in which “Development” (defined above) is contained.

Earth Tone Color – A color that draws from a palette of browns, tans, grays, greens, and reds, and which is muted and flat in emulation of the natural colors found in dirt, rocks, and vegetation.

Edge Road – A roadway located on the outer boundaries of a development that acts as a buffer between development and undisturbed areas of the site or adjacent undeveloped areas off the site.

Excavation – The removal of earth materials by unnatural means, resulting in a lowering of the existing grade.

Fill – The deposition of earth materials by unnatural means, resulting in a rise in the existing grade.

Grade – The vertical location of the ground surface. Also see “Grade, Finished” and “Grade, Natural” below.

Grade, Finished – The grade of the site at the conclusion of all grading efforts.

Grade, Natural – The grade prior to all grading efforts.

Hillside – A portion of sloping terrain that is visually distinguished by a vertical rise or climb from a flat base of land (the “toe” of the slope), and generally ends in a crest or apex that forms a hilltop or ridgeline.

Hillside Management Area (HMA) – As defined in the Ordinance, any hillside with a 25% or greater natural slope.

Infrastructure – See Public Facilities.

Landscaping – Generally, plants (i.e., trees, shrubs and organic ground cover material such as grass or bark mulch) and associated decorative/hardscape elements such as walkways, fountains, ponds, gravel and rocks.

Open Space (OS) – Site areas generally free of buildings and pavement, and preserved in a natural state or otherwise improved for recreation, small-scale community agriculture/gardens, safety or aesthetic purposes.

Ordinance – The Hillside Management Areas Ordinance as adopted in Title 22 of the Los Angeles County Code.

Parkland(s) – A type of improved recreation open space available for public or common use, such as parks, greens, squares, plazas and playgrounds.

Plant Materials Table – The LA County Plant Materials Table, located in the Appendix.

Preserve – In the context of these Guidelines, a preserve is an undisturbed open space area that is completely surrounded by development. Preserves typically contain sensitive plant and/or animal species.

Public Facilities – Infrastructure (except for “Roadways,” which are defined separately below) such as water tanks, drainage basins, debris basins, and water treatment plants that serve the project and/or surrounding community and that may be maintained by the County or a separate entity (such as a homeowners association).

Public Use – A portion of the site, which may be maintained by the County or a separate entity (such as a homeowners association), that allows access to the general public in accordance with posted rules and procedures.

Roadway – A type of infrastructure that may be any of the following: Public highways, streets and alleys; private and future streets; private streets; private drives; private driveway and fire lanes (when serving 5 or more lots or dwelling units); and common driveways 20 ft. or more in paved width (when serving 5 or more lots or dwelling units).

Slope – An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

Structure – Anything built or erected which requires a fixed location on the ground, or is attached to something having a fixed location on the ground, such as a wall, building, porch, deck, swimming pool or carport.

Terraced Pad/Building – A single contiguous pad or building that has two or more distinct grades, one higher than the other, and is designed to fit “into” the hillside such that less vertical (cut) grading and landform alteration results.

Wildlife Corridor – A narrow stretch of contiguous undisturbed open space that is typically 50 to 250 feet wide, and predominantly for wildlife travel adjacent to or through the project site from one end to another. Smaller portions within the corridor may be disturbed, such as for utility pads or trails.

ACKNOWLEDGEMENTS

The Los Angeles County Regional Planning Commission

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David W. Louie, 2nd Supervisorial District, Chair

Laura Shell, 3rd Supervisorial District, Vice Chair

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June 23, 2014

VIA E-MAIL

David McDonald
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1354
Los Angeles, California 90012

Re: Draft HMA Ordinance

Dear Mr. McDonald:

Thank you for this opportunity to comment on the draft HMA Ordinance. Windsor Pacific LLC owns several parcels within the boundaries of the Santa Clarita Valley Area Plan - the One Valley One Vision Plan. The Draft HMA Ordinance is fundamentally inconsistent with the Santa Clarita Valley Area Plan.

Regional Planning staff who prepared the Santa Clarita Valley Area Plan performed a parcel-by-parcel analysis in connection with the preparation of the land use policy map of the Area Plan. I believe that transcripts of the hearings would show that Mitch Glaser told the Planning Commission as much, on at least one occasion. The parcel-by-parcel analysis included factors directly relevant to hillside management, such as topography. The analysis also included factors that are related to topography, such as existing roadways, proximity to services, etc. which are driven significantly by topography. The overall density of the unincorporated area of the Santa Clarita Valley was reduced on the basis of this analysis by the adoption of the Area Plan, and some density was re-directed to other areas of the Valley.

In one place, the draft HMA Ordinance states it "does not determine maximum allowable density." But the draft HMA Ordinance is so ambiguous, and its standards so subjective, that the HMA Ordinance cannot be viewed as a reasonable refinement of allowable density. It basically ignores the density analysis already performed in connection with the Area Plan.

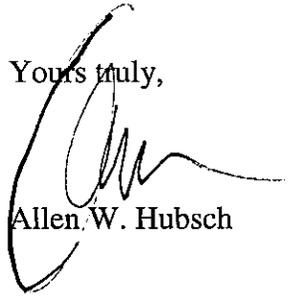
The parcel-by-parcel analysis in the Santa Clarita Valley Area Plan should take precedence over the vague generalities in the draft HMA Ordinance. The HMA Ordinance should include a more proactive statement affirming the work performed by staff, the Planning Commission and the Board in connection with the Santa Clarita Valley Area Plan, along the lines of the following: "For HMAs within the Santa Clarita Valley Area Plan, this Ordinance shall be

Department of Regional Planning
June 23, 2014
Page 2

interpreted and applied in all respects to effectuate the densities determined to be appropriate in such Area Plan, including as shown on the land use policy map adopted with such Area Plan."

Thanks again.

Yours truly,

A handwritten signature in black ink, appearing to read "Allen W. Hubsch". The signature is stylized with a large initial "A" and a long horizontal flourish.

Allen W. Hubsch

Chambers of Commerce

Alhambra
Arcadia
Armenian American
Bell Gardens
Beverly Hills
Burbank
Century City
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El Monte
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Korean American
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South Bay Association
Toluca Lake
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Vernon
Vietnamese American
West Hollywood
West Los Angeles
Westside Council
Wilmington

Trade Associations and Minority Business Groups

AIA Los Angeles
American Beverage Association
Antelope Valley Board of Trade
Apartment Association, CA Southern Cities
Apartment Association of Greater Los Angeles
Arcadia Association of Realtors
Asian American Business Women Association
Asian Business Association
Associated Builders and Contractors - LA/Ventura
Beverly Hills / Greater LA Association of Realtors
British American Business Council
Building Industry Association, LA / Ventura
Building Owners & Managers Association, LA
Burbank Association of Realtors
California Apartment Association, LA
California Cannabis Industry Association
California Contract Cities Association
California Grocers Association
California Independent Bankers
California Independent Petroleum Association
California Metals Coalition
California Small Business Alliance
Carson Dominguez Employers Alliance
Central City Association
Citrus Valley Association of Realtors
Construction Industry Air & Water Quality Coalitions
Council on Trade & Investment for Filipino Americans
Employers Group
Entrepreneurs' Organization LA
Fixing Angelenos Stuck In Traffic (FAST)
FuturePorts
Gateway to LA
Glendale Association of Realtors
Greater Asian Business Federation
Greater LA New Car Dealers Association
Harbor Association of Industry & Commerce
Harbor Trucking Association
Hospital Association of Southern California
Hotel Association of Los Angeles
Industry Manufacturers Council
International Warehouse Logistics Association
LA SHARES
League of California Cities
Los Angeles County Economic Development Corp.
Los Angeles County Waste Management Association
Motion Picture Association of America
NAIOP Southern California
National Association of Women Business Owners, LA
National Latina Business Women Association
Pasadena-Foothills Association of Realtors
Recording Industry Association of America
San Gabriel Valley Economic Partnership
Santa Clarita Valley Economic Development Corp.
So Cal Minority Supplier Development Council
South Asian Business Alliance Network
South Bay Association of Realtors
South Park Stakeholders Group
Southern California Grantmakers
Southland Regional Association of Realtors
Tri-Counties Association of Realtors
Valley Economic Alliance
Valley Economic Development Center
Valley Industry Association of Santa Clarita
Valley Industry & Commerce Association
Valley International Trade Association
We Care for Humanity
Western Manufactured Housing Association
Western States Petroleum Association

