

**DRAFT COMMUNITY WILDFIRE PROTECTION ORDINANCE (PREVIOUSLY
NAMED THE REDUCE DAMAGE FROM WILDFIRE ORDINANCE)**

ORDINANCE NO. _____

An ordinance amending Title 21 (Subdivision) and Title 22 (Planning and Zoning) of the Los Angeles County Code to reduce and manage risks to people and property located in the Very High Fire Hazard Severity Zone (VHFHSZ) and Hillside Management Area (HMA). The ordinance amends Title 21 and 22 to address adequate evacuation egress during wildfire events, to improve public safety, and to reduce risks to development and environmental resources located within the VHFHSZ and HMA.

SECTION 1. Section 21.12.020 is hereby amended to read as follows:

21.12.020 - ~~Time of meetings.~~ Responsibility.

~~The Subdivision Committee shall meet regularly to consider tentative maps and exhibit maps.~~ The Subdivision Committee shall review maps and reports submitted by applicants.

SECTION 2. Section 21.12.030 is hereby deleted in its entirety

SECTION 3. Section 21.12.040 is hereby amended to read as follows:

21.12.040-030 - Report of recommendations to advisory agency.

The subdivision committee shall report in writing its recommendations to the advisory agency.

SECTION 4. Section 21.16.015 is hereby amended to read as follows:

Section 21.16.015 - Building Location and Access Restrictions—Exhibit Map

...

A. The exhibit map shall be submitted to the satisfaction of the Director of Regional Planning and shall depict, but shall not be limited to, the location and dimensions of all structures, buildings, yards, walls, fences, vehicle and bicycle parking and loading facilities, the vehicular, bicycle, and pedestrian access to the proposed structures, buildings, and parking and loading facilities, ~~and~~ the location and design of pedestrian roadway crossings (i.e., crosswalks), emergency vehicle access and turnarounds, and fuel modification zones.

...

SECTION 5. Section 21.24.010 is hereby amended to read as follows:

Section 21.24.010 - General requirements – determination of adequacy

...

B. In determining the adequacy of a route of access, the advisory agency shall consider the potential for blockage of the route ~~by flood, fire or landslide~~ and the effect of such blockage on the safe evacuation of future users and occupants of the division and on the deployment of fire equipment or other services under emergency conditions. Each route of access to a highway from or through a VHFHSZ shall have adequate capacity, safety, and viability to accommodate emergency egress and access by fire-fighting apparatus and other emergency equipment, as defined by Title 32 (Fire Code) of the County Code.

C. The advisory agency may disapprove a design which makes use of a residential street as a route of access to industrial, commercial or other divisions of land generating traffic which would conflict with the residential ~~character~~ use of the street.

SECTION 6. Section 21.24.020 is hereby amended to read as follows:

Section 21.24.020 - Restricted residential access

A. If a street or street system is restricted to a single access route to a highway shown on the Highway Plan (except for a limited secondary highway), which is maintained and open to public travel, whether at the point of intersection with the highway or at some point distant from the highway, the street or street system shall serve not more than:

1. 150 dwelling units or 50 residential lots, whichever is less, where ~~the restriction is designed to be permanent, and the street or street system does not traverse a wildland area which is subject to hazard from brush or forest fire~~ is not located in and does not pass through a VHFHSZ.

2. 75 dwelling units or 25 residential lots, whichever is less, where ~~the restriction is designed to be permanent, and the street or street system traverses a wildland area which is subject to hazard from brush or forest fire~~ is located in or passes through a VHFHSZ.

3. ~~300 dwelling units where the restriction is subject to removal through future development.~~

B. If the roadway paving on that portion of the street or street system forming the restriction is less than 36 feet in width and is not to be widened to 36 feet or more as a part of the development of the division of land, the permitted number of dwelling units shall be reduced by 25 percent if the pavement is 28 feet or more in width, and by 50 percent if the pavement is less than 28 feet in width. If the roadway paving on that portion of the street or street system forming the restriction is 64 feet or more in width and is not located in and does not pass through a VHFHSZ, ~~and the restriction is subject to removal through future development~~, the permitted number of dwelling units may be increased to

~~600~~ 450, or 150 residential lots, whichever is less. In no event shall the pavement width be less than 20 feet. The provisions of this section shall not apply to divisions of land referred to in Section 21.32.040 to divisions of land approved pursuant to Section 21.32.080, or to minor land divisions.

