Ordinance No. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to establish new review processes for modification of development standards, consolidate and streamline certain existing processes and findings, and replace references to use permits to authorize modifications of development standards.

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

SECTION 1. Section 22.16.030 is hereby amended to read as follows:

22.16.030 - Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

…

C. Use Regulations.

…

2. Accessory Uses. Table 22.16.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	**A-2**	**O-S**	**R-R**	**W**	**Additional Regulations**
…						
~~Amateur radio antennas~~						
Amateur radio antennas ~~In compliance with Section 22.140.040.D.1~~	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
~~In compliance with Section 22.140.040.D.2~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~Section 22.140.040~~
…						
~~Historic vehicle collections~~						
Historic vehicle collections ~~In~~	SPR	SPR	-	-	-	Section 22.140.270

~~compliance with Section 22.140.270.B.1~~						
~~In compliance with Section 22.140.270.B.2~~	~~CUP~~	~~CUP~~	~~-~~	~~-~~	~~-~~	~~Section 22.140.270~~
…						
~~Live entertainment~~						
Live entertainment ~~In compliance with Section 22.140.330.D.1~~	-	-	-	SPR	SPR	Section 22.140.330
~~In compliance with Section 22.140.330.D.2~~	~~-~~	~~-~~	~~-~~	~~MCUP~~	~~MCUP~~	~~Section 22.140.330~~
…						
Notes:						
…						
2. Instead, ~~U~~use may be subject to a modification to the plans and exhibits in the approved ~~Revised~~ Exhibit "A" ~~(Chapter 22.184) application instead~~, as referenced in Section 22.222.240, which shall be reviewed with a Ministerial Modification Review (Chapter 22.176) application, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.						
…						

…

SECTION 2. Section 22.18.030 is hereby amended to read as follows:

22.18.030 – Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

…

C. Use Regulations.

…

2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**	**Additional Regulations**
…							
~~Amateur radio antennas~~							
Amateur radio antennas ~~In compliance with Section 22.140.040.D.1~~	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
~~In compliance with Section 22.140.040.D.2~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~Section 22.140.040~~
…							
~~Historic vehicle collections~~							
Historic vehicle collections ~~In compliance with Section 22.140.270.B.1~~	SPR	SPR	SPR	-	-	-	Section 22.140.270
~~In compliance with Section 22.140.270.B.2~~	~~CUP~~	~~CUP~~	~~CUP~~	~~-~~	~~-~~	~~-~~	~~Section 22.140.270~~
…							

…

SECTION 3. Section 22.18.060 is hereby amended to read as follows:

22.18.060 – Development Standards and Regulations for Zone RPD.

…

A. Use Regulations.

…

3. Accessory Dwelling Units and Junior Accessory Dwelling Units. Accessory dwelling units and junior accessory dwelling units are subject to:

a. ~~a~~A Ministerial Site Plan Review (Chapter 22.186) application~~,~~; or

b. If the principal use is subject to a Conditional Use Permit (Chapter 22.158) application, pursuant to Subsection A.2, above, any modification to the plans or exhibits in the approved ~~Revised~~ Exhibit "A" ~~(Chapter 22.184) application, if the principal residential use is subject to a~~ssociated with the Conditional Use Permit ~~(Chapter 22.158) application~~, as referenced in Section 22.222.240, shall require a Ministerial Modification Review (Chapter 22.176) application~~pursuant to Subsection A.2, above~~.

…

SECTION 4. Section 22.20.030 is hereby amended to read as follows:

22.20.030 – Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

…

C. Use Regulations

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	**C-1**	**C-2**	**C-3**	**C-M**	**C-MJ**	**C-R**	**Additional Regulations**
…								
Service Uses								
…								

~~Restaurants and other eating establishments, including food take-out and outdoor dining~~								
Restaurants and other eating establishments, including food take-out and outdoor dining ~~In compliance with Section 22.140.410.B.1~~	CUP	SPR	SPR	SPR	SPR	SPR	-	Section 22.140.410
~~In compliance with Section 22.140.410.B.2~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	-	~~Section 22.140.410~~
…								

2. Accessory Uses. Table 22.20.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	**C-1**	**C-2**	**C-3**	**C-M**	**C-MJ**	**C-R**	**Additional Regulations**
…								
~~Amateur radio antennas~~								
Amateur radio antennas ~~In compliance with Section 22.140.040.D.1~~	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
~~In compliance with Section 22.140.040.D.2~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~Section 22.140.040~~
…								
~~Live entertainment~~								

Live entertainment ~~In compliance with Section 22.140.330.D.1~~	-	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.330
~~In compliance with Section 22.140.330.D.2~~	-	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~Section 22.140.330~~
…								

…

SECTION 5. Section 22.22.030 is hereby amended to read as follows:

22.22.030 – Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.

C. Use Regulations

1. Principal Uses. Table 22.22.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	**M-1.5**	**M-2**	**M-2.5**	**Additional Regulations**
…					
…					
Restaurants and other eating establishments, including food take-out and outdoor dining	SPR	SPR	SPR	CUP	Section 22.140.410
~~Restaurants and other eating establishments, including food take-out and outdoor dining~~					

~~In compliance with Section 22.140.410.B.1~~	~~SPR~~	~~SPR~~	~~SPR~~	~~CUP~~	~~Section 22.140.410~~
~~In compliance with Section 22.140.410.B.2~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~Section 22.140.410~~
…					

2. Accessory Uses. Table 22.22.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.22.030-C: ACCESSORY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	**M-1.5**	**M-2**	**M-2.5**	**Additional Regulations**
…					
~~Amateur radio antennas~~					
Amateur radio antennas~~ In compliance with Section 22.140.040.D.1~~	SPR	SPR	SPR	CUP	Section 22.140.040
~~In compliance with Section 22.140.040.D.2~~	~~MCUP~~	~~MCUP~~	~~MCUP~~	~~CUP~~	~~Section 22.140.040~~
…					
~~Live entertainment~~					
Live entertainment ~~In compliance with Section 22.140.330.D.1~~	SPR	SPR	SPR	CUP	Section 22.140.330
~~In compliance with Section 22.140.330.D.2~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	~~Section 22.140.330~~
…					

…

SECTION 6. Section 22.24.030 is hereby amended to read as follows:

22.24.030 – Land Use Regulations for Rural Zones.

…

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	**MXD-RU**	**Additional Regulations**
…			
…			
~~Restaurants and other eating establishments, including food take-out and outdoor dining~~			
Restaurants and other eating establishments, including food take-out and outdoor dining ~~In compliance with Section 22.140.410.B.1~~	SPR	SPR	Section 22.140.410
~~In compliance with Section 22.140.410.B.2~~	~~CUP~~	~~CUP~~	~~Section 22.140.410~~
…			

…

2. Accessory Uses. Table 22.24.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES			
	C-RU	**MXD-RU**	**Additional Regulations**
…			
~~Amateur radio antennas~~			

Amateur radio antennas ~~In compliance with Section 22.140.040.D.1~~	SPR	SPR	Section 22.140.040
~~In compliance with Section 22.140.040.D.2~~	~~MCUP~~	~~MCUP~~	~~Section 22.140.040~~
…			
~~Live entertainment~~			
Live entertainment ~~In compliance with Section 22.140.330.D.1~~	SPR	SPR	Section 22.140.330
~~In compliance with Section 22.140.330.D.2~~	~~CUP~~	~~CUP~~	~~Section 22.140.330~~
…			
Notes:			
…			
2. Instead, ~~U~~use may be subject to a modification to the plans and exhibits in the approved ~~Revised~~ Exhibit "A" ~~(Chapter 22.184) application instead~~, as referenced in Section 22.222.240, which shall be reviewed with a Ministerial Modification Review (Chapter 22.176) application, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.			
…			

…

SECTION 7. Section 22.26.030 is hereby amended to read as follows:

22.26.030 – Mixed Use Development Zone.

…

B. Land Use Regulations.

…

3. Use Regulations.

a. Principal Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD

		Additional Regulations
…		
…		
Restaurants and other eating establishments, including food take-out and outdoor dining	SPR	Section 22.140.410
~~In compliance with Section 22.140.410.B.1~~	~~SPR~~	~~Section 22.140.410~~
~~In compliance with Section 22.140.410.B.2~~	~~CUP~~	~~Section 22.140.410~~
…		

b. Accessory Uses. Table 22.26.030-D, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Live entertainment	SPR	Section 22.140.330
~~In compliance with Section 22.140.330.D.1~~	~~SPR~~	~~Section 22.140.330~~
~~In compliance with Section 22.140.330.D.2~~	~~CUP~~	~~Section 22.140.330~~
…		

…

D. Development Standards. New sensitive uses developed in the permitted zones and located adjacent to existing, legally-established industrial uses, recycling or solid waste uses, or vehicle-related uses listed in Table 22.22.030-B (Principal Use Regulations for Industrial Zones), except for the vehicle sales and rentals sub-category, shall comply with ~~Division 7,~~ Chapter 22.134 (Sensitive Uses) in addition to the standards below. Where standards in Chapter 22.134 and this Section are in conflict,

the more restrictive shall apply. All new development projects in Zone MXD shall be subject to the following development standards:

…

6. Loading Areas.

a. Loading areas shall comply with the standards and conditions of Section 22.112.120 (Loading Spaces). However, the loading area requirements may be modified or waived for non-residential projects of less than 20,000 square feet in floor area with the approval of a ~~Minor Conditional Use Permit (Chapter 22.160)~~ Modification Permit (Chapter 22.178) application.

…

…

E. Modifications of Development Standards. With the exception of a height bonus granted through lot consolidation in Subsection G, below, the development standards specified in Subsection D, above, may be modified as follows:

1. Requests for modifications to the requirements listed in Subsections ~~D.3 (Height),~~ D.4 (Ground Floor Retail in Mixed Use Developments), D.10 (Pedestrian Character), or D.11 (Recreational Spaces for Residential and Mixed Use Developments), above, shall require approval of a ~~Conditional Use Permit (Chapter 22.158)~~ Modification Permit (Chapter 22.178) application. In addition to the findings required by Section ~~22.158.050~~22.178.040 (Findings and Decision), additional findings shall be made that any modifications to the proposed standards above would result in a better quality development that will meet the objectives of this Section, by, for example, providing:

a. Adequate light, air, and privacy to adjacent Zone R-1 and R-2 properties by preventing casting of a permanent shadow on adjacent residences;

b. Adequate common and private recreation space accessible to all residents of the development; and

c. A variety of architectural elements and landscaping to contribute to or improve an active pedestrian-oriented streetscape, and prevent casting a towering or monotonous effect on the streetscape.

2. Notwithstanding Subsection E.1, above, any development standard specified in Subsection D, above, may be waived or modified in accordance with Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing), subject to an Administrative Housing Permit (Section 22.166.040) application~~, and shall require the approval of a Ministerial Site Plan Review (Chapter 22.186) application~~.

3. All other development standards not specified in this Subsection E may be modified with a Variance (Chapter 22.194) application.

F. Performance Standards. All developments in Zone MXD shall comply with the following performance standards:

1. Hours of Operation. The hours of operation for commercial uses shall be no earlier than 6:00 a.m. and no later than 11:00 p.m. daily, unless modified by a ~~Conditional Use Permit (Chapter 22.158)~~ Variance (Chapter 22.194) application.

…

SECTION 8. Section 22.84.040 is hereby amended to read as follows:

Section 22.84.040 – Standards and Requirements for Specific Uses.

…

D. Modification.

1. ~~A modification may be requested through a Minor Conditional Use Permit (Chapter 22.160) application if the use is subject to a Minor Conditional Use Permit or Site Plan Review (Chapter 22.186), or through a Conditional Use Permit (Chapter 22.158) application if the use requires a Conditional Use Permit, for t~~The development standards listed below may be modified with a Modification Permit (Chapter 22.178) application:

a. Solid walls (Subsection C.1.a.ii).

b. Landscaping (Subsection C.1.b.i).

c. Accessory Structures and Utilities (Subsection C.1.i).

d. Signs (Subsection C.1.j.ii).

e. Warehouses (Subsections C.3.c.iii, iv, v, and vi).

2. When a modification is requested for any development standards listed in Subsection D.1, above, the following findings ~~must~~shall be made in addition to the findings required in ~~Subsection B (Additional Findings), above~~Section 22.178.040 (Findings and Decision):

a. Due to topographic or physical features of the site, strict compliance with all the required development standards would substantially and unreasonably interfere with the establishment of the proposed project or continuation of the existing operation on the subject property; and

b. The requested modification provides alternative means to prevent adverse effects on the environment and public health of the community.

SECTION 9. Section 22.110.080 is hereby amended to read as follows:

22.110.080 – Required Yards.

…

E. Limited Secondary Highways

…

3. Yard Modification. The supplemental yard requirement established by this Subsection E may be modified with the approval of a ~~Yard Modification (Chapter 22.196)~~ Modification Permit (Chapter 22.178) application.

SECTION 10. Section 22.110.190 is hereby amended to read as follows:

22.110.190 – Modifications Authorized.

A. Regional Planning.

1. Modifications for Additions to Existing Legally-Established Residential Structures that Encroach into Required Side Yard Setbacks. Notwithstanding Section 22.172.020 (Regulations Applicable), if an existing legally-established residential structure encroaches into a required side yard setback, the side yard setback regulations for an addition to such structure may be modified with the approval of a Ministerial Modification Review (Chapter 22.176) application if:

a. The addition or modification extends no more than 50 percent of the maximum depth of the existing legally-established residential structure, exclusive of patios or porches;

b. The side yard setback of the addition is not less than three feet in width; and

c. If the legally-established residential structure is only one story in height, the addition is also only one story in height.

2. Other Modifications. Yard or setback regulations required by this Title 22 may be modified with the approval of a ~~Yard Modification (Chapter 22.196)~~ Modification Permit (Chapter 22.178) application, provided the following findings are substantiated:

a. Topographic features, subdivision plans, or other site conditions create an unnecessary hardship or unreasonable regulation or make strict compliance with the yard requirement or setback line impractical; and

b. The setback for the structure addition is similar to the setbacks of other legally-built structures on adjacent or neighboring properties.

B. Public Works. The Director of Public Works, without notice or hearing, may grant a modification to yard or setback regulations required by this Title 22 or any other ordinance where topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirements or setback line, except for the supplemental yards established contiguous to limited secondary highways, as described in Section 22.110.080.E, may only be modified with the approval of a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application. The Director of Public Works shall notify the Director of all modifications which the Director of Public Works has granted.

SECTION 11. Section 22.112.050 is hereby amended to read as follows:

22.112.050 – Ownership of Required Parking Facilities.

…

B. Exemptions. The following shall be exempt from this Section:

1. For Nonresidential Developments, ownership of any parking facility required by Subsection A, above, is not necessary if another alternative is granted pursuant to Chapter 22.178 (~~Parking~~Modification Permit).

2. For multi-family residential developments, ownership of any parking facility required by Subsection A, above, is not necessary if the applicant provides a legal written agreement or covenant guaranteeing the leased spaces are available for the use of the development. The agreement or covenant shall be signed by the applicant and the owner of the parking facilities, ~~and~~ shall be recorded with the Recorder-Registrar/County Clerk, and shall continue to be valid upon change of ownership. In the event of a dissolution of the written agreement or covenant, the multi-family residential development shall remain in compliance with parking requirements if one of the following is satisfied:

…

c. The reduction in required parking is approved through a Modification Permit ~~Section~~ (Chapter 22.178) (~~Minor Parking Deviation or Section 22.178 (Parking Permit)~~ application.

…

SECTION 12. Section 22.112.060 is hereby amended to read as follows:

22.112.060 - On-Site Parking.

A. General. Every use shall provide the number of required parking spaces on the same lot on which the use is located. For the purposes of this Section, transitional parking spaces separated only by an alley from the use shall be considered to be located on the same lot.

B. Exemptions. The following shall be exempt from this Section:

1. Density—Controlled Developments (Section 22.140.170), where off-site parking is specifically approved by the ~~Commission or Hearing Officer~~Review Authority;

2. Off-site parking, when granted pursuant to a ~~Parking~~Modification Permit (Chapter 22.178); or

…

…

SECTION 13. Section 22.112.070 is hereby amended to read as follows:

Section 22.112.070 – Required Parking Spaces.

…

B. Required Parking Spaces Outside of Public Transit Areas. Table 22.112.070-A, below, identifies the minimum number of parking spaces required to establish each use.

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
…	…
Notes: … 13. Parking for eating establishments selling food for off-site consumption, a ~~Minor Parking Deviation~~Modification Permit (Chapter 22.178) application may be filed to reduce parking to not less than one parking space per 250 square feet of floor space. …	

SECTION 14. Section 22.112.080 is hereby amended to read as follows:

22.112.080 – Parking Design.

…

B. General Standards for Parking Spaces and Maneuvering Aisles.

1. Parking Spaces.

…

c. Tandem.

…

ii. Tandem Parking Spaces for Nonresidential Uses. Tandem parking spaces for nonresidential uses are allowed when ~~granted pursuant to Chapter 22.178 (Parking Permits)~~requested with a Modification Permit (Chapter 22.174) application, subject to the applicable conditions in Section 22.112.150 (Modification of Parking Standards).

C. Striping.

…

2. The Director may approve alternate means of striping parking spaces with a Ministerial Modification Review (Chapter 22.176) application if:

a. There is a dual use of the parking facility; or

b. An alternate paving material is allowed by Public Works, pursuant to Subsection E, below.

…

E. Paving.

1. Where access to parking spaces is from a highway, street, or alley which is paved with asphaltic or concrete surfacing, such parking areas, as well as the maneuvering areas and driveways used for access thereto, shall be paved with:

a. Concrete surfacing to a minimum thickness of three and one-half inches, with expansion joints as necessary; or

b. Asphalt surfacing, rolled to a smooth, hard surface having a minimum thickness of one and one-half inches after compaction, and laid over a base of crushed rock, gravel, or other similar material compacted to a minimum thickness of four inches.

2. The requirement ~~for said base~~ in Subsection E.1., above, may be modified with a Ministerial Modification Review (Chapter 22.176) application if:

~~i.~~a. A qualified engineer, retained to furnish a job-site soil analysis, finds that said base is unnecessary to insure a firm and unyielding subgrade, equal, from the standpoint of the service, life and appearance of the asphaltic surfacing, to that provided if said base were required, and so states in writing, together with a copy of his findings and certification to such effect, or other available information provides similar evidence; or

~~ii. Other available information provides similar evidence; or~~

~~c.~~b. Other alternative material that will provide at least the equivalent in service, life and appearance of the materials and standards which would be employed for development pursuant to Subsection E.1~~.a or E.1.b~~, above; and

~~d.~~c. Public Works, at the request of the Director, shall review the modification and report on the adequacy of paving where modification ~~of base~~ is proposed under this Subsection E.~~1.b~~2~~, above, or where alternative materials are~~

~~proposed under Subsection E.1.c~~. The Director of Public Works may approve such modification ~~or such alternative materials~~ if, in said Director's opinion, the evidence indicates compliance with this Subsection E~~.1.b or E.1.c, above, as the case may be~~.

F. Walls.

…

3. Modification. The Director may approve a ~~Ministerial Site Plan Review (Chapter 22.186)~~ Ministerial Modification Review (Chapter 22.176) application to modify Subsection F.1 or F.2, above, for the substitution of a decorative fence or wall or a landscaped berm where, in the Director's opinion, such fence, wall, or landscaped berm will adequately comply with the intent of this Section.

