

ORDINANCE NO. _____

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

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

...

— Hillside Management Area, ~~Nonurban.~~ "Nonurban ~~h~~Hillside ~~m~~Management ~~a~~Area" means ~~these areas~~ any portion of a lot or parcel of land which contains terrain having with a natural slope of 25 percent or more greater ~~included within the nonurban classification of the general development policy map of the General Plan.~~

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

...

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 Section 22.56.215 is hereby repealed in its entirety.

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

22.56.215 Hillside Management Areas -- Additional Regulations.

A. Purpose. This Section is established to regulate development in Hillside Management Areas ("HMA"s) with the following two objectives:

1. Protect scenic hillside views, consisting of slopes, hilltop summits, and ridgelines, and conserve natural hillside character and significant geological features through sensitive hillside site design and provision of open space; and

2. Avoid excessive grading and landform alteration to protect hillside resources from incompatible development and land uses.

The purpose is not to preclude development within HMAs but to ensure, to the extent possible, that such development activities maintain and enhance scenic and environmental resources in HMAs.

B. Applicability.

1. The provisions of this Section shall apply to the following projects, including related on-site and off-site improvements such as grading, roads, sewer lines, water lines, and drainage facilities, if the project is wholly or partially located within an HMA:

- a. Land division projects;
- b. Development of two or more lots or parcels of land in a coordinated effort, regardless of the ownership of the involved lots or parcels and regardless of whether the developments are applied for concurrently or through multiple successive applications;
- c. Relocation of property lines so as to create three or more contiguous lots or parcels of land in a coordinated effort, regardless of the ownership of the involved lots or parcels and regardless of whether the relocations are applied for concurrently or through multiple successive applications; and
- d. Private infrastructure projects unrelated to a development project, including but not limited to construction of roads, sewer lines, water lines, and drainage facilities.

2. A Conditional Use Permit shall be required for the projects listed in subsection B.1, and shall be processed in accordance with provisions of this Section, except for:

a. Projects designed such that all terrain with a natural slope of 25 percent or greater remains in a completely natural state and is designated as a Hillside Restricted Use Area on a recorded final map or on a covenant if a final map is not required;

b. Projects for which a complete application was filed with the Department of Regional Planning prior to the effective date of the ordinance updating this Section. Such applications shall be processed in accordance with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section; and

c. Projects for which a valid Conditional Use Permit for development in HMAs was granted in accordance with Section 22.56.215 as it existed prior to the effective date of the ordinance updating this Section, regardless of whether such permit was granted before or after the effective date of the ordinance updating this Section. In such cases, development shall be governed by the Conditional Use Permit during the life of that permit. Any modifications to the Conditional Use Permit shall be subject to the provisions of this Section.

3. If a Conditional Use Permit for development in HMAs is granted in accordance with this Section, such permit shall apply to the entire project site, including portions of the project site that are not located within an HMA. The conditions of such permit may specify that if the project site is subsequently divided in accordance with a

land division, any subsequent application to modify the Conditional Use Permit need only relate to the lots or parcels of land affected by such modification instead of the entire project site.

C. Conditional Use Permit Application. If a Conditional Use Permit is required by subsection B.2, the applicant shall prepare a complete application and submit it to the Department of Regional Planning. The complete application shall consist of the following:

1. All materials and information required by Section 22.56.030, a Burden of Proof statement that substantiates the findings required by subsection E, and any other information the Director determines to be necessary for adequate evaluation;

2. Site Photographs. Six panoramic or composite color photographs taken from each corner of the project site and from the highest elevated points within the project site, taken no more than 90 days prior to application submission, along with a photograph key. Additional photographs and/or a photographic simulation of the project site may be required at the discretion of the Director;

3. Proposed Project Exhibits. The following two exhibits, each of the same size and scale, showing the natural topography of the site in accordance with the most recent edition of the Department of Regional Planning Slope Map Guidelines:

a. A slope map, identifying the following slope categories by color and the number of acres within each category as determined by a licensed civil engineer, licensed land surveyor, or a registered geologist, as well as land use designation(s), lot configuration, proposed streets, and grading design:

i. Zero to 24.99 percent natural slope (green);

- ii. 25 to 49.99 percent natural slope (yellow);
- iii. 50 percent or greater natural slope (red);
- b. An open space exhibit, delineating the following:
 - i. Lot configuration, proposed streets, grading design, and natural and improved open space areas;
 - ii. A table listing each open space lot or restricted use area, including a description of the proposed use, the level of improvement, and the number of acres, including the total acreage for each type of open space;
 - iii. A table listing the total open space acreage within each land use category;

4. Information on Proposed Structures. If a new structure is proposed, exterior elevation cross sections, at a scale satisfactory to the Director, indicating proposed building and retaining wall heights and major architectural features; and

5. Landscape Plan. A landscape plan showing the location and species of proposed groundcover and shrubs as well as existing and proposed trees within common or open space areas that are not remaining in a natural state.