SECTION 7. Section 21.24.030 is hereby amended to read as follows:

Section 21.24.030 – Adequate Wildland access

A. Notwithstanding the provisions of Sections 21.24.020 and 21.24.190, the advisory agency may disapprove a design of a division of land which utilizes a cul-de-sac or branching street system or other single-access street or street system as the sole or principal means of access to lots within the division, where the forester and fire warden advises:

A1. That the street or street system ~~will traverse a wildland area which is subject to extreme hazard from brush or forest fires~~ lacks a secondary access route and is located in or passes through a VHFHSZ; and

B2. That the lack of a second route of access would unduly hinder public evacuation and the deployment of fire-fighting apparatus and other emergency equipment in the event of a ~~brush or forest~~ wildfire, or other type of natural or manmade disaster.

B. Streets shall not be gated, unless recommended otherwise by the County Sheriff, or unless the advisory agency determines that the street may be gated and closed to public use for safety reasons.

SECTION 8. Section 21.24.0040 is hereby amended to read as follows:

Section 21.24.040 - Modifications to access and frontage requirements

A. The advisory agency may modify the requirements of Sections 21.24.010, 21.24.020, 21.24.190 and 21.24.290 where it finds that topographic conditions, title limitations, or the pattern of ownership or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby.

B. This Section shall not apply to access or frontage requirements in a VHFHSZ, unless explicitly authorized by the Board of Supervisors based on the recommendation of the advisory agency and consistent with the findings in Subsection A above.

SECTION 9. Section 21.24.100 is hereby amended to read as follows:

Section 21.24.100 - Street grades

No highway or street shall have a grade of more than six percent, except for short stretches where the topography makes it impracticable to keep within such grade, and in no event shall the grade of a highway or street that is located in or passes through a VHFHSZ exceed eight percent, except where evidence, which is deemed satisfactory to the advisory agency is given that a lower grade is not possible. ~~and in~~ In no event shall the grade of a highway or street exceed 10 percent except where evidence, which is deemed satisfactory to the advisory agency, is given that a lower grade is not possible.

SECTION 10. Section 21.24.220 is hereby amended to read as follows:

Section 21.24.220 Fire-fighting access easements.

In areas where, in the opinion of the forester and fire warden, there will be fire hazard to the watershed or any other properties, unobstructed fire-protection access

easements, not less than ~~45~~ 20 feet wide, shall be dedicated from the public highway to the boundary of the division of land. Where the design of a division of land will cause an existing fire road or fire break to be severed, and the forester and fire warden advises that this condition will impair the provision of adequate fire protection, ~~the advisory agency may require that~~ the subdivider shall either revise the design of the division of land so that the fire road or fire break will not be severed or provide an alternate easement. The forester and fire warden shall recommend to the advisory agency regarding the location, design and grading of easements required pursuant to the provisions of this section. Such location, design and grading shall be as found necessary by the advisory agency.

SECTION 11. Section 21.24.250 is hereby amended to read as follows:

Section 21.24.250 - Area and width—Sloping terrain

A. In lieu of compliance with subsection A of Section 21.24.240, the plan of subdivision may comply with the requirements of Section 21.24.260 if the advisory agency determines:

...

3. That the lots having a reduced area will be compatible in design to adjacent facing and siding lots of abutting development; and

4. That all lots which are not reduced in area shall comply with subsection A of Section 21.24.240.

...

SECTION 12. Section 21.24.320 is hereby amended to read as follows:

Section 21.24.320 - Flag lots

A. The advisory agency may disapprove the platting of flag lots where this design is not justified by topographic conditions or the size and shape of the division of land, ~~or~~ where this design is in conflict with the pattern of neighborhood development, or where any portion of the proposed flag lot is located in a VHFHSZ. If flag lots are approved, the access strip shall be provided as follows, unless the subdivision committee recommends the approval of lesser widths because of topographic conditions or the size and shape of a division of land:

...