…

K. Width, Paving, and Slope of Driveways.

1. Driveways with Multiple Residences. Access (e.g., driveways) to parking areas that serve three or more dwelling units shall comply with the following standards:

…

d. Access or a driveway that currently serves up to two dwelling units, and will be used to serve one or more additional dwelling units or accessory dwelling units, and which cannot comply with this Subsection K.1 may be modified with the approval of:

i. A Ministerial Modification Review (Chapter 22.176) application if the Fire Department advises the Director that there are no concerns with the modification; or

ii. A Modification Permit (Chapter 22.178) application if the Fire Department has concerns.

SECTION 15. Section 22.112.090 is hereby amended to read as follows:

22.112.090 - Accessible Parking for Persons with Disabilities.

Where parking spaces are provided, accessible parking shall be required as specified in Part 2, Volume 1, Chapters 11A and 11B of the California Building Code, except for parking lots providing 100 percent valet parking with an approved ~~parking permit in accordance with~~Modification Permit (Chapter 22.~~178~~174) ~~(Parking Permit)~~ application.

SECTION 16. Section 22.112.120 is hereby amended to read as follows:

22.112.120 – Loading Spaces.

…

C. General Standards and Measurement for Loading Spaces.

…

3. The number of loading spaces required may be modified with a Ministerial Modification Review (Chapter 22.176) application, but not waived, ~~by the Director~~ in special circumstances involving but not necessarily limited to, the nature of the use and the design of the project. In no event shall the Director require less than one loading space on the subject property.

…

SECTION 17. Section 22.112.130 is hereby amended to read as follows:

22.112.130 - Reduction in Required Parking Spaces When Providing Transportation Demand Management Measures for Multi-Family Residential Developments.

A. Eligibility Requirements for a Parking Reduction. For multi-family residential developments, the parking requirements for residential uses in accordance with Section 22.112.070, above, may be reduced by 25 percent if the site plan includes multiple on-site Transportation Demand Management (TDM) measures selected from Table 22.112.130-A, below, with a combined point value of five or greater, or reduced by 50 percent with a combined point value of 10 or greater. A TDM-based parking reduction shall require approval of a Ministerial ~~Site Plan~~Modification Review (Chapter 22.~~186~~176) application.

TABLE 22.112.130-A: APPLICABLE ON-SITE TDM MEASURES		
TDM Measure	**Metric**	**Point Value**
…		
Car Share		
Car share parking	Designate spaces for car share parking according to the number of residential units and offer the spaces to a car share company at no cost. A car share is defined as a service provided through which licensed drivers may rent a vehicle for personal transportation and return the vehicle to the same location at the end of the trip. Car share space requirements shall be as follows: • 5—100 units: 1 car share space • 101—300 units: 2 car share spaces • Each additional 200 units: 1 additional car share space A ~~parking~~Modification ~~p~~Permit or a Variance is not required to attain TDM points for providing car share parking.	2
…		

SECTION 18. Section 22.112.140 is hereby amended to read as follows:

22.112.140 - Shared Parking for Multi-Family Residential Development.

Shared parking requests shall be approved with a Ministerial ~~Site Plan~~Modification Review (Chapter 22.~~186~~176) application if the applicant provides a parking study demonstrating adequate parking availability (not deficit in the number of parking spaces available in the shared parking facility), during typical peak times for the land uses which the shared parking facility is currently serving and during typical peak parking conditions for the multi-family development the parking facility proposes to serve. Parking adequacy (the number of available spaces) will be defined methodologically by the most recent edition of *Shared Parking* by the Urban Land Institute and International Council of Shopping Centers or another parking demand modeling methodology used by a firm or individual that demonstrates a minimum of five years' experience performing shared parking studies. This methodology may include actual parking occupancy counts for the existing land uses in the shared parking facility during the identified peak times. Shared parking between multiple owners shall require a written covenant, pursuant to Section 22.112.050 (Ownership of Required Parking Facilities). Off-site shared parking may be provided according to the limitations detailed in Section 22.112.060 (On-Site Parking).

SECTION 19. Section 22.112.150 is hereby added to read as follows:

22.112.150 – Modification of Parking Standards.

A. Modification Permit. A Modification Permit (Chapter 22.178) application is required to:

1. Request a reduction in the number of required parking spaces by up to 35 percent, except as provided in Section 22.112.130 (Reduction in Required Parking Spaces When Providing Transportation Demand Management Measures for Multi-Family Residential Developments), above; or

2. Propose alternatives to the parking requirements for the use or when there are special characteristics of the use that necessitate greater flexibility or efficiency in the design of parking facilities, such as:

a. Where parking requirements are based upon floor area of a structure, but bear no relationship to the number of employees, customers, etc., on the premises or the trade conducted;

b. Provisions by businesses for their employees, customers, or others with positive incentives to use means of transportation other than the automobile, such as through a Transportation Demand Management program;

c. Provisions for the dual or shared use of parking facilities by two or more uses, tandem parking for nonresidential uses, or designated spaces for car share or other mobility services, such as bicycle or scooter share;

d. Use of alternative parking arrangements, such as off-site parking facilities, short-term or long-term leasing of required parking spaces, and transitional parking for rear lot lines abutting Commercial or Industrial Zones; or

e. Well-designed bicycle parking spaces to be provided in excess of the bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Related Facilities), or in excess of the total number of bicycle parking

spaces provided by a qualifying project under Section 22.112.110 (Reduction in Required Parking Spaces when Bicycle Parking Provided).

B. Additional Findings. A Modification Permit (Chapter 22.178) application to modify parking requirements shall substantiate the following findings:

1. 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 so arranged as to avoid traffic congestion and provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities;

2. The number of parking spaces required by Chapter 22.112 (Parking) does not apply due to:

a. Reduced occupancy;

b. Availability of other transportation demand management programs and tools (including but not limited to car and van pools, transit fare subsidies, commuter travel allowances, bicycle commuter facilities, and proximity to major transit stops, high-occupancy vehicle lanes, bus routes, park-and-ride facilities, people-movers, bikeways, or other similar facilities);

c. Reservation of sufficient land that can reasonably be converted to parking spaces should the use, occupancy, or transportation program change; or

d. Alternative arrangements to provide sufficient parking that will be maintained should the use, occupancy, or transportation program change or can reasonably be converted to parking spaces;

3. There are no conflicts arising from special parking arrangements allowing shared parking facilities, tandem spaces, or vehicle share spaces because the uses sharing the parking facilities operate at different times of the day or days of the week, will employ valet or other means to ensure a workable parking plan, or there is an arrangement with a service provider offering rental vehicles accessible to the public;

4. If applicable, off-site facilities, leases of less than 20 years, and rear lot transitional parking lots will provide the required parking because:

a. Such off-site facilities are controlled through ownership leasing, or other arrangement by the owner of the use served by the off-site facilities and are conveniently accessible to the main use;

b. Such leases are written in such a way to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces; or

c. Such transitional lots are designed to minimize adverse effects on surrounding properties.

5. If applicable, the use and development of land provides well-designed bicycle parking spaces in excess of the bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Bicycle Facilities), or in excess of the total number of bicycle parking spaces provided by a qualifying project under Section 22.112.110 (Reduction in Required Parking Spaces when Bicycle Parking Provided).

6. For modifications to authorize off-site parking, or to provide in-lieu fees or facilities instead of required parking spaces for nonresidential developments:

a. The modification will be an incentive to, and a benefit for, the nonresidential development, and

b. The modification will facilitate access to the nonresidential development by patrons of public transit facilities.

C. Conditions of Approval. Conditions may be imposed in order to ensure that the approval will be in accordance with the findings required by Subsection B, above, and Section 22.178.050 (Findings and Decision). In addition, the following conditions may be imposed for vehicle parking, where applicable, unless specifically waived or modified:

1. Where reduced occupancy is a primary consideration in the approval, the maximum occupant load for such use shall be established as determined by Public Works.

2. Where special programs are proposed to reduce the parking requirement, they shall be reviewed annually to determine their effectiveness. In the event that such programs are terminated or unsuccessful, the property owner shall supply the required parking.

3. The required vehicle parking spaces for all uses may be reduced by no more than 35 percent of the parking spaces required by this Chapter.

4. Where land is required to be reserved to ensure that sufficient area is available to meet the vehicle parking requirements should the use, occupancy, or transportation program change, restrictions shall be imposed on such land so that it can feasibly be converted to parking, if needed.

5. Where shared parking facilities are approved, operating conditions, such as hours or days of operation, shall be established for each use sharing the parking facilities.

6. Where tandem parking is proposed for nonresidential uses,

a. There shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited, and

b. Each tandem parking space shall be eight feet wide and 18 feet deep for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from one end. Parking bays with four parking spaces may be permitted where access is available from both ends.

7. Where car share or other vehicle share spaces are proposed, there shall be an arrangement with a service provider demonstrating how the rental vehicles will be accessible to the public.

8. If off-site parking facilities are proposed for nonresidential development, such facilities shall be within 400 feet from any entrance to the building to which they serve. Parking facilities for employees shall be located within 1,320 feet from the entrance to any building which they serve. Directions to such facilities shall be clearly posted at the entrance to any building which they serve.

9. Where leasing of parking facilities is proposed for any period less than 20 years, the applicant shall guarantee that the leased spaces are available for his sole use, the lease shall be recorded with the Registrar-Recorder/County Clerk, and the applicant shall demonstrate that he has the ability to provide the required number of

spaces if the lease is cancelled or terminated. The provisions of Section 22.112.050.B (Alternative Compliance) relating to leases shall apply, except for the term of the lease. A copy of such lease shall be submitted to the Director and County Counsel for review and approval. Other conditions, including, but not limited to, requiring title reports, covenants, and bonding may also be imposed where necessary to ensure the continued availability of leased parking spaces.

10. Where transitional parking is proposed on lots in Zones A-1, A-2, R-R, R-A, R-1, R-2, R-3 and R-4 where the rear lot line adjoins or is separated only by an alley from a Commercial or Industrial Zone, no access is permitted from the parking facility to the street on which the lot fronts. The parking facility shall be developed in accordance with the standards in this Chapter and Section 22.140.440 (Parking as a Transitional Use), unless specifically waived or modified. The hours and days of operation shall be established to prevent conflicts with adjoining less restrictive uses, and the facility shall be secured to prevent unauthorized use during times when the facility is closed.

11. In the event that any applicant or property owner is unable to comply with the provisions of the approval, the use for which approval has been granted shall be terminated, reduced, or removed, unless some other alternative method to provide the required parking is approved by the Director.

D. Grant Term. An approved Modification Permit for parking shall be granted for a specified term where deemed appropriate. When the principal use or occupancy for which such permit is granted terminates, the approval shall terminate and cease to be in effect at the same time.

E. Covenant or Agreement to Develop Following Termination of Approved Use. Approval of a Modification Permit shall require the permittee to guarantee, warrant, or ensure compliance with the provisions of this Title 22, the approved plans, or the conditions of approval in accordance with Chapter 22.222.260 (Performance Guarantee and Covenant) and the following:

1. The covenant or agreement shall state that if the Modification Permit terminates, the owner or their successor in interest will develop the parking spaces needed to bring the new use or occupancy into conformance with the requirements of this Chapter at the time such new use or occupancy is established.

2. Where a Modification Permit is approved for off-site parking, the covenant or agreement shall be recorded on both the lot containing the principal use as well as the lot developed for off-site parking.

3. All covenants or agreements shall be reviewed and approved by the Director and County Counsel prior to recordation.

SECTION 20. Section 22.114.120 is hereby amended to read as follows:

22.114.120 – Roof and Freestanding Business Signs.

…

H. Exceptions.

…

4. ~~A Minor Conditional Use Permit (Chapter 22.160) application may approve~~ ~~o~~One or more of the following modifications for freeway-oriented business signs may be allowed with approval of a Modification Permit (Chapter 22.178) application if the signs ~~which~~ are located within 660 feet of the edge of the right-of-way

of a freeway, measured horizontally along a line normal or perpendicular to the center of such freeway, and within a radius of 1,500 feet of a freeway exit providing access to the premises on which the sign is to be maintained:

a. Modification of the permitted height of one such freestanding or roof business sign per lot to a maximum height of 60 feet, provided that the ~~Commission or Hearing Officer makes the~~ following additional findings are made:

i. That such sign would otherwise not be visible at a lesser height for a distance on the freeway of ~~one-third mile (~~1,760 feet~~)~~ preceding the freeway exit providing access to said premises, or for a line-of-sight distance of ~~two-thirds mile (~~3,520 feet~~)~~, whichever is less.

b. Location of one such freestanding business sign per lot to within five feet of an interior lot line and to within 25 feet of a roof business sign or another freestanding business sign on the same or adjoining properties, provided that the ~~Commission or Hearing Officer makes the~~ following additional findings are made:

i. That such sign is at least 50 feet from any lot line adjoining a street or highway or 25 feet from a Residential Zone;

ii. That all other freestanding and/or roof business signs shall be oriented toward the street or highway frontages from which their permitted areas are calculated; and

iii. That the sum of the sign areas of such sign and all other freestanding and roof business signs shall not exceed the maximum sign area permitted on all street or highway frontages of such lot.

SECTION 21. Section 22.114.210 is hereby amended to read as follows:

22.114.210 – Temporary Subdivision Sales, Entry, and Special-Feature Signs.

…

A. Subdivision Sales Signs.

…

2. Height Permitted.

…

b. Where a wall is required along the street or highway frontage for which such sign is permitted, Subsection A.2.a, above, may be modified ~~pursuant to Chapter 22.160 (Minor Conditional Use Permit)~~ with a Modification Permit (Chapter 22.178) application.

…

SECTION 22. Section 22.114.220 is hereby amended to read as follows:

22.114.220 – Subdivision Directional Signs.

…

G. Development Standards. All subdivision directional signs shall comply with the following regulations:

...

3. An unobstructed open space shall be maintained to a height of eight feet below the sign except for structural supports. Where topographic features create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the provisions of this Subsection ~~H.3~~G.3, ~~the Commission or Hearing Officer may, without notice or hearing, modify~~ this requirement may be

modified with a Modification Permit (Chapter 22.178) application, to the extent the hardship is resolved.

…

H. Combining Signs for Separate Developments—Conditions. If an applicant concurrently files applications for Conditional Use Permits (Chapter 22.158) for subdivision directional signs pertaining to more than one subdivision development, ~~T~~the Commission or Hearing Officer may~~, where an applicant concurrently files applications for Condition al Use Permits for subdivision directional signs pertaining to more than one subdivision development,~~ approve a Modification Permit (Chapter 22.178) application to modify the standards contained in Subsections G.3 and G.4, above, to permit the grouping or combining of two or more signs providing travel directions to different developments. Such two or more separate signs may be grouped together in one structure or may be consolidated into one sign where, in the opinion of the Commission or Hearing Officer, such grouping or combining helps to reduce visual clutter and distraction.

…

SECTION 23. Section 22.114.240 is hereby added to read as follows:

Section 22.114.240 – Modification of Sign Requirements.

A Variance (Chapter 22.194) application shall be required to modify height, size, or placement standards for signs where this Title 22 does not specifically allow these standards to be modified with a Modification Permit (Chapter 22.178) application. The application shall not be used to authorize establishment of a sign that is not permitted in a zone, or is listed in Section 22.114.040 (Prohibited Signs).

SECTION 24. Section 22.116.060 is hereby amended to read as follows:

22.116.060 – Modifications.

A. Director of Regional Planning. The Director may ~~grant a modification~~ approve a Ministerial Modification Review (Chapter 22.176) application and relieve the applicant from compliance with all or a portion of Section 22.116.030 (Road Dedication and Improvements) and Section 22.116.050 (Major Bridge and Thoroughfare fees) if the following standards are met:

…

…

SECTION 25. Section 22.126.050 is hereby amended to read as follows:

22.126.050 – Modification of Development Standards.

The requirements of Section 22.126.030.A (Amount of Trees) may be modified ~~by the Director during the application process~~with the approval of a Ministerial Modification Review (Chapter 22.176) application, without additional fees, when filed concurrently with any required application for the project where:

…

SECTION 26. Section 22.140.030 is hereby amended to read as follows:

22.140.030 – Alcoholic Beverage Sales.

…

E. Operating Regulations for Uses Subject to Conditional Use Permit. The following operating regulations shall apply to any use selling alcoholic beverages for off-site consumption, which is the subject of a Conditional Use Permit (Chapter 22.158) application filed on or after October 19, 2017, the effective date of this Section:

…

5. The regulations in Subsections E.1 and E.2, above, may be modified ~~by the Commission or Hearing Officer~~ with a Modification Permit (Chapter 22.178) application when filed concurrently with a Conditional Use Permit (Chapter 22.158) application, subject to Subsection F.3, below.

…

SECTION 27. Section 22.140.040 is hereby amended to read as follows:

22.140.040 – Amateur Radio Antennas.

…

D. Application Requirements.

…

2. ~~Minor Conditional Use Permit~~Modification Permit

a. Application. A ~~Minor Conditional Use~~Modification Permit (Chapter 22.~~160~~178) application is required for amateur radio antennas, structures, and masts that request a modification to Subsection E, below.

…

SECTION 28. Section 22.140.100 is hereby amended to read as follows:

22.140.100 – Automobile and Vehicle Sales and Rentals, Automobile Service Stations, and Automotive Supply Stores.

…

B. Zone MXD-RU. In Zone MXD-RU:

1. Incidental repair and installation of parts is permitted as an accessory use to automobile service stations in compliance with the following:

a. Subsections A.1.a through A.1.d, above; and

b. A masonry wall is established and maintained along any boundary that abuts a property located in a residential or agricultural zone, as if the area were developed with parking subject to Subsections F.2 (Side and Rear Yards) and F.3 (Modification) of Section 22.112.080~~.F.2~~(Parking Design).

…

SECTION 29. Section 22.140.120 is hereby amended to read as follows:

22.140.120 Automobile Impound Yards.

…

D. Pavement. The entire yard shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way~~; provided, however~~, unless the Director ~~may:~~approves a Ministerial Modification Review (Chapter 22.176) application that:

1. ~~Approve~~Allows other paving materials which provide, in the Director's opinion, the equivalent in service and useful life; or

2. ~~Modify~~Modifies such requirements within existing yards in those areas where material is stored and the Director finds no dust or mud problem would result.

SECTION 30. Section 22.140.180 is hereby amended to read as follows:

22.140.180 – Domestic Violence Shelters, Emergency Shelters, and Accessory Emergency Shelters.

…

F. Development Standard Waiver or Modification for Existing Buildings:

1. No enlargement, addition or expansion. ~~At the request of the applicant, t~~The Director shall waive or modify Title 22 development standards with a Ministerial Modification Review (Chapter 22.176) application if the shelter is proposed within an existing, legally-built building, and no enlargement, addition, or expansion is proposed to the existing, legally-built building.

2. Enlargement, addition~~al,~~ or expansion. ~~At the request of the applicant, t~~The Director shall waive or modify Title 22 development standards with a Ministerial Modification Review (Chapter 22.176) application if the shelter includes an enlargement, addition, or expansion to the existing, legally-built building subject to this Section, unless the Director makes one of the following findings, in which case the applicant may file a Modification Permit (Chapter 22.178) application:

…

SECTION 31. Section 22.140.200 is hereby amended to read as follows:

22.140.200 – Electric Distribution Substations, Including Related Microwave Facilities.

