

ANALYSIS

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to implement the Los Angeles County Community Climate Action Plan 2020. This ordinance allows for environmentally friendly roof and pavement materials and electric vehicle infrastructure, requires signs in on-site loading areas to encourage vehicle idle reduction, and regulates secondary land uses under high-voltage power lines in select zones.

MARY C. WICKHAM
County Counsel

By



STARR COLEMAN
Deputy County Counsel
Property Division

SC:ph

Requested: 11/06/17

Revised: 05/18/18

ORDINANCE NO. 2018-0019

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to implement the Los Angeles County Community Climate Action Plan 2020. This ordinance allows for environmentally friendly roof and pavement materials and electric vehicle infrastructure, requires signs in on-site loading areas to encourage vehicle idle reduction, and regulates secondary land uses under high-voltage power lines in select zones.

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

SECTION 1. Section 22.08.010 is hereby amended to read as follows:

22.08.010 A.

...

— "Automobile service station" means any premises where gasoline, and other petroleum products, and other vehicle fuel are sold and/or light maintenance activities such as engine tuneups, lubrication, minor repairs, and carburetor cleaning are conducted. Automobile service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body and fender work are conducted.

...

SECTION 2. Section 22.08.030 is hereby amended to read as follows:

22.08.030 C.

...

— "Cool pavement," means ~~paving materials that reflect the sun and/or increase water evaporation to provide cooler ground surfaces than traditional paving materials~~ as defined in section 202 of the California Green Building Standards Code, includes, but is not limited to, high albedo pavements and coatings, vegetative surfaces, porous or pervious pavements that allow water infiltration, and pavements shaded by trees and other sources of shade.

...

SECTION 3. Section 22.08.050 is hereby amended to read as follows:

22.08.050 E.

...

— "Electric vehicle" means, as defined in section 202 of the California Green Building Standards Code, an automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles ("PHEV") are considered electric vehicles. For the purpose of this Title 22, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats, and the like, are not included.

— "Electric vehicle charging space" means, as defined in section 202 of the California Green Building Standards Code, a space intended for charging electric vehicles.

— "Electric vehicle supply equipment" means, as defined in section 202 of the California Green Building Standards Code, the conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fitting devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premise's wiring and the electric vehicle.

...

SECTION 4. Section 22.08.080 is hereby amended to read as follows:

22.08.080 H.

...

— "Heat island effect" has the meaning set forth in section 202 of the California Green Building Standards Code. "Heat island effect" and "urban heat island effect" refer to measurable elevated temperatures in developed areas, as compared to more rural surroundings. Temperatures in developed areas are affected by absorption of heat by hardscapes and radiation of heat into surrounding areas, resulting in local climate changes. Heat islands are influenced by geographic location and by local weather patterns, with effects changing on a daily or seasonal basis.

...

SECTION 5. Section 22.08.190 is hereby amended to read as follows:

22.08.190 S.

...

— Secondary Land Use Under High-Voltage Transmission Lines. A land use, as described in Part 33 of Chapter 22.52, other than the transmission of power on property that contains an electric power transmission line operating at or above 115 kilovolts.

...

SECTION 6. Section 22.20.070 is hereby amended to read as follows:

22.20.070 Permitted Uses.

Property in Zone R-1 may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to Part 33 of Chapter 22.52.

...

SECTION 7. Section 22.20.105 is hereby amended to read as follows:

22.20.105 Development sStandards for sSingle-fFamily

rResidences.

A. Single-family residences shall be subject to the following development standards:

1. Roof and exterior siding materials.

a. Every single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other similar-roofing material with similar appearance, quality, and durability, in compliance with Title 26 (Building Code) of this code, ~~except that reflective, glossy, polished and/or roll-formed type metal roofing is prohibited~~; and

b. Every single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete, or other similar-material with similar appearance, quality, and durability, ~~except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited~~; and

c. Metal roof and exterior siding materials with a factory-applied surface coating are permitted if in compliance with Subsection A.1.d, below. Factory-applied surface coatings include "baked on" enamel, powder coating, or other similar permanent coating applied to the roof or siding materials by the manufacturer; and

d. The following roof and exterior siding materials on every single-family residence are hereby prohibited:

i. Shiny, glossy, polished, and metallic-looking materials; and

ii. Any materials with a finished surface that result in glare or direct illumination across the bounding property line from a visible source of illumination, where the intensity of such resulting glare or direct illuminations creates a nuisance or detracts from the use or enjoyment of another property.