B. Each vehicular access strip shall be located so that, when improved as a driveway, the finished grade will not exceed 2015 percent. Additional grade may be allowed only where permitted by Title 32 (Fire Code) of the County Code. The advisory agency may require that easements for ingress and egress be provided over common driveways for the benefit of the lots served.

SECTION 13. Section 21.24.350 is hereby amended to read as follows:

Section 21.24.350 - Residential subdivisions—Provision of local park sites

...

D. Determinations as to whether park space should be provided, and as to the design and location of such space and any amenities thereof, shall be made in accordance with the principles and standards for local park and recreational facilities contained in the recreation element of the general plan, the additional provisions of this Title 21, and the recommendations of the director of parks and recreation. The subdivider shall install all improvements for streets abutting the park sites as required by this Title 21.

1. If located in a VHFHSZ, a portion of the park sites, as determined by the advisory agency in consultation with the forester and fire warden, shall be located between development and wildlands to serve as a wildfire buffer, where feasible. Continuous routine vegetation management and long-term maintenance of both publicly and privately owned park sites shall be provided by the owner, in a manner prescribed by and acceptable to the County, and secured in a form acceptable to the County.

E. ~~4. Each park site shall be physically suited for the use intended. Land which is made a part of a park site for subdivision design purposes, but which is physically unsuited for park use, shall be discounted when calculating the area of the park site provided pursuant to this section. The park space provided shall be calculated from the road right-of-way line and not from the centerline of an abutting street.~~

1. Land which is made a part of a park site for subdivision design purposes, but which is physically unsuited for park use, shall be discounted when calculating the area of the park site provided pursuant to this section. The park space provided shall be calculated from the road right-of-way line and not from the centerline of an abutting street.

...

SECTION 14. Section 21.24.370 is hereby amended to read as follows:

Section 21.24.370 - Divisions of land for purpose of lease only

A. The advisory agency may approve a tentative map of a division of land which does not comply in all respects with the requirements of Parts 1, 2 and 3 of this chapter if:

1. The advisory agency finds:
 - a. The division of land is for lease only;

b. Because the lots are to be leased only and because of the situation and development or proposed development of the division of land and surrounding property, approval of the tentative map would not be detrimental to the public welfare or property of other persons in the vicinity thereof; and

c. The proposed design and access to the proposed development provides at least the same level of protection against disaster risk as Parts 1, 2, and 3 of this chapter.

...

SECTION 15. Section 21.24.390 is hereby amended to read as follows:

Section 21.24.390 – Mobile home divisions of land

A. The advisory agency may approve a tentative map of a division of land which does not comply in all respects with the requirements of Parts 1, 2 and 3 of this chapter if:

1. The advisory agency finds:

...

b. The units of space proposed on the tentative map are for mobile homes and related facilities only and the development of a mobilehome park on the property included within the division of land is in conformance with the Zoning Ordinance set out at Title 22; and

c. The mobilehome division of land is not located within the VHFHSZ;

d. If located outside the VHFHSZ, the proposed design and access to the proposed development provides at least the same level of protection against wildfire and other disaster risks as if the application complied with Parts 1, 2, and 3 of this Chapter.

2. On such tentative map and on the final map or parcel map, there appear, in letters no less than one-fourth-inch in height, the words: "DIVISION OF LAND FOR MOBILE HOME PURPOSES ONLY."

...

SECTION 16. Section 21.24.400 is hereby amended to read as follows:

Section 21.24.400 - Division of land adjacent to existing roads

A. If the advisory agency finds that the proposed division of land abuts an existing road which has improvements insufficient for the general use of the lot owners in the division of land and local neighborhood and drainage needs, it may disapprove the design of the division unless the subdivider improves or agrees to improve such road to the same standards required of roads within all divisions of land by Chapter 21.32.

i. If the advisory agency finds that the proposed division of land is located in a VHFHSZ, is served by only a single route of access to a highway, and abuts an existing road that does not meet the provisions of Section 21.24.010, the advisory agency shall disapprove the design of the division unless the subdivider improves or agrees to improve such road to the same standards required of roads within all divisions of land by Chapter 21.32, or as otherwise modified by the advisory agency.

ii. The advisory agency may modify the provisions of Subsection i above if it finds that improvements to an existing road abutting the proposed division of land would adversely affect the public health, safety, and general welfare of lot owners in the division of land and local neighborhood.

