

ANALYSIS

This ordinance amends the Los Angeles County Code, Title 22 – Planning and Zoning, to repeal and replace the Santa Monica Mountains North Area Community Standards District ("CSD") to provide greater protection of biological resources, align the Santa Monica Mountains North Area Plan and CSD policies and standards with the Santa Monica Mountains Local Coastal Program, support the rural and semi-rural character of the Santa Monica Mountains North Area, and bring the land use policies of the North Area into compliance with the General Plan.

Very truly yours,

RODRIGO A. CASTRO-SILVA
County Counsel

By 

STARR COLEMAN
Assistant County Counsel
Property Division

SC:bh

Requested: 02-23-2021

Revised: 04-28-2021

ORDINANCE NO. 2021-0021

An ordinance amending the Los Angeles County Code, Title 22 – Planning and Zoning, to repeal and replace the Santa Monica Mountains North Area Community Standards District ("CSD") to provide greater protection of biological resources, align the Santa Monica Mountains North Area Plan and CSD policies and standards with the Santa Monica Mountains Local Coastal Program, support the rural and semi-rural character of the Santa Monica Mountains North Area, and bring the land use policies of the North Area into compliance with the General Plan.

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

SECTION 1. Section 22.102.030 is hereby amended to read as follows:

22.102.030 Applicability.

A. Applications submitted on or after the effective date of this ordinance are subject to the regulations herein. Pending projects with a complete application prior to the date of applicability for this Chapter may choose to comply with the SEA Ordinance applicable at the time of a complete application submittal or the current SEA regulations.

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E. ~~Until such time as the Santa Monica Mountains North Area Community Standards District ("SMMNA CSD") is amended, d~~Development occurring within SEAs in the boundaries of the ~~SMMNA~~Santa Monica Mountains North Area ("SMMNA") Plan shall be regulated by the SMMNA Community Standards District ("CSD"). Where the SMMNA CSD is silent on development impacts on SEAs, it shall defer to this

Chapter 22.102. Applications submitted prior to the effective date of the SMMNA CSD shall be regulated by the version of the SEA Ordinance in effect prior to the effective date of this Chapter 22.102.

SECTION 2. Chapter 22.336 is hereby repealed and replaced to read as follows:

Chapter 22.336 Santa Monica Mountains North Area Community Standards District.

22.336.010 Purpose.

22.336.020 Definitions.

22.336.030 District Map.

22.336.040 Applicability.

22.336.050 Application and Review Procedures.

22.336.060 Biological Resource Standards.

22.336.070 Community-Wide Development Standards.

22.336.080 Zone Specific Development Standards.

22.336.090 Area Specific Development Standards.

22.336.100 Modification of Development Standards.

22.336.010 Purpose.

The Santa Monica Mountains North Area Community Standards District ("CSD") is established to implement the goals and policies of the Santa Monica Mountains North

Area Plan ("Area Plan") in a manner that protects the health, safety, and welfare of the community, as well as the surrounding natural environment. Together, the two planning documents direct what development may occur, where development may occur, and how development must be designed in the Santa Monica Mountains North Area.

22.336.020 Definitions.

The following terms are defined solely for this CSD:

Animal Containment Facilities. Designated or fenced areas used to contain equines or livestock to a particular area such as corrals, paddocks, pastures, turnouts, and grazing areas that are usually used for riding, exercise, rehabilitation, or grazing.

Animal Living Quarters. Structures and confined areas that provide shelter through use of a roof, walls, and fencing, in which animals regularly sleep overnight including, but not limited to, barns, stables, and stalls.

Bed and Breakfast Establishment. A single-family residence containing guest rooms used for short-term rental accommodations, which provides meals for guests of the facility.

Building Site Area ("BSA"). The approved area of a project site that is or will be developed, including building pad and all graded slopes, all structures, decks, patios, impervious surfaces, and parking areas.

Commission. The Regional Planning Commission of the County of Los Angeles.

Correlated Color Temperature ("CCT"). The specification of the color appearance of a light source, measured in Kelvin ("K"). CCT measures the "warmth" of a light source.

Department. References to the Department are to the Department of Regional Planning, unless otherwise specified.

Director. The Director of the Department of Regional Planning of the County of Los Angeles, unless otherwise specified.

Disaster. An occurrence or event, either human-caused or by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources. To qualify as a disaster, the destruction must be a result of a force or forces that were beyond the control of the subject property owners.

