

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code, to amend the Elizabeth Lake and Lake Hughes Community Standards District, which defines and establishes development standards for the unincorporated area of Elizabeth Lake and Lake Hughes.

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

**SECTION 1.** Section 22.322.010 is hereby amended to read as follows:

**22.322.010 Purpose.**

The Elizabeth Lake and Lake Hughes Community Standards District ("CSD") is established to enhance the quality of life in these communities by preserving and protecting their rural character and the beauty of their environmental setting. Elizabeth Lake and Lake Hughes are distinguished by a mix of dispersed residential, recreational, and commercial uses as well as sensitive features including hillsides, natural lakes, ~~n~~National ~~f~~Forest ~~l~~Lands, ~~s~~Significant ~~e~~Ecological ~~a~~Areas, the Pacific Crest Trail, and local preserves. The standards contained in this CSD are intended to protect native vegetation, preserve night sky, minimize the placement of urban infrastructure, and maintain low residential ~~densities in both communities.~~

**SECTION 2.** Section 22.322.020 is hereby amended to read as follows:

**22.322.020 Definitions.**

The following terms are defined solely for this CSD:

~~Native vegetation. Plants designated for the corresponding Ecological Zone in the Los Angeles County Drought-tolerant Approved Plant List, maintained by the Department.~~

~~Ridgelines. The line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines which, in general, are highly visible and dominate the landscape.~~  
**Gated or walled subdivision:** A subdivision that includes proposed fencing or walls along its perimeter and restricted access. This definition excludes perimeter fencing for individual lots. A wall or fence along one side of the subdivision would not constitute a gated or walled subdivision.

**SECTION 3.** Section 22.322.030 is hereby amended to read as follows:

**22.322.030 District Map.**

The boundaries of this CSD are shown on Figures 22.322-B: Elizabeth Lake and Lake Hughes CSD Boundary, at the end of this Chapter.

**SECTION 4.** Section 22.322.420 is hereby amended to read as follows:

**22.322.040 Applicability.**

~~This CSD shall apply to all development proposals except for site plan reviews and/or zoning conformance reviews for which applications were submitted and deemed complete prior to the effective date of the ordinance establishing this CSD.~~  
In conjunction with Section 22.300.020 (Application of Community Standards Districts to Property), this Chapter shall apply to any application for development, expansion, or change of use requiring Regional Planning approval after [effective ordinance date]. For expansion of an existing, legally established use as of [effective ordinance date].

this Chapter shall only apply to the new expansion portion and not to existing development.

**SECTION 5.** Section 22.322.050 is hereby amended to read as follows:

**22.322.050 Application and Review Procedures.**

Notification. Notwithstanding Section 22.222.160 (Notification Radius) and except as otherwise specified in this Chapter, all notices for ~~Conditional Use Permits, General Plan and Area Plan Amendments, Specific Plans, Tentative Tract Maps and Parcel Maps, Variances, Zone Changes, and other zoning permit applications~~ discretionary permits requiring a public hearing shall be mailed to all owners of property located within a 31,000-foot radius of the exterior boundaries of the subject property. In addition, if the notification radius does not include a minimum of 15 parcels of real property, the radius shall be expanded until the owners of at least 15 parcels are included.

**SECTION 6.** Section 22.322.060 is hereby amended to read as follows:

**22.322.060 Community Wide Development Standards.**

A. Highway and Local Streets.

1. Highway Standards.

a. Routes on the County Highway Plan within the boundaries of this CSD shall use alternate rural highway standards, except for locations where existing infrastructure or commercial and pedestrian traffic are such that Public Works determines that curbs, gutters, and sidewalks are necessary for safety reasons or to provide pedestrian access compliant with the federal Americans with Disabilities Act.;

b. Encroachments into the highway right-of-way are prohibited unless an encroachment permit is granted by Public Works, where Public Works will consider the potential impact that the encroachment will have on safe use of the highway right-of-way for temporary vehicle parking and pedestrian and equestrian movement and ensure, to the maximum extent feasible, that the highway right-of-way shall be clear of all obstructions including landscaping, trees, and other structures, which block safe pedestrian and equestrian movement on the highway right-of-way; and

c. If the vehicular right-of-way is not coterminous with the boundaries of the highway right-of-way, driveways may be permitted with an encroachment permit granted by Public Works into the highway right-of-way from a property line to provide access from that property to the vehicular right-of-way or paved highway. Such driveways shall be constructed with a non-slip surface, such as rough-broomed concrete.