2. Reserved.

3. Except as specifically provided herein, every single-family residence shall be not less than 20 feet in width. A single-family residence need only be a minimum of 18 feet wide when it is to be located on a lot or parcel of land less than 26 feet in width. In order to allow for flexibility and creativity of design, a single-family residence may be less than 20 feet wide, but not less than 12 feet, if the floor area, exclusive of appurtenant structures, is at least 900 square feet and the side or sides oriented toward a public street, highway or parkway have a dimension of at least 20 feet. Additions to single-family residences are not restricted as to width; and.

4. Every single-family residence shall have a floor area of not less than 800 square feet, exclusive of any appurtenant structures.

B. The standards listed in this section may be modified by the ~~d~~Director pursuant to the procedures of Part 12 of Chapter 22.56 and the findings contained in Section 22.56.1755.

SECTION 8. Section 22.20.170 is hereby amended to read as follows:

22.20.170 Permitted Uses.

Property in Zone R-2 may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 9. Section 22.20.260 is hereby amended to read as follows:

22.20.260 Permitted Uses.

Property in Zone R-3-()U may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 10. Section 22.20.340 is hereby amended to read as follows:

22.20.340 Permitted Uses.

Property in Zone R-4 may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 11. Section 22.20.410 is hereby amended to read as follows:

22.20.410 Permitted Uses.

Property in Zone R-A may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 12. Section 22.24.070 is hereby amended to read as follows:

22.24.070 Permitted Uses.

Property in Zone A-1 may be used for:

...

— Second units, subject to the provisions of Part 16 of Chapter 22.52.

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 13. Section 22.40.670 is hereby amended to read as follows:

22.40.670 Permitted Uses.

~~Premises in Zone IT may be used~~ Property in Zone W may be used for:

— Secondary land uses under high-voltage transmission lines, subject to

Part 33 of Chapter 22.52.

...

SECTION 14. Section 22.48.120 is hereby amended to read as follows:

22.48.120 Projections iInto yYards–Conditions and iLimitations.

...

I. Wall and window mounted air conditioners, coolers and fans may be used in any required yard, provided that such equipment is not closer than two and one-half feet to any lot line.

J. Electric vehicle supply equipment, where serving an on-site parking space, may project a maximum distance of two and one-half feet into a required interior side or rear yard, provided that such equipment is not closer than two and one-half feet to any lot line.

SECTION 15. Section 22.52.1060 is hereby amended to read as follows:

22.52.1060 Specifications for Development of Parking Facilities.

A. Paving. Where access to a parking space or 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:

...

2. 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. The requirement for said base may be modified if:

a. A qualified engineer, retained to furnish a job-site soil analysis, finds that said base is unnecessary to ensure 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

b. Other available information provides similar evidence; or

3. ~~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 A1 or A2 of this section;~~At the request of the Director or the applicant, the Director of Public Works may approve alternative paving materials upon finding that, when installed according to manufacturer's specifications or engineer's analysis, the alternative paving materials are equal to, or better than the materials described in Subsection A.1 or A.2, above, in terms of public safety, performance, strength, quality, and durability. The Director of Public Works may approve such alternative paving materials to achieve aesthetic or environmental objectives, such as improved appearance, increased water percolation, reduced erosion and runoff, increased aeration and water for tree roots, reduced glare and heat island effect, and increased area available for landscaping.

4. ~~The county engineer, at the request of the director, shall review and report on the adequacy of paving where modification of base is proposed under subsection A2, or where alternative materials are proposed under subsection A3. The county engineer may approve such modification or such alternative materials if, in his opinion, the evidence indicates compliance with subsection A2 or A3 as the case may be.~~

...