June 18, 2014

COUNTY OF LOS ANGELES PLANNING COMMISSION

Esther L. Valadez
Laura Shell
David W. Louie
Curt Petersen
Pat Modungo
200 W. Temple St., 13th floor
Los Angeles, CA 90012

RE: Los Angeles County proposed Hillside Management Area and Significant Ecological Areas Ordinances

On behalf of BizFed, the Los Angeles County Business Federation, a grassroots alliance comprised of more than 120 top business organizations representing 268,000 employers with 3 million employees throughout LA County, we are writing to request that you postpone any action on proposed Hillside Management Area (HMA) and Significant Ecological Area (SEA) ordinances until the completion of both the Fiscal Impacts Analysis of and the Environmental Impact Report (EIR) Review of the LA County General Plan Update.

The County must consider the fiscal and economic impacts of these ordinances, taken together with the other implementing ordinances of the General Plan. The economic benefits new residential units provide, including quality jobs, government revenue, and economic stimulus is vital to our continued economic recovery. The construction of homes is one of the largest sources of good paying new jobs that do not require post-high-school education. On average, three-fifths of a household's income is spent in the local economy. It is our hope that the fiscal impacts analysis of the proposed LA County General Plan Update (which we understand is undergoing internal staff review and should be released in the near future) will make many of these benefits clear.

Additionally, in reviewing the current proposed HMA and SEA ordinances, we have identified flaws that pose potentially serious threats to the region's ability to address its expansion and housing needs in the future.

We are concerned with the dramatic expansion of the SEA land area from the current 245,000 acres to over 645,000 acres. This additional inclusion of over 400,000 acres is the equivalent of removing 1,000 square miles of land from consideration for future development. This development could be homes, schools and parks, industrial or commercial uses.

The HMA guidelines are restrictive and will dramatically reduce the amount of available land for development, in addition to reducing the land yield on nearly every existing and proposed project. The proposed guidelines would mean that 40 percent of unincorporated land would not be available for future development to meet our housing and community's needs, and fuel our economic recovery.

On behalf of BizFed, we urge the Regional Planning Commission and the County Board of Supervisors to reject the current draft ordinances and work

with stakeholders to develop processes that work. This means creating ordinances that protect our environment while promoting a development plan that adequately addresses the needs of the region now and in the future. But this can only be properly accomplished after all stakeholders have the benefit of both the Fiscal Impacts Analysis of and complete CEQA review.

We look forward to continue working together to ensure balanced development policies that meet the full scope of our region's needs.

Sincerely,



Don St. Clair
BizFed Chair
Woodbury University



David Fleming
BizFed Founding Chair
Latham & Watkins LLP



Tracy Rafter
BizFed Founding CEO
IMPOWER, Inc.

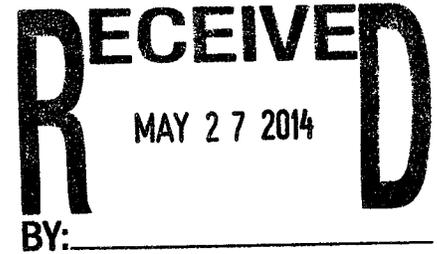
CC: Los Angeles County Board of Supervisors

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

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DICKIE SIMMONS
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BOARD OF SUPERVISORS

JACK TANAKA
CITY OF DIAMOND BAR

JANE L. WILLIAMS
CITY OF LA HABRA HEIGHTS

May 23, 2014

Connie Chung
County of Los Angeles
Department of Regional Planning
General Plan Development Section
320 West Temple Street
Los Angeles, California 90012

Comments on Draft General Plan, Significant Ecological Areas Ordinance, Hillside Management Area Ordinance, and Related Documents

Dear Ms. Chung:

The Wildlife Corridor Conservation Authority (WCCA) was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains. Our agency has been following closely changes to the proposed General Plan, Significant Ecological Area (SEA) Ordinance, SEA boundaries, and Hillside Management Area (HMA) Ordinance. Our agency has provided numerous comment letters to Los Angeles County (County) on these topics over the years.

We emphasize that projects should demonstrate compatibility with biological resources (primarily through design) rather than just avoiding the most severe impacts or mitigating for those impacts. We appreciate your consideration of the following specific comments on the draft General Plan (January 2014), SEA Ordinance (Draft 5-March 25, 2014), HMA Ordinance (March 24, 2014), and related documents.

General Plan Land Use Designation

The General Plan proposes to change the land use designation of a key property located in the Missing Middle of the Puente-Chino Hills wildlife corridor to Rural Land 10 and Mineral Resources, from Open Space and Significant Ecological Area (in the 1980 General Plan, with revisions). (The 1980 General Plan also identifies this area as Non-Urban Open Space and Significant Ecological Area on the General Development Policy map.) These new proposed land use designations are shown on the land owned by City of Industry (to our knowledge) and Aera on Figure A.23, South Diamond Bar Land Use Policy, part of the proposed General Plan. We firmly believe these new designations are not warranted.

This land is also identified as SEA on the current draft of the General Plan. The Industry-owned property supports Tonner Canyon and is located in the “Missing Middle” of the Puente Hills wildlife corridor. The Puente Hills Missing Middle report (Conservation Biology Institute 2005) is recognized in the County’s 2013 Preliminary Draft Significant Ecological Area Program Guide (p. 17). We cannot overemphasize the importance of protecting Tonner Canyon. The Missing Middle report recommends protecting at least the middle and lower portions of Tonner Canyon. (Of note, the County depicted this area as predominantly Open Space-Parks and Recreation on the 2013 Draft.)

Regarding the Aera property, which is proposed to be changed to Mineral Resources, this area has not been shown to contain oilfield facilities in Aera’s previous biological document (PCR 2002). In fact, it supports sensitive plant communities such as extensive California walnut woodlands and coast live oak woodlands, as well as southern willow scrub. It supports, or is directly adjacent to Brea Canyon which supports, the sensitive species, southwestern pond turtle (it is difficult to determine the exact location on the proposed land use policy map). This property is in a key location surrounded by critical open space.

This area (both the City of Industry and Aera properties) has long been recognized as containing significant ecological resources, and this higher intensity land use designation is inappropriate in this key location of the Puente-Chino Hills wildlife corridor.