B2. Local Street Standards. The following standards shall apply to all local streets maintained by Public Works within this CSD:

1a. Local streets shall use the inverted shoulder cross-section with and shall have a paved width of 28 feet, except for locations where additional pavement is required for geometric improvements by Public Works or where commercial, industrial, or institutional uses necessitate alternate designs, as determined by Public Works. This limit 28-foot width excludes the width of any inverted shoulder or concrete flow-line;

2b. New curbs, gutters, and sidewalks are prohibited unless deemed necessary for the safety of pedestrian and vehicular traffic by Public Works after consultation with the Department; and

c. The encroachment and driveway provisions in Subsections A.1.b and A.1.c (Highway Standards), for highway rights-of-way, shall also apply to local streets.

B. Hillside Management.

1. Grading. An approved Conditional Use Permit (Chapter 22.158) shall be required for any grading on a lot, or in connection with any project, that exceeds 5,000 cubic yards of total cut plus total fill material within any 24-month period. For purposes of computing the 5,000-cubic yard threshold amount, grading required by the Fire Department to establish a turnaround or for brush clearance shall be excluded, but not grading for any private street, right-of-way, or driveway leading to such turnaround.

2. In approving an application for a Conditional Use Permit, the Commission or Hearing Officer shall make the following findings in addition to those required by Section 22.158.050 (Findings and Decision):

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

b. The grading will be accompanied by other design features that maximize preservation of visual quality and community character, including but not

limited to, reduced structural height, the use of shapes, materials, and colors that blend with the surrounding environment, and the use of native vegetation for concealment; and

c. The proposed development minimizes impacts to existing viewsheds through all reasonable design measures.

C. ~~Street Lights. Street lights shall be provided in accordance with the applicable provisions of Chapter 22.80 (Rural Outdoor Lighting District). Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.~~Outdoor Lighting. Outdoor lighting shall be provided in accordance with the applicable provisions of Chapter 22.80 (Rural Outdoor Lighting District).

1. All exterior lighting shall have the light source fully shielded.

2. Any lighting within a temporary structure, such as a tent or a canopy, is exempt provided that the structure fully shields all lamps.

D. ~~Outdoor Lighting. Outdoor lighting shall be provided in accordance with the applicable provisions of Chapter 22.80 (Rural Outdoor Lighting District).~~Significant Ridgeline Protection.

1. The locations of the significant ridgelines within this CSD are shown on Figure 9.8, Hillside Management and Ridgelines Map of the General Plan, Chapter 9 Conservation and Natural Resources Element.

2. The highest point of a structure shall be located at least 150 vertical feet and 150 horizontal feet in a southerly direction from a significant ridgeline.

excluding chimneys, rooftop antennas, amateur radio antennas, and small-scale wind energy systems.

3. No portion of any structure shall be located less than 50 horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and small-scale wind energy systems.

E. ~~Utilities.~~ Signs. No sign otherwise permitted by this Title 22 shall exceed 16 square feet in sign area with the exception of Community Identification Signs.

1. ~~Utility Lines.~~ All wires and cables which provide utility services, including telephone, television, electricity less than 10 kilovolts, and similar services, shall be placed underground. All sign requirements of Chapter 22.114 (Signs), and all applicable provisions of Chapter 22.80 (Rural Outdoor Lighting District), shall also apply to signs within this CSD, except as otherwise provided for or modified by this Subsection E.

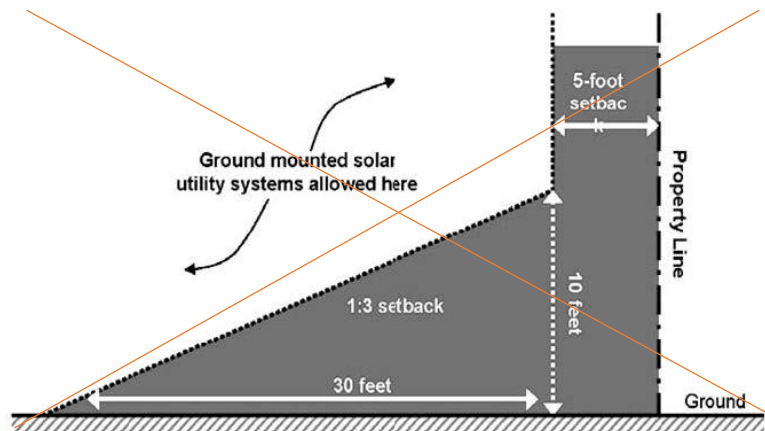
2. ~~Utility Devices.~~ Prohibited Signs. In addition to those prohibited by Section 22.114.040 (Prohibited Signs Designated), the following signs shall also be prohibited within this CSD:

a. ~~Small-Scale Solar Energy Systems.~~ Outdoor Advertising Signs (Billboards).

i. ~~Ground-mounted small-scale solar energy systems shall be placed at least five feet from the nearest property line; and~~

ii. ~~Ground-mounted small-scale solar energy systems less than 10 feet in height shall be set back an additional three feet from the nearest property line for every one foot less than 10 feet in height.~~

FIGURE 22.322-A



b. ~~Other Utility Devices. Utility devices, including air conditioning or heating units and satellite dish antennas, shall be placed at ground level. This requirement may be modified by the Director due to practical difficulties or unnecessary hardships. Such modifications shall be exempt from the procedures otherwise required by Section 22.322.090 (Modification of Development Standards).~~Roof Signs.

c. ~~Wireless Telecommunication Facilities. Ground-mounted antennas and monopoles shall be disguised as trees.~~Pole Signs.

F. ~~Signs. No sign otherwise permitted by this Title 22 shall exceed 32 square feet in sign area with the exception of Community Identification Signs.~~Street Lights.  
Street lights shall be provided in accordance with the applicable provisions of



Chapter 22.80 (Rural Outdoor Lighting District). Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.

G. ~~Vegetation Conservation:~~Subdivisions.

1. ~~All property development shall use only native vegetation in landscaped areas and to re-vegetate graded slopes, provided the available species are determined adequate to prevent erosion by Public Works. Where fuel modification is required, species from the Desirable Plan List, maintained by the Fire Department, may be used in Fuel Modification Zones A and B.~~Gated or walled subdivisions, or guarded entrances to subdivisions or any portion thereof shall be prohibited.

2. ~~To remove or destroy greater than 30 percent of the native vegetation on a lot, the applicant shall substantiate the following:~~Project Design.  
Applications for development shall include a specific written analysis demonstrating conformance with the following objectives:

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

b. ~~That it is required by the Fire Department; or~~Required provisions for access and public safety should be designed to minimize encroachment on existing natural contours and natural rock outcropping features by the use of techniques such as:

i. Curvilinear street designs; and

ii. Landform grading designs that blend any

manufactured slopes or required drainage benches into the natural topography, using colored concrete to blend visually with the natural soil or using berms to conceal improvements.

~~c. That it is necessary for work performed under a permit issued by Public Works to control erosion or flood hazards.~~

3. Required Area. New lots shall have a minimum area of two and one half net acres. Density-controlled development shall be prohibited.

4. Utilities. All wires and cables that provide utility services, including telephone, television, electricity less than 10 kilovolts, and similar services, shall be placed underground.

H. Trails. Trails within this CSD boundary shall be regulated by the provisions of this Subsection I and the General Plan, Antelope Valley Area Plan, and the Los Angeles County Trails Manual ("Trails Manual") maintained by the Parks and Recreation. All projects consisting of new development or subdivision and requiring a discretionary land-use permit subject to Type II (Chapter 22.228), Type III (Chapter 22.230), or Type IV (Chapter 22.232) review shall require consideration for trail dedication and development in accordance with the County's Board-adopted regional trail network.

~~1. When required by Parks and Recreation, in accordance with the trails map in the Antelope Valley Area Plan, new land divisions, including minor land~~

~~divisions, shall contain accessible multi-use trails for pedestrian hiking and walking, mountain bicycling, and equestrian uses. Where feasible, access to these trails must be located in the vicinity of the subject land division. These trails shall provide connections, where feasible, to significant recreational uses, including but not limited to, open space areas, parks, trail heads, bike paths, historical trails or sites, equestrian centers, equestrian staging areas, camp grounds, and conservation or nature preserve areas.~~Trail Dedication.

a. Required trail dedications and development standards shall be determined by Parks and Recreation in accordance with the County's Board-adopted regional trail network and Trails Manual.

i. Trails required by Parks and Recreation may include publicly-dedicated connector or feeder trail easements within or connected to the proposed development or subdivision where feasible.

ii. If a development or subdivision project proposes to modify an existing trail easement, the applicant shall obtain Parks and Recreation approval of such modification.