…

B. Development Standards.

1. Walls. All installations shall be completely surrounded by a masonry wall a minimum of eight feet in height.

~~a. All installations shall be completely surrounded by a masonry wall a minimum of eight feet in height.~~

~~b. The requirements in Subsection B.1.a, above, may be modified upon approval a Minor Conditional Use Permit (Chapter 22.160) application. The~~

~~Commission or Hearing Officer may approve the subsection of such wall with an industrial-type fence that serves a similar purpose, such as a chain-link fence with embedded plastic or PVC strips or screen planting that eventually obscures at least 95 percent of the fence surface area.~~

2. Landscaping. The area between the ~~fence or~~ wall and the property line shall be landscaped and maintained while such use exists.

SECTION 32. Section 22.140.220 is hereby amended to read as follows:

22.140.220 – Farmers' Markets.

…

D. Parking Requirements.

…

2. ~~Reduction in Parking Allowed. The parking requirement in Subsection D.1, above, may be reduced by up to 50 percent, if the Director determines that the number of parking spaces provided will accommodate the number of vendors and customers expected at the farmers' market without any undue adverse impact to the surrounding community,~~ and also if the farmers' market is located within half-mile of a transit stop for:

~~a. A bus that travels along a major or secondary highway or that is part of a bus rapid transit system; or~~

~~b. A rail line within a fixed rail system.~~

~~3~~2. ~~No Other Permit Required~~Alternative Parking Arrangements. Any alternative parking arrangement for a farmer's market ~~approved by the Director~~ pursuant to this Subsection D shall ~~not require a separate Parking Permit (Chapter~~

~~22.178), Minor Parking Deviation (Chapter 22.176), or Variance (Chapter 22.194)~~require a Ministerial Modification Review (Chapter 22.176) application.

SECTION 33. Section 22.140.270 is hereby amended to read as follows:

22.140.270 – Historic Vehicle Collections.

…

B. Application Requirements.

…

2. ~~Conditional Use Permit.~~Modification Permit. A ~~Conditional Use Permit~~ Modification Permit (Chapter 22.~~158~~178) application is required for a historic vehicle collection that requests a modification to the standards listed in this Section.

…

SECTION 34. Section 22.140.320 is hereby amended to read as follows:

22.140.320 – Joint Live and Work Units.

…

C. Application Requirements.

…

3. Modification.

a. Except as otherwise specified, the requirements in this Section may be modified upon approval of a ~~Conditional Use Permit~~Modification Permit (Chapter 22.~~158~~178) application.

…

SECTION 35. Section 22.140.330 is hereby amended to read as follows:

22.140.330 – Live Entertainment, Accessory.

…

E. Application Requirements.

…

2. ~~Conditional Use Permit~~Modification Permit.

a. A ~~Conditional Use Permit~~Modification Permit (Chapter 22.~~158~~178) application is required ~~for accessory live entertainment when any of~~ to modify the requirements in Subsection E, below~~, have not or cannot be met~~.

…

SECTION 36. Section 22.140.350 is hereby amended to read as follows:

22.140.350 – Mixed Use Developments in Commercial Zones.

A. Mixed Use Development in Zones C-H, C-1, C-2, C-3, and C-M.

…

3. Application Requirements.

…

c. Modification

i. The requirements in ~~this~~ Subsection A.5 or Subsection A.6.a, below, may be modified upon approval of a ~~Conditional Use Permit~~Modification Permit (Chapter 22.~~158~~178) application.

…

SECTION 37. Section 22.140.370 is hereby amended to read as follows:

22.140.370 – Mobilehome Parks.

…

C. Modification. The requirements of this Section may be modified by either of the following:

1. The Commission or the Hearing Officer~~, in granting the Conditional Use Permit (Chapter 22.158),~~ may impose additional conditions when approving a Conditional Use Permit (Chapter 22.158) application or may modify the requirements of Subsection E, below when approving a concurrent Modification Permit (Chapter 22.174) application; or

…

SECTION 38. Section 22.140.410 is hereby amended to read as follows:

22.140.410 – Outdoor Dining.

…

B.

…

2. ~~Conditional Use Permit.~~Modification Permit. A ~~Conditional Use Permit (Chapter 22.158)~~Modification Permit (Chapter 22.178) application is required ~~for outdoor dining and a request~~ to:

a. ~~m~~Modify the requirements in Subsections C through G, below, subject to the findings in Section 22.178.040.B.1; or~~.~~

b. Modify the conditions of an approved Conditional Use Permit (Chapter 22.158) regarding alcoholic beverage sales for on-site consumption in the outdoor dining area, subject to the limitations in Section 22.178.020.B (Minor Modification or Elimination of Conditional Use Permit Conditions) and the findings in

Section 22.178.040.B.2 (Minor Modification or Elimination of Conditional Use Permit Conditions).

…

SECTION 39. Section 22.140.430 is hereby amended to read as follows:

22.140.430 – Outdoor Storage.

…

B. Zones C-3, C-M, C-MJ, C-RU, and MXD-RU. This Subsection B applies to outdoor storage in Zones C-3, C-M, C-MJ, C-RU, and MXD-RU.

…

2. Any outdoor area used for storage shall be completely enclosed by a solid masonry wall and solid gate which shall be between five and six feet in height, except:

…

b. A request for substitution shall require a Ministerial ~~Site Plan~~ Modification Review (Chapter 22.~~186~~196) application.

…

C. Industrial Zones. This Subsection C applies to outdoor storage in Zones M-1 M-1.5, M-2, M-2.5, and M-3.

…

3. Modification of Fences or Walls.

a. Fences or walls not open to view from any street or highway, or any area in a Residential, Agricultural, or Commercial Zone may be modified ~~U~~upon approval of a ~~Conditional Use Permit (Chapter 22.160)~~Modification Permit (Chapter

22.178) application~~, the Commission or Hearing officer may modify fences or walls not open to view from any street or highway, or any area in a Residential, Agricultural, or Commercial Zone~~:

…

…

SECTION 40. Section 22.140.440 is hereby amended to read as follows:

22.140.440 – Parking as a Transitional Use.

…

E. Requirements. The lot developed with transitional parking, including access, shall:

…

2. Have a rear lot line adjoining or separated only by an alley from the property with a qualifying zone, provided that a ~~Parking Permit~~Modification (Chapter 22.~~178~~178) application has been approved.

…

F. Length. The side lot line of the lot developed with parking shall not exceed the length of the lot line common to the property with a qualifying zone. The Director may modify this provision with a Ministerial Modification Review (Chapter 22.176) application to the extent permitted in Subsection E, above.

SECTION 41. Section 22.140.510 is hereby amended to read as follows:

22.140.510 – Renewable Energy.

…

D. Small-Scale Solar Energy Systems.

1. Application Requirements.

…

d. Modification. A ~~Minor Conditional Use~~ Modification Permit (Chapter 22.~~160~~178) application shall be required where a modification to a development standard has been requested.

…

E. Utility-Scale Solar Energy Facilities

1. Application Requirements.

…

c. Variance. Requests to modify any of the development standards listed Subsection E.3, below, for utility-scale solar energy facilities shall require a Variance (Chapter 22.194) application when filed concurrently with another permit to establish or continue the use, subject to the findings in Subsection E.5.c, below.

…

F. Temporary Meteorological Towers.

1. Permit Required.

a. Minor Conditional Use Permit. Temporary meteorological towers in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, C-RU, and MXD shall require a Minor Conditional Use Permit (Chapter 22.160) application~~, except when modified by this Subsection F~~.

b. Modification Permit. Requests to modify any of the development standards in Subsection F.3, below, shall require a Modification Permit (Chapter

22.178) application when filed concurrently with another permit to establish or continue the use, subject to the findings in Subsection F.5.b, below.

…

G. Small-Scale Wind Energy Systems.

1. Application Requirements.

a. Minor Conditional Use Permit. Small-scale wind energy systems in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, and O-S shall require a Minor Conditional Use Permit (Chapter 22.160) application~~, except when modified by this Subsection G~~.

b. Modification Permit. Requests to modify any of the development standards in Subsection G.3, below, shall require a Modification Permit (Chapter 22.178) application when filed concurrently with another permit to establish or continue the use, subject to the findings in Subsection G.5, below.

5. Additional Findings. When a Modification Permit (Chapter 22.178) application is required by Subsection G.1.b, above, the following additional findings shall be made, as applicable.

…

…

…

SECTION 42. Section 22.140.520 is hereby amended to read as follows:

22.140.520 – Residential Design Standards.

…

D. Modification of Development Standards.

1. Requests to ~~deviate from any of~~modify the development standards contained in this Section shall ~~be subject to the following permitting requirements~~require a Modification Permit (Chapter 22.178) application~~:~~.

~~a. Minor Conditional Use Permit. To deviate from one standard contained in this Section and subject to the requirements of Chapter 22.160 (Conditional Use Permits, Minor);~~

b. ~~Conditional Use Permit. To deviate from two standards contained in this Section and subject to the requirements of Chapter 22.158 (Conditional Use Permits);~~

~~c. Variance. To deviate from three or more development standards contained in this Section and subject to the requirements of Chapter 22.194 (Variances).~~

2. Additional Findings. In addition to the findings required ~~for a minor conditional use permit, conditional use permit, and variance~~by Section 22.178.040 (Findings and Decision), any request ~~for deviation from the~~to modify any development standards contained in this Section shall also substantiate the following:

a. The requested modification~~(s)~~ promotes high quality design of the subject building~~(s)~~s and contributes to and is cohesive with the surrounding built and natural environment;

b. The requested modification~~(s)~~ results in a design that considers all sides of the building~~(s)~~s; and

c. The requested modification~~(s)~~ results in a design that encourages pedestrian and other forms of non-vehicular mobility/activity for users of all ages and abilities.

…

SECTION 43. Section 22.140.580 is hereby amended to read as follows:

22.140.580 – Single-Family Residences.

…

C. ~~Modification.~~

~~1. Applicability. Except as specified in Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits), the requirements in Subsections B through D, above, may be modified upon approval of a Minor Conditional Use Permit (Chapter 22.160) application or a Conditional Use Permit (Chapter 22.158) application for the zones that require such Conditional Use Permit, subject to Subsection C.2, below.~~

~~2. Additional Findings.~~

~~a. A finding that such modification would not be materially detrimental to the use, enjoyment, or value of property of other persons which is located in the vicinity of the residential site can be made; and~~

~~b. Any of the following findings can be made:~~

~~i. That such modification would be architecturally compatible with existing residences in the surrounding neighborhood;~~

~~ii. That a proposed alteration or addition to an existing single-family residence will be a continuation of its existing architectural style;~~

~~iii. That such modification is needed for safety reasons to comply with other applicable codes, laws, ordinances, rules, and regulations; or~~

~~iv. The site of the proposed single-family residence is sufficiently remote or screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.~~

~~D.~~ Additional Standards for Zones C-RU and MXD-RU. In Zones C-RU and MXD-RU, the following additional standards shall apply:

1. Single-family residences are permitted only in conjunction with any use listed in Section 22.24.030.C.1 (Principal Uses) for said zone in the "Retail/Commercial Uses" or "Services Uses" Category, provided that the use is legally established on the same lot.

2. Single-family residences shall comply with the standards in Section 22.18.040 (Development Standards for Residential Zones) for Zone R-1.

3. The standards required by this ~~Chapter~~Section shall not apply to any of the commercial development on the same lot.

~~E~~D. Additional Standards for Zones C-H, C-1, C-2, C-3, C-M, and C-R. In Zones C-H, C-1, C-2, C-3, C-M, and C-R, single-family residences shall comply with the following standards:

1. Height. Maximum height shall be 35 feet.

2. Yard Setbacks.

a. Zones C-H, C-1, C-2, and C-3. Yard setbacks shall comply with Section 22.20.050 (Development Standards for Zones C-H, C-1, C-2, and C-3).

b. Zone C-M. Yard setbacks shall comply with Section 22.20.050.C (Zone C-3).

c. Zone C-R. Yard setbacks shall comply with Section 22.16.050 (Development Standards for Zones A-1 and A-2).

3. Other development standards. All single-family residences shall comply with all other applicable development standards in Division 6 (Development Standards).

~~4. Modifications. Except as specified in Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits), development standards listed in this Subsection E may be modified with a Conditional Use Permit (Chapter 22.158) application subject to Subsection C.2, above.~~

E. Modifications. Except as specified in Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits):

1. The requirements in Subsections B and D, above, except for height requirements, may be modified with a Modification Permit (Chapter 22.178) application. In addition to the findings required by Section 22.178.040 (Findings and Decision) the following findings shall be made:

a. A finding that such modification would not be materially detrimental to the use, enjoyment, or value of property of other persons which is located in the vicinity of the residential site can be made; and

b. One of the following findings:

i. That such modification would be architecturally compatible with existing residences in the surrounding neighborhood;

ii. That a proposed alteration or addition to an existing single-family residence will be a continuation of its existing architectural style;

iii. That such modification is needed for safety reasons to comply with other applicable codes, laws, ordinances, rules, and regulations; or

iv. The site of the proposed single-family residence is sufficiently remote or screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.

2. The height requirements in this Section may be modified with a Variance (Chapter 22.194) application.

SECTION 44. Section 22.140.585 is hereby amended to read as follows:

22.140.585 – Single-Family Residences on Compact Lots.

…

F. Development Standards. Development of single-family residences on compact lots shall comply with the following development standards:

…

8. Parking. Parking shall be provided in compliance with Chapter 22.112 (Parking), with the following exceptions:

…

d. Modification.

i. Reduction in the number of required parking spaces shall be subject to Section 22.112.020.B (Reduction of Required Parking and Loading Spaces).

ii. ~~In granting the Conditional Use Permit (Chapter 22.158),the Commission or Hearing Officer may modify t~~The following standards may be modified

with a Modification Permit (Chapter 22.178) application when filed concurrently with another application to establish the use:

(a) Maneuvering aisle. The width of a maneuvering aisle serving standard parking spaces may be reduced to 23 feet where such standard parking spaces have a minimum width of 10 feet based on a 90-degree parking layout, and the ~~Commission or Hearing Officer~~Review Authority finds that the topographic features or other site conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the provision of Section 22.112.080.B.2.a (Standard).

(b) Screening. The solid masonry wall required in Subsection F.8.b.iii (Screening), above, may be substituted by a decorative fence or wall or a landscaped berm where, in the opinion of the ~~Commission or Hearing Officer~~Review Authority, such fence, wall, or landscaped berm will adequately comply with the intent of the aforementioned Subsection.

iii. ~~Regulations~~Development standards in Subsections F.8.a.i.(a), F.8.a.ii, and F.8.b.i, above, may not be modified.

9. Private Usable Open Space. Each compact lot shall provide private usable open space on-site, subject to the following regulations:

…

c. Modification. ~~In granting the Conditional Use Permit (Chapter 22.158), the requirement of Subsection F.9.a., above, regarding the total square footage of private usable open space per compact lot may be reduced by up to 10 percent by the Commission or Hearing Officer~~The requirement for square footage of private usable

open space per compact lot in Subsection F.9.a, above, may be reduced by up to 10 percent with a Modification Permit (Chapter 22.178) application when filed concurrently with another application to establish the use.

10. On-Site Tree Planting.

…

f. Waiver or Modification of Tree Planting Requirements. ~~In granting the Conditional Use Permit (Chapter 22.158)~~The amount of trees to be planted as required by~~, the requirements of~~ Subsection F.10.a, above,~~ regarding the amount of trees that must be planted may be waived or modified by the Commission or Hearing Officer~~ may be reduced or waived with a Modification Permit (Chapter 22.178) application when filed concurrently with another application to establish the use, when the following findings are made:

i. The requirements are physically impractical because of existing development;

ii. Mature trees already exist on-site at the required locations;

iii. The requirements are found to be impractical due to topographic conditions, neighborhood patterns, or are otherwise not beneficial to the area;

iv. The applicant documents in a notarized letter by a certified arborist, submitted to the Director, that the required trees will not survive on the site due to the soil type thereon; or

v. The requirements would conflict with other provisions set forth in the County Code. When, pursuant to this Subsection F.10.f, the Director reduces the required shade area for a parking-only lot that contains uncovered parking spaces

because there is not enough square footage for both the required shade area and the required parking, so long as the parking requirements are met, the Director may replace the tree requirements intended to create the shade area with a cool pavement requirement, preferably permeable, to be used in uncovered parking areas as defined in Division 2 (Definition).

11. Landscaping.

…

b. Modification. ~~In granting the Conditional Use Permit (Chapter 22.158), the requirements of this Subsection F.11.a regarding the square footage of landscaped areas may be reduced by up to 10 percent by the Commission or Hearing Officer~~The square footage of landscaped areas specified in Subsection F.11.a, above, may be reduced by up to 10 percent with a Modification Permit (Chapter 22.178) application when filed concurrently with another application to establish the use.

…

…

SECTION 45. Section 22.140.590 is hereby amended to read as follows:

22.140.590 – Tasting Rooms and Remote Tasting Rooms.

…

D. Application Requirements.

1. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for tasting rooms and remote tasting rooms ~~when Subsection D.2, below, does not apply; or~~except as provided in Subsection D.2, below.

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required if~~:~~

~~a. The applicant requests a modification to any development or operating standard as set forth in Subsections F and G, below, for the tasting room or remote tasting room, including a request to allow the tasting room or remote tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or qualities of alcohol, beyond what would otherwise be allowed by this Section; or~~

~~b. T~~the subject lot for where a proposed tasting room or remote tasting room is located within:

~~i~~a. A national recreation area or within one mile of a national recreational area;

~~ii~~b. A 500-foot radius of any use selling alcoholic beverages for on-site or off-site consumption; or

~~iii~~c. A high crime reporting district, as described in the California Alcoholic Beverage Control Act or the regulations as established under the Act.

3. Variance. A Variance (Chapter 22.194) application is required to request a modification to any requirement in Subsection F, below.

4. Modification Permit. A Modification Permit (Chapter 22.178) application is required to request a modification to any requirement in Subsection G, below, including a request to allow the tasting room or remote tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or qualities of alcohol, beyond what would otherwise be allowed by this Section.

…

SECTION 46. Section 22.140.610 is hereby amended to read as follows:

22.140.610 – Wineries.

…

D. Application Requirements.

…

3. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for wineries:

…

~~b. In any zone, to request a modification to any requirement in Subsection F (Development Standards) or Subsection G (Performance Standards), below.~~

4. Variance. A Variance (Chapter 22.194) application is required to request a modification to any requirement in Subsection F, below.

5. Modification Permit. A Modification Permit (Chapter 22.178) application is required to request a modification to any requirement in Subsection G, below.

SECTION 47. Section 22.140.640 is hereby amended to read as follows:

22.140.640 – Accessory Dwelling Units and Junior Accessory Dwelling Units.

…

D. Review and Decision.

…

2. If an application for an accessory dwelling unit or a junior accessory dwelling unit is submitted concurrently with a Ministerial Site Plan Review (Chapter 22.186) for a new single-family residence on the lot, or is submitted concurrently with a modification to the plans and exhibits in an approved ~~a Revised~~ Exhibit "A" ~~(Chapter 22.184) application,~~associated with an approved discretionary review or permit, as referenced in Section 22.222.240, and related to ~~for~~ a new single-family residence on the lot, which shall be reviewed with a Ministerial Modification Review (Chapter 22.176) application, a decision on the application for the accessory dwelling unit or junior accessory dwelling unit may be delayed until a decision on the application for the new single-family residence is made.