General Plan - General Comment

We support the March 12, 2014 letter (attached) by Puente Hills Habitat Preservation Authority commenting on the Revised Draft Los Angeles County General Plan 2035 (rev. 1/2014). We incorporate those comments by reference.

SEA Ordinance - General Comment

We support the April 14, 2014 letter (attached) by Puente Hills Habitat Preservation Authority commenting on the Draft Significant Ecological Area Ordinance dated March 25, 2014. We incorporate those comments by reference.

SEA Ordinance - Connectivity & Constriction Map

Our agency supports the County’s efforts to recognize, map, and protect through the SEA Ordinance habitat linkages and wildlife movement areas. We support the use of the SEA Connectivity & Constriction Map, specifically for the Puente Hills SEA.

SEA Ordinance - Permit Process for Single-Family Residences

According the draft SEA Ordinance and 2013 Preliminary Draft Significant Ecological Area Program Guide (Program Guide, p. 4), a single-family home is a permitted use in SEAs

and require a site plan review. The applicant is not required to prepare a SEA Site Impacts Report, there is no Significant Ecological Area Technical Advisory Committee (SEATAC) review, and there is no Planning Commission hearing. The County biologist(s) would review the project. Since single-family homes could result in notable impacts to SEAs and since there would be not be a rigorous review of the project, WCCA suggests critical changes to strengthen the process.

It is critical that the maximum development footprint of the residence be agreed upon by the applicant and County staff prior to the completion of the house design. This is necessary both to assure adequate onsite open space that can be protected to meet mitigation requirements, and to save the applicant re-design costs. This extra step must be clearly identified in Section 22.52.2920 Permitted Uses-Review Procedures, perhaps as a pre-application meeting with the County biologist and planner prior to the submittal of the application for Ministerial Site Plan Review.

According to the SEA Ordinance (22.52.2915.A.) and Program Guide (p. 4), it is our understanding that permitted uses, such as a single-family home, are required to follow the development standards. The development standards in the SEA Ordinance (22.52.2925.H.) include Habitat Preservation Areas calculated in accordance with the SEA Habitat Preservation ratios in the Appendix. The SEA Ordinance (22.52.2925.H.3.) specifies that a covenant and agreement shall be recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to set aside the Habitat Preservation Areas as Natural Open Space in perpetuity. The covenant and agreement language must explicitly prohibit any fencing that impedes wildlife movement, lighting, animal keeping, storage of materials, structures, grading, solar panels, planting of non-native vegetation, and granting of easements to adjoining properties.

This required recordation of a covenant and agreement is a crucial component of the SEA Ordinance. It is critical that this requirement of the existing draft text not be weakened in any way or form. In fact, it should be made absolutely clear for single-family homes that the development standards must be followed, including the requirement to protect the Habitat Preservation Areas through recordation of a covenant and agreement. Under the current SEA Ordinance, it is unclear who would verify, and what the process is to verify, whether the development standards are being met for single-family homes. In Section 22.52.2920.B., Staff Biologist Site Review, the following underlined text should be added:

3. During the Staff Biologist review, the Staff Biologist shall prepare a written memorandum to the file addressing each of development standards in Section 22.52.2925 and whether the project meets those standards, if applicable. If an applicable development standard is not met, then the applicant shall be required to file a SEA conditional use permit.

However, we note that the process is further complicated because if no biological report is required for single-family homes in SEAs, how would a determination be made that the SEA Habitat Preservation Areas Ratio Requirements (in the Appendix) are met? As currently written, it appears that the County biologist would need to conduct the mapping and calculations of impact areas and mitigation areas, as well as make the determination as to whether the ratio requirements have been met. Although it appears that the intent of the SEA Ordinance is to focus County resources on the projects with greater impacts, as currently written, reviews of single-family homes will require sufficient additional permit application fees for the County biologist to adequately implement the ordinance. An applicant-supplied plot plan with the vegetation communities overlain would be a valuable resource for the County biologist to conduct his/her review. Ideally this would be available for the pre-application meeting (suggested above), but at the very least included in the information required for SEA site plan review (22.52.2920.A.). This would also help in the design of a project, including shifting project location and reducing structure size, in order to avoid impacts to SEAs and to reduce mitigation requirements (and mitigation costs for the applicant). Requiring anything less than a vegetation communities map with the proposed development footprint prior to a staff site visit would be a waste of County staff and applicant time.

We note that there may be some other flaws in the process for review of single-family homes. A single-family home with 200-feet of brush clearance could result in 2.8 acres of brush clearance area if the entire surrounding area is vegetated. If the lot is small, such as $\frac{1}{2}$ acre, then the brush clearance would cover the entire lot and beyond. Unless a lot that includes and abuts natural vegetation is at least 275 feet deep, the entire lot would have to be cleared to meet fire department fuel modification requirements. That assumes a 25 foot front yard setback and a 50-foot-deep house protected by a 200-foot-wide clearance zone. There would be no room on the subject lot to set aside any Habitat Preservation Areas as required by the development standards (22.52.2925.H.) and Appendix specifying the ratios of Habitat Preservation Area to be provided to acres of SEA habitat to be developed. This development standard would not work for lots less than 275-foot-deep. The SEA Ordinance *must* specify how the impacts to the SEA habitat would be mitigated in that case. The only obvious solution is that the applicant pay an in-lieu fee to the County to allow the County to fund open space protection in the subject sea. Such an in-lieu fee should only be allowed on lots where there is no mathematical way to site a house without brush clearance affecting every square foot of the property. The in-lieu fee must be large enough to pay for the approximate per square-foot cost of parcels in the immediate vicinity. The amount of square feet protected either by the required covenant and restriction or in-lieu fees must be commensurate with the requirements in the development standards.

SEA Ordinance - Development Standards

We appreciate the text limiting brush clearance to areas outside of dedicated open space areas (22.52.2925.E.2.). We recommend the following underlined text be added to clarify an important point, that developments should be designed to also protect *proposed* open space areas.

New structures and infrastructure requiring areas of brush clearance shall not be located in such a way that any portion of the required areas includes existing or proposed dedicated open space areas on the lot or parcel of land or on adjoining or adjacent lots or parcels of land. In addition, such structures or infrastructure shall not be located in a way that any portion of the required areas of brush clearance will include undisturbed natural areas on adjoining or adjacent lots or parcels of land.

SEA Ordinance - Fatal Flaws Regarding Threshold Between Type A and Type B SEA CUPs

The provisions for SEATAC review, Planning Commission review, and the requirement for possible additional open space are key tools in the SEA development review process. These are required for Type B SEA Conditional Use Permit (CUP) projects. (According to the SEA Ordinance, the Habitat Preservation Areas used to mitigate for SEA impacts can be used to satisfy the requirements for Natural Open Space.) We understand that the County is trying to focus its resources on more intense projects. However, as the SEA Ordinance is currently written, some projects might slip through and be considered Type A SEA CUP projects, when in fact the potential impacts to SEA resources warrant the extra scrutiny under the Type B SEA CUP process. (It is our understanding that in any case, Habitat Preservation Areas are required for all Permitted Uses, Type A SEA CUP projects, and Type B SEA CUP projects, per Section 22.52.2925.H.) However, the thresholds for Type B SEA CUPs are too high (22.52.2935.D.). For example, it appears that a substantial project with many acres of permanent impact to sensitive SEA habitat such as coastal sage scrub or oak and walnut woodlands (but which do not support habitat of a sensitive species, and which do not reduce the Connectivity Area or Constriction Area below the minimum widths), could qualify for a Type A SEA CUP. Although Habitat Preservation Areas would be preserved through a covenant, there would be no SEATAC review or Planning Commission hearing.