Exploratory Testing. Any activities such as drilling or excavation for the purpose of evaluating soil and/or hydrologic conditions, or geologic hazards to evaluate a site for allowable, potential development. This includes exploratory test holes for water wells, percolation testing for on-site wastewater treatment systems, the access road to the test site, and any other activity associated with evaluating a site for development.

Event Facility. A place of private or public assembly, either indoor or outdoor, that hosts functions which include, but are not limited to, weddings, receptions, wine clubs, banquets, anniversaries, meetings, or conferences.

Gross Structural Area ("GSA"). The allowable residential floor area of the permitted development in square feet. The GSA includes the total floor area of all enclosed residential and storage areas (including internal stairs), but does not include vent shafts, external stairs, or the first 400 square feet of floor area in garages or carports designed for the storage of automobiles. Cellars that are entirely below grade

are excluded from GSA, as are crawl spaces or attics that do not qualify as habitable space.

Horse Boarding, Large. The maintenance and/or keeping of equines boarded with or without compensation as a primary use. Commercial boarding may include commercial training or riding of horses or other equines, or courses in horsemanship.

Horse Boarding, Small. The maintenance and/or keeping of equines owned by persons who are not owners or lessees of the lot or parcel upon which such actions are undertaken, boarded with or without compensation, as an accessory use to a primary residential use.

Like-for-like Replacement. Replacement of structures that are in the same location, size, height, and bulk, and are covering the same building footprint as the previously existing legally-established structures.

Livestock. Any pig, pygmy pig, hog, cow, bull steer, sheep, goat, llama, alpaca, domestic fowl, rabbit, or similar animal(s).

Riding Academies. Any establishment where horses are kept or maintained for the purpose of providing lessons or instruction in equestrianism, including, but not limited, to dressage and horse jumping.

Rural Inn. A facility containing guest rooms or cabins used for short-term rental accommodations, all of which have a separate entrance leading directly from the outside of the building, and which do not contain kitchen facilities.

S/P Ratio. The ratio of scotopic vision over photopic vision, each measured in lumens.

Stream. A topographic feature that at least periodically conveys water through a bed or channel having banks; this includes ephemeral streams, drainage courses, and watercourses having a surface or subsurface flow that supports or has supported riparian vegetation.

Vineyard. A plantation of grapevines that typically produces table grapes or grapes used in winemaking, except as otherwise delineated in this CSD.

Wetlands. An area of land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, with delineations following guidelines defined in the United States Fish & Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States.

Wildlife-Permeable Fencing. Fencing that can be easily bypassed by all species of wildlife found within the Santa Monica Mountains, including, but not limited to, deer, coyotes, bobcats, mountain lions, ground rodents, amphibians, reptiles, and birds.

22.336.030 District Map.

The boundaries of this CSD are shown on Figure 22.336-A: Santa Monica Mountains North Area CSD Boundary, at the end of this Chapter.

22.336.040 Applicability.

A. General Applicability. Except as otherwise provided for in Subsections B and C, below, the provisions of this ordinance shall apply to all projects that do not have an application deemed complete by the effective date of this ordinance.

B. Prior Legal Grading. Any legal grading that has occurred on a lot or in connection with a project prior to January 6, 2005, (the effective date of the ordinance adding Subsections I.1 and I.5 of Section 22.336.070) shall not be counted toward the grading thresholds set forth in Subsections I.1 and I.5 of Section 22.336.070. Proof that such grading was legal shall be demonstrated to the Director at time of application for any applicable construction activity. Any grading on a lot, or in connection with a project or any subsequent project, which is undertaken at any time after January 6, 2005, other than grading completed for a project described in Subsection A, shall be counted cumulatively toward the grading thresholds set forth in Subsections I.1 and I.5 of Section 22.336.070.

C. Coastal Zone Boundary. When lots are divided by the Coastal Zone boundary, the use of that portion of a lot within the Coastal Zone shall be consistent with the Santa Monica Mountains Local Coastal Program and Local Implementation Plan, and the use of that portion within the Santa Monica Mountains North Area shall be consistent with the Area Plan and this CSD.

D. Relation to Significant Ecological Areas. The Santa Monica Mountains North Area will remain within a designated Significant Ecological Area ("SEA"), as defined by the General Plan, and shall be regulated by the standards contained within this CSD.