…

SECTION 48. Section 22.140.660 is hereby amended to read as follows:

22.140.660 – Motel Conversions, Temporary.

…

~~F. Development Standards. The applicant may request to waive or modify Title 22 development standards for temporary conversions, subject to this Section. The Director shall approve the request, unless the Director makes one of the following findings:~~

~~1. The development standard for which the applicant is requesting a waiver or reduction does not physically preclude the conversion;~~

~~2. The waiver or reduction would have a specific adverse impact upon public health and safety, or the physical environment or upon any real property that is listed in the California Register of Historical Resources, or the waiver or reduction~~

~~would have a specific adverse impact for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or~~

~~3. The waiver or reduction is contrary to State or federal law.~~

F. Modifications to Development Standards.

1. Application.

a. Temporary conversions to transitional housing. Development standards for temporary conversions to transitional housing may be modified through the Administrative Housing Permit (Section 22.166.040) application, which shall be approved by the Director unless the findings in Subsection F.2, below, are not met, in which a Discretionary Housing Permit (Section 22.166.050) application shall be required.

b. Temporary conversions to emergency shelters. Development standards for temporary conversion to emergency shelters may be modified with a Ministerial Modification Review (Chapter 22.176) application, which shall be approved by the Director unless the findings in Subsection F.2, below, are not met, in which a Modification Permit (Chapter 22.178) application shall be required.

2. Findings. For both applications in Subsections F.1.a and F.1.b, above, the following findings shall be made:

a. The development standard for which the applicant is requesting a waiver or reduction does not physically preclude the conversion;

b. The waiver or reduction would not have a specific adverse impact upon public health and safety, or the physical environment or upon any real property that is

listed in the California Register of Historical Resources, or the waiver or reduction would not have a specific adverse impact and would satisfactorily mitigate or avoid that specific adverse impact; or

c. The waiver or reduction is not contrary to State or federal law.

G. Discontinuance of Conversion.

1. To re-establish the hotel, motel, or youth hostel at the end of the conversion term, the following is required:

a. Application Requirement.

i. Where the previous hotel, motel, or youth hostel was conforming or legal nonconforming and within its amortization period at the time when the conversion was approved, a Ministerial Site Plan Review (Chapter 22.186) is required.

ii. Where the previous hotel, motel, or youth hostel was within the grant term of a valid Conditional Use Permit (Chapter 22.158) or Nonconforming Use and Structure Review (Chapter 22.172) at the time when the conversion was approved, a ~~Revised~~modification to the plans and exhibits in the approved Exhibit "A" ~~(Chapter 22.184)~~associated with the Conditional Use Permit or Nonconforming Use and Structure Review, as referenced in Section 22.222.240, is required. Such conversion shall be deemed substantially conforming with the Conditional Use Permit (Chapter 22.158) or Nonconforming Use and Structure Review (Chapter 22.172).

…

SECTION 49. Section 22.140.700 is hereby amended to read as follows:

22.140.700 – Pallet Yards.

F. Modification. When a modification is requested for development standards listed in Subsections D.3, D.4 and D.6, above, with a Modification Permit (Chapter 22.178) application, the following findings ~~must~~shall be made in addition to the findings required in Section ~~22.160.050~~22.178.040 (Findings and Decision):

…

SECTION 50. Section 22.140.710 is hereby amended to read as follows:

22.140.710 – Supermarket Accessory Recycling Collection Center.

…

G. Development Standards. Supermarket accessory recycling collection centers as an accessory use shall comply with the following standards:

…

10. Required Parking. No additional parking is required for a supermarket accessory recycling collection center. However, supermarket accessory recycling collection centers shall not reduce the amount of parking for the existing uses on the property below the minimum required by Chapter 22.112 (Parking), unless a ~~Minor Parking Deviation~~Modification Permit (Chapter 22.178) application is approved for the subject property.

SECTION 51. Section 22.140.720 is hereby amended to read as follows:

22.140.720 – Recycling Collection Facilities.

…

I. Modification. When a modification is requested for development standards listed in Subsection ~~F~~G.4, above, with a Modification Permit (Ch7apter 22.178)

application, the following findings ~~must~~shall be made in addition to the findings required in Section 22.~~158.050~~178.050 (Findings and Decision):

…

SECTION 52. Section 22.140.730 is hereby amended to read as follows:

22.140.730 – Recycling Processing Facilities.

…

L. ~~Additional Findings for a~~ Modification to Development Standards.

1. A modification may be requested for the following development standards with a Variance (Chapter 22.194) application:

…

2. ~~In addition to the applicable findings required by Subsection K, above, a modification request shall meet the following findings to be approved, as applicable~~When approving a Variance (Chapter 22.194) application, the following findings shall be made in addition to the findings required in Section 22.194.050 (Findings and Decision):

…

SECTION 53. Section 22.140.740 is hereby amended to read as follows:

22.140.740 – Organic Waste Facilities.

…

K. ~~Additional Findings for a~~ Modification to Development Standards.

1. A modification ~~can~~may be requested for the following development standards with a Variance (Chapter 22.194) application:

…

2. ~~In addition to the applicable findings required by Subsection J, above, a modification request may be required to meet the following additional findings, as applicable~~When approving a Variance (Chapter 22.194) application, the following findings shall be made in addition to the findings required in Section 22.194.050 (Findings and Decision):

…

SECTION 54. Section 22.140.760 is hereby amended to read as follows:

22.140.760 – Wireless Facilities.

…

D. Application Requirements.

…

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required to authorize the following:

…

b. Installation and operation of any wireless facility, of any type, that ~~requires a waiver from~~ does not conform to one or more of the design standards specified in Subsection E, below.

…

3. ~~Revised~~Modification to Exhibit "A." A ~~Revised~~modification to the plans and exhibits in the approved Exhibit "A" ~~(Chapter 22.184) application~~ associated with the approved and unexpired discretionary permit, as referenced in Section 22.222.240, which shall be reviewed with a Ministerial Modification Review (Chapter 22.176) application, is required to collocate a macro facility on an existing base station or tower

with an approved and unexpired discretionary permit that currently hosts another macro facility, or to make modifications to an existing macro facility with an approved and unexpired discretionary permit, including an Eligible Facilities Request for the macro facility. Certain conditions prescribed as part of the approval of the discretionary permit shall not be binding for modifications to a facility as part of an Eligible Facilities Request only to the extent that the Eligible Facility Request seeks to rectify those conditions (i.e., size, dimensions, or height), and all other conditions shall continue to apply.

4. Modification Permit. A Modification Permit (Chapter 22.178) application is required to authorize a modification or a waiver from one or more of the design standards specified in Subsection E, below, for a wireless facility of any type, and shall be approved if the applicant has established that the denial of such application would:

a. Prohibit or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code, section 332(c)(7)(B)(i)(II), or any successor provision;

b. Otherwise violate applicable laws or regulations; or

c. Require a technically infeasible design or installation of a wireless facility.

d. When a determination is made to grant the modification or waiver, one or more of the applicable design or location standards may be modified or waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible design or installation, and that does not compromise public safety.

5. Variance. A Variance (Chapter 22.194) application is required for all other requests for modifications to any of the development standards in this Section.

46. For every new application, the applicant shall provide all of the required materials listed on either the Land Use Application Checklist - Small Cell Facilities ("SCF"), Collocation And Eligible Facilities Requests ("EFR"), or the Zoning Permit Instructions and Checklist, whichever is applicable, and which may be periodically modified by the Director, including a report on the individual and cumulative radio frequency emissions levels of each wireless facility demonstrating that such emissions comply with adopted FCC guidelines. All applications shall provide proof of liability insurance for each facility covered by the application, and the applicant ~~must~~shall comply with the public notification requirements as set forth in said Checklists.

57. Pre-application consultation. Prior to submitting an application pursuant to this Subsection D to install or modify a wireless facility subject to this Section, the applicant is encouraged to schedule a voluntary pre-application meeting with the Department to discuss the proposed facility, the requirements of this Section, applicable checklists and guidelines, and any potential impacts of the proposed facility. The pre-application meeting shall not initiate any applicable time period as specified by applicable law, including any FCC-issued orders~~(s)~~, for the application.

…

E. Development Standards.

1. General Standards. All wireless facilities, except for facilities as part of Eligible Facilities Requests and small cell facilities, shall comply with the following

standards. If a waiver is required for one or more of these standards due to technical infeasibility, Subsection D.~~2.b~~4, above, shall apply.

…

…

G. Modifications to Existing Macro Facilities. Existing macro facilities may be eligible for either:

1. A Ministerial ~~Site Plan~~Modification Review (Chapter 22.~~186~~176) application if such facilities are redesigned with shorter mounting equipment that extends no more than two feet from the structure, or with removal of any existing mounting equipment, and with additional screening techniques, such as shrouds or walls, that blend in with the structure, including color and texture, and conforms to all standards in Subsection E, above, and does not require a waiver; or

2. A ~~Revised Exhibit "A" (Chapter 22.184)~~ Modification Permit (Chapter 22.178) application for modifications to the plans and exhibits in an approved Exhibit "A" for a facility where such modifications will not bring the facility into conformity with the standards in Subsection E, above, or which requires a waiver.

3. ~~#~~An Eligible Facilities Request may be processed with a Ministerial ~~Site Plan~~Modification Review (Chapter 22.~~186~~176) application, in accordance with Subsection D.3, above, if minor modifications will bring the facility in conformance with all standards in Subsection E, above, and does not require a waiver. ~~Otherwise, the Eligible Facilities Request may be processed with a Revised Exhibit "A," in accordance with Subsection D.3, above.~~

…

I. Findings. If a wireless facility is subject to Subsection D.2, above, the following additional findings shall be made:

1. The facility complies with all applicable standards in this Section, unless a waiver has been requested, pursuant to Subsection ~~L, below~~D.4, above;

…

~~L. Waivers.~~

~~1. For wireless facilities subject to Subsection D.2, above, the Commission or Hearing Officer may grant a waiver to one or more of the development standards in this Section if the Commission or Hearing Officer determines that the applicant has established that the denial of an application would:~~

~~a. Prohibit or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code, section 332(c)(7)(B)(i)(II), or any successor provision;~~

~~b. Otherwise violate applicable laws or regulations; or~~

~~c. Require a technically infeasible design or installation of a wireless facility.~~

~~2. When a determination is made to grant a waiver, one or more of the applicable design or location standards may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible design or installation, and that does not compromise public safety.~~

~~M~~L. Abandonment. If a wireless facility has ceased to operate for a period of 90 consecutive days, the facility shall be considered abandoned. Any permit or other approvals associated with that facility shall be deemed terminated and discontinued,

unless before the end of the 90-day period, the Director determines that the facility has resumed operations or an application has been submitted to transfer the approval to another operator. After 90 consecutive days of non-operation, the owner of, or permittee for, the facility shall remove the abandoned wireless facility and restore the site to its original condition. Said owner/permittee shall provide written verification to the Department of the removal of the facility within 30 days of the date the removal is completed. If the facility is not removed within 30 days after the permit/approval has been terminated pursuant to this Subsection, the wireless facility shall be deemed to be a nuisance, and the County may cause the wireless facility to be removed at the expense of the owner/operator or by calling any bond or other financial assurance to pay for removal.

SECTION 55. Section 22.158.010 is hereby amended to read as follows:

22.158.010 - Purpose.

The Conditional Use Permit is established to regulate uses and development projects that may be appropriate in the applicable zone and require additional consideration to ensure proper integration with the surrounding community. The Conditional Use Permit is not used to modify development standards for the use or development project in the applicable zone.

SECTION 56. Section 22.158.060 is hereby amended to read as follows:

22.158.060 - Conditions of Approval.

…

B. The Commission or Hearing Officer may impose additional conditions or development standards that are more restrictive than those provided by Title 22 to

ensure that the approval will comply with the findings, required by Section 22.158.050 (Findings and Decision), but cannot impose conditions or development standards that are less restrictive than those provided by Title 22 unless they approve a Modification Permit (Chapter 22.178) or Variance (Chapter 22.194) application filed concurrently with the Conditional Use Permit (Chapter 22.158) application.

C. Approval may also be contingent upon compliance with applicable provisions of any other federal, State, or County requirements.

SECTION 57. Section 22.158.070 is hereby amended to read as follows:

22.158.070 - All Zone Regulations Apply Unless Permit is Granted.

Unless specifically ~~modified~~authorized by a Conditional Use Permit or specifically modified pursuant to Section 22.158.060.B (Conditions of Approval), all regulations prescribed in the zone ~~in which such Conditional Use Permit is granted~~ shall apply.

SECTION 58. Section 22.158.080 is hereby deleted in its entirety.

SECTION 59. Section 22.160.010 is hereby amended to read as follows:

22.160.010 - Purpose.

The Minor Conditional Use Permit is established to regulate uses and development projects that, by their nature, are limited in scope and impacts, and may be appropriate in the applicable zone and require additional consideration to ensure proper integration with the surrounding community. The Minor Conditional Use Permit is not used to modify development standards for a use or development project in the applicable zone.

SECTION 60. Section 22.160.060 is hereby amended to read as follows:

22.160.060 - Conditions of Approval.

The Hearing Officer may impose additional conditions or development standards that are more restrictive than those provided by Title 22 such as those in Section 22.158.060 (Conditions of Approval) to ensure that the approval will be in accordance with the findings required by Section 22.160.050 (Findings and Decisions~~s~~). Such conditions or standards may include those in Section 22.158.060 (Conditions of Approval), but cannot impose conditions or development standards that are less restrictive than those provide by Title 22 unless the Hearing Officer approves a Modification Permit (Chapter 22.178) or Variance (Chapter 22.194) application filed concurrently with the Minor Conditional Use Permit application.

SECTION 61. Section 22.160.070 is hereby amended to read as follows:

22.160.070 - All Zone Regulations Apply Unless Permit is Granted.

Unless specifically ~~modified~~authorized by a Minor Conditional Use Permit or specifically modified pursuant to Section 22.160.060 (Conditions of Approval), all regulations prescribed in the zone ~~in which such Minor Conditional Use Permit is granted~~ shall apply.

SECTION 62. Section 22.160.080 is hereby deleted in its entirety.

SECTION 63. Section 22.172.020 is hereby amended to read as follows

22.172.020 – Regulations Applicable.

Except as specified otherwise in this Title 22, such as in Section 22.110.190 (Modifications Authorized), the following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to use and/or standards as specified herein:

…

SECTION 64. Chapter 22.176 is hereby deleted in its entirety.

SECTION 65. Chapter 22.176 is hereby added to read as follows:

CHAPTER 22.176 – MINISTERIAL MODIFICATION REVIEW

22.176.010 – Purpose.

This Chapter authorizes minor modifications of development standards that have negligible to no impacts to surrounding properties and subject to ministerial review and approval by the Director.

22.176.020 – Applicability.

A Ministerial Modification Review may be granted by the Director to authorize:

A. Modification of Development Standards. The modification of development standards when this Title 22 specifically authorizes the development standards to be modified through a Ministerial Modification Review.

B. Modifications to an Approved "Exhibit A." Limited modifications to the plans or exhibits in an approved "Exhibit A" associated with an approved discretionary permit or review, as referenced in Section 22.222.240, that remain in substantial conformance with the conditions of approval pursuant to Section 22.176.040 (Decision).

22.176. 030 – Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Ministerial Modification Review Checklist.

B. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review—Ministerial) and this Chapter.

22.176.040 – Decision.

A. Criteria for Modifications to an Approved "Exhibit A". The Director may approve limited modifications to the plans or exhibits in an approved "Exhibit A" associated with an approved discretionary permit or review, as referenced in Section 22.222.240, if the modifications:

1. Are consistent with the scope of the project and the findings made in the original approval;

2. Comply with all existing conditions of approval;

3. Maintain the required number of vehicle parking spaces; and

4. Comply with standards and regulations of the zone, unless specifically modified by the conditions of approval.

B. Modifications not in conformance with Subsection A, above, shall require a Modification Permit (Chapter 22.178) application, where applicable.

22.176.050 – All Development Regulations Apply Unless Ministerial Modification Review is Granted.

Unless specifically modified by a Ministerial Modification Review, all development standards and regulations prescribed by this Title 22 for the use permitted or conditionally permitted by the zone shall apply.

SECTION 66. Chapter 22.178 is hereby deleted in its entirety.

SECTION 67. Chapter 22.178 is hereby added to read as follows:

CHAPTER 22.178 – MODIFICATION PERMITS

22.178.010 – Purpose.

This Chapter authorizes modifications of certain development and performance standards that are limited in scope and impact and subject to discretionary review.

22.178.020 – Applicability.

A. Modification of Development Standards. A Modification Permit may be granted when this Title 22 specifically authorizes development and performance standards to be modified, such as the following:

1. Yard requirements in Chapter 22.110 (General Site Regulations) and where specifically authorized by this Title 22.

2. Parking requirements if Chapter 22.112 (Parking) specifically authorizes these requirements to be modified through a Modification Permit, and provided that the number of required parking spaces is not reduced by more than 35 percent.

3. Sign requirements if Chapter 22.114 (Signs) specifically authorizes these requirements to be modified through a Modification Permit.

4. Hours of operation for indoor uses, limited to additional extensions up to two hours for the start of the business day or up to two hours for the end of the business day.

5. Development and performance standards for a specific use, excluding standards relating to noise, if Chapter 22.140 (Standards for Specific Uses) specifically authorizes these standards to be modified through a Modification Permit.

6. Development standards in a Planning Area or Community Standards District, if the applicable Planning Area or Community Standards District specifically authorizes these standards to be modified through a Modification Permit.

7. Development standards in a Specific Plan if the applicable Specific plan authorizes these standards to be modified through a Modification Permit.

B. Minor Modification or Elimination of Conditions of Approval. A Modification Permit application shall be required to modify or eliminate conditions of a previously approved discretionary permit or review that relate to development and performance standards, as determined by the Director. No application shall be filed or accepted within one year of final action on the same or substantially the same application or within one year of final action on the associated permit or review. Any request to modify or eliminate the following shall be denied and a new discretionary permit or review application shall be required:

1. A change of an alcoholic beverage license previously approved for a site.

2. Restrictions on the maximum shelf space which may be devoted to alcoholic beverages.

3. A substantial alteration or material deviation from the terms and conditions of a previous approval, as determined by the Director.

4. Any condition specified as mandatory in this Title 22 or any condition which relates to a development or performance standard that may only be modified through a Variance (Chapter 22.194).

5. The time limit for use, grant term, or expiration date.

22.178.030 – Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Modification Permit checklist.

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

C. Modifications to Yards - Agency Review. The following applies to any application requesting to modify yards contiguous to a limited secondary highway pursuant to Section 22.110.080.E.3 (Yard Modification) or to modify development standards related to fences and walls pursuant to Section 22.110.180 (Sight Distance).

1. The Director shall refer a copy of the application to the Director of Public Works.

2. The application shall not be approved unless the Director receives the written concurrence of the Director of Public Works.

D. Fee. A fee shall be charged for a Modification Permit application, unless it is concurrently filed with a Conditional Use Permit (Chapter 22.158), Minor Conditional Use Permit (Chapter 22.160), or Variance (Chapter 22.194) application.