We also note that land divisions that could significantly increase development density and result in substantially increased impacts to SEA habitat and resources could also slip through as a Type A SEA CUP. Once the homes are proposed on the newly created lots, those single-family homes would go through an even less rigorous review (Permitted Uses; Section 22.52.2915 and 22.52.2920).

To remedy these flaws, we recommend that additional thresholds be added to Section 22.52.2935.D. (add underlined text):

...the Director shall determine that a Type B SEA CUP is required if:...

f. The development would result in 15 acres of more of impact to SEA habitat, including fuel modification; or

g. The land division would result in the creation of two more new parcels.

SEA Ordinance - Open Space Recordation

With respect to open space protection, WCCA recommends that the process of recording a covenant and agreement for Habitat Preservation Areas in the Development Standards be solidified and clarified. The following underlined text must be added to Section 22.52.2925.H. Habitat Preservation Areas, as there is no other way to permanently and definitively memorialize the boundaries of the covenant.

3. Prior to the approval of the Site Plan Review, a covenant and agreement shall be recorded in the office of the County Registrar-Recorder/County Clerk, agreeing to set aside the Habitat Preservation Areas as Natural Open Space in perpetuity. The applicant shall provide an engineer-stamped recordable metes and bounds legal description and plot map of the Natural Open Space, which shall be recorded with the covenant and agreement. The covenant and agreement language must explicitly prohibit any fencing that impedes wildlife movement, lighting, animal keeping, storage of materials, structures, grading, solar panels, planting of non-native vegetation, and granting of easements to adjoining properties. Habitat Preservation Areas shall also be depicted on the SEA Development Map.

Similarly in the Section 22.52.2945. Uses Subject to Permits – Conditions of Approval or Issuance, any recordation of a covenant and agreement for Natural Open Space should include an engineer-stamped legal description and plot map showing the open space. The following underlined text should be add to the end of the following two sections: A. SEA CUP. 2. Open Space. c. Open Space Recordation. I. for land divisions, and ii. for other projects: "The applicant shall provide an engineer-stamped metes and bounds legal description and plot map of the Natural Open Space, which shall be recorded with the covenant and agreement. The covenant and agreement language must explicitly prohibit any fencing that impedes wildlife movement, lighting, animal keeping, storage of materials, structures, grading, solar panels, planting of non-native vegetation, and granting of easements to adjoining properties."

SEA Ordinance - SEA Findings

We concur with Habitat Authority's comments (April 14, 2014 letter) that the findings regarding preserving SEA viability (22.52.2950.A.3.) in the SEA Ordinance are too dire. The County should consider adding the SEA CUP compatibility criteria from the Program Guide (p. 17, SEA Site Impacts Report, 3.F. i.-v.) to the findings in the SEA:

- i. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;
- ii. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- iii. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- iv. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources, habitat areas, or migratory paths; and
- v. That the roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas, or migratory paths.

HMA Ordinance - Conditional Use Permit (CUP) Requirements

Per Section 22.56.215.D., a CUP shall be required for any development located wholly or partially in an HMA, except for: "1. Development on a single lot or parcel of land, provided that grading in connection with the development does not exceed 15,000 cubic yards of cut plus total fill material..."

The various drafts of the HMA Ordinance have included different thresholds and different types of development for this exception. The current draft should reincorporate this provision for single-family homes and identify appropriate thresholds for single-family homes and for other types of development, such as 5,000 cubic yards. A high overarching threshold would miss many smaller development projects, which will undoubtedly result in significant adverse cumulative biological and visual effects over time.

HMA Ordinance - Open Space Ownership and Management

With respect to open space protection, WCCA recommends that the process of recording a covenant and agreement for required open space be solidified and clarified. The following underlined text must be added to Section 22.56.215.F.4. Open Space Recordation. There is no other way to permanently and definitively memorialize the boundaries of the open space.

a. If the development is a land division, required open space areas shall be shown on the tentative map and the final map or parcel map waiver, and shall be subsequently recorded on the final map or parcel map waiver as a fee lot or as an Open Space – Restricted Use Area in the office of the County Registrar-Recorder/County Clerk. The applicant shall provide an engineer-stamped metes and bounds legal description and plot map of the Open Space, which shall also be recorded.

The above underlined text should also be added to subsection b., which refers to development that is not a land division.

HMA Ordinance - Infeasibility of a Dedication of Conservation Easement

It is important to clarify and strengthen the process of conservation easements and land dedications. The HMA Ordinance includes another scenario for open space ownership and management for land divisions, as stated in Section 22.56.215.F.5.c.: “A conservation easement that requires the open space to remain in perpetuity and extinguishes all future development rights...” This provision, at the minimum, must require conservation easements to be recorded in an Irrevocable Offer to Dedicate, where the offer shall be irrevocable for a period of 21 years from the date of recording. In addition, the applicant shall provide a current title report with hyperlinks to the County for its file and the use of potential easement holders. It must be incumbent on the landowner (and all future owners) to not affect the title in any way that will degrade the easement. The applicant shall also provide a recordable engineer-stamped metes and bounds, and plotted legal descriptions of both the easement and the servient estate. The Offer to Dedicate defines a time period for which the applicant can make appropriate efforts to find a public agency willing to accept the offer. The applicant shall not declare that dedication of a conservation easement is not feasible before the expiration of the offer.

More importantly, WCCA continues to oppose the ownership and management of open space lots by a homeowners’ association (HOA) – particularly if there not a conservation easement. We have seen cases where after a development is built and a HOA becomes involved in the management of the open space, it becomes evident that the HOA goals are contrary to the primary mandate of protecting the biological resources in perpetuity. There is also precedence of HOAs allowing open space lots go to tax default. Conservation easements however do survive through a tax default sale by the County.

The infeasibility of a dedication of a conservation easement, as stated in Section 22.56.215. F.5.d must be better defined to ensure that all applicants have demonstrated satisfactory effort in finding a willing non-profit organization or public entity to accept a conservation easement. This section refers to land divisions where open space lots would be provided. We recommend removing the following ~~strikeout~~ text and adding the following underlined text to this section to provide this clarification:

...ownership and management of the open space lots. This may be established through one or more of the following...

d. A maintenance agreement with a Home Owners' Association or Property Owner's Association where demonstrated that dedication to the entities above or a conservation easement is infeasible, only when it is demonstrated that there are no conservation-oriented non-profit organizations and government entities, such as a county, city, state, federal, or joint powers authority willing to accept the dedication of conservation easement or dedication of open space lots.

The applicant must have substantial evidence to demonstrate that the dedication of a conservation easement is not feasible. Letters must be obtained from each contacted public agency stating reasons why that particular agency cannot accept the conservation easement or land. Efforts should be made to ensure that all public agencies capable of accepting conservation easements are contacted, including the Mountains Recreation and Conservation Authority (MRCA).

The MRCA is among one of the many public agencies in the County that is dedicated to the preservation and management of open space, parklands, watershed lands, trails, and wildlife habitat. The MRCA has the flexibility to accept any conservation easement throughout Los Angeles County. Furthermore, there are other joint powers entities such as WCCA that are also willing to accept conservation easements, in order to help implement the intent of the HMA Ordinance.