B. Where a subdivider proposes to connect to an existing dead-end or cul-de-sac street in which a turnaround has been installed, the advisory agency may require the reconstruction of existing street improvements as a condition of such connection. If the subdivider makes or agrees to make the required improvements, all of the provisions of this Title 21 which apply to improvements and agreements to improve within a division of land shall apply.

SECTION 17. Section 21.28.060 is hereby amended to read as follows:

Section 21.28.060 - Private and future streets

Except as set out hereinafter, all parcels of land intended for public use in a division of land shown on the final map or parcel map thereof, shall be offered for dedication for public use. However, with the approval of the advisory agency, any road which is intended to be kept physically closed to public travel or posted as a private street at all times may be shown as a private and future street; but in any such case, the final map or parcel map shall contain a conditional offer of dedication, or the map may be accompanied by a conditional offer of dedication by separate instrument, either of which may be accepted by the ~~board of supervisors~~ Board of Supervisors. Any such private and future street shall be shown on such map by heavy dashed lines. Sufficient data shall be shown on each private and future street to define its boundaries, as is required for a public street, and also sufficient mathematical data to show clearly the portion of each lot within such street. The design and improvement of any such private and future street shall be subject to all of the requirements prescribed by this Title 21 for public streets.

SECTION 18. Section 21.32.040 is hereby amended to read as follows:

Section 21.32.040 - Lot sizes in excess of 10 acres—Requirements

...

B. Where each parcel resulting from a division of land has a minimum gross area of 10 acres or is a quarter-quarter-quarter section, resulting from the normal division of an undersized section of land and having a minimum gross area of nine acres, and the entire division of land is zoned A-1, A-2 or D-2 by Title 22 of this code, streets or highways which traverse sloping terrain shall be graded in accordance with engineering plans approved by the road commissioner, and reviewed in consultation with the fire warden if the property or access to the lot is located in or passes through a VHFHSZ, unless all lots abutting any such street or highway are within an area zoned to have a required area of 10 acres or more by the Zoning Ordinance as set out at Title 22 of this code. No other improvements shall be required.

...

SECTION 19. Section 21.32.050 is hereby amended to read as follows:

Section 21.32.050 - Minor land divisions—Requirements

Improvements shall not be required as a condition precedent to filing a parcel map on a minor land division where the advisory agency finds that the existing systems and improvements adequately serve adjacent developed parcels, unless such improvements are necessary for the development of parcels within the division of land, are necessary to reduce wildfire risk to parcels within the division of land or adjacent developed parcels, or are necessary to be consistent with the general plan.

SECTION 20. Section 21.32.060 is hereby amended to read as follows:

Section 21.32.060 - Minor land divisions—Five-acre minimum lot size requirement

...

C. On all parcel maps of five-acre lot size or more, the following note shall be placed: "Further division of this property to lot sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not be limited to providing access sufficient for fire-fighting apparatus and other public safety equipment, installation of water mains, appurtenances and fire hydrants, and conformance to standard Los Angeles County development standards."

SECTION 21. Section 21.32.160 is hereby amended to read as follows:

Section 21.32.160 - Street tree planting

Except as otherwise provided in this section, a subdivider shall plant trees along the frontage of all lots shown on a final map or parcel map. The number, species, and location of such trees shall be as specified by the Director of Public Works, or if the property is located in a VHFHSZ, then by the Director of Public Works in consultation with the forester and fire warden. Tree planting is not required unless it is determined by the advisory agency to be in the public interest:

...

SECTION 22. Section 21.32.195 is hereby amended to read as follows:

Section 21.32.195 - On-site trees

A. Planting Requirement. In addition to the requirements of Section 21.32.160 (Street Tree Planting), the subdivider shall plant or cause to be planted within the front yard one tree for each 25 feet of street frontage for each parcel created by a residential division of land, as a condition of approval, except that: ~~a compact lot subdivision and the development of single-family residences therein shall be subject to the on-site tree~~

~~planting requirements set forth in Section 22.140.585 (Single-Family Residences on Compact Lots).~~

1. A compact lot subdivision and the development of single-family residences therein shall be subject to the on-site tree planting requirements set forth in Section 22.140.585 (Single-Family Residences on Compact Lots); and

2. For lots located in the VHFHSZ, tree type, location, and quantity shall be subject to review by the advisory agency in consultation with the forester and fire warden.