E. Notice of Action. Prior to taking action on an application, the Director shall provide notice of application in compliance with:

1. Section 22.222.130 (Notice of Application) and

2. Section 22.222.140 (Notice Content), except where modified:

a. Notice Content. The notice shall indicate that the Review Authority may waive the public hearing pursuant to Subsection F, below, however, any individual may oppose the approval of the application by a written protest to the Review Authority; and

b. Comment Period. The notice shall allow for a comment period of 30 days after the notice has been mailed, and the end of the comment period shall be stated on the notice.

F. Public Hearing. Pursuant to California Government Code Section 65901(b), The Review Authority may waive the public hearing requirement in Section 22.228.040 (Public Hearing) on a Modification Permit application if it meets all applicable findings in Section 22.178.040 (Findings and Decision), below, there are no written protests received, there are no apparent impacts to adjacent properties, and the application is statutorily or categorically exempt from CEQA.

22.178.040 – Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision).

B. Findings.

1. Modification of Development Standards. If the Modification Permit application was submitted in accordance with Section 22.178.020.A, the following findings shall apply in addition to applicable findings as specified elsewhere in Title 22. In addition to applicable findings as specified elsewhere in Title 22, the following findings shall apply to all Modification Permit applications:

a. The proposed modification will be consistent with the adopted General Plan, Specific Plan, or Planning Area or Community Standards District applicable for the area;

b. The proposed modification is necessary because the strict application of the development standard will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such standard or will deprive the property of privileges enjoyed by other surrounding properties under identical zoning classification;

c. The proposed modification does not impair or preclude any other required development standards prescribed by Title 22;

d. The proposed modification is not detrimental to the public health, safety and general welfare, and does not create adverse effects on neighboring properties; and

e. The proposed modification is suitable and compatible from the standpoint of functional development design that integrates with the design patterns in the general vicinity.

2. Minor Modification or Elimination of Conditions of Approval. If the Modification Permit application was submitted in accordance with Section 22.178.020.B, the following findings shall be made:

a. The findings and decision in Section 22.158.050 (Findings and Decision) for the Conditional Use Permit as modified have been satisfied.

b. The modified Conditional Use Permit will not materially deviate from the terms and conditions imposed in the previously approved Conditional Use Permit.

c. Approval of the application is necessary to allow the reasonable operation and use granted in the Conditional Use Permit.

C. Appeals. Notwithstanding Chapter 22.240 (Appeals), the decision of the Zoning Administrator on a Modification Permit may be appealed to the Commission. The Commission's decision on an appeal shall be final and effective on the date of decision and shall not be subject to further administrative appeal.

22.178.050 – Conditions of Approval.

The Review Authority may impose conditions to ensure that the approval will be in accordance with the findings required by Section 22.178.040 (Findings and Decision). If the Modification Permit application was submitted in accordance with Section 22.178.020.B, the Review Authority shall not modify or eliminate any condition specified as mandatory in this Title 22 or any condition which relates to a development standard that may only be modified through a Variance (Chapter 22.194) application.

22.178.060 – All Development Regulations Apply Unless Permit is Granted.

Unless specifically modified by a Modification Permit, all development standards and regulations prescribed by this Title 22 shall apply.

SECTION 68. Chapter 22.184 is hereby deleted in its entirety.

SECTION 69. Section 22.194.020 is hereby amended to read as follows:

22.194.020 – Applicability.

A Variance may be granted to permit modification of ~~the following~~ any development or performance standard where ~~mandated by~~ this Title 22 does not specifically authorize the development or performance standard to be modified through a Modification Permit (Chapter 22.178), such as, but not limited to, the following:

A. Building line setbacks, ~~yard~~s, open space, and buffer areas.

B. Yards, where this Title 22 does not specifically authorize modifications through a Modification Permit (Chapter 22.178).

~~B~~C. Height, lot coverage, ~~*density,*~~ and bulk regulations.

~~C~~D. ~~Off-street parking spaces, maneuvering areas and driveway width, and paving standards for automotive parking~~The reduction of the number of required parking spaces by more than 35 percent.

~~D~~E. Landscaping requirements, where this Title 22 does not specifically authorize modifications through a Modification Permit (Chapter 22.178).

~~E~~F. Wall, fencing, and screening requirements, where this Title 22 does not specifically authorize modifications through a Modification Permit (Chapter 22.178).

~~F~~G. Street and highway dedication and improvement standards.

~~G~~H. Lot area and width requirements.

~~H~~I. Operating conditions such as hours or days of operation, that seek to deviate more than two hours as allowed by a Modification Permit (Chapter 22.178), number of employees, and equipment limitations.

~~I~~J. Sign regulations other than outdoor advertising regulations, where this Title 22 does not specifically authorize through a Modification Permit (Chapter 22.178).

~~J~~K. Distance-separation requirements.

SECTION 70. Section 22.194.030 is hereby amended to read as follows:

22.194.030 – Application and Review Procedures.

A. Application Checklist. Thef application submittal shall contain all of the materials required by the ~~v~~Variance Checklist.

…

SECTION 71. Section 22.194.050 is hereby amended to read as follows:

22.194.050 – Findings and Decision.

…

B. Findings.

1. Because of special circumstances or exceptional characteristics applicable to the property, including but not limited to size, shape, topography, location,

or surroundings, the strict application of the County Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

2. The modification authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

3. ~~Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.~~The modification will not authorize a use or activity that is not expressively authorized by the zone regulations that apply to the property.

4. Such adjustment will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

SECTION 72. Section 22.194.070 is hereby amended to read as follows:

22.194.070 – All Development Regulations Apply Unless Variance is Granted.

Unless specifically modified by a ~~v~~Variance, all development standards and regulations prescribed ~~in~~by this Title 22 for the use permitted or conditionally permitted by the zone ~~in which such variance is granted~~ shall apply.

SECTION 73. Chapter 22.196 is hereby deleted in its entirety.

SECTION 74. Section 22.220.050 is hereby amended to read as follows:

22.220.050 Director of Regional Planning.

The Director of Regional Planning (Director) is appointed by the Board pursuant to Chapter 2.106 (Department of Regional Planning) in Title 2 of the County Code. The Director may delegate powers and duties to Department staff, who are supervised by and report to the Director. The Director has the following powers and duties:

…

G. Appoint a Zoning Administrator, as referenced in Section 65900 of the California Government Code and in accordance with Section 22.220.070 (Zoning Administrator).

SECTION 75. Section 22.220.070 is hereby added to read as follows:

22.220.070 Zoning Administrator.

The Zoning Administrator, as referenced in Sections 65900 and 65901(b) of the California Government Code, has the following powers and duties:

A. Based on findings, approves, conditionally approves, or denies Modification Permit (Chapter 22.178) and Variance (Chapter 22.194) applications, if not concurrently filed with another discretionary application.

B. Considers, adopts, or certifies CEQA documents related to Modification Permit (Chapter 22.178) or Variance (Chapter 22.194) applications, if not concurrently filed with another discretionary application.

SECTION 76. 22.222.030 is hereby amended to read as follows:

22.222.030 Review Authority.

The Review Authority is the decision maker for an application. The Review Authority may refer an application to another Review Authority for a decision on the application. Table 22.222.030-A, below, identifies each Review Authority.

TABLE 22.222.030-A: REVIEW AUTHORITY AND APPEAL BODIES
Board
Commission
Hearing Officer
Zoning Administrator
Director

SECTION 77. Section 22.222.100 is hereby amended to read as follows:

22.222.100 – Denial of Inactive Application.

…

B. Denial by Director. When any of the following applications are deemed inactive per Subsection A, above, the Director may deny the application without a public hearing. The Director's decision is final and not subject to administrative appeal:

…

5. Ministerial Modification Review (Chapter 22.176);

~~5~~6. Oak Tree Permit (Chapter 22.174) unless a public hearing is required in accordance with Section 22.174.040;

~~6. Parking Deviations, Minor (Chapter 22.176);~~

7. Requests for Reasonable Accommodations (Chapter 22.182);

~~8. Revised Exhibit "A"s (Chapter 22.184);~~

~~9~~8. Site Plan Review, Ministerial (Chapter 22.186);

~~10~~9. Special Events Permits (Chapter 22.188); and

~~11~~10. Urban Agriculture Incentive Zone Program (Chapter 22.192).

SECTION 78. Section 22.222.120 is hereby amended to read as follows:

22.222.120 – Public Hearing Procedure.

A. Initiation and Scheduling.

1. Initiation. A public hearing before the Commission or Hearing Officer may be initiated:

…

d. Upon the filing of an appeal of a Zoning Administrator decision to the Hearing Officer.

SECTION 79. Section 22.222.160 is hereby amended to read as follows:

22.222.160 – Notification Radius.

~~A. Standard Radius.~~ Notice shall be mailed to all owners of property located within a ~~500-foot~~1,000-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, except where specified otherwise in this Title 22. For example, see Figure 22.222.160-A, below.

…

~~B. Additional Radius. Notwithstanding Subsection A, above, notice shall be mailed to all owners of property located within a 1,000-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, unless a more specific radius is required by this Title 22, for properties in the following areas:~~

~~1. Fifth Supervisorial District.~~

~~2. East San Gabriel Valley Planning Area.~~

~~3. Workman Mill Zoned District.~~

~~4. South San Gabriel Zoned District.~~

~~5. The Metro Planning Area.~~

SECTION 80. Section 22.224.020 is hereby amended to read as follows:

2.224.020 - Type Review Characteristics.

Table 22.224.020-A, below, identifies the four Type Reviews and their general application processing characteristics:

TABLE 22.224.020-A: TYPE REVIEW CHARACTERISTICS						
	Chapter Number	**Ministerial/ Discretionary**	**Noticing Required**	**Posting Required**	**Review Authority**	**Public Hearing Required**
Type I Review	22.226	Ministerial	No	No	Director	No
Type II Review	22.228	Discretionary	Yes	~~No~~Yes	Hearing Officer/Zoning Administrator	Yes/No[1]
Type III Review	22.230	Discretionary	Yes	Yes	Commission/ Hearing Officer	Yes
Type IV Review	22.232	Discretionary	Yes	Yes/No[2]	Board	Yes
Note: 1. A public hearing may be waived pursuant to Section 22.228.040. 2. Ordinance amendments pursuant to Chapter 22.244 do not require sign posting.						

SECTION 81. Section 22.224.030 is hereby amended to read as follows:

22.224.030 – Permits and Reviews Assigned a Type Review.

Table 22.224.030-A, below, identifies permits and reviews and the Type Review used to process the application:

TABLE 22.224.030-A: PERMITS AND REVIEWS ASSIGNED A TYPE REVIEW		
Permit or Review	**Chapter Number**	**Type Review**
Lot Line Adjustments	22.170	Type I Review
~~Revised Exhibit "A"s~~	~~22.184~~	~~Type I Review~~
Ministerial Modification Review	22.176	Type I Review
Ministerial Site Plan Review	22.186	Type I Review
Animal Permits	22.152	Type II Review
Minor Conditional Use Permits	22.160	Type II Review
~~Yard~~ Modification~~s~~ Permits	22.~~196~~178	Type II Review
Cemetery Permits	22.154	Type III Review
Conditional Use Permits	22.158	Type III Review
Discretionary Housing Permit	22.166.050	Type III Review
Non-Conforming Uses, Buildings and Structures	22.172	Type III Review
~~Parking Permits~~	~~22.178~~	~~Type III Review~~
Surface Mining Permits	22.190	Type III Review
Variances	22.194	Type III Review
Development Agreements	22.162	Type IV Review
Plan Amendments	22.180	Type IV Review
Zone Changes	22.196	Type IV Review

SECTION 82. Section 22.224.040 is hereby amended to read as follows:

22.224.040 - Permits and Reviews Assigned Unique Administrative Procedures.

Table 22.224.040-A, below, identifies permits and reviews that are not assigned a Type Review for processing the application. These permits and reviews contain unique processing procedures and directly reference Chapter 22.222 (Administrative Procedures) for processing the application.

TABLE 22.224.040-A: PERMITS AND REVIEWS ASSIGNED UNIQUE ADMINISTRATIVE PROCEDURES

Permit or Review	Chapter Number
Administrative Housing Permits	22.166.040
Adult Business Permits	22.150
Coastal Development Permits	22.56~~/22.156~~
Explosive Permits	22.164
Los Angeles County Mills Act Program	22.168
Oak Tree Permits	22.174
~~Parking Deviations, Minor~~	~~22.176~~
Requests for Reasonable Accommodations	22.182
Special Events Permits	22.188
Urban Agriculture Incentive Zone Program	22.192

SECTION 83. Section 22.228.010 is hereby amended to read as follows:

22.228.010 – Purpose.

The Type II Review is a discretionary process for reviewing applications. This process requires a public hearing and ~~may~~ requires public notification of the application by ~~publication and~~ mail and a sign posted on the property.

SECTION 84. 22.228.020 is hereby amended to read as follows:

22.228.020 - Review Authority.

The Hearing Officer and, for modifications of development standards the Zoning Administrator, are ~~is~~ the Review Authority for an application that requires a Type II Review. The Hearing Officer or Zoning Administrator may approve, conditionally approve, or deny the application may refer the application to the Commission for decision.

SECTION 85. Section 22.228.040 is hereby amended to read as follows:

22.228.040 - Public Hearing.

A. The application shall require a public hearing, except for a Modification Permit application the public hearing may be waived pursuant to Section 22.178.030.E (Waiver of Public Hearing). The public hearing shall be held in compliance with Section 22.222.120 (Public Hearing Procedure).

B. ~~Notwithstanding~~Notice of public hearing shall comply with the notification radius in Section 22.222.~~120.B.2.c~~160 (Notification Radius)~~., notice shall be mailed to all owners of property located within a 300-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, unless a more specific radius is required by this Title 22.~~

~~C. Section 22.222.120.B.2.d (Sign Posting) shall not apply.~~

SECTION 86. 22.228.050 is hereby amended to read as follows:

22.228.050 - Findings and Decision.

The Hearing Officer or Zoning Administrator shall make findings and decisions for the application in compliance with Section 22.222.200 (Findings and Decisions).

SECTION 87. Chapter 22.236 is hereby deleted in its entirety.

SECTION 88. Section 22.240.010 is hereby amended to read as follows:

22.240.010 Authorization.

A. Appeals. To avoid results inconsistent with the purposes of this Title 22, decisions of the Director, unless otherwise specified, may be appealed to the Commission, decisions of the Hearing Officer or the Zoning Administrator may be appealed to the Commission, and decisions of the Commission may be appealed to the Board, unless otherwise specified in the permit or review.

…

SECTION 89. Section 22.240.020 is hereby amended to read as follows:

22.240.020 Filing of Appeals.

A. Eligibility. Any person dissatisfied with the action of the Commission, Hearing Officer, Zoning Administrator, or Director may file an appeal in compliance with this Chapter, unless otherwise specified or limited by this Title 22.

…

SECTION 90. 22.240.050 is hereby amended to read as follows:

22.240.050 – Fee for Appeals.

…

C. Processing Fee for Appeals to the Hearing Officer.

1. Applicant Appeal of Decision. If the appellant is an applicant, the appellant shall pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Hearing Officer, Applicant. The fee shall be applied in its entirety to the Department.

2. Applicant Appeal of Conditions. If the appellant is an applicant or any representative thereof, and the appellant files an appeal of no more than a total of two conditions on the approved Modification Permit (Chapter 22.178), the appellant shall pay a processing fee as listed in chapter 22.250 (Appplicants, Petitions and Fees) for an Appeal to the Hearing Officer, Applicant for One or Two Project Conditions This fee shall be applied in its entirety to the Department.

3. Non-Applicant Appeal. If the appellant is not the applicant or any representative thereof, the appellant shall pay a processing fee as listed in Chapter

22.250 (Applications, Petitions, and Fees) for an Appeal to the hearing Officer, Non-Applicant. This fee shall be applied in its entirety to the Department.

SECTION 91. 22.240.060 is hereby amended to read as follows:

22.240.060 Procedures for Appeals and Calls for Review.

…

B. Public Hearing.

1. An appeal or review hearing shall be a public hearing if the decision being appealed or reviewed required a ~~public hearing~~discretionary decision.

2. A public hearing on an appeal from an action of the Hearing Officer or Zoning Administrator is not subject to Chapter 22.222.190 (Hearing Examiner Public Hearing).

3. The Appeal Body shall consider the matter directly at its public hearing. Notice of public hearings shall be given in the manner required for the decision being appealed or reviewed.

SECTION 92. Section 22.250.010 is hereby amended to read as follows:

22.250.010 – Filing Fees and Deposits.

A. For the purpose of defraying the expense involved with any application or petition required or authorized by this Title 22, the following fees, as provided in Table 22.250.010-A, below, shall accompany the application or petition. Table 22.250.010-A may be referred to as the Filing Fee Schedule.

TABLE 22.250.010-A: FILING FEE SCHEDULE		
…		…
Appeal	Appeal to Regional Planning Commission, Non-applicant	$1,059

	Appeal to Hearing Officer, Applicant	$1,059
	Appeal to Hearing Officer, Non-Applicant	$1,059
…	#	#
Conditional Use Permit		
	…	
	Landfill Waste Management	$5,000 minimum initial deposit
	~~Modification or Elimination of Conditions~~	~~$11,129~~
	~~Modification or Elimination of Conditions, for a nonprofit organization with annual operating budget of under $500,000.00~~	~~$1,353~~
…	…	
Mills Act Program	…	…
	Exemption from Disqualification	$1,986
Ministerial Modification Review	Residential, maximum 10 lots per application; commercial, industrial	$1,496
	Fire Department Referral	See Section 328 in Title 32 (Fire)
Minor Conditional Use Permit	…	…
	Restoration Permit	$3,513
~~Minor Parking Deviation~~		~~$2,495~~
Mobilehome Park Impact Report	For each impact report filed pursuant to Section 8.57.300 in Title 8 (Consumer Protection, Business and Wage Regulations) of the County Code	$8,956
~~Modification of Development Standards in Community Standards District~~	~~Without public hearing~~	~~$3,513~~
	~~With public hearing~~	~~$16,903~~
Modification Permit	Application	$3,545
	Time Extension	$2,109
…		
Pre-Application Counseling	Fee will be applied to projects filed within one	$1,048

	year of the one- stop counseling	
~~Parking Permit~~		~~$15,873~~
…		
Public Rehearing Fee	Fee may be charged when a case is rescheduled for public hearing after being taken off the agenda as a result of the applicant's request or non-compliance with applicable requirements. However, if said rehearing is scheduled concurrently with the rehearing of any other application or petition required by this Title 22, for the same or substantially the same property, only one rehearing fee shall apply	$2,934
~~Revised Exhibit "A"~~	~~Residential, maximum 10 lots per application; commercial, industrial)~~	~~$2,321~~
	~~Fire Department referral~~	~~See Section 328 in Title 32 (Fire)~~
…	…	…
Variance	Application	$15,873
	Time Extension	$2,109
~~Yard Modification~~	~~Including Reasonable Accommodation~~	~~$3,545~~
…	…	…

SECTION 93. Section 22.300.020 is hereby amended to read as follows:

22.300.020 – Application of Planning Area Standards Districts and Community Standards Districts to Property.