We appreciate your consideration of these comments. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,



Glenn Parker
Chairperson

Attachments

April 14, 2014 letter by Puente Hills Habitat Preservation Authority, Comments on the Draft Significant Ecological Area Ordinance dated March 25, 2014.

March 12, 2014 letter by Puente Hills Habitat Preservation Authority, Comments on Revised Draft Los Angeles County General plan 2035 (rev. 1/2014).

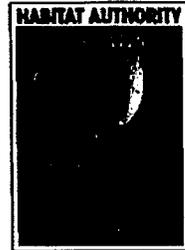
References

Conservation Biology Institute. 2005. Maintaining Ecological Connectivity Across the "Missing Middle" of the Puente-Chino Hills Wildlife Corridor. Final Report. July.

PCR Services Corporation. 2002. Biological Constraints Analysis Aera Master Planned Community. Significant Ecological Area 15, Tonner Canyon/Chino Hills, Los Angeles/Orange, County, California. Prepared for Los Angeles County Regional Planning Significant Ecological Areas Technical Advisory Committee. April.



**Puente Hills
Habitat Preservation Authority**
Endowment Provided by the Puente Hills Landfill



March 12, 2014

Agenda Item VIII
WCCA
5/23/12

County of Los Angeles
Department of Regional Planning
General Plan Development Section
Attn: Connie Chung, Supervising Regional Planner
Attn: Susan Tae, Supervising Regional Planner
320 West Temple Street
Los Angeles, CA 90012

Comments on Revised Draft Los Angeles County General Plan 2035 (rev. 1/2014)

Dear Ms. Chung and Ms. Tae:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the revised draft General Plan dated January 2014. On previous General Plan drafts, we provided comment letters dated 08/29/2007, 01/22/2009, 09/08/2011, 07/26/2012, and 11/7/2013. Comments that were not incorporated but that the Habitat Authority believes still apply are reiterated here.

The Habitat Authority is a joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the Hacienda Heights Improvement Association. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation. The Habitat Authority owns and manages over 3,800 acres which lie within the Cities of Whittier and La Habra Heights, as well as in the County unincorporated areas of the Puente Hills known as Hacienda Heights and Rowland Heights.

Part II. Planning Areas Framework

Chapter 5. II. Planning Areas Descriptions

1. In Table 5.1 on page 27, various Opportunity Area Types are listed as areas to be considered when preparing community-based plans. Please consider adding a type for Open Space .
2. It is assumed that on page 35 under Geography, “The San Gabriel River runs along the Interstate-610....” should be “The San Gabriel River runs along the Interstate-605....”.

Part III: General Plan Elements

Chapter 7: Mobility Element

3. On page 102, Section 5. Impacts of Transportation on Natural and Community Resources -The Habitat Authority recommends a discussion on how changes in transportation can influence accessibility of open spaces (i.e. greater access) leading to an increase in the number of visitors and potentially affecting biological resources.

Chapter 9: Conservation and Natural Resources Element

4. Policy C/NR 1.2 states “Protect and conserve natural resources, natural areas, and open spaces on park properties.” It is unclear why this would only pertain to “...park properties.” We believe it is the intent of the Policy to cover all natural resources, natural areas, open space, and potential park properties in unincorporated LA County. Therefore, please consider adding following in italics and deleting the strikethrough: “*Protect and conserve natural resources, natural areas, and open spaces on park properties.*”
5. Regarding Policy C/NR 1.5: “Increase and improve access to dedicated open space and natural areas for all users.” The County works with numerous land owners (see Appendix E) who own/manage open space within the jurisdiction of this General Plan. Since the County cannot control access to land that they don’t own/manage, please clarify by adding the following italicized language. “Increase and improve access to dedicated open space and natural areas for all users *as determined appropriate by each land management agency.*”
6. Policy C/NR 1.6 states “Prioritize open space acquisitions for available lands that contain unique ecological features, streams, watersheds, woodlands, grasslands, and/or offer linkages that enhance wildlife movements and genetic diversity.” However there are numerous other important habitat types besides woodlands and grasslands that support important natural resources. Therefore, please consider amending the sentence as noted in italics with deletions in strikethrough: “Prioritize open space acquisitions for available lands that contain unique ecological features, streams, watersheds, ~~woodlands, grasslands,~~ *habitat types* and/or offer linkages that enhance wildlife movements and genetic diversity.”

7. Regarding Policy C/NR 2.4 to “Collaborate with public, non-profit, and private organizations to acquire and preserve available open space lands.”, please consider adding the following language in italics to include the acquisition of land in different land use categories that could be converted to open space: “Collaborate with public, non-profit, and private organizations to acquire and preserve available open space lands *or other lands that could be converted to open space.*”
8. On page 128, 2nd paragraph, the Habitat Authority recommends that language be added into the SEA Ordinance allowing public land preservation agencies with adopted management plans to carry out all activities that contribute to the management of the land for preservation, access and safety.
9. On page 130, Policy C/NR 3.9 outlines design considerations for projects proposed in SEAs. The Habitat Authority recommends inclusion of a requirement that such projects retain a contiguous area of undisturbed open space over the most sensitive natural resources to maintain regional connectivity within the undeveloped area, and to preserve these areas in perpetuity through a recorded fee simple dedication to an open space park agency currently operating and/or based in the project area prior to the issuance of any permits.
10. Regarding Policy C/NR 7.2 to “Support the preservation, restoration and strategic acquisition of open space to preserve natural streams, drainage paths, wetlands, and rivers, which are necessary for the healthy function of watersheds.”, the acquisition of land types, other than open space, could converted to open space for the protection of those resources. Therefore, please consider adding the following language in italics: “Support the preservation, restoration and strategic acquisition of open space, *and other land types that could be converted to open space,* to preserve natural streams, drainage paths, wetlands, and rivers, which are necessary for the healthy function of watersheds.”
11. In Section IV Goals and Policies, Policy P/R 1.9 is to “offer more lighted playing fields using energy efficient light fixtures where appropriate to extend playing time.” Please consider implementing spill light limits on ballfields that are adjacent to open space. We suggest the following: “All lighting shall be designed and shielded with the intent of preventing spillage of light into adjacent open space areas. All lighting shall be constructed so that all light emitted by the fixture, either directly from the lamp or from a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected away from the open space as determined by photometric test or certified by the manufacturer.”

Appendix E: Conservation and Natural Resources Element Resources

12. On page 40-41, regarding the summary of the Puente Hills SEA, it notes that “significant wildlife movement throughout the Puente Hills SEA has been documented in a two year carnivore study commissioned by the Santa Monica Mountains Conservancy as part of a multi-jurisdictional effort to establish a region wide wildlife movement linkage.” Please

update this statement to acknowledge numerous additional wildlife movement studies that have been conducted in this SEA on the Puente Hills Preserve, including several studies of both the Harbor Boulevard Wildlife Underpass and the Colima Road Underpass, all of which are available on the Habitat Authority's website (www.habitatauthority.org/publications).

13. Due to an agency name change, on page 44 (and throughout document), change "California Department of Fish and Game (CDFG)" to "California Department of Fish and Wildlife (CDFW)".
14. The Regional Habitat Linkages section in Appendix E (Conservation and Natural Resources Element) states on page 40 that "critical biological resources are maintained through habitat connectivity, which sustains population genetic diversity, and provides refuge for migrant species". In addition, the Significant Ecological Areas section of Appendix E (page 44) states that one of the two primary conservation principles on which the SEAs are designated is that "isolated habitat areas have less opportunity to regain species by re-colonization from other areas" and that "The SEAs are designed to provide habitat linkages between related habitat types...by encompassing areas of sufficient width to function as wildlife movement routes between these open space areas".