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

a. A publicly-dedicated trail shall be designed to connect to an existing or planned trail alignment(s), pursuant to the County's Board-adopted regional

trail network, and to provide connectivity to recreational uses such as open space areas, parks, trail heads, bike paths, historical trails or sites, equestrian and multi-use staging areas, campgrounds, or conservation areas, as determined by Parks and Recreation;

b. Trail design, construction, and maintenance shall be carried out in conformance with the Trails Manual; and

c. Deviations from the standards set forth in this Subsection H or any applicable provision in the Trails Manual may be allowed based on unique site conditions, including steep topography, existing structures, trees, vegetation, or utility infrastructure, subject to review and approval of Parks and Recreation.

~~I. Density-Controlled Development. Density-controlled development shall be permitted only if each lot or parcel of land created contains a minimum net area of two and one-half acres.~~Utility Devices.

1. Small-Scale Solar Energy Systems. Ground-mounted small-scale solar energy systems shall be placed at least five feet from the nearest property line. If the lot is five or more gross acres in size, the ground-mounted small-scale solar energy system shall not be placed in any required yard.

2. Other Utility Devices. Utility devices, including air conditioning or heating units and satellite dish antennas, shall be placed at ground level. This requirement may be modified by the Director due to practical difficulties or unnecessary hardships with a Minor Conditional Use Permit (Chapter 22.160) application.

3. Wireless Telecommunication Facilities. Ground-mounted antennas and monopoles shall conform with their surroundings.

~~J. Hillside Management. In evaluating the design of a development in a hillside management area on an application for a Conditional Use Permit pursuant to Chapter 22.104 (Hillside Management Areas), the Commission or Hearing Officer shall require that the proposed development minimizes impacts to existing viewsheds through all reasonable design measures.~~Vegetation and Landscaping.

1. This Subsection J is applicable to lots that are at least two and one-half gross acres or greater in size.

2. Vegetation Conservation Buffer. Notwithstanding the provisions of Subsection J.4, a vegetation conservation buffer with a depth of not less than 30 feet shall be established and maintained along the boundary of a lot bordering upon a public street or a private street or right-of-way. If more than one boundary of a lot borders upon a public street or private street or right-of-way, the vegetation conservation buffer shall be established and maintained along the boundary of the lot bordering upon the widest public street or private street or right-of-way.

a. In cases where a vegetation conservation buffer is established pursuant to Subsection J.2., the 30-foot depth shall be measured from the property boundary unless such boundary is located within a public street or private street or right-of-way, in which case, it shall be measured from the edge of the street or right-of-way closest to the interior of the lot.

b. No vegetation of any kind within the vegetation conservation buffer shall be removed or destroyed, with the following exceptions:

i. Vegetation may be removed for the purpose of establishing wells, well pump houses, pumps, tanks, and other well-related fixtures;

ii. Vegetation may be removed for one driveway path for each 165 feet of lot width, provided that such driveway path is limited to a width of 28 feet; and

iii. Vegetation may be removed for compliance with County regulations relating to brush clearance safety, fuel modification, or other Fire Department requirements.

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

4. Removal or destruction of vegetation of any kind shall require an approved Minor Conditional Use Permit (Chapter 22.160) where the area of removal or destruction is greater than 30 percent of the gross area of the lot or 30,000 square feet, whichever is more restrictive. The following removals are exempt from this requirement:

a. The removal or reduction of vegetation for the purpose of complying with County regulations relating to brush clearance for fire safety. This exception includes not only required vegetation control around structures, but also the

creation and maintenance by a public agency of firebreaks used to control the spread of fire;

b. The removal or destruction of vegetation on public rights-of-way for roads, highways, flood control projects, or other similar or related uses;

c. The removal or destruction of vegetation by public utilities on rights-of-way or property owned by such utility, or on land providing access to such rights-of-way or property;

d. Work performed under a permit issued to control erosion or flood hazards; and

e. Agricultural uses, including animal keeping, animal raising, or growing crops permitted by this Title 22.