22.336.050 Application and Review Procedures.

A. Additional Application Requirements. In addition to the procedures required by the Minor Conditional Use Permit (Chapter 22.160), Conditional Use Permit

(Chapter 22.158), or Variance (Chapter 22.194), any discretionary application must include:

1. One land use map that indicates the uses established on every lot and parcel of land shown within a 700-foot radius, in lieu of the 500-foot radius requested in the Application Checklist;

2. For all permits requiring notification by mail, the noticing radius shall be all parcels within a 700-foot radius from the subject parcel. In addition, if the 700-foot radius does not include a minimum of 15 parcels of real property, the radius shall be expanded until the owners of at least 15 parcels are included;

3. Proof of water availability for new or expanded residential development or other new development that requires water use;

4. Proof of legal access for any new development that is not accessed directly from a public roadway; and

5. Biological review, as deemed applicable by Section 22.336.050.B.

B. Biological Review. Applications that require biological review must be filed and processed in compliance with the following requirements:

1. Biological Inventory.

a. Required for all ministerial review projects within habitat categories S2 and S3, unless a biological assessment per Subsection B.2 is otherwise required.

b. Application Materials Required.

i. A Biological Constraints Map ("BCM") that identifies all sensitive biological resources on a parcel as defined by the most recent Department Santa Monica Mountains North Area Biological Resources Assessment.

ii. A site plan that clearly displays each of the following:

(a) All of the proposed development, including on-site and off-site ground-disturbing activity or vegetation removal;

(b) Grading activity location, description, and quantities identified by cut, fill, import, export, and when remedial and over-excavation is required;

(c) Areas to be re-vegetated or restored, including a plant identification list with the botanical and common names of all planting materials;

(d) Location and square footage of decorative landscaping and crops, including proposed groundcover areas, shrub mass, and existing and proposed tree locations, for all common or open space areas not left in a natural state. Plant identification lists shall include botanical and common names of all planting materials;

(e) On-site open space preservation, as applicable; and

(f) Any trees on-site as protected in Section 22.336.060.B (Trees).

c. Biological Inventory Consultation with the County Biologist.

i. All BCMs and other applicable application materials are to be reviewed by the Director, in consultation with the County Biologist.

ii. A site visit may be performed by the County Biologist to confirm the accuracy of the BCM.

iii. If the biological inventory indicates the presence of potential for sensitive species or habitats, after consultation with the County Biologist, a biological assessment may be required.

2. Biological Assessment.

a. Required for all projects in Habitat Category S1, any projects in S2 and S3 habitat categories which require discretionary review, or ministerial review projects that the Director has determined to require further review of biological resources.

b. Application Materials Required.

i. A Biological Constraints Analysis ("BCA"), prepared by a qualified biologist listed in the Significant Ecological Areas Technical Advisory Committee ("SEATAC") Certified Biologist List maintained by the Department, which assesses the biological resources on a project site and in the surrounding area. A comprehensive list of what should be included in the BCA is found in the BCA checklist to be maintained by the Department.

ii. A Biota Report, that assesses the impacts to biological resources and potential mitigation measures, in consultation with the County Biologist.

c. Site Visit.

i. A site visit from the County Biologist is required to confirm the validity of the biological resources depicted on the BCM.

ii. The site visit must be completed in the spring, unless a different time of year is recommended by the County Biologist, based on the likelihood of finding particular sensitive species.

d. Biological Assessment Review by SEATAC. SEATAC

serves as an expert advisory committee that assists the Department in assessing a project's impact on biological resources within SEAs.

i. Rules and Procedure. The Director shall adopt rules and procedures necessary or convenient for the conduct of SEATAC's business as it relates to the Area Plan and CSD.

ii. All biological assessments shall be reviewed by SEATAC and a recommendation forwarded to the appropriate decision-making body.

iii. SEATAC Review. SEATAC shall evaluate projects requiring a biological assessment as follows:

(a) Rule on the adequacy of the materials submitted for biological inventory, biological assessment, and biota report, if applicable;

(b) Recommend redesign and/or mitigation measures to avoid, minimize, or mitigate impacts to biological resources; and

(c) Recommend a determination of the compatibility of the development project and Section 22.336.060 (Biological Resource Standards), including consideration of the following:

(1) The project's ability to comply with Section 22.336.060 (Biological Resource Standards);

(2) The project's ability to mitigate impacts to biological resources through open space preservation;

(3) The project's ability to meet the findings of Section 22.102.080.D (Findings); and

(4) The project's avoidance of disturbance to regional habitat linkages.