Please consider revising the SEA selection criteria to directly acknowledge the importance of habitat connectivity and wildlife movement corridors on pages 44-46. It is clear from the language in the Draft General Plan Appendix E, that wildlife movement corridors and habitat connectivity are critical to the concept of SEAs. However, the SEA selection criteria do not mention wildlife movement, corridors, or habitat connectivity¹. The only criterion that can be construed as being related is criterion D: "Habitat that at some point in the life cycle of a species or a group of species, serves as concentrated breeding, feeding, resting, or migratory grounds, and is limited in availability either regionally or in Los Angeles County". Please consider revising the SEA selection criteria to include lands that provide habitat connectivity and wildlife movement corridors and opportunities, as consistent with the Draft General Plan in Appendix E. The maintenance of wildlife populations in western portions of the Puente-Chino Hills, such as in the Habitat Authority's Preserve, are critically dependent on the movement of individuals from locations further east in the Corridor, and a reduction of this potential movement may pose a serious threat to the persistence of these populations in the future².

¹ PCR. 2000. Los Angeles County Significant Ecological Area Update Study 2000: Background Report. Prepared for: Los Angeles County Department of Regional Planning, November 2000.

² Conservation Biology Institute. 2005. Maintaining Ecological Connectivity Across the "Missing Middle" of the Puente-Chino Hills Wildlife Corridor. July 2005.

The following comments are regarding the description of the Puente Hills SEA, beginning on page 136:

15. On page 138, fourth paragraph, please note in the text that Sycamore Canyon also supports coastal cactus wrens.
16. On page 139, first paragraph, please add language that describes the habitat in Arroyo San Miguel as coastal sage scrub, chaparral, grassland and riparian and supporting a population of federally-threatened coastal California gnatcatcher.
17. Please note that as of August 15, 2011, due to an amendment of the Habitat Authority's Joint Powers Authority Agreement, the official agency name changed to Puente Hills Habitat Preservation Authority (PHHPA). Please use this name when referring to the agency in future documents and correspondence. On page 139, the last paragraph still references the old agency name. Please check the document for other instances.
18. The open space of the Puente Hills between Harbor Blvd. and State Route 57 has been previously shown to be of great conservation concern to the entire Puente-Chino Hills corridor, both for its value in linking the west and east corridor as well as because of its intrinsic value in supporting significant populations of sensitive animal species.

Comments on Community Climate Action Plan

Based on review of the Community Climate Action Plan, the Habitat Authority respectfully submits the following comments:

1. **Page 5-6. Table 5-1. Land Conservation and Tree Planting – Protect Conservation Areas:**
Please consider not only the evaluation of the Oak Woodland Conservation Management Plan for the preservation of existing oak woodlands but preserving all other native habitats as well. There are numerous native habitats within Los Angeles County that provide important habitat for a suite of species including those protected by law such as the federally threatened California Gnatcatcher, *Polioptila californica*, that depends on coastal sage scrub habitat and the California State Species of Special Concern Coastal Cactus Wren, *Campylorhynchus brunneicapillus*, that nests almost exclusively in prickly pear (*Opuntia littoralis* and *O. oricola*) and coastal cholla (*O. proliferata*). within coastal sage scrub habitat, to name a few. In addition, the California endemic Southern California black walnut (*Juglans californica* var. *californica*) is severely threatened by urbanization and is considered by The Nature Conservancy and the state of California to be one of California's "rare and imperiled natural communities" (<http://www.fs.fed.us/database/feis/plants/tree/jugcal/all.html>). The Chino-Puente Hills is a major center of distribution for this species and is one of the dominant woodland community tree species in the Puente Hills Preserve. Therefore, please consider revising the Initial Implementation Step in Protecting Conservation Areas to include a complete review of all native communities.

2. Page C-20, LC-2 Create New Vegetated Open Space – Additional Information:
This section currently states that “New vegetated open spaces should be designed and maintained to minimize the spread of invasive species.” Please considering adding language to encourage the use of drought-tolerant native plantings in all revegetation projects since this can contribute to decreasing water consumption.
3. Page C-20, LC-4 Protect Conservation Areas – Action Status:
The *Additional Information* (page C21) acknowledges that open spaces can sequester atmospheric CO₂ creating a sink of carbon and thus having Greenhouse Gas (GHG) benefits. However, the Plan currently states that “GHG emissions reductions have not been quantified or counted toward attainment of the County’s CCAP target.” Therefore to acknowledge the contribution of open spaces as carbon sinks, the Habitat Authority recommends conducting a quantifiable analysis of open space area contributions to atmospheric CO₂ sequestration.
4. Page C-21, LC-4 Protect Conservation Areas – Approaches:
To support the Action Goal of “Encourage the protection of existing land conservation areas” please consider the preservation of other native habitats besides oak woodlands (see detailed info in comment 1).

We appreciate the opportunity to comment on the General Plan and CCAP documents. Please notify us when the Habitat Conservation Plan, Mitigation Land Banking Program, Trails Master Plan, Open Space Land Acquisition Strategy, and Oak Woodland Conservation Management Plan, documents are available for public review.

Thank you for your consideration of our comments. Feel free to contact me or Lizette Longacre, Ecologist, at (562) 945-9003 for further discussion.

Sincerely,



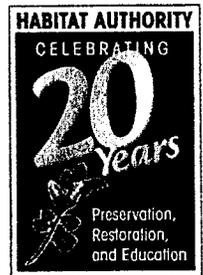
Bob Henderson
Chairman

cc: Board of Directors
Citizens Technical Advisory Committee



**Puente Hills
Habitat Preservation Authority**

Endowment Provided by the Puente Hills Landfill



April 14, 2014

Agenda Item VIII
WCCA
5/23/14

County of Los Angeles
Department of Regional Planning
Attn: Emma Howard
Regional Planning Department
Room 1354
320 W. Temple Street
Los Angeles, CA 90012

Comments on the Draft Significant Ecological Area Ordinance dated March 25, 2014

Dear Ms. Howard:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the Draft Significant Ecological Area (SEA) Ordinance (dated March 25, 2014). The Habitat Authority is a joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the Hacienda Heights Improvement Association. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation. The Habitat Authority owns and or manages over 3,800 acres which lie within the Cities of Whittier and La Habra Heights, as well as in the County unincorporated areas of the Puente Hills known as Hacienda Heights and Rowland Heights.

The Habitat Authority thanks and acknowledges the Department of Regional Planning for the incorporation of certain comments on the previous SEA Ordinance Summary Draft dated June 2012, December 20, 2012 and December 5, 2013. These comments included suggested language for development standards within SEAs, such as exclusion of invasive plants, fencing to promote wildlife movement, and avoidance of habitat impacts from fuel modification. However, certain comments were not addressed in the current Draft Ordinance and are included below for reference, along with additional comments.

SEA ORDINANCE

Those comments with an asterisk (*) are reiterated from a previous Habitat Authority comment letter on an earlier draft but still apply.