...

SECTION 23. Section 21.40.040 is hereby amended to read as follows:

Section 21.40.040 - Contents—Information and documents required

A. The tentative map shall show and contain, or be accompanied by, the following as an aid to the advisory agency in its consideration of the design of the division of land:

...

26. A cross-section or sections shown to scale with dimensions for all existing and proposed highways, parkways, streets, drives, fire lanes, alleys, and ways, within and adjoining the subdivision. This cross-section or sections shall depict, at a minimum, the existing and proposed pedestrian, bicycle, vehicle, and transit improvements, and other proposed and/or required features such as street trees, street lights, bicycle lanes, traffic-calming devices, signs and utility poles, walls, fences, and adjacent building facades. Additional cross-sections shall be required to depict any proposed variation from the standard street design described in this Title 21, including a variation in approaches to, and/or departures from, intersections; and

27. A vicinity map showing the location of the division in relation to the nearest Fire Hazard Severity Zones (FHSZ);

28. If located in a VHFHSZ, a Fuel Modification Plan identifying proposed defensible space, and fuel modification areas;

29. If located in a VHFHSZ, an evacuation analysis shall be provided for review by the County that includes, but may not be limited to, the following:

i. Roadway plan demonstrating adequate emergency vehicle access to and from the proposed division, on public and private roads, consistent with Chapter 21.24 (Design Standards) and Chapter 503 of Title 32 (Fire Code);

ii. Mapped evacuation routes from the proposed division to nearest highway shown on the Highway Plan, consistent with Section 21.24.010;

iii. Evaluations of mapped evacuation routes for traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end, one-way, gated, or single lane conditions in a range of emergency scenarios as determined by the County; and

2730. Such other information as the Director of Regional Planning determines is necessary.

SECTION 24. Section 21.40.120 is hereby amended to read as follows:

21.40.120 - Access to property

The advisory agency may require as a condition of approval of a tentative map that the subdivider produce evidence that the property as divided will have access to a public street or highway, including adequate access for fire-fighting apparatus and other emergency equipment.

SECTION 25. Section 21.44.320 is hereby amended to read as follows:

Section 21.44.320 - Land subject to flood hazard, inundation, ~~or geological~~ hazard, or wildfire hazard.

A. If any portion of the land within the boundaries shown on a tentative map of a division of land is subject to flood hazard, inundation, ~~or geological hazard~~, or is located within a VHFHSZ, and the probable use of the property will require structures thereon, the advisory agency may disapprove the map or that portion of the map so affected and require protective improvements to be constructed as a condition precedent to approval of the map.

...

C. If any portion of a lot or parcel of a division of land is subject to flood hazard, inundation, ~~or geological hazard~~, or is located within a VHFHSZ, such fact and portion shall be clearly shown on the final map or parcel map by a prominent note on each sheet of such map whereon any such portion is shown. A dedication of building restriction rights over the flood hazard, inundation, geological hazard area, or VHFHSZ may be required.

SECTION 26. Section 21.48.040 is hereby amended to read as follows:

Section 21.48.040 - Information required — format

...

Q. The project location relative to the nearest VHFHSZ.

QR. Such other information as the Director of the Regional Planning determines is necessary.

SECTION 27. Section 21.48.100 is hereby amended to read as follows:

Section 21.48.100 - Access to property

The advisory agency may require as a condition of approval of a tentative minor land division map that the subdivider produce evidence that the property as divided will have access to a public street or highway, including but not limited to adequate access for fire-fighting apparatus and other emergency equipment.