…

B. Modifications Authorized. Modifications to ~~D~~ddevelopment ~~S~~sstandards specified in this Division 10 ~~may be modified, subject to~~shall require a Variance (Chapter ~~22.160 (Conditional Use Permits, Minor)~~22.194) application, subject to any additional applicable findings in a PASD or CSD, except where the project is subject to:

1. ~~Chapter 22.158 (Conditional Use Permits);~~Chapter 22.166 (Housing Permits); or

2. ~~Chapter 22.176 (Minor Parking Deviation);~~A PASD or CSD specifically authorizes modifications to certain development standards, such as yard, setback, and fence standards, with a Modification Permit (Chapter 22.178) application, subject to any additional applicable findings in a PASD or CSD.

~~3. Chapter 22.178 (Parking Permits); or.~~

~~4. Other modification procedures specified in this Division 10.~~

SECTION 94. Section 22.302.080 is hereby amended to read as follows:

22.302.080 – Acton Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this Section ~~are only available pursuant to the terms and conditions of a Conditional Use Permit (Chapter 22.158) application~~shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized).

SECTION 95. Appendix I after Section 22.302.080 is hereby amended to read as follows:

APPENDIX I. – ACTON COMMUNITY STANDARDS DISTRICT ARCHITECTURAL STYLE GUIDELINES

…

III. Guidelines

…

D. Signs

Signage controls can "make or break" the visual image of a commercial community. This feature of the Acton community is so important that Section 22.302.060.F (Signs) of this CSD contains specific regulations designed to prevent the use of modern signs.

The primary function of signs in Acton is to effectively identify business locations. Signs should not be used for advertising, unless based on verifiable authentic Western designs. Even then they must either conform to Section 22.302.060.F (Signs) or ~~undergo appropriate variance approvals~~obtain an approved Variance (Chapter 22.194). The following signage features supplement the requirements of Section 22.302.060.F:

SECTION 96. Section 22.302.090 is hereby amended to read as follows:

22.302.090 – Elizabeth Lake and Lake Hughes Community Standards District.

…

F. Community-Wide Development Standards.

…

9. Utility Devices.

…

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 of Regional Planning due to practical difficulties or unnecessary hardships with a Minor Conditional Use Permit (Chapter 22.160)~~ with a Modification Permit (Chapter 22.178) application if it is due to practical difficulties or unnecessary hardships.

…

I. Modification of Development Standards.

1. Modification Authorized. Modifications to any development standards in this ~~Chapter are subject to a Minor Conditional Use Permit (Chapter 22.160) application, and shall be subject to additional findings:~~Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~a. The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the goals of this CSD; or.~~

~~b. 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; and~~

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

~~2.~~ Additional Findings. The following additional findings shall be included for a modification to Subsection F.4. (Significant Ridgeline Protection), above:

a. 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.<u>, and</u>

b. 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:

i. Minimized grading.

ii. Reduced structural height.

iii. Use of shapes, materials, and colors that blend with the surrounding environment.

iv. Use of native drought-tolerant landscaping for concealment.

SECTION 97. Section 22.302.100 is hereby amended to read as follows:

22.302.100 – Green Valley Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this ~~Chapter are subject to a Conditional Use Permit (Chapter 22.160) application with a notification radius consistent with Section 22.222.160 (Notification Radius), and shall be subject to additional findings:~~Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized).

~~1. The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the purpose of this CSD; or~~

~~2. There are exceptional circumstances or conditions that are uniquely 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.~~

SECTION 98. Section 22.302.110 is hereby amended to read as follows:

22.302.110 – Juniper Hills Community Standards District

…

I. Modification of Development Standards.

1. Modification ~~Authorized~~Permit.

a. Modification of the development standards specified in Subsection F.11.a (Required Yards), F.11.d (Accessory Structures) and F.11.e. (Fences) above, shall ~~be subject to a Yard~~ require a Modification Permit (Chapter 22.~~196~~178) application~~;~~.

~~b. Modification of the development standards specified in Subsections F.11.d and F.11.e (Fences) and shall be subject to the provisions of Subsection I.2, below.~~

2. ~~Modification of Specific CSD Standards.~~Variance. Modifications too all other development standards shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~a. Applicability. Modification of the development standards specified in Subsections F.11.d and F.11.e shall be subject to a CSD Modification application, in compliance with this Subsection I.2.~~

~~b. Application and Review Procedures.~~

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

~~ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review—Discretionary) and this Subsection 2.~~

~~c. Findings and Decision.~~

~~i. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection I.2.c.ii, below.~~

~~ii. Findings.~~

~~(1). The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.~~

~~(2)i. 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, to 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, and to prevent adverse effects on neighboring property and conform with good zoning practice.~~

~~(3). The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.~~

SECTION 99. Section 22.302.120 is hereby amended to read as follows:

22.302.120 – Lake Los Angeles Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~1. Modifications to any standards in this Chapter are subject to a Conditional Use Permit (Chapter 22.160) application, and shall be subject to additional findings:~~

~~a. The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the purpose of this CSD; or~~

~~b. There are exceptional circumstances or conditions that are uniquely 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.~~

SECTION 100. Section 22.302.130 is hereby amended to read as follows:

22.302.130 – Leona Valley Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this Section ~~are subject to a Conditional Use Permit (Chapter 22.158) application, and shall be subject to additional findings:~~shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~1. The application of these standards would result in practical difficulties or unnecessary hardship inconsistent with the purpose of this CSD;~~

~~2. There are exceptional circumstances or conditions that are uniquely 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. Approval or denial of a modification to the development standards of this Section shall not establish precedent for approval or denial of other modifications within the Section; and~~

~~4~~2. ~~In acting upon any application for a modification from the development standards of this Section, the Review Authority shall consider, in addition to the purpose statement in this Section, the unique characteristics of the neighborhood in which the site is located.~~

SECTION 101. Section 22.302.140 is hereby amended to read as follows:

22.302.140 – Pearblossom Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~1. Modifications to any standards in this Chapter are subject to a Conditional Use Permit (Chapter 22.158) application, unless otherwise specified, and shall be subject to findings:~~

~~ii. The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the purpose of this CSD; or~~

~~iii. There are exceptional circumstances or conditions that are uniquely 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.~~

SECTION 102. Section 22.302.150 is hereby amended to read as follows:

22.302.150 – Southeast Antelope Valley Community Standards District.

I. Modification of Development Standards. Modifications to any development standards in this Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized)

~~1. Modifications to any standards in this Section are subject to a Conditional Use Permit (Chapter 22.158)~~Variance (Chapter 22.194) ~~application, and shall be subject to additional findings:~~

~~a~~1.~~The use, development of land, and application of development standards comply with all applicable provisions of this Title 22;~~

~~b.~~2. ~~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, to provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to protect of public health, safety and general~~

~~welfare, prevent adverse effects on neighboring property and conforms with good zoning practice;~~

~~c~~2~~.~~ ~~The use, development of land, and application of development standards is suitable from the standpoint of functional developmental design;~~

~~d. The application of the standards for which modification is sought would result in practical difficulties or unnecessary hardships;~~

~~e. There are exceptional circumstances or conditions uniquely applicable to the subject property, or to the intended development of the property, that do not apply to other properties within the area governed by this CSD; and~~

~~f. That granting the requested modification will not be materially detrimental to properties or improvements in the area or contrary to the purpose of this CSD.~~

SECTION 103. Section 22.302.170 is hereby amended to read as follows:

22.302.170 – Three Points – Liebre Mountain Community Standards District.

…

I. Modification of Development Standards. Modifications to any development standards in this Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~1. 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:

~~a. The application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the purpose of this CSD; or~~

~~b. There are exceptional circumstances or conditions that are uniquely 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.~~

SECTION 104. Section 22.306.110 is hereby amended to read as follows:

22.306.110 – Modification of Development Standards.

Notwithstanding the provisions of Subsection 22.300.020 (Modification Authorized), the modification of certain PASD and CSD standards are subject to the following provisions:

A. Modification of PASD standards subject to a Variance (Chapter 22.194):

1. Significant Ridgelines, as provided in Section 22.306.060.A.4, above.

2. Zone C-3 and MXD Height, as provided in Section 22.306.070.B, above.

B. Modification of Avocado Heights CSD Development Standards:

1. Modification of standards specified below shall ~~be subject~~require a ~~Minor Conditional Use Permit~~Modification Permit (Chapter 22.178) application, ~~pursuant to~~in accordance with Section 22.300.020.C (Modifications Authorized):

a. Sections 22.306.080.G.1.b through G.1.d (Zones R-1, R-A, and A-1);

b. Sections 22.306.080.G.2.b.iii and iv (Zones C-H and C-1);

c. Section 22.306.080.G.4 (regarding setbacks in Zone C-2); and

d. Sections 22.306.080.G.5.a, b, c, e, f, and h (Zones M-1 and M-1.5).

2. Modification of Green Zone (Chapter 22.84) requirements shall be subject to the provisions of Subsection 22.84.040.D (Modification).

3. Modification of all other development standards in the Avocado Heights CSD shall ~~be subject to~~require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized).

C. Modification of Rowland Heights Development Standards:

1. ~~Modification of the development standards for the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line shall be subject to the provisions of Subsection C.4, below.~~

~~2.~~ Minor deviation of up to 25 percent from the following development standards ~~are subject to a Minor Conditional Use Permit~~require a Modification Permit (Chapter 22.178) application, ~~pursuant to~~in accordance with Section 22.300.020.C (Modifications Authorized).

a. Signs (Section 22.306.090.G).

b. The parking lot landscaping requirements set forth in Section 22.306.090.F.3.g (Parking Lot Landscaping) as they apply to existing parking lots as of June 20, 2024.

2. ~~Modification of all other standards in the Rowland Heights CSD shall be subject to a Variance (Chapter 22.194).~~

~~3~~. Yard Modifications. A ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application ~~may be filed~~shall be required to authorize the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line; provided, however, that under no circumstances shall a recreational vehicle be parked closer

than five feet from the front or corner side lot lines. An application under this Subsection C.43 shall be supported by evidence substantiating that the requested modification is necessary due to topographic features or other conditions in that compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line. The Review Authority may approve the application if the Review Authority finds that parking or storing a recreational vehicle at the proposed location will not compromise pedestrian or motorist line of sight or other applicable safety standards, as determined by the Review Authority, and the applicant has substantiated to the satisfaction of the Review Authority that, due to topographic features or other conditions, compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line.

3. Modification of all other development standards in the Rowland Heights CSD shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized).

1. ~~Modifications, Notification Radius and~~ Additional Findings.

~~1. Notification Radius. Notwithstanding Subsection 22.300.020.C (Modifications Authorized), the notification radius for modifications in Subsection C above shall be 1,000 feet of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll.~~

~~2. Additional Findings.~~ ~~In~~ Modification Permits related to Subsection B.1 and C.1, above, shall be subject to the following findings in addition to Section

22.160.050178.040 (Findings and Decisions) for a Minor Conditional Use Permit (Chapter 22.176), modifications pursuant to Subsection B.1 and C.2, above, are subject to these additional findings:

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

b.1 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 as to avoid traffic congestion, to 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, and to prevent adverse effects on neighboring property and conform with good zoning practice.

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

d. The application of these standards will result in practical difficulties or unnecessary hardships inconsistent with the community-specific goals and policies of the East San Gabriel Valley Area Plan and the purpose of the CSD.

e.There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not generally apply to other properties within this CSD.

F2. Granting the requested modification will not be materially detrimental to properties or improvements in the area or contrary to the community-specific goals and policies of the East San Gabriel Valley Area Plan and the purpose of the CSD.

SECTION 105. Section 22.308.080 is hereby amended to read as follows:

22.308.080 – Cerritos Island Community Standards District

…

I. Modification of Development Standards. Modifications to any development standards in this Section shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized).

~~1. Modifications Authorized.~~

~~a. Modification of the development standards specified in Subsection G (Zone-Specific Development Standards), above, shall be subject to the provisions of Subsection I.2, below.~~

~~2. Modification of Specific CSD Standards.~~

~~a. Applicability. Modification of the development standards specified in Subsection I.1.a, above, subject to a CSD Modification application, in compliance with this Subsection I.2.~~

~~b. Application and Review Procedures.~~

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

~~ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Subsection I.2.~~

~~c. 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 500 feet of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll.

d. Findings and Decision.

i. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection I.2.d.ii, below.

ii. Findings.

(1) The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.

(2) 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, to 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, and to prevent adverse effects on neighboring property and is in conform with good zoning practice.

(3) The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.

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

~~(5) Granting the request will not be materially detrimental to properties or improvements in the area or contrary to the purpose of this CSD, as set forth in Subsection A (Purpose), above.~~

~~(6) The size and scale of the proposed development complement existing structures in the surrounding neighborhood.~~

SECTION 106. Section 22.310.070 is hereby amended to read as follows:

22.310.070 – PASD Zone-Specific Development Standards.

…

B. All Commercial Zones.

1. Development Standards. The following development standards shall apply to lots in all commercial zones in the Metro PASD:

…

f. Signage. All new business signs shall be subject to all applicable regulations in ~~Section 22.144~~Chapter 22.114 (Signs), except as modified by this Section B.1.f.

…

v. Additional Findings for Modification. Deviation from the sign area standards or required dimensions specified in Subsection B.1.f.i, above, ~~may be permitted with a Minor Conditional Use Permit (Chapter 22.160)~~ shall require a Modification Permit (Chapter 22.178) application, subject to the following additional finding~~s~~:

(a) The requested modification does not result in additional glare, light trespass, or nuisance to neighboring properties or surrounding uses.~~; and~~

~~(b) With the exception of the requested modification, the proposed sign complies with all other applicable standards in this Title 22.~~

…

…

SECTION 107. Section 22.314.080 is hereby amended to read as follows:

22.314.080 – Agua Dulce Community Standards District.

I. Modification of Development Standards.

1. Modifications ~~Authorized.~~Permit. Modifications to the development standards specified in Subsection G.1.b. (Yard Requirement), above, shall require a Modification Permit (Chapter 22.178) application.

~~a. Modification of the development standards specified in Subsections G.1.a (Lot Design) and G.1.c (Density-Controlled Development), above shall be subject to a Variance (Chapter 22.194) application;~~.

~~b. Modification of the development standards specified in Subsection G.1.b (Yard Requirements), above shall be subject to the provisions of Subsection I.3, below;~~

~~c. Modification of the development standards specified in Subsection F.8 (Significant Ridgeline Protection), above, shall be subject to the provisions of Subsection I.4, below; and~~

~~d. Modification of all other development standards in this Section shall be subject to a Conditional Use Permit (Chapter 22.158) application~~

2. Variance. Modifications to any other development standards in this Section shall require a Variance (Chapter 22.194) application, in accordance with

Section 22.300.020.C (Modification Authorized). Modifications to the development standards in Subsection F.8 (Significant Ridgelines) are subject to the following additional findings.

a. Alternative sites within the project site have been considered and rejected due to documented hazards for potentially greater damage to biota on the alternative sites than on the subject site, as determined by a biologist; and

b. The overall development is designed so that grading will not occur uniformly across the project area and will be limited to the pads required for the individual structures.

~~2~~3. Notification to the Agua Dulce Town Council. In addition to any other notice required by ~~Subsection I.3.b, below,~~Section 22.222.160 (Notification Radius), applicants for any modification described in Subsection I.~~1~~, above, shall provide notice of the application to the Agua Dulce Town Council when the application is filed.

~~3. Modification of Yard Requirements.~~

~~a. Applicability. Modification to Subsection G.1.b (Yard Requirements), above, shall be subject to a Yard Modification (Chapter 22.196) application and this Subsection I.3.~~

~~b. Notification. The application shall comply with all noticing requirements as required by a 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.~~

~~c. Additional Findings.~~

~~i. There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not apply to other properties within this CSD that warrant the requested yard modification; and~~

~~ii. Granting the request for the yard modification will not be materially detrimental to properties or improvements in the area or contrary to the purposes of this CSD, as provided in Subsection A (Purpose), above.~~

~~4. Modification of Significant Ridgelines.~~

~~a. Applicability. Modification to Subsection F.8 (Significant Ridgeline Protection), above, shall be subject to a Conditional Use Permit (Chapter 22.158) application and this Subsection I.4.~~

~~b. Additional Findings.~~

~~i. Alternative sites within the project site have been considered and rejected due to documented hazards for potentially greater damage to biota on the alternative sites than on the subject site, as determined by a biologist; and~~

~~ii. The overall development is designed so that grading will not occur uniformly across the project area and will be limited to the pads required for individual structures.~~

SECTION 108. Section 22.314.090 is hereby amended to read as follows:

22.314.090 – Castaic Area Community Standards District.

…

I. Modification of Development Standards.

1. ~~Modifications Authorized.~~

~~a.~~ Modification Permit. ~~Minor variations~~Modifications to the development standards specified in Subsection F.3.d (Alternate Trail Proposal), Subsections F.5 through F.13, and the zone-specific development standards specified in Subsections G.2.b (Architectural Standards) and G.2.c (Circulation Areas), above, shall ~~be subject to the provisions of Subsection I.2, below; and~~require a Modification Permit (Chapter 22.178) application, subject to the following:

a. Notification. In addition to Section 22.222.160 (Notification Radius), notice shall be sent to:

i. All "occupant~~(s)~~" of properties within the notification radius, where the mailing address of a property owner on the above list is different from the address of the neighboring property;

ii. All community organizations that request notification of pending applications including, but not limited to, the Castaic Area Town Council and the homeowners associations within the boundaries of this CSD; and

iii. ~~Such o~~Other persons whose property could be affected by the application request, as the Director deems appropriate.

b. Additional Finding.

i. 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, to 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, and to prevent adverse effects on neighboring property.

b. Other variations to the standards specified in this Section for a proposed project located in a Residential Planned Development or a Specific Plan Zone shall be subject to the provisions of Subsection I.3, below.

2. Minor Variations.

a. Applicability. A minor variation may be permitted to the standards specified in Subsection I.1.a, above, subject to a CSD Modification application, in compliance with this Subsection I.2.

b. Application and Review Procedures.

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

ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Subsection I.2.

c. Notification. The application shall comply with all noticing requirements as required by the 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 and notice shall be sent to:

i. All "occupant(s)" of properties within the notification radius, where the mailing address of a property owner on the above list is different from the address of the neighboring property;

ii. All community organizations that request notification of pending applications including, but not limited to, the Castaic Area Town Council and the homeowners associations within the boundaries of this CSD; and

iii. Such other persons as the Director deems appropriate whose property could be affected by the application request.

d. Findings and Decision.

i. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection I.2.d.ii, below.

ii. Findings.

(1) The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.

(2) 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, to 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.

(3) The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.