SECTION 16. Section 22.52.1079 is hereby added to read as follows:

22.52.1079 Electric Vehicle Supply Equipment and Electric Vehicle Charging Spaces.

Any parking space served by electric vehicle supply equipment and any parking space intended as a future electric vehicle charging space shall qualify as a required standard automobile parking space where such parking space meets or exceeds the minimum length and width requirements for a standard automobile parking space.

SECTION 17. Section 22.52.1084 is hereby amended to read as follows:

22.52.1084 Loading Areas.

G. Where loading spaces are required by this section, the loading area shall include at least one sign stating that vehicle idling shall be limited to five minutes. Graphics related to the vehicle idle limitation are permitted on said sign. Said sign shall be a minimum size of 12 inches wide by 18 inches in height and shall be prominently displayed and visible from the loading spaces. Said sign may contain language such as "5 minute idle limit," "spare the air," "please turn engine off when stopped," "turn engine off," or similar.

SECTION 18. Part 33 of Chapter 22.52 is hereby added to read as follows:

Part 33 Secondary Land Uses Under High-Voltage Transmission Lines

22.52.3700 Purpose.

22.52.3710 Applicability.

22.52.3720 Exemptions.

22.52.3730 Permitted Uses.

22.52.3740 Use Regulations.

22.52.3750 Additional Application Materials.

22.52.3700 Purpose.

This Part 33 facilitates the establishment of selected secondary land uses under high-voltage transmission lines to ensure compatibility with adjacent properties.

22.52.3710 Applicability.

This Part 33 applies to secondary land uses under high-voltage transmission lines in Zones A-1, R-A, R-1, R-2, R-3, R-4, and IT.

22.52.3720 Exemptions.

This Part 33 shall not apply to a property:

- A. With a natural slope of ten percent or more.
- B. In a National Forest, National Recreation Area, or Significant Ecological Area.

22.52.3730 Permitted Uses.

Notwithstanding the uses subject to a conditional use permit and uses not listed in the basic zone, the following secondary land uses under high-voltage transmission lines are permitted:

- A. In Zones R-1, R-2, R-3, R-4, and IT: crops-field, tree, bush, berry, and row, including nursery stock.
- B. In Zones R-A, R-1, R-2, R-3, R-4, and IT: greenhouses.

C. In Zones A-1, R-A, R-1, R-2, R-3, R-4, and IT: parks, playgrounds, and beaches, including accessory facilities.

D. In Zones A-1, R-A, R-1, R-2, and IT: riding and hiking trails, excluding trails for motor vehicles.

E. In Zone IT: community gardens.

22.52.3740 Use Regulations.

A. Use Regulations for Crops and Greenhouses. Where permitted by Subsection A and B of Section 22.52.3730. The following regulations shall apply to crops-field, tree, bush, berry, and row, including nursery stocks, and greenhouses.

1. Prohibitions.

a. Grading. Grading of natural slopes is prohibited.

b. Native Vegetation. Removal of native vegetation is prohibited.

c. Retail Sales. In Zones R-A, R-1, R-2, R-3, R-4, and IT, retail sales are prohibited.

2. Yards.

a. Notwithstanding the yard requirements in the basic zone, where the subject property adjoins a Residential Zone or residential use, a yard of not less than 10 feet in depth shall be required.

b. The following uses and structures are permitted in any required yard:

i. Crops;

ii. Greenhouses, up to 10 feet in height; and

iii. Fences and walls, up to six feet in height.

3. Storage. Storage, including structures, cargo shipping containers, storage areas for equipment or machinery, and storage piles or areas for bulk materials are permitted according to the following:

a. Storage is permitted when strictly accessory to the permitted use.

b. Storage shall be screened from view where visible from the public right-of-way. Screening may include fences, walls, landscaping, or other screening materials.

c. Storage shall be located:

i. At least 10 feet from a Residential Zone or residential use; and

ii. At least 20 feet from the public right-of-way.

d. Cargo shipping containers shall comply with the following additional regulations:

i. Number permitted.

(a) For a property of more than one acre in size, one cargo shipping container shall be permitted per acre of subject property, up to a maximum of five cargo shipping containers per subject property.