22.52.2910 - Applicability

1. * Subsection C.6. Please broaden the exemptions. The exemption from the SEA Ordinance noted in Subsection C.7. is for “any of the following activities required, requested, authorized or permitted by a governmental agency: (a) Removal or thinning of vegetation for fire safety or in response to an emergency; and (b) Hazard management activities in response to an emergency or other public safety concerns.” We suggest that activities involving removal of non-native vegetation (including by herbicide) and habitat restoration (including, but not limited to, seeding, planting of container plants, and irrigation) also be exempted activities by open space management government agencies. We also suggest exemption of government agency activities such as scientific studies, erosion control, and construction, maintenance or demolition of trails, structures or facilities necessary for open space management activities.

22.52.2915–Permitted Uses

2. *Subsection B. Please remove all development areas on Habitat Authority property from the maps. This subsection allows for uses or projects located within developed areas identified in the SEA Development Map. However, based upon a review of the Proposed Developed Areas available through the Department’s GIS-NET3, many of these mapped areas in the proposed Puente Hills SEA appear to be incorrect. Some existing fuel modification zones are mapped, and others are missing. Since fuel modification practices are exempt activities, please remove from the map all fuel modification areas that are identified as developed that are on Habitat Authority properties. Since the Habitat Authority will not be allowing expansion of development activities within fuel modification zones on lands managed/owned, this layer on the map needs to be adjusted.
3. *Subsection F. Please broaden the exemptions so public funds are not spent unnecessarily. This allows for activities conducted by governmental agencies to improve the quality of biological resources in an SEA, including non-native vegetation removal programs, native habitat restoration programs, and construction of wildlife under and overpasses for habitat linkages and wildlife corridors. It was requested earlier in this letter and in previous letters that such activities be exempt and we still make that recommendation, as they are conducted for the sole benefit of habitat improvement and generally have very minor impacts. However, if they remain as Permitted Uses requiring Site Plan Review, it is our understanding that such review would only apply to new or existing programs, and would not be required for every individual project, some of which are quite small and isolated. For example, the Habitat Authority has an existing Resource Management Plan (RMP) which includes non-native vegetation removal and habitat restoration programs; it is our understanding that the RMP could be submitted for Site Plan Review and approval, and that any subsequent activities consistent with that RMP would be permitted without individual site plan review. This would include , that activities such as scientific studies, erosion control, and construction, maintenance or demolition of trails, structures or facilities

necessary for open space management activities be exempt as requested earlier in this letter and in previous letters; If these activities are not exempt then the intent of the Ordinance may be defeated by the abundance of County staff resources necessary to follow up and make site visits that would be required per this proposed Ordinance due to the many activities of governmental land management agencies county-wide. These activities described above are integral to the management of biological resources, and often have minor impacts compared to other permitted uses such as single-family residences. The requirement for open space management activities (such as non-native vegetation removal or demolition of trails) to undergo a Site Review or Conditional Use Permit process would needlessly cost the County, and land management agencies (which are already struggling with limited resources) additional unanticipated funds which could be used for actual improvement of biological resources and would unnecessarily delay safety, maintenance, and educational management actions on properties enjoyed daily by the public. Please also consider indicating in the ordinance that the Site Plan approval has no term limits.

22.52.2925 - Development Standards This section lists the development standards non-exempt activities would need to adhere to when conducted within SEAs.

4. Subsection F. This subsection notes that new development may not narrow Connectivity Areas to a width of less than 1,000 feet at any point. Given that the spatial scale of corridors required to maintain viable populations can be partially determined by the species using that corridor, we suggest language that guides the width **and length** of Connectivity Areas to be appropriate for the suite of species, or focal species, at specific sites.
5. Subsection G. According to the development standards, new development may not narrow Constriction Areas to a width of less than 200 feet at any point. Given that the spatial scale of corridors required to maintain viable populations can be partially determined by the species using that corridor, we suggest language that guides the width **and length** of Constriction Areas to be appropriate for the suite of species, or focal species, at specific sites. For example, long corridors may not provide suitable conditions for the safe passage of animals, especially if predators are present.
6. Subsection J.2 table. Please consider adding language for the setback to clarify that when measuring the setback distance, measurements begin at the ordinary high water mark or watershed boundary.

Section 22.52.2935 –Uses Subject to Permits– Application Procedures

7. Subsection C. Please the following fourth **bold** item to identify and delineate during site review: **Special status species**

22.52.2945 –Uses Subject to Permits – Conditions of Approval or Issuance

8. *Subsection A.2.a.iii. More emphasis should be given to setting aside land that is contiguous with other preserved lands. This section prioritizes land to be provided as Natural Open

Space and gives preference to open space preserved on the same lot or parcel as the impact. This preference may not always result in the highest conservation value, especially if the resulting open space is small or isolated. Rather, preference should be given to preserving open space that is contiguous with other preserved lands, or to areas that will create or strengthen a habitat linkage or wildlife corridor. This type of strategic conservation will promote the viability of SEAs more than a piecemeal approach.

9. Subsection A.2.a.iii. (3) and (4). In addition, the Habitat Authority recommends switching priorities for numbers 3 and 4 so that Connectivity and Constriction Areas are given a higher priority for preservation as Natural Open Space. As it is important that those Connectivity and Constriction Areas have suitable habitat, restoration in those Areas should also be encouraged as part of maintaining the land in perpetuity.

22.52.2950 - Uses Subject to Permits – Findings

10. *Subsection A.3. SEA viability thresholds should be revised to better protect SEAs. This subsection lists the Findings required for the Hearing Officer or Regional Planning Commission to issue an SEA CUP. Subsection H.3 requires that a project cannot result in the loss of SEA viability, which is defined as (a) bisecting the SEA, (b) closing of a connectivity or constriction, (c) removing habitat characteristic of the SEA, (d) removing the only known location of an SEA species, or (e) removing the only known location of a new or rediscovered species. Items b, d and e provide a very high threshold for determining the loss of SEA viability. For example, the substantial narrowing of a connectivity area, not just the closing of the constriction, could result in SEA viability loss. Or the removal of key habitats or populations of certain species, not just the removal of the only known locations of that species, could also result in SEA viability loss. These SEA viability thresholds should be revised to be less limiting.

Thank you for your consideration of our comments. We look forward to reviewing the still to come sections of the Program Guide as soon as they are made available. Feel free to contact me or Lizette Longacre, Ecologist, at (562) 945-9003 for further discussion.

Sincerely,



Bob Henderson
Chairman

cc: Board of Directors
Citizens Technical Advisory Committee
Connie Chung, Los Angeles County Department of Regional Planning



June 19, 2014

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CHUCK HOEY • CHARLES HOEY & ASSOCIATES

HARVEY HOLLOWAY • CB COMMERCIAL-VALLEY REALTY

BOB JOHNSONE • THE AEROSPACE OFFICE

KELLY KENNERKNECHT • KAISER PERMANENTE

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LISA MOULTON

RHOJDA NELSON • NORTHROP GRUMMAN

TERRY NORRIS • PRECISION LABS

NORA ORTEGA • PALMDALE HILTON GARDEN INN

GEORGE PASSANTINO • PASSANTINO ANDERSEN COMMUNICATIONS

TODD PORTER • LAMAR OUTDOOR ADVERTISING

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DR. KENNETH SANTARELLI • CSULB - AV ENGINEERING PROGRAM

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RE: Los Angeles County proposed Hillside Management Area and Significant Ecological Areas Ordinances

The Antelope Valley Board of Trade, a non-profit business advocacy organization, in conjunction with BizFed, requests that you postpone any action on proposed Hillside Management Area (HMA) and Significant Ecological Area (SEA) ordinances until the completion of both the Fiscal Impact Analysis of and the Environmental Impact Report (EIR) Review of the LA County General Plan Update.