~~(4) The application of these standards would result in practical difficulties or unnecessary hardships.~~

~~(5) 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 Castaic Area.~~

~~(6) Granting the requested minor variation will not be materially detrimental to properties or improvements in the area or contrary to the goals and policies of the Santa Clarita Valley Area Plan or this CSD.~~

4<u>2</u>. ~~Other Variations~~<u>Variances</u>. ~~If a proposed project is located in a~~<u>Modifications of development standards in a</u> Residential Planned Development or a Specific Plan Zone ~~and can be found consistent with the goals of this CSD, the development standards herein may be modified, if the applicant obtains a Conditional Use Permit (Chapter 22.158)~~ <u>shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modifications Authorized)</u>, ~~and substantiates the findings provided in Section 22.158.050 (Findings and Decision), and further demonstrates that the project satisfies the following~~ <u>subject to the noticing requirements in Subsection I.a.i, above, and the following additional findings</u>:

a. Compatibility. The project must be compatible with existing adjoining land uses;

b. Significant Public Benefit. The project must provide significant public benefit beyond that already required by some other provision of this Title 22. Examples of projects that comply with this requirement include, but are not limited to,

projects that offer additional open space, natural habitat areas, recreation facilities, trails, and/or cultural or educational facilities;

c. Substantial Community Support. The project must have substantial community support. For purposes of this requirement, substantial community support requires at least two-thirds of all written comment letters received from residents, property owners, and businesses within 1,000 feet from the project boundary to support the project. In reaching this threshold, every person signing a written comment letter shall be counted separately, provided that such signature has been verified. The position of elected community organizations such as the Castaic Area Town Council will be considered and counted as one comment letter in determining substantial community support, provided it is the formal position of the governing board of such organization; and

d. Significant Ridgeline. The project must not disturb any significant ridgeline, as described in Subsection F.6 (Significant Ridgeline Protection), above.

e. CSD Consistency. The modifications are consistent with the goals of this CSD.

SECTION 109. Section 22.314.100 is hereby amended to read as follows:

22.314.100 – San Francisquito Canyon Community Standards District.

…

I. Modification of Development Standards.

1. ~~Modifications Authorized~~Modification Permit. Modifications ~~to~~ the development standards specified in Subsections F.10.b (Significant Ridgeline Protection), G.1.b (Required Yards), G.1.c (Fences) and G.1.d (Structure Separation),

above, shall ~~r~~require a Modification Permit (Chapter 22.178) application. Modifications to the development standards in Subsection F.10.b (Significant Ridgeline Protection), above, are subject to the following findings:

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

b. 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:

i. Minimized grading.

ii. Reduced structural height.

iii. Use of shapes, materials, and colors that blend with the surrounding environment.

iv. Use of native drought-tolerant landscaping for concealment.

~~a. Modification of the development standards specified in Subsection G.1.b (Required Yards), above, shall be subject to a Yard Modification (Chapter 22.196) application. The application shall comply with all noticing requirements as required 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;~~

~~b. Modification of the development standards specified in Subsections G.1.c (Fences) and G.1.d (Structure Separation), above, shall be subject to the procedures specified in Subsection I.2, below;~~

~~c. Modification of the development standards specified in Subsection F.10.b (Significant Ridgeline Protection), above, shall be subject to the procedures specified in Subsection I.3, below; and~~

~~d. Modification of other development standards in this CSD shall be subject to a Variance (Chapter 22.194).~~

2. ~~Modification of Specific CSD Standards~~Variance. Modifications to any other development standards in this CSD shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized).

~~a. Applicability. Any modification to Subsections G.1.c (Fences) and G.1.d (Structure Separation), above, shall be subject to a CSD Modification application, in compliance with this Subsection I.2.~~

~~b. Application and Review Procedures.~~

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

~~ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review—Discretionary) and this Subsection I.2.~~

~~c. Notification. The application shall comply with all noticing requirements as required by the 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.~~

~~d. Findings and Decision.~~

~~i. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection I.2.d.ii, below.~~

~~ii. Findings.~~

~~(1) The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.~~

~~(2) 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, to 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.~~

~~(3) The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.~~

~~(4) There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not apply to other properties within the CSD area; and~~

~~(5) That granting the request for modification will not be materially detrimental to properties or improvements in the area or contrary to the purpose of this CSD, as provided in Subsection A (Purpose), above.~~

~~3. Modification of Significant Ridgeline Protection~~

~~a. Applicability. Any modification to Subsection F.10.b, above, shall require a Minor Conditional Use Permit (Chapter 22.160) application.~~

~~b. Additional Findings.~~

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

~~(1) 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:~~

~~(2) Minimized grading.~~

~~(3) Reduced structural height.~~

~~(4) Use of shapes, materials, and colors that blend with the surrounding environment.~~

~~(5) Use of native drought-tolerant landscaping for concealment.~~

SECTION 110. Section 22.316.080 is hereby amended to read as follows:

22.316.080 – Santa Monica Mountains North Area Community Standards District

…

I. Area-Specific Development Standards

1. Topanga Canyon Area.

…

d. Development Standards.

i. Fences and Walls. The construction and/or replacement of fences and walls exceeding three and one-half feet in height which are located either within required front yards, or within required corner side or required rear yards where closer than five feet to any highway line ~~is authorized, subject to obtaining approval of a CSD~~ shall require a Modification Permit (Chapter 22.178) application, ~~according~~pursuant to Subsection J.~~2~~, below, and subject to the following standards:

…

…

J. Modification of Development Standards.

1. ~~Modifications Authorized~~.

~~a.~~ Modification of Significant Ridgeline Standards. Where structures on a lot cannot meet the standards prescribed by Subsection G.18.a.ii, above, a Variance (Chapter 22.194) application shall be required. In addition to the required findings set forth in Section 22.194.050 (Findings and Decision), findings shall be made that:

~~i~~a. Alternative sites within the property or project have been considered and eliminated from consideration, based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used; and

~~ii~~b. The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project such as, but not limited to, minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of locally indigenous vegetation for concealment of the project, as described on the

list referenced in Subsection G.9.c.ii, above. The Director shall maintain a list of appropriate landscaping materials required to satisfy this provision. Avoidance of impacts to scenic resources through site selection and design alternatives is the preferred method over landscape or building material screening. Landscape or building material screening shall not substitute for project alternatives including re-siting or reducing the height or bulk of structures.

~~b~~2. Modification of Vineyard Standards. Except for access road and driveway modifications, as provided for in Subsection G.25.b.i.(11), above, all other modifications of the requirements set forth in Subsection G.25.b (Vineyard Requirements), above, shall ~~be considered through~~require a Variance (Chapter 22.194) application. In addition to the Variance application, any modification to Subsection G.25.b.iii.(1), above shall be subject to the additional findings set forth in Subsection J.1~~.a~~, above.

~~c~~3. Modification of Equestrian Facilities Standards. Modification of any development standards contained in Subsection G.5, above, shall ~~be considered through~~require a Variance (Chapter 22.194) application. A Biological Resources Assessment ~~must~~shall be completed and be reviewed by SEATAC prior to any decision by ~~a decision-making body~~the Review Authority.

~~d~~4. Modification of Topanga Canyon Area-Specific Development Standards.

~~i~~a. ~~-~~Modification of the development standards specified in Subsections I.1.d.i and iii, above, shall ~~be subject to~~require a ~~CSD~~ Modification Permit (Chapter 22.178) application ~~in compliance with Subsection J.2, below~~. The ~~CSD~~ Modification

Permit application shall also include the following: ~~findings that the proposed modifications will not create a safety hazard and will not impair views of scenic resources and~~

a. ~~the application shall contain the following information~~Additional Information:

~~(1)~~i. A scaled site plan showing the proposed landscaping, fence or wall location, setbacks, and fence or wall height measurements; and

~~(2)~~ii. A scaled elevation drawing of the proposed landscaping, fence or wall showing measurements of all fence or wall elements, including fence or wall height, and all proposed materials and colors.

b. Additional Findings:

i. The modification will not create a safety hazard and will not impair views of scenic resources; and

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, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, insure the protection of public health, safety, and general welfare, and prevent adverse effects on neighboring property.

~~e~~5. Modification of Malibou Lake Area-Specific Development Standards.

~~i~~a. Any modification of the development standards contained in Subsection I.2.c, concerning parking, street access, and lot coverage~~, shall be considered~~ for residences ~~through the Conditional Use Permit procedure (Chapter~~

~~22.158).~~shall require a Variance (Chapter 22.194) application in accordance with Section 22.300.020.C (Modification Authorized), ~~In making a determination upon the application, the Hearing Officer or Commission shall find, in addition to the requirements of Section 22.158.050 (Findings and Decision), that~~ subject to the following additional findings:

~~(1) The modification is necessary for the preservation and enjoyment of a substantial property right possessed by owners of other property in the community;~~

~~(2)~~i. The modification will not create an adverse safety impact in the surrounding community; and

~~(3) The modification will not be materially detrimental or injurious to the property or improvements in the vicinity of the property; and~~

~~(4)~~ii. The modification will not adversely affect or be in conflict with ~~the General Plan, including~~ the Area Plan.

~~ii~~b. Modification to yard or setback regulations required by this Title 22 ~~may be granted, pursuant to~~shall require a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application ~~and this Subsection J.1.e.ii.~~, subject to the following:

~~(1)~~i. ~~The application shall comply with all noticing requirements, as required by Chapter 22.196 (Yard Modifications). Such~~In addition to the noticing requirements in Section 22.222.160 (Notification Radius), noticing shall ~~also~~ be sent to:

(~~a~~1) All "occupant(s)" of properties within the notification radius, where the mailing address of a property owner on the above list is different from the address of the neighboring property; and

(~~b~~2) Such other persons as the Director deems appropriate whose property could be affected by the application request.

ii. Findings and decision shall be made in compliance with Section 22.~~196~~176.030 (Findings and Decision) ~~and~~ and Subsection J.~~1.e.i~~5.a, above.

iii. Notwithstanding Section 22.222.270.A, a ~~Yard~~ Modification Permit which is not used within the time specified in the conditions, or, if no time is specified, within one year after the granting of the ~~yard~~ modification, becomes null and void and of no effect, except that the Hearing Officer may extend such time for a period of not to exceed one year, provided an application requesting such extension is filed prior to such expiration date.

~~2. Modification of Specific CSD Standards.~~

~~a. Applicability. Modification of the development standards specified in Subsection J.1.d, above, shall be subject to a CSD Modification application, in compliance with this Subsection J.2.~~

~~b. Application and Review Procedures.~~

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

~~ii. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review - Discretionary) and this Subsection J.2.~~

~~c. Findings and Decision.~~

~~i. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision), and include the findings in Subsection J.2.c.ii, below.~~

~~ii. Findings.~~

~~(1) The use, development of land, and application of development standards are in compliance with all applicable provisions of this Title 22.~~

~~(2) 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, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, insure the protection of public health, safety, and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.~~

~~(3) The use, development of land, and application of development standards is suitable from the standpoint of functional developmental design.~~

SECTION 111. Section 22.320.080 is hereby amended to read as follows:

22.320.080 - Modification of PASD Development Standards.

A. Applicability. The modification of PASD <u>development</u> standards in this Chapter, including the PASD area wide and CSD standards, unless otherwise

specified by the CSD, are subject to a ~~minor conditional use permit (Chapter 22.160, Conditional Use Permits, Minor)~~Modification Permit (Chapter 22.176).

…

SECTION 112. Section 22.320.090 is hereby amended to read as follows:

22.320.090 – Altadena Community Standards District

…

F. Modification of Development Standards.

1. Applicability. The development standards set forth as listed below, may be modified through a ~~Minor Conditional Use~~Modification Permit pursuant to Section 22.300.020.C (Modifications Authorized), subject to the provisions therein:

…

2. Application.

a. Additional Application Materials. In addition to the application materials required for a ~~Minor Conditional Use Permit (Chapter 22.160)~~Modification Permit (Chapter 22.178) application, the application shall contain the following information:

…

b. Review Agency Fee. When the Department determines that a Modification Permit (Chapter 22.178) application is to be referred to Public Works for review, ~~T~~the applicant shall submit an additional filing fee ~~as equal to that required for:~~

~~(1) A Minor Conditional Use Permit; and~~

~~(2) For modifications to development standards related to fences and walls, a fee~~ in the amount specified in Section 12.04.020.A.3.a.(3) of Title 12 (Environmental Protection) of the County Code to be ~~applied~~paid to Public Works~~, when the Department determines that a CSD Modification is to be referred to Public Works for review~~.

3. Additional Development Standards for Modification.

…

b. Commercial and Mixed Use Zones.

i. ~~Additional Development Standards for~~ ModificationPedestrian Entrance. Where a ~~CSD~~ Modification Permit (Chapter 22.178) application ~~is~~ request~~ed~~s to modify Section 22.320.090.D.4.c.vii.(2) (Pedestrian Entrance), the following standards shall apply:

…

~~4. Procedure. A CSD Modification shall be processed the same as for a Minor Conditional Use Permit (Chapter 22.160) application, except as follows:~~

~~a. Findings for Approval. The Hearing Officer shall approve or deny the request based on the following findings:~~

~~i. The application of the standards for which modification is sought would result in practical difficulties or unnecessary hardships if not granted;~~

~~ii. 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; and~~

~~iii. That the requested modification will not be contrary to the purpose of this CSD or the West San Gabriel Valley Area Plan; and~~

~~iv. For any request to modify the requirements of Section 22.320.090.D.4.c.vii.(2) (Pedestrian Entrance), that the proposed alternative meets the additional development standards in Subsection F.3.b.i.(3), above, and is designed in such a manner as to enhance the pedestrian character or the use of the site by pedestrians.~~

4. Additional Findings. Modifications to development standards authorized by this Subsection F shall be subject to the following additional findings:

i. That the requested modification will not be contrary to the purpose of this CSD or the West San Gabriel Valley Area Plan; and

ii. For any request to modify the requirements of Section 22.320.090.D.4.c.vii.(2) (Pedestrian Entrance), that the proposed alternative meets the additional development standards in Subsection F.3.b.i.(3), above, and is designed in such a manner as to enhance the pedestrian character or the use of the site by pedestrians.

~~b. Additional Conditions. In approving a request, the Hearing Officer may direct changes to be made or condition the project in order to meet the required findings.~~

5. Additional Conditions. In approving an application, the Review Authority may direct changes to be made or condition the project in order to meet the required findings.

SECTION 113. Section 22.320.110 is hereby amended to read as follows:

22.320.110 – East Pasadena-East San Gabriel Community Standards District

…

F. Modification of Development Standards. In addition to the findings required ~~by~~for a ~~Minor Conditional Use~~Modification Permit (Chapter 22.178) application as provided by Section 22.320.080 (Modification of PASD Development Standards), the following findings are required:

1. Approval or denial of a modification to the development standards of this Chapter shall not establish precedent for approval or denial of other modifications within the East Pasadena-East San Gabriel CSD.

2. The modification of the development standards will not affect the unique characteristics of the neighborhood in which the site is located.

~~a~~3. The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.

~~b~~4. 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, prevent adverse effects on neighboring property, and conform with good zoning practice.

~~c~~5. The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.

~~d~~6. That the requested modification will not be materially detrimental to properties or improvements in the area or contrary to the purpose of this CSD or the West San Gabriel Valley Area Plan.

SECTION 114. Section 22.320.120 is hereby amended to read as follows:

22.320.120 – La Crescenta-Montrose Community Standards District

…

G. Modification of Development Standards.

1. Only the following development standards shall be modified ~~through a minor conditional use permit~~with a Modification Permit (Chapter 22.178) application. All other modifications of development standards in this CSD are subject to a ~~Conditional Use Permit~~Variance (Chapter 22.192) application.

…

2. Additional Findings and Decision. Notwithstanding the findings required ~~by~~for a ~~Minor Conditional Use~~Modification Permit (Chapter 22.178) application as provided by Section 22.320.080 (Modification of PASD Development Standards), these additional findings are required:

a. The use, development of land, and application of development standards are in compliance with all applicable provisions of this Title 22.

b. 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 so arranged as to avoid traffic congestion; provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities; ensure the protection of public health,

safety, and general welfare; prevent adverse effects on neighboring property; and are in conformity with good zoning practice.

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

d. 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.

e. That granting the request for modification will not be materially detrimental to properties or improvements in the area or contrary to the purpose of this CSD or West San Gabriel Valley Area Plan.

SECTION 115. Section 22.322.080 is hereby amended to read as follows:

22.322.080 – Baldwin Hills Community Standards District

…

K. Modification of Development Standards.

1. Application. ~~A CSD Modification application, as specified by this Section, may permit m~~Modifications ~~from~~of the development standards specified in Subsection E (Oil Field Development Standards), above, shall require a Modification Permit (Chapter 22.178) application.

~~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 Section.~~

~~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~~ measured from the exterior boundaries of the oil field~~, as shown on the County's last equalized assessment roll~~. A copy of the notice shall also be sent to the CAP.

4~~3~~. ~~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 additional findings in Subsection K.43.b, below.~~

~~b.~~ Additional Findings.

i. ~~The use, development of land, and application of development standards is in compliance 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, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, ~~i~~ensure the protection of public health, safety and general welfare, and prevent adverse effects on neighboring property ~~and is in conformity with good zoning practice~~.

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

~~iv.~~ That the modification is necessary for the preservation of a substantial property right of the operator.

~~viii.~~That the modification will not create an adverse safety impact in the surrounding community nor result in a significant impact on the environment.

~~vii~~iv. That the modification will not be materially detrimental to the property or improvements in the vicinity of the premises nor contrary to the purposes of the district.

~~vii. That the modification will not adversely affect or be in conflict with the General Plan.~~

SECTION 116. Section 22.410.060 is hereby amended to read as follows:

22.410.060 – Project Review Procedures.

…

C. Modifications of Development Standards ~~Review~~.

1. ~~Review Authority. The Hearing Officer shall have the authority to review projects requesting a modification to the development standards identified in sSubsection C.4 below, for substantial compliance with the applicable requirements of this Form-Based Code and other provisions of Title 22.~~

~~2. Application Requirements. A modification application shall include all information required by the form provided by the Department, and the payment of the required fee set forth in Section 22.250.010 (Filing Fees and Deposits).~~Modification Permit. Modifications of the development standards specified in Table 1, below, shall require a Modification Permit (Chapter 22.178) application, which shall be reviewed for substantial compliance with the applicable requirements of this Form-Based Code and other provisions of this Title 22.

TABLE 1. MODIFICATIONS	
Requirement	**Maximum Modification**
Lot Width	10%
Setback	Side yards[1],[2]: 15%, but no less than 3 feet from the property line; All other yards: 15%, but no less than 10 feet from the property line.
Building Height	10%
Building Size/Massing	15%
Open Space Area/Landscaping	15%
Sign Height/Width/Area	10%
Parking Spaces	See Chapter 22.112 (Parking)
Loading Areas	May be modified or waived.

Note:

1. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet wide.
2. Except as provided in Section 22.110.190.A.1 (Modifications for Additions to Existing Legally-Established Residential Structures that Encroach into Required Side Yard Setbacks) which requires a Ministerial Modification Review (Chapter 22.176) application.

~~3~~2. Procedures. A ~~m~~Modification ~~request~~ Permit (Chapter 22.178) application shall be subject to the public hearing procedures and requirements set forth in Section 22.222.120 (Public Hearing Procedure).