D. Design Standards.

- 1. Open Space Requirement.
 - a. At least 70 percent of the gross area of the project site within a Non-Urban, Rural, or Open Space land use designation shall be open space. At least 25 percent of the net area of the project site within any other land use designation shall be open space.

b. Required open space shall remain undisturbed in a natural condition, except for the following types of improvements, provided the Director determines that such improvements are compatible with the two objectives provided in Section A. In no event shall such improvements exceed one-third of the required open space within a Non-Urban, Rural, or Open Space land use designation:

i. The following types of improvements shall be configured into open space lots separate from lots where development is proposed:

(a). Parks, playgrounds and other recreational facilities; and

(b). Community gardens, as defined in Section 22.08.030.

ii. The following types of improvements may be designated as an Open Space - Restricted Use Area:

(a). Riding, hiking, and cycling trails;

(b). Manufactured slopes and vegetated swales, subject to Department of Public Works guidelines and approval; and

(c). Brush clearance, where required by the Fire Department, except in the 50-foot buffer for natural watercourses.

c. Priority Open Space. The following hazard and resource areas shall be mapped on the site plan and prioritized for inclusion in the required open space:

i. Significant ridgelines, as identified in the General Plan or any applicable local plans or Community Standards Districts;

ii. Earthquake-induced landslide and liquefaction areas, as delineated on the California Geologic Survey's Seismic Hazard Zone Maps;

iii. Steep natural slopes of 50 percent or greater; and

iv. Natural watercourses with a minimum 50 foot buffer from the edge of the banks.

d. Open Space Design and Use Requirements.

i. Required open space shall not be used for residential, commercial, or industrial activities;

ii. Natural open space shall be contiguous with dedicated natural open space adjacent to the project site, if possible; and

iii. Natural open space shall be configured in the following manner:

(a). Land Division Projects. Where a project site is greater than 40 acres, the natural open space shall be contiguous and configured into open space lots separate from lots where development is proposed. Where a project site is 40 acres or fewer, the natural open space shall be contiguous and may be designated as an Open Space - Restricted Use Area in lieu of separate open space lots; or

(b). Other Projects. The natural open space shall be contiguous and designated as an Open Space - Restricted Use Area.

e. Recordation of Open Space. In order to prevent subsequent development of required open space, the following shall be required:

i. Land Division Projects. Required open space shall be shown on the tentative map and the final map and shall be subsequently recorded on the final map and/or as an easement. All open space shall be labeled as Open Space -- Restricted Use Area in the preservation instrument and on all maps; or

ii. Other Projects. Required open space shall be shown on the site plan or lot line adjustment exhibit. All open space shall be labeled as Open Space -- Restricted Use Area in the preservation instrument and shall be recorded as an easement.

f. Ownership and Management. For land division projects, if open space is configured into open space lots separate from lots where development is proposed, ownership and management of the open space lots shall be established to hold and manage the open space, under a mandate to protect it in perpetuity, through one of the following:

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

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

iii. Dedication to a Home Owners' Association.

2. Site Design. The following site design techniques shall be utilized

to protect hillsides and scenic views, and to integrate structures, lots, and building pads into the natural topography:

a. Locate development adjacent to existing infrastructure such as roads, sewer lines, and/or water lines;

b. Locate development on the flattest portions of the site, avoiding natural slopes of 25 percent or greater and ridgelines;

c. Locate landscaped parks and improved open space between natural open space and structures to buffer sensitive resources from edge effects, if possible. Landscape design and materials shall correspond to the native vegetation of the project site and shall be installed in a manner that does not negatively impact remaining native vegetation;

d. When located on natural slopes of 25 percent or greater, residential lots shall be designed to be no greater than 65 feet wide unless a greater width is required by a Community Standards District, with the narrow lot side fronting the roadway and parallel to the direction of slope;

e. Buildings located on natural slopes of 25 percent or greater shall be designed so that the building profile is terraced into the hillside when viewed from the adjoining roadway. Building edges and rooflines shall be partially screened from public view and from adjoining roadways by tree plantings; and

f. Buildings located on natural slopes of 25 percent or greater may be restricted to a specified height less than the maximum height otherwise allowed in the zone where the building is located.

3. Grading. In locations where grading cannot be avoided, grading design shall utilize the following techniques to create manufactured surfaces that are compatible with the natural topography:

- a. Contour grading (rounded cut edges matching natural contours);
- b. Varied/broken horizontal slope increments and drainage terrace spacing;
- c. Varied pad elevations;
- d. Terraced (split-level) building pads;
- e. Narrower pad side fronting the roadway and parallel to direction of slope; and
- f. Avoidance of lateral/vertical hillside cuts greater than 10 feet deep.

4. Street and Access Design. Streets and driveways shall incorporate the following standards to minimize grading, where applicable:

- a. Public streets and private and future streets shall meet all county requirements, with the exception that permissible longitudinal grades may be up to 12 percent grade, subject to approval by the Department of Public Works, if allowing such longitudinal grades creates a superior project design that reduces grading;
- b. Private drives, driveways, and fire lanes, in lieu of streets and alleys, shall meet all county requirements contained in the most recent version of the Los Angeles County Private Drives and Traffic Calming Manual;
- c. Streets shall follow the natural topography of the site;

d. Streets shall be located along the edge of development to act as a buffer between development and open space; and

e. Streets shall be routed around unique or important natural features, including but not limited to rock outcroppings and heritage oak trees.

5. Stormwater Runoff. Stormwater retention and detention facilities shall be designed as an extension of the natural drainage system to contain runoff and facilitate groundwater recharge, as follows:

a. Swales shall meet Low Impact Development (LID) standards and be designed as a landscape, water, or recreational feature; and

b. Drainage infrastructure, such as concrete culverts and detention basins, shall be built to blend into the topography and surrounding landscape, and shall be designed with earth-toned materials.

6. Retaining Walls. Retaining walls shall be designed to vary with the surrounding landscape and/or to be terraced if feasible, and with colors that blend into the surrounding area and are compatible with the development.

E. Findings. The reviewing authority (Hearing Officer or Regional Planning Commission) shall not approve a complete Conditional Use Permit application unless the reviewing authority finds that the application substantiates all of the following findings, in addition to those required by Section 22.56.090:

1. The proposed development protects scenic hillside views, consisting of slopes, hilltop summits, and ridgelines, and conserves natural hillside character and significant geological features through sensitive hillside site design and provision of open space; and

2. The proposed development avoids excessive grading and landform alteration to protect hillside resources from incompatible development.