SECTION 28. Section 21.48.140 is hereby amended to read as follows:

Section 21.48.140 - Eligibility for waiver—Certain uses or conditions of property

A. The following minor land divisions shall be eligible for waiver of the requirement that a parcel map be filed:

1. Those in which each resultant parcel is a part of one or more lots shown on a final map, parcel map or approved record of survey map, and the area of each resultant parcel is more than 20 percent of the total area of the lot or lots of which it is a part, except where the tentative map of any such division, the conditions of approval thereof or the requirements of the Subdivision Map Act or of this Title 21 provide for or require the delineation of flood or geological hazard, VHFHSZ areas, or building restrictions;

...

3. Those of a lease-project, except where the tentative map of any such division, the conditions of approval thereof or the requirements of the Subdivision Map Act or of this title provide for or require the delineation of flood or geological hazards, VHFHSZ areas, or building restrictions;

...

SECTION 29. Section 21.48.170 is hereby amended to read as follows:

Section 21.48.170 - Procedures—Action by advisory agency

A. Within 20 days after acceptance of a request for waiver, or within such additional time as may be necessary, the advisory agency shall waive the requirement that a parcel map be filed as provided in Sections 21.48.130 and 21.48.140, if it finds:

...

3. That the proposed minor land division complies with all applicable requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, avoidance or mitigation of wildfire risk, and other requirements of the Subdivision Map Act and of this Title 21.

...

SECTION 30. Section 21.60.030 is hereby amended to read as follows:

Section 21.60.030 - Certificate of Compliance—For Undersized Parcels

...

A. A review by the director, pursuant to Chapter 22.226 (Type I Review—Ministerial) of this Code, to determine satisfaction of the following criteria:

...

6. The parcel of land has sufficient access for fire-fighting apparatus and other emergency equipment and adequate fire flow and hydrant spacing as required by Section 20.16.060; and

...

SECTION 31. Chapter 22.14.060 is hereby amended to read as follows:

22.14.060 - F.

...

Fire Department. References to Fire Department shall mean the County of Los Angeles Fire Department, unless otherwise specified.

Fire Hazard. The potential fire behavior or fire intensity in an area, given the type(s) of fuel present (including both the natural and built environment) and their combustibility.

Fire Risk. The intensity and likelihood of a fire event to occur as well as the chance, whether high or low, that a hazard such as a wildfire will cause harm. Fire risk can be determined by identifying the susceptibility of a value or asset to the potential direct or indirect impacts of wildfire hazard events.

...

SECTION 32. Chapter 22.14.080 is hereby amended to read as follows:

22.14.080 - H.

Hillside Management Areas (HMAs). The following terms are defined solely for Chapter 22.104 (Hillside Management Areas):

Development. On-site or off-site activity as follows:

1. Construction or expansion of any structure or impervious surface, such as hardscape;
2. Construction or expansion of any street, highway, or other access road;
3. Construction or expansion of any infrastructure, such as water and sewerage lines, drainage facilities, telephone lines, and electrical power transmission and distribution lines;
4. Grading, such as cut, fill, or combination thereof, including off-site grading;

5. Removal of any vegetation, including fuel modification;
6. A subdivision; or
7. A lot line adjustment.

Hazardous terrain. Topographic features with slopes 50 percent or steeper, and features that exacerbate fire, flooding, and landslide risks such as chimneys, saddles, draws, drainages, and cliffs.

...

SECTION 33. Chapter 22.14.130 is hereby amended to read as follows:

22.14.130 - M.

...

Microwave station. A building that houses equipment necessary for the receiving, amplifying, or transmitting of microwave signals, including necessary antenna systems, along a communications route or system which employs microwave frequencies assigned by the Federal Communications Commission.

Mid-Slope. A location on a sloped hillside that is situated between the bottom (foot) and top (ridge) of a contiguous slope.

...

SECTION 34. Chapter 22.14.230 is hereby amended to read as follows:

22.14.230 - W.

...

Wild animal. An animal as defined by Section 10.08.250 (Wild Animal) of Title 10 (Animals) of the County Code.

Wildfire. Any unplanned fire in a wildland area or in the wildland-urban interface (WUI).

Wildland. Undeveloped areas covered wholly or in part by trees, shrubs, grass, or other flammable vegetation.

Wildland-urban interface (WUI). The geographical intersection of developed land and undeveloped wildland.

Interface. Areas where development is adjacent to wildland, in which there is clear demarcation or hard edge between developed and undeveloped areas.