5. To remove or destroy greater than 30 percent of the native vegetation on a lot, the applicant shall substantiate the following:

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

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

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

6. Minor Conditional Use Permit Application Materials. In addition to the requirements listed in Chapter 22.160 (Minor Conditional Use Permits), the following materials shall be submitted to the Department in review of a request for vegetation removal with a Conditional Use Permit:

a. A detailed project description outlining the reason for the proposed vegetation removal and the use of the property within the next 12 months.

b. A landscaping plan identifying all vegetation on the property including, and separately specifying, native vegetation listed in the San Andreas Significant Ecological Area Plant List maintained by the Department. The landscaping plan shall indicate the vegetation proposed to be removed as part of the project and how those removals will be mitigated with replanting, to the satisfaction of the Department, in consultation with the County Biologist.

c. Fuel modification plans or grading plans shall also be submitted, upon request by the Department.

d. In addition to filing fees specified in Chapter 22.250 (Applications Petitions, and Fees), the applicant shall submit a fee for review by the County Biologist.

7. Additional Findings for Minor Conditional Use Permits. In addition to substantiating the findings listed in Section 22.160.050 (Findings and Decision), the applicant shall also substantiate the following:

a. Development plans emphasize the protection of, and revegetation with, native vegetation, including the native plants, grasses, shrubs, and



trees that intercept, hold, and more slowly release rainfall than bare earth surfaces.

Stands of native vegetation and mature trees are preserved or expanded to the greatest extent possible.

b. The design of the project, including structures used to house animals such as stables and arenas, does not create erosion or flooding potential that would cause a safety hazard to structures or off-site property, as determined by Public Works.

~~K. Significant Ridgeline Protection.~~

~~1. The locations of the significant ridgelines within this CSD are shown on Figure 22.322-C: Significant Ridgelines, at the end of this Chapter.~~

~~2. The highest point of a structure shall be located at least 150 vertical feet and 150 horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and small-scale wind energy systems.~~

~~3. No portion of any structure shall be located less than 50 horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and small-scale wind energy systems.~~

~~L. Grading.~~

~~1. An approved Conditional Use Permit (Chapter 22.158) shall be required for any grading on a lot, or in connection with any project, that exceeds 5,000 cubic yards of total cut plus total fill material within any 24-month period. For purposes of computing the 5,000 cubic yard threshold amount, grading required by the Fire~~

~~Department to establish a turnaround or for brush clearance shall be excluded, but not grading for any private street, right-of-way, or driveway leading to such turnaround.~~

~~2. In approving an application for a Conditional Use Permit, the Commission or Hearing Officer shall make the following findings in addition to those required by Section 22.158.050 (Findings and Decision):~~

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

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

~~M. Land Divisions.~~

~~1. Gated or guarded entrances to subdivisions or any portion thereof shall be prohibited.~~

~~2. Project Design. Applications for development shall include a specific written analysis demonstrating conformance with the following objectives:~~

~~a. Preserve existing natural contours and natural rock outcropping features.~~

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

~~i. Curvilinear street designs; and~~

~~ii. Landform grading designs that blend any manufactured slopes or required drainage benches into the natural topography, using colored concrete to blend visually with the natural soil or using berms to conceal improvements.~~

**SECTION 7.** Section 22.322.070 is hereby amended to read as follows:

**22.322.070 Zone Specific Development Standards.**

A. Residential and Agricultural Zones.

~~1. Lot Design. Each new lot created by a land division shall contain a minimum net area of two and one-half acres.~~

21. Required Yards.

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

ba. Side yards.

i. Each lot with an average width of less than 5065 feet shall have side yards of at least seven feet each; and

ii. Each lot with an average width of 5065 feet or greater shall have side yards of at least 10 feet each.

eb. Rear yards. Each lot shall have a rear yard of at least 20 feet in depth.

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

32. Fences and Walls.

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

b. For lots of a minimum of one net acre, the following standards shall apply:

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

~~eii. To allow for wildlife movement on a lot with a net area of one-half acre or greater, a~~All fences and walls within required yard areas shall comply with the following standards to allow for wildlife movement:

i(1). No horizontal member shall be placed less than 18 inches or more than 42 inches above finished grade;

ii(2). For wire fences, the second highest horizontal wire shall be placed at least 12 inches below the topmost wire; and

iii(3). Barbed wire shall not be used for the topmost or bottommost horizontal member.