The County must consider the fiscal and economic impacts of these ordinances, taken together with the other implementing ordinances of the General Plan. The economic benefits new residential units provide, including quality jobs, government revenue, and economic stimulus is vital to our continued economic recovery. The construction of homes is one of the largest sources of good paying new jobs that do not require post-high-school education. On average, three-fifths of a household's income is spent in the local economy. It is our hope that the fiscal impacts analysis of the proposed LA County General Plan Update (which we understand should be complete by June 25) will make many of these benefits clear.

Additionally, in reviewing the current proposed HMA and SEA ordinances, we have identified flaws that pose potentially serious threats to the region's ability to address its expansion and housing needs in the future.

We are concerned with the dramatic expansion of the SEA land area from the current 245,000 acres to over 645,000 acres. This additional inclusion of over 400,000 acres is the equivalent of removing 1,000 square miles of land from consideration for future development. This development could be homes, schools and parks, industrial or commercial uses.

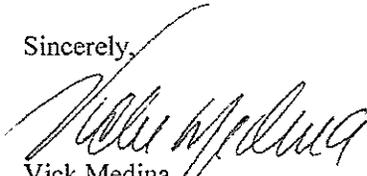
The HMA guidelines are restrictive and will dramatically reduce the amount of available land for development, in addition to reducing the land yield on nearly every existing and proposed project. The proposed guidelines would mean that 40 percent of unincorporated land would not be available for future development to meet our housing and community's needs, and fuel our economic recovery.

The Antelope Valley Board of Trade strongly urges the Regional Planning Commission and the County Board of Supervisors to postpone approval of the current draft ordinances and work with stakeholders to develop processes that work. This means creating ordinances that protect our environment while promoting a development plan that adequately addresses the needs of the Antelope Valley now and in the future. But this can only be properly accomplished after all stakeholders have the benefit of both the Fiscal Impacts Analysis of and the complete CEQA review.

For over fifty-seven years the mission of the Antelope Valley Board of Trade has been *"to promote diverse business and industry, quality infrastructures, and a strong legislative voice for the benefit of our members and the greater Antelope Valley."*

We look forward to working together to ensure development policies that meet the full scope of the Antelope Valley's needs.

Sincerely,



Vick Medina
Executive Director

From: WilliRat@aol.com [mailto:WilliRat@aol.com]

Sent: Wednesday, May 07, 2014 3:29 PM

To: Mitch Glaser; Emma Howard

Subject: Temescal Ranch

I wanted to thank you for the opportunity to sit down last week and discuss the various draft ordinances, guidelines, and designations working their collective way through the public hearing process in anticipation of the approval later this year.

Following our meeting, and at your urging I reviewed the 2013 Draft Hillside Management Ordinance, the Draft Hillside Design Guidelines, as well as the maps for the proposed SEA to be known as the Santa Felicia SEA, and have some concerns specific to the Temescal Ranch for which I serve as the Referee in Partition;

- The Draft HMA has a 70% open space requirement which is now applicable to the entire property. For example if you owned 6000 acres, you would have to set aside 4200 acres for open space before you even submitted for the approval of a discretionary CUP to do something with the balance. Even to farm it, much less develop it. The current ordinance stipulates that only areas which have a slope of 25% or more are included in the definition of a HMA. The new proposed ordinance, provides for the fact that if any part of a property has a slope of 25% or more, all the property is now to be included in the definition, not only the actual property with the 25% slope. So in essence this represents an ordinance that is designed to take property from hillside owners who may have had property zoned for agriculture/grazing under all the preceding regulations for many decades.*
- Under the existing provisions, a CUP is only required if the area of development which is proposed to be developed with residential uses exceeds the midpoint range of the adopted plan.*
- Under the existing regulations, accessory buildings and appurtenant structures would not require a conditional use permit; under the proposed regulations a CUP would be required.*
- It seems that any concepts of Land Use and Zoning will be circumvented by what appears to be a "anti-development" Hillside Management Ordinance". The language proposed in the new ordinance further defines development in a number of ways including "the removal of any vegetation, including fuel modification". So if the Temescal Ranch hillsides can not be used for agriculture and grazing, then all it might be useful for is open space, which of course puts this proposed ordinance, and its' supporting documents and maps in direct opposition to Government Code Section 65912.*
- Additionally the revisions to the existing SEA map to now include the Temescal Ranch in a newly designated Santa Felicia SEA for which the requirements for "development of any type" must be submitted to a Type B CUP hearing with SEATAC.*
- Finally when I put all of these various layering of proposed ordinances together, and then combine the thrust behind them with the 2011 Santa Clarita Valley Area Plan which was approved on 11/27/12, it appears that a case could be made, taken in total, that these when utilized together may serve to constitute a taking of lands that are desired as "natural buffer areas surrounding the entire valley... which shall be preserved as a regional recreational, ecological, and aesthetic resource".*

With respect to grazing rights and the use of same on the Temescal Ranch amongst other properties, I would request to be kept in the loop as the language is developed with respect to these new proposed ordinances. Emma, I would also appreciate any contact information that you may be able to provide for; Peterson Ranch mitigation bank in the AV, as well as Thuy Hua's contact information regarding the proposed Renewable Energy Ordinance.

Can I also request to be placed on the list of interested parties for all future public hearings regarding these items at your convenience.

Thank you once again for your time last week.

Best

Bill Rattazzi

HILLSIDE MANAGEMENT AREAS (HMA) COMPARISON SUMMARY

	Adopted HMA	Draft HMA
Applicability (project type)	Residential only developed within 25% slopes or steeper	Residential and non-residential (commercial, industrial, etc.) developed within 25% slopes or steeper
CUP Threshold	Non-urban: Development exceeding low density threshold Urban: Development exceeding midpoint density threshold	Development located within 25% slopes or steeper
CUP Exemptions	<ul style="list-style-type: none"> • On less than 25% slopes • Accessory buildings/structures • Additions or modifications to existing single-family residences • Individual single-family residences on single lot 	<ul style="list-style-type: none"> • On less than 25% slopes • Any development on single lot with ≤ 15,000 less cubic yards • Activities for biota mitigation • Isolated hills on parcels ½ acre or less (rural*); ¼ acre or less in all other designations
Open Space Dedication	<ul style="list-style-type: none"> • 70% non-urban (net area) • 25% urban (net area) 	<ul style="list-style-type: none"> • 70% rural (gross area) • 25% other designations (net area)
Open Space Type	Case-by-case as determined by Director and hearing body	Rural: Up to 33% of required open space as improved (e.g. recreational facilities, non-concrete drains, fuel modification areas) Other Designations: Up to 100% as improved
Open Space Configuration	Case-by-case as determined by Director and hearing body	At least 51% of required natural open space configured into contiguous area
Open Space Recordation	Case-by-case as determined by Director and hearing body	Priority for dedication to certain agencies or conservation easement

* The Rural land use designation is proposed under the General Plan Update land use legend, and is the equivalent of Non-urban under the adopted General Plan

NOTE: This is a summary of major features of each ordinance; please refer to the ordinance language for the complete provisions