Intermix. Areas where development is sparsely mixed with wildland areas and vegetation, in which there is no clear demarcation between developed and undeveloped areas.

...

SECTION 35. Chapter 22.14.220 is hereby amended to read as follows:

Chapter 22.14.220 - V.

...

Vertical access. A recorded dedication or easement granting to the public the privilege and right to pass and repass over the dedicator's real property from a public road or dedicated trail to the mean high tide line.

Very High Fire Hazard Severity Zone (VHFHSZ). Geographical areas designated pursuant to California Public Resources Code Sections 4201 through 4204 and classified as Very High in State Responsibility Areas or as Local Responsibility Area

Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code Sections 51175 through 51189.

...

SECTION 36. Chapter 22.104 is hereby amended to read as follows:

Chapter 22.104 HILLSIDE MANAGEMENT AREAS

22.104.010 - Purpose.

A. This Chapter is established to ensure that development preserves and enhances the physical integrity and scenic value of Hillside Management Areas ("HMAs"), to provide open space, reduce wildfire and landslide risks, and to be compatible with and enhance community character. These goals are to be accomplished by:

...

2. Locating development in the portions of HMAs with the fewest hillside constraints; ~~and~~

3. Using sensitive hillside design techniques tailored to the unique site characteristics; and

4. Locating development away from portions of the HMAs with the highest wildfire and landslide risks.

...

SECTION 37. Chapter 22.104.030 is hereby amended to read as follows:

22.104.030 - Permit Required.

A Conditional Use Permit (Chapter 22.158) application is required for any development located wholly or partially in an HMA, except for:

A. Development on a single lot, 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.~~

1. Two or more lots are developed in a coordinated effort, regardless of the ownership of the involved lots and regardless of whether the developments are applied for concurrently or through multiple successive applications; or

2. A new primary use structure is proposed on a natural or manufactured slope 50 percent or steeper, where located in a VHFHSZ. This provision does not apply to development on terrain with slopes 50 percent or steeper that is one-half acre or less in size and not contiguous with any other terrain with a natural slope gradient of 50 percent or steeper.

...

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

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

...

SECTION 38. Chapter 22.104.060 is hereby amended to read as follows:

22.104.060 - Findings

...

E. That, the proposed development reduces potential hazards on the project site,

by:

1. Incorporating fire mitigation and resilience measures through project design, siting, structure hardening, and other methods when located in a VHFHSZ;

2. Incorporating strategies to reduce slope instability, landslide, and flooding risks; and

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

SECTION 39. APPENDIX I is hereby amended to read as follows:

APPENDIX I - HILLSIDE DESIGN GUIDELINES

I. PURPOSE AND OVERVIEW

The policies of the General Plan, and area and community plans, where applicable, seek to preserve significant natural features in hillside areas and protect the public against natural and man-made hazards. These Hillside Design Guidelines (Guidelines) are intended to implement those policies by ensuring that hillside development projects use sensitive and creative engineering, architectural, and landscaping site design techniques. The Guidelines also help ensure that hillside development projects are designed in a manner that allows the project to meet the findings of the Hillside Management Areas Ordinance (Ordinance), and to protect public health and safety by reducing and mitigating hazards such as wildfire and

landslides within the HMAs and VHFHSZ. To accomplish ~~this~~these goals, these Guidelines include specific and measurable design techniques that can be applied to residential, commercial, industrial, and other types of projects.

...

II. SUBSTANTIAL COMPLIANCE

...

Due to the variety, size, geology, hydrology, and complexity of development projects, there is no set number of design measures required in a project to ensure that it, as stated in Section 22.104.010 (Purpose), preserves and enhances the physical integrity and scenic values of HMAs, provides open space, protects public health and safety, and is compatible with and enhances community character. Staff and project applicants are advised that four design measures per category (Site Planning, Grading and Facilities, Road Circulation, Building Design, and Landscaping) is typically the appropriate number of design measures to be included in a project to allow the findings required by Chapter 22.104 to be made for that project.

Staff and applicants are also advised that these numbers are general recommendations, and not absolute requirements. Because projects are tailored to the individual site requirements and conditions, it is possible that more or less measures may be appropriate. When considering whether to support a request for a lower number of measures from an applicant, factors that staff may consider include density, the size of the project, existing hazards on site, or whether the project is able to meet several partial credit design measures.