22.336.060 Biological Resource Standards.

A. Biological Resources.

1. Habitat Categories. The Biological Resources Map of the Santa Monica Mountains North Area Plan prioritizes habitat into four categories that are applicable community-wide: S1, S2, S3, and S4. The Biological Resources Map depicts the general distribution of habitat categories; however, the precise boundaries of the various habitat categories on properties shall be determined by substantial evidence and a site-specific biological inventory and/or assessment required by Section 22.336.050.B. At no point shall the Biological Resources Map be considered a complete representation of the habitat category for a parcel.

2. Status of Habitat Categories.

a. Effect of Fire. Areas burned by fire, where there is evidence that the areas consisted of habitat meeting the definition of S1, S2, S3, or S4 habitat before the fire, shall be given the protections of the applicable habitat category.

b. Effect of Natural Disaster or Illegal Development. Any area mapped as S1, S2, or S3 Habitat shall not be deprived of protection as that habitat category on the basis that habitat has been damaged or eliminated by natural disaster (e.g., wildfire, flooding, etc.), or impacted by illegal development or other illegal means, including removal, degradation, or elimination of species that are rare or especially valuable because of their nature or role in an ecosystem.

c. Physical Extent. Where the County finds that the physical extent of habitats on a project site is different than those indicated on the Biological Resources Map, the County shall make findings as part of its review process regarding the physical extent of the habitat categories and detailed justification for any classification or reclassification of habitat categories on the project site.

d. Habitat Recategorization. If an applicant believes that their property is categorized incorrectly, they may request that the habitat status of the property be reviewed by the Department. Materials that may be submitted include, but are not limited to, historical photographs, current photographs, and previous and current biological reports for the subject property. All materials will be reviewed by the County Biologist, and the property may be subject to a site visit by the County Biologist before

approval. If approved, the Biological Resources Map maintained by the Department shall be revised and the property shall be given the applicable habitat protections.

e. Habitat Non-Designation. Any area not designated as a habitat category on the Biological Resources Map (Figure 2 of the Area Plan) that meets the criteria of a habitat category shall be given the protections for that habitat category in the Area Plan.

f. Legally-Established Exclusions. Areas occupied by existing, legally established structures, agricultural uses, and animal containment facilities are excluded from S1 and S2 habitat categories. Additionally, maintained fuel modification and brush clearance areas for existing, lawfully established structures are also excluded from S1 and S2 habitat categories, with the exception of the areas subject to the minimal brush clearance measures that are required in riparian or woodland habitats (e.g., removal of dead wood), in such areas, the habitat maintains its biological significance, rarity, and sensitivity and shall be given the protections provided for the S1 and S2 habitat categories.

3. Permitting Requirement.

a. All projects located entirely in S1 habitat shall require a SEA Conditional Use Permit.

b. All projects located within S2 habitat shall require, at minimum, a Conditional Use Permit, except for accessory use improvements to legally established developments, subject to all applicable development standards in this ordinance.

c. Projects in S3 habitat which require a Biological Assessment shall require, at minimum, a Conditional Use Permit.

4. Development Standards for Habitat Categories.

a. New development shall be sited in a manner that avoids the most biologically-sensitive habitat on-site in the following order of priority – S1, S2, S3, S4 – while not conflicting with other Area Plan or CSD policies. Priority shall be given to siting development in S4 habitat, and outside of all areas that contain undisturbed native vegetation. If it is infeasible to site development in S4 habitat areas, development should be sited in S3 habitat.

b. If there is no feasible alternative that can eliminate all impacts to S1 habitat, then the alternative that would result in the fewest or least-significant impacts shall be selected. Any development that would result in impacts to S1 habitat that cannot be avoided through the implementation of siting and design alternatives shall require a SEA Conditional Use Permit, pursuant to Section 22.336.050 (Application and Review Procedures) and subject to payment of Habitat Impact Fees.

c. The development standards for habitat categories described herein are in addition to the development standards required in the underlying zone, unless superseded by provisions in this CSD.

d. All development approved shall be designed to avoid protected trees in accordance with Subsection B, below.

e. Wetlands. The diking, filling, or dredging of open waters and wetlands shall be prohibited, except where it has been demonstrated that there is no

feasible less-environmentally-damaging alternative and mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following uses:

i. Wetlands-related scientific research, wetlands-related educational uses, nature study, or other similar resource-dependent activities;

ii. Incidental public service purposes, including, but not limited to, burying cables and pipes; and

iii. Wetland restoration projects when the primary purpose is restoration of the habitat.