(b) For a property of less than one acre in size, one cargo container shall be permitted per subject property.

ii. Development standards.

(a) Cargo shipping containers shall not exceed 10 feet in height, 10 feet in width, and 40 feet in length.

(b) Cargo shipping containers shall be placed at least six feet from any other structure or other cargo shipping container and shall not be stacked upon each other.

(c) Cargo shipping containers shall be painted one uniform color, per cargo shipping container, and shall not display any images or lettering on their sides, except for images or lettering providing safety information related to the contents stored within, if such safety information is required by the County Code or other applicable local, State, or federal regulations.

e. Storage of bulk materials shall comply with the following additional regulations:

i. Bulk materials shall be stored in such a manner that they cannot be blown from the subject property.

ii. Bulk materials shall be stored up to a maximum height of six feet.

iii. For the purposes of this Subsection A.3.e, bulk materials shall include mulch, soil, manure, perlite, peat moss, tree or plant containers, and other similar materials related to the growing of crops and use of greenhouses.

4. Vehicular Circulation.

a. Adequate vehicular circulation onto and off the property shall be provided as determined by the Director in consultation with the Department of Public Works and the Fire Department.

b. Vehicles shall be prohibited from backing onto the property from the public right-of-way and from backing off of the property onto the public right-of-way.

5. Noise. If the subject property adjoins a Residential Zone or residential use, any vehicle, equipment, or machinery used in conjunction with the secondary land use under high tension power lines shall comply with the following:

a. Loading and unloading activities shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

b. Reverse signal alarms and back-up beeping devices shall not be used between 10:00 p.m. and 7:00 a.m.

c. Operation of power equipment and machinery shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

6. Fencing and Walls. Fencing and walls, if provided, shall comply with the following:

a. Any fence or wall open to view from the public right-of-way or any area in a Residential, Agricultural, or Commercial Zone shall be constructed in workmanlike manner and shall consist solely of new materials unless the Director

approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance, and useful life.

b. Such fences and walls shall be of a uniform, neutral color, excluding black, which blends with the surrounding terrain.

7. Maintenance.

a. The subject property shall be maintained in a neat and orderly fashion where visible from the public right-of-way.

b. Fences, walls, landscaping, or any other screening material, if provided, shall be maintained in a neat and orderly fashion where visible from the public right-of-way.

c. All structures, walls, or fences that are visible from the public right-of-way line shall remain free of graffiti. In the event that graffiti occurs, the property owner, lessee, or agent thereof shall remove such graffiti within 24 hours, weather permitting. Paint utilized in covering such graffiti shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

8. Sight Distance. Adequate sight distance from any driveway or access road to the public right-of-way shall be maintained to the satisfaction of the Department of Public Works. Notwithstanding Subsections A.2, A.3. and A.6, the placement of any object, such as crops, greenhouses, landscaping, fencing, walls, or storage, adjacent to the property line may be subject to review by the Department of Public Works.

B. Reserved.

22.52.3750 Additional Application Materials.

In addition to any information required by this Title 22, an application for a secondary land use under high-voltage transmission lines shall include:

- A. Authorization from the utility company for the applicant to apply for the secondary land use under high-voltage transmission lines;
- B. A site plan depicting the location and elevations of transmission towers and lines and the boundary of any utility easements shall be shown, if applicable; and
- C. Certification from the Fire Department and Department of Public Works that the secondary land use under high-voltage transmission lines complies with all applicable Fire and Public Works regulations. Any modification or expansion to an approved site plan shall require new certification by the Fire Department and the Department of Public Works.

[2208010SCCC]

SECTION 19 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Sheila Kuehl
Chair

ATTEST:

Celia Zavala

Celia Zavala
Acting Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of June 6, 2018 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Noes

Supervisors Hilda Solis
Mark Ridley-Thomas
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: July 6, 2018

Operative Date:

Celia Zavala

Celia Zavala
Acting Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

CELIA ZAVALA
Acting Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Deputy



APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By *[Signature]*
Lester J. Tolnai
Chief Deputy County Counsel