...

IV. 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)
- Biological constraints (such as woodlands and wildlife habitats and corridors)
- Natural environmental hazards (such as geologic, seismic, fire, flood)
- Open space, road access, and parking requirements
- Emergency ingress and egress
- Public easements and dedications (such as for utilities)
- Community compatibility and neighbor concerns

...

VI. SENSITIVE HILLSIDE DESIGN MEASURES

1. Site Planning

Conserve land area and form, link open spaces, reduce wildfire and landslide hazards, and promote a more attractive pattern of development that

complements the hillside terrain.

...

1.18. Locate development of buildings away from mid-slope locations.

Provide a minimum 15-foot setback from terrain with slopes between 25 percent to 49 percent.

1.19. Locate development away from slopes 50% or steeper. Provide a minimum 30-foot setback between buildings and any terrain feature with a natural or graded slope 50 percent or steeper.

1.20. Cluster all buildings on site to consolidate Fuel Modification Zones A and B. This provision applies to structures subject to Section 4906 of Title 32 (Fire Code) and exempt if it does not apply where there are conflicts with applicable Community Standards District requirements. Development may also comply through: (1) shared Fuel Modification Zone B with structures on adjacent parcels, or by (2) locating the structures within 100 feet of public road access.

1.21. Provide 200-foot minimum setback from structures and designated open space or public parkland areas to ensure that all required fuel modification is located within the project site boundaries and no brush clearance is required within the public parkland, to prevent impacts to the habitat and recreational resources.

~~4.18~~ 1.22. Use any other site planning techniques not listed in this Section that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to allow the project to meet the findings required by Section 22.104.060 (Findings).

...

3. Road Circulation

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

3.1. Provide at least two points of paved roadway access⁶ to a County highway (major or secondary) for any project (or portion of development) greater than ~~50~~ 30 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. Connect roadways between the project and adjacent existing development to provide a second point of roadway access to a County highway (major or secondary) where only a single means of access exists.

~~3.2~~ 3.3. 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 percent or more of the project road circulation system to allow slightly higher gradients (up to 15 percent) that result in less grading and better conformance to natural slope contours, taking into account hydrology design and any sewer, water, and storm drain infrastructure.

...

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

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

3.9 Place all new roadways and paved driveways at least 100 feet below the crest of the tallest hilltop or ridgeline located onsite, or offsite within 500 feet of the project boundary. Avoid mid-slope locations wherever possible.

...

~~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~~ 3.12. Use any other roadway circulation design techniques not listed in this Section that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site and allow it to meet the findings required by Section 22.104.060 (Findings).

...

5. Landscaping

...

5.4 Utilize native, and drought-tolerant trees, shrubs and ground cover over all exposed graded areas.

...

5.11. Plant native oaks near existing oak woodlands and in strategic locations to protect developments from wildfires, as well as to lessen fire risk associated with development.

5.12. Provide a slope-adjusted minimum clearance between mature vegetation canopies within the required fuel modification zone to maintain adequate horizontal clearance between vegetation (Table 1).

<u>Table 1: Minimum Horizontal Clearance (Slope Adjusted)</u>		
<u>% Slope</u>	<u>Trees</u>	<u>Shrubs</u>
<u>< 25%</u>	<u>10 feet</u>	<u>2x average shrub height</u>
<u>25-50%</u>	<u>20 feet</u>	<u>4x average shrub height</u>
<u>> 50%</u>	<u>30 feet or more</u>	<u>6x average shrub height</u>

5.14 5.13. Use any other landscaping design techniques not listed in this Section that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site and allow it to meet the findings required by Section 22.104.060 (Findings).

VII. LIST OF DESIGN EXHIBITS.

...

- 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.) If the full fuel modification radius cannot be located completely within the project lot, the Fuel Modification Plan shall indicate any off-site defensible space located on adjacent lots.

...

- 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. If located in a VHFHSZ, the buildout simulation shall include and call out fire risk reduction strategies such as fuel modification zones and 'structure hardening' features.

...

DRAFT