f. Streams. Development shall be prohibited in streams, except where it has been demonstrated that there is no feasible less-environmentally-damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such development shall be subject to mitigation fees when a mitigation fee is adopted, be consistent with this Section 22.336.060, and be limited to the following uses:

i. Necessary water supply projects;

ii. Flood protection where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development. Flood control measures shall not diminish or change any of the following: stream channel morphology, flow or infiltration capacity, or habitat values, including, but not limited to, fish passage. Channel redirection or hardening may be permitted only if all less-intrusive flood control efforts

have been considered and have been found to be infeasible. Such less-intrusive measures shall include, but not be limited to, biostructures, vegetation, and soil bioengineering;

iii. Access roads, consistent with Section 22.336.070.B (Access Roads and Driveways), to a lawfully permitted use, only where all the following apply:

(a) There is no other feasible alternative to provide access to public recreation areas or approved development on a legal parcel;

(b) The stream crossing is accomplished by bridging;

(c) Bridge piers, columns, footings, abutments, and wing walls are located outside streambeds and banks, i.e., above the floodway and away from any flows;

(d) A shared bridge is used for providing access to multiple development sites;

(e) The bridge is the minimum size required to comply with Los Angeles County Fire Department ("Fire Department") access development standards, and is designed to blend with the natural environment through the use of wood, stone, rocks, colored concrete, or similar materials for its construction;

(f) Removal of or other impacts to riparian vegetation are minimized to the greatest extent feasible;

(g) All feasible mitigation measures have been incorporated to minimize adverse environmental effects to the stream, riparian habitat, and water quality. Mitigation for the removal of, or permanent impacts to, riparian habitat shall include, but not be limited to, restoration/enhancement of like habitat; and

(h) Culverts may be utilized for the crossing of minor drainages lacking all of the following: streambed, streambanks, and riparian vegetation; and where the culvert is sized and designed to accommodate flow during a 100-year storm, maintain the geomorphic function of the natural channel, protect habitat, provide passage for wildlife, protect water quality, and convey flood flows.

g. New development shall be clustered on-site to the maximum extent feasible and the building site shall be limited, as required by Subsection j, below, to minimize impacts to natural habitat areas. All structures must be clustered within the approved BSA, except for animal containment facilities consistent with Section 22.336.070.E. The Director may determine that fewer structures are appropriate for a given site.

h. New development shall be located as close as possible to existing roadways, services and other developments to minimize impacts to habitat areas.

i. Where new development is approved in habitat categories S2, S3, S4, or partially within S1 habitat, the maximum allowable BSA shall be up to 15,000 square feet based on parcel size, or 25 percent of the parcel size, whichever is less. For parcels one acre and larger, the allowable BSA shall be calculated as

10,000 square feet of BSA plus an additional 250 square feet of BSA per acre of parcel area, with a maximum total BSA of 15,000 square feet. The restriction of the BSA to less than the maximum may be required if the Director determines that a smaller BSA would serve to avoid impacts to native vegetation, substantially minimize grading associated with the project, reduce the need for manufactured slopes, or reduce the need for retaining features (e.g., walls) visible from scenic areas, public trails, and public right-of-way and lands. The BSA cannot contain any portion of the parcel with slopes of 25 percent or greater. Other provisions of this CSD, including, but not limited to, the tree protection requirements may also require a smaller BSA.

i. For parcels located fully within S1 habitat, the maximum allowable building site area shall be 7,500 square feet, or 25 percent of the parcel size, whichever is less. The restriction of the BSA to less than the maximum may be required if the Director determines that a smaller BSA would serve to avoid impacts to the S1 habitat.

ii. The following development may be excluded from the total BSA:

(a) The area of one access driveway or roadway that does not exceed 20 feet in width and 300 feet in length, and is the minimum design necessary, as required by the Fire Department;

(b) The area of one approved Fire Department turnaround that is the minimum design necessary to ensure safety and complies with

Fire Department requirements, has the least impact to biological resources, and is not located within the approved building pad;

(c) Graded slopes exclusively associated with the access driveway or roadway and hammerhead safety turnaround indicated above;

(d) Grading necessary to correct hazardous geological conditions; and

(e) Fuel modification and off-site brush clearance area required by the Fire Department.

iii. Any project that proposes a BSA exceeding the development guidelines in Section 22.336.070.J shall require a Variance pursuant to Section 22.336.