43. Housing Standards. All single-family residences, ~~including Factory Built Housing and Manufactured Housing,~~ shall meet the following standards, in addition to those in Section 22.140.580 (Single-Family Residences):

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

b. ~~Structures~~ At least 50 percent of the surface area of building facades shall be placed on a foundation which shall be enclosed covered by with brick, mortar stone, wood, or ~~other~~ an alternative siding material; ~~as approved by the Director~~ designed to mimic the look of brick, stone, or wood.

B. Commercial and Industrial Zones.

1. Structure Design. Building facades shall have not more than 50 percent of their surface area covered in any one of the following materials: glass, stucco, or metal to be consistent with the rural look and character of the community.

2. Height. Structures shall be limited to two stories.

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

4. Hours of Operation. Hours of operation for commercial uses shall be limited to the hours of 6:00 a.m. to 11:00 p.m., Sundays through Thursdays and

6:00 a.m. to 2:00 a.m. on Fridays and Saturdays. 24-hour businesses shall be prohibited.

**SECTION 8.** Section 22.322.090 is hereby amended to read as follows:

**22.322.090 Modification of Development Standards.**

A. Modification Authorized. Modifications to any standards in this Chapter are subject to a Minor Conditional Use Permit (Chapter 22.160) application and shall be subject to additional findings

1. ~~Modification of the development standards specified in Section 22.322.070.A.2 (Required Yards) shall be subject to the provisions of Subsection B, below;~~The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the goals of this CSD; or

2. ~~Modification of the development standards specified in Sections 22.322.070.A.3 (Fences) and 22.322.060.K (Significant Ridgeline Protection) shall be subject to the procedures specified in Subsection C, below; and~~There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the subject property that do not apply to other properties within the area governed by this CSD.

3. ~~Modification of other development standards in this CSD, except for modifications regarding location of utility devices pursuant to Section 22.322.060.E.2.b (Other Utility Devices) shall be subject to a Variance (Chapter 22.194) application.~~That granting the request for modification will not be materially detrimental to properties or

improvements in the area or contrary to the intent and purpose of this CSD, as provided in Section 22.322.010 (Purpose).

B. ~~Modification of Yard Standards.~~Additional Findings. The following additional findings shall be included for a modification to Section 22.322.060.F (Significant Ridgeline Protection):

1. ~~Applicability. Modification to Section 22.322.070.A.2 (Required Yards) shall be subject to a Yard Modification (Chapter 22.196) application and this Subsection B.~~Alternative sites within the project site have been considered and eliminated from consideration due to their physical infeasibility or their potential for substantial habitat damage or destruction.

2. ~~Notification. The application shall comply with all noticing requirements as required by the Yard Modification (Chapter 22.196) application, except that the notification radius shall be 1,000 feet of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll. A copy of the notice shall also be sent to the Lakes Town Council.~~The project maintains the maximum view of the applicable significant ridgeline through design features, including but not limited to one or more of the following:

- a. Minimized grading.
- b. Reduced structural height.
- c. Use of shapes, materials, and colors that blend with the surrounding environment.
- d. Use of native drought-tolerant landscaping for concealment.

~~3. Additional Findings.~~

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

~~b. That granting the request for modification will not be materially detrimental to properties or improvements in the area or contrary to the intent and purpose of this CSD, as provided in Section 22.322.010 (Purpose).~~

~~C. Modification of Fences and Significant Ridgeline Protection.~~

~~1. Applicability. Modification of the development standards specified in Section 22.322.070.A.3 (Fences) and 22.322.060.K (Significant Ridgeline Protection) shall be subject to a CSD Modification application, in compliance with this Subsection C.~~

~~2. Application and Review Procedures.~~

~~a. Application Checklist. The application submittal shall contain all of the materials required by the CSD Modification checklist.~~

~~b. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review—Discretionary) and this Subsection C.~~

~~3. Notification. The application shall comply with all noticing requirements as required by a Type II Review (Chapter 22.228), except that the notification radius shall be 1,000 feet of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll. A copy of the notice shall also be sent to the Lakes Town Council.~~