~~4~~3. Determination. If the ~~Hearing Officer~~Review Authority determines that the ~~request for a m~~Modification Permit (Chapter 22.178) application is consistent with the principles and standards of Section 22.222.200 (Findings and Decision),

the ~~Hearing Officer~~Review Authority may approve the ~~modification~~application. ~~Notwithstanding the foregoing, only the following development standards may be modified pursuant to this Subsection C:~~

~~**TABLE 1. MODIFICATIONS**~~	
~~**Requirement**~~	~~**Maximum Modification**~~
~~Lot Width~~	~~10%~~
~~Setback~~	~~15%~~
~~Building Height~~	~~10%~~
~~Building Size/Massing~~	~~15%~~
~~Open Space Area/Landscaping~~	~~15%~~
~~Sign Height/Width/Area~~	~~10%~~
~~Parking Spaces~~	~~10%~~
~~Loading Areas~~	~~May be modified or waived.~~

~~5. Appeals. The decision of the Hearing Officer may be appealed or called up for review pursuant to the procedures and requirements of Chapter 22.240 (Appeals).~~

~~6~~4. Revisions to Approved Modification Permits. Revisions to an approved ~~m~~Modification ~~grant~~Permit ~~may be approved by the Director~~shall require a Ministerial Modification Review (Chapter 22.176) application and may be approved by the Director pursuant to Section 22.176.040 (Decision) if the revisions do not affect the intent of the original approval. Revisions not in conformance with Section 22.176.040

(Decision) and ~~that~~ would deviate from the intent of the original approval shall require ~~approval of~~ a new ~~m~~Modification Permit (Chapter 22.178) application.

5. Variance. When the requested modification is not listed or exceeds the thresholds in Table 1 (Modifications), above, a Variance (Chapter 22.194) application shall be required.

SECTION 117. Section 22.412.080 is hereby amended to read as follows:

22.412.080 – Willowbrook Residential 1 Zone

…

C. Development Standards. The standards for ~~the~~Zone R-1 ~~Zone~~ contained in ~~Chapter~~Section 22.18.040 (Development Standards for Residential Zones) shall apply to all development in the Willowbrook Residential 1 Zone, with the following modifications:

…

3. Fences, Walls, Gates, and Hedges.

a. Wrought iron style fences which do not obscure views may be permitted to the maximum height of six feet within front yards and corner side yards, subject to a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application.

…

SECTION 118. Section 22.412.090 is hereby amended to read as follows:

22.412.090 – Willowbrook Residential 2 Zone.

…

C. Development Standards. The standards for ~~the~~ Zone R-2 ~~Zone~~ contained in ~~Chapter~~Section 22.18.040 (Development Standards for Residential

Zones) shall apply to all development in the Willowbrook Residential 2 Zone, with the following modifications:

…

3. Fences, Walls, Gates, and Hedges.

a. Wrought iron style fences may be permitted to the maximum height of six feet within front yards and corner side yards, subject to a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application.

…

SECTION 119. Section 22.412.100 is hereby amended to read as follows:

22.412.100 – Willowbrook Residential 3 Zone.

…

C. Development Standards. The standards for ~~the Limited~~ Density ~~Multiple Residence (R-3)~~ Zone R-3 contained in ~~Chapter~~Section 22.18.040 (Development Standards for Residential Zones) shall apply to all development in the Willowbrook Residential 3 Zone, with the following modifications:

…

6. Fences, Walls, Gates, and Hedges.

a. Wrought iron style fences may be permitted to the maximum height of six feet within front yards and corner side yards, subject to a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application.

…

SECTION 120. Section 22.414.020 is hereby amended to read as follows:

22.414.020 – Administration and Review.

…

E. ~~Minor~~ Modification ~~Review~~of Development Standards.

1. ~~Review Authority. The Hearing Officer shall have the authority to review projects requesting a~~ ~~m~~Modification Permit. Modifications to the development standards identified in Subsection E.4, below, shall require a Modification Permit (Chapter 22.178) application, which shall be reviewed for substantial compliance with the applicable requirements of this Specific Plan and other applicable provisions of Title 22. Table 22.414.020-A (Minor Modifications) specifies the development standards and maximum modifications that may be permitted pursuant to this Subsection E:

TABLE 22.414.020-A: ~~MINOR~~ MODIFICATIONS	
Standard	**Maximum Modification**
Setback	Side yards[1, 2]: 10% but no less than 3 feet from the property line. All other yards: 10% but no less than 10 feet from the property line.
Building height	10%
Building size/massing	15%
Open space area/landscaping	15%
Sign height/width/area	10%
Note: 1. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet wide.	

TABLE 22.414.020-A: ~~MINOR~~ MODIFICATIONS	
Standard	**Maximum Modification**
2. Except as provided in Section 22.110.190.A.1 (Modifications for Additions to Existing Legally-Established Residential Structures that Encroach into Required Side Yard Setbacks) which requires a Ministerial Modification Review (Chapter 22.176) application.	

2. Variance. When the requested modification is not listed or exceeds the thresholds in Table 22.414.020-A (Minor Modifications), above, a Variance (Chapter 22.194) application shall be required.

~~2~~3. Procedures. ~~A modification request shall require a Specific Plan Substantial Conformance Review~~All modification requests, including Modification Permit (Chapter 22.178) and Variance (Chapter 22.194) applications, ~~which~~ shall be subject to the public hearing procedures and requirements outlined in Section 22.222.120 (Public Hearing Procedure).

~~3. Application Requirements. A Specific Plan Substantial Conformance Review application shall include all information specified in the checklist provided by the Department, along with payment of the required fee as set forth in Section 22.250.010 (Filing Fees and Deposits).~~

4. Determination. If the ~~Hearing Officer~~Review Authority determines that the ~~request for a modification~~application is consistent with the principles and standards of Section 22.222.200 (Findings and Decision) and the findings per Subsection E.5, below, the ~~Hearing Officer~~Review Authority may approve the modification. ~~Table 22.414.020-A (Minor Modifications) specifies the development~~

~~standards and maximum modifications that may be permitted pursuant to this Subsection E:~~

~~**TABLE 22.414.020-A: MINOR MODIFICATIONS**~~	
~~**Standard**~~	~~**Maximum Modification**~~
~~Setback [1]~~	~~10%~~
~~Building height~~	~~10%~~
~~Building size/massing~~	~~15%~~
~~Open space area/landscaping~~	~~15%~~
~~Sign height/width/area~~	~~10%~~
~~Note:~~ ~~1. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet wide.~~	

5. ~~Required~~Additional Findings. Findings and decision for a ~~minor m~~Modifications Permit (Chapter 22.178) application shall be made in compliance with Section 22.222.200 (Findings and Decision) and include the following additional findings:

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

b. 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; to provide for the safety and convenience of bicyclists and pedestrians; to protect public health,

safety, and general welfare; and to prevent adverse effects on neighboring property~~;~~ ~~and to conform with good zoning practice~~.

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

~~d. The application of these standards would alleviate practical difficulties or unnecessary hardships inconsistent with the goals of this Specific Plan~~.

~~e.~~ 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 Specific Plan area.

~~f~~d. Granting the requested ~~minor~~ modification will not be materially detrimental to properties or improvements in the area or contrary to the goals of this Specific Plan.

6. ~~Appeals. The decision of the Hearing Officer may be appealed or called up for review, pursuant to the procedures and requirements of Chapter 22.240 (Appeals).~~

~~7.~~ Revisions to ~~Specific Plan Substantial Conformance~~ ReviewApproved Modification Permit. Revisions to ~~the Specific Plan Substantial Conformance~~ an approved Modification Permit (Chapter 22.178) shall require a Ministerial Modification Review (Chapter 22.176) application and may be approved by the Director ~~with a Revised Exhibit "A" (Chapter 22.184) application~~ if the revisions do not affect the intent of the original approval. Revisions that are not in conformance with Section 22.176.040 (Decision) and would deviate from the intent of the original approval shall

require ~~the approval of~~ a new ~~Specific Plan Substantial Conformance Review~~Modification Permit (Chapter 22.178) application.

SECTION 121. Section 22.414.050 is hereby amended to read as follows:

22.414.050 – Residential Zones.

…

C. Development Standards for Residential Zones.

…

2. Other Applicable Standards. All development in Zones WC R-1, WC R-3, and WC R-4 shall also be subject to applicable standards in Section 22.414.120 (Specific Plan Urban Design Standards) and Subsections D and E, below. Unless otherwise specified in this Chapter, the development standards for Zones R-1, R-3, and R-4 in Chapter 22.18 (Residential Zones) apply to Zones WC R-1, WC R-3, and WC R-4, respectively.

TABLE 22.414.050-B: DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONES WC R-1, WC R-3, AND WC R-4		
…	…	…
Notes:		
1. Building height shall exclude chimneys, rooftop antennas, elevator shafts and stairwells. 2. Solid view-obscuring walls or fences are permitted up to 42 inches in height. Fifty percent of the wall above 42 inches must be open and unobstructed. To exceed the maximum fence height, a ~~Yard~~ Modification Permit (Chapter 22.~~196~~178) application is required		

SECTION 122. Section 22.416.150 is hereby amended to read as follows:

22.416.150 – ~~Minor~~ Modification~~s~~ of Development Standards.

~~Minor modifications, as defined herein, shall be subject to the Substantial Conformance Review described in this Section.~~

A. ~~Review Authority.~~Modification Permit. ~~The Hearing Officer shall have the authority to review projects requesting a modification~~ Modifications to the development standards ~~identified~~specified in ~~Subsection C (Maximum Modifications),~~Table 22.416.150-A, below, shall require a Modification Permit (Chapter 22.178) application, which shall be reviewed for substantial compliance with the applicable requirements of the Specific Plan and other provisions of this Title 22.

B. ~~Application and Review Procedures.~~Variance. When the requested modification is not listed or exceeds the thresholds in Table 22.416.150-A (Modifications), below, a Variance (Chapter 22.194) application shall be required.

~~1. Application Checklist. The application submittal shall contain all of the materials required by the Substantial Conformance Review checklist.~~

~~2. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review—Discretionary) and this Section.~~

~~C. Maximum Modifications. Table 22.416.150-A, below, specifies the maximum modifications that may be permitted, pursuant to this Section.~~

TABLE 22.416.150-A: ~~MAXIMUM~~ MODIFICATIONS	
Requirements	**Maximum Modifications**
Setback	Side yards[1, 2]: 10% but no less than 3 feet from the property line. All other yards: 10% but no less than 10 feet from the property line.
Building height	10%
Building size / massing	15%
Open space area / landscaping	15%
Sign height / width / area	10%
Parking spaces	~~10%~~ See Chapter 22.112 (Parking)
Loading areas	May be modified or waived
Note:	

1. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet wide.
2. Except as provided in Section 22.110.190.A.1 (Modifications for Additions to Existing Legally-Established Residential Structures that Encroach into Required Side Yard Setbacks) which requires a Ministerial Modification Review (Chapter 22.176) application.

~~D~~C. ~~#~~Findings and Decision.

~~1. Common Procedures.~~ Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and shall include the additional findings ~~in Subsection D.2~~, below.

~~2. Findings.~~

~~a~~1. Approval of the project conforms with the applicable provisions of this Specific Plan and other applicable provisions of this Title 22.

~~b~~2. Approval of the project is in the interest of public health, safety, and general welfare.

~~c~~3. Site layout, open space, orientation, and location of buildings, vehicular access, circulation and parking, setbacks, heights, and walls and fences that encourage increased pedestrian activity compatible with neighboring land uses.

~~d~~4. Architectural character, scale, quality of design, building materials, colors, screening of exterior appurtenances, and signs are compatible with the Specific Plan and neighborhood character.

~~e~~5. Project landscaping, including its location, type, size, color, texture, and coverage of plant materials at the time of planting are designed and developed to provide visual interest, complement buildings and structures, and provide an

attractive environment through maturity. The project landscaping shall also include measures to provide for irrigation, maintenance, and protection of the landscaped areas.

f6. Parking areas are designed and developed to buffer surrounding land uses; complement pedestrian-oriented development; enhance the environmental quality of the site, such as to minimize stormwater run-off and the urban heat-island effect; and ensure safety.

g7. Exterior lighting and lighting fixtures are designed to complement buildings, are of appropriate scale, avoid creating glare, and provide adequate light over walkways and parking areas to foster pedestrian safety.

ED. Conditions of Approval. The Hearing OfficerReview Authority may impose conditions to ensure the approval will be in accordance with the findings required by Subsection DC (Findings and Decisions), above.

FE. All Zone Regulations Apply Unless Permit is Granted. Unless specifically modified by an Substantial Conformance Review approved Modification Permit or Variance, all regulations prescribed in the zone in which such Substantial Conformance Review is granted shall apply.

G. Appeals. The decision of the Hearing Officer may be appealed or called up for review, pursuant to the procedures and requirements of Chapter 22.240 (Appeals.).

HF. Revisions to Approved Modification Permit. Revisions to an approved modification granted through a Substantial Conformance ReviewModification Permit (Chapter 22.178) may be approved with a Revised Exhibit A (Chapter 22.184) of the

~~original approval~~shall require a Ministerial Modification Review (Chapter 22.176) application and may be approved by the Director pursuant to Section 22.176.040 (Decision) if the revisions do not affect the intent of the original approval. Revisions that are not in conformance with Section 22.176.040 (Decision) and would deviate from the intent of the original approval shall require ~~approval of~~ a new ~~Substantial Conformance Review~~Modification Permit (Chapter 22.178) application.

SECTION 123. Section 22.418.020 is hereby amended to read as follows:

22.418.020 – Administration, Review and Approvals.

….

D. ~~Minor~~ Modifications ~~to~~of Development Standards ~~(Type II Review)~~.

1. Modification Permit. ~~Minor m~~Modifications to the standards ~~of this Chapter~~ specified in Table 22.418.020-A (Modifications), below, shall ~~be subject to the provisions below. Minor modifications, as defined herein, shall not~~ require a ~~Specific Plan Amendment, but will be~~ Modification Permit (Chapter 22.178) application, ~~subject to the outlined findings~~ which shall be reviewed for substantial compliance with the applicable requirements of the Specific Plan and other provisions of this Title 22. ~~See Table 22.418.020-A (Minor Modifications), below, for allowances.~~

TABLE 22.418.020-A: MODIFICATIONS	
Requirement	**Maximum Variation**
Setback	Side yards[1, 2]: 10% but no less than 3 feet from the property line. All other yards: 10% but no less than 10 feet from the property line.
Building Height	10%
Building Size / Massing	15%
Open Space Area / Landscaping	15%
Loading Areas	May be modified or waived

Note:

1. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet wide.
2. Except as provided in Section 22.110.190.A.1 (Modifications for Additions to Existing Legally-Established Residential Structures that Encroach into Required Side Yard Setbacks) which requires a Ministerial Modification Review (Chapter 22.176) application.

~~a. Review Authority. The Hearing Officer shall have the authority to review projects requesting a modification to the development standards identified in Subsection d, below, for substantial compliance with the applicable requirements of the Specific Plan and other provisions of Title 22.~~

~~b. Application Requirements. A modification application shall include all information required by the Department, and the payment of the required fee.~~

~~c. Procedures. A modification request shall be subject to the public hearing procedures and requirements set forth in Title 22.~~

~~d. Determination. If the Hearing Officer determines that the request for a modification is consistent with the principles and standards of Section 22.228.050 (Findings and Decision) and the Findings per Subsection D.2, below, the Hearing Officer may approve the modification. Notwithstanding the foregoing, only the following development standards may be modified:~~

~~TABLE 22.418.020-A: MINOR MODIFICATIONS~~

~~Requirement~~	~~Maximum Variation~~
~~Setback~~	~~10%~~
~~Building Height~~	~~10%~~
~~Building Size / Massing~~	~~15%~~
~~Open Space Area / Landscaping~~	~~15%~~

~~Loading Areas~~	~~May be modified or waived~~

2. Additional Findings. Findings and decision for a ~~minor~~ ~~m~~Modifications Permit (Chapter 22.178) application shall be made in compliance with Section 22.228.050 (Findings and Decision) and include ~~the~~ additional findings ~~in this Section.~~:

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

~~b.~~ 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; to 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 to conform with good zoning practice.

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

~~d. The application of these standards would alleviate practical difficulties or unnecessary hardships inconsistent with the goals of this Specific Plan.~~

~~e.~~ 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 Florence-Firestone area.

~~f~~c. Granting the requested minor modification will not be materially detrimental to properties or improvements in the area or contrary to the goals of this Specific Plan.

3. ~~Appeals. The decision of the Hearing Officer may be appealed or called up for review, pursuant to the procedures and requirements of Chapter 22.240 (Appeals).~~

~~4.~~ Revisions to Approved Modification~~s~~ Permit. Revisions to an approved ~~variation grant~~ Modification Permit (Chapter 22.178) shall require a Ministerial Modification Review (Chapter 22.176) application and may be approved by the Director pursuant to Section 22.176.040 (Decision) if the revisions do not affect the intent of the original approval. Revisions that are not in conformance with Section 22.176.040 (Decision) and would deviate from the intent of the original approval shall require ~~approval of~~ a new ~~m~~Modification Permit (Chapter 22.178) application.

E. ~~Specific Plan Modification Review (Type II Review)~~Variances.

1. Review Authority. The Hearing Officer shall have the authority to review ~~projects subject to a Specific Plan Modification Review~~requests for modifications to development standards not defined in Subsection D, above, with a Variance (Chapter 22.194) application for substantial compliance with the applicable standards and implementing options of this Specific Plan and other applicable provisions of Title 22 and conformance to the findings below.

2. ~~Application Requirements. A Specific Plan Modification Review application shall include all information required by the Department, and the payment of required fees established in Title 22.~~

~~3. Procedures. A Specific Plan Modification Review shall be subject to the public hearing procedures and requirements set forth in Section 22.222.120 (Public Hearing Procedure).~~

~~4. Burden of Proof~~Additional Findings. The applican~~t~~tion shall substantiate ~~to the satisfaction of the Hearing Officer that~~ the following additional findings:

a. ~~Approval of the project conforms with the applicable provisions of this Specific Plan and other applicable provisions of Title 22.~~

~~b.~~ Approval of the project is in the interest of the public health, safety, and general welfare.

~~c~~b. Site layout, open space, orientation and location of buildings, vehicular access, circulation and parking, setbacks, heights, and walls and fences encourage increased pedestrian activity compatible with neighboring land uses.

~~d~~c. Architectural character, scale, quality of design, building materials, colors, screening of exterior appurtenances, and signs are compatible with the Specific Plan and neighborhood character.

~~e~~d. Project landscaping, including its location, type, size, color, texture, and coverage of plant materials at the time of planting, are designed and developed to provide visual interest, complement buildings and structures, and provide an attractive environment through maturity. The project landscaping shall also include measures to provide for irrigation, maintenance, and protection of the landscaped areas.

~~f~~e. Parking areas are designed and developed to buffer surrounding land uses, complement pedestrian-oriented development, enhance the environmental

quality of the site such as to minimize stormwater run-off and the urban heat-island effect, and ensure safety.

~~g~~f. Exterior lighting and lighting fixtures are designed to complement buildings, are of appropriate scale, avoid creating glare, and provide adequate light over walkways and parking areas to foster pedestrian safety.

~~5. Appeals. The decision of the Hearing Officer for the Specific Plan Modification Review may be appealed or called up for review, pursuant to the procedures and requirements of Chapter 22.240 (Appeals).~~

~~6~~3. Revisions to ~~Specific Plan Modification Review~~Variance. Revisions to ~~the Specific Plan Modification Review~~an approved Variance may be approved by the Director with a Ministerial Modification Review (Chapter 22.176) application pursuant to Section 22.176.040 (Decision) if the revisions do not affect the intent of the original approval. Revisions that are not in conformance with Section 22.176.040 (Decision) and that would deviate from the intent of the original approval shall require the approval of a new ~~Specific Plan Modification Review~~Variance (Chapter 22.194) application.