~~4. Findings and Decision.~~

~~a. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision), and include the findings in Subsection C.4.b, below, and, if applicable, Subsection C.4.c, below.~~

~~b. Findings.~~

~~i. The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.~~

~~ii. The use, development of land, and application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, are arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to protect public health, safety and general welfare, to prevent adverse effects on neighboring property and conform with good zoning practice.~~

~~iii. The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.~~

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

~~v. Granting the request for modification will not be materially detrimental to properties or improvements in the area or contrary to the intent and purpose of this CSD, as provided in Section 22.322.010 (Purpose).~~

~~c. Additional Findings. The following additional findings shall be included for a modification to Section 22.322.060.K (Significant Ridgeline Protection):~~

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

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

~~(1) Minimized grading.~~

~~(2) Reduced structural height.~~

~~(3) Use of shapes, materials, and colors that blend with the surrounding environment.~~

~~(4) Use of native drought-tolerant landscaping for concealment.~~

FIGURE 22.322-B: ELIZABETH LAKE AND LAKE HUGHES CSD BOUNDARY

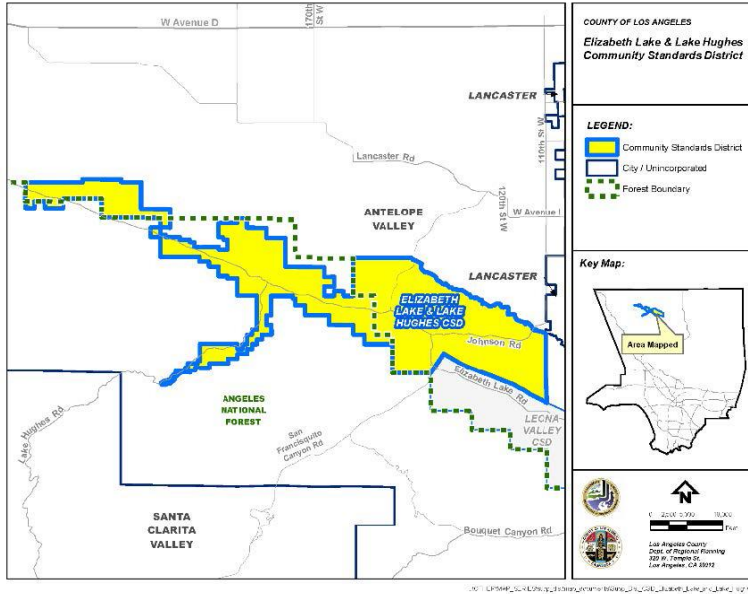
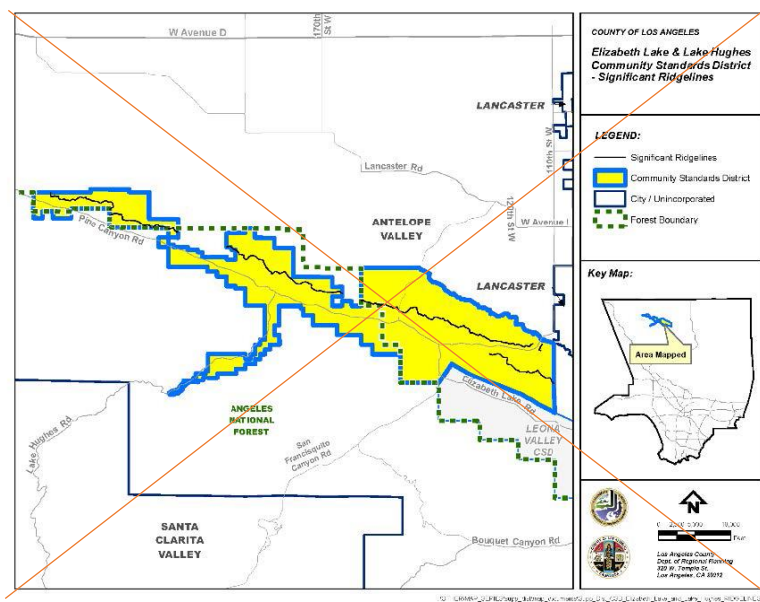


FIGURE 22.322-C: SIGNIFICANT RIDGELINES



[CH22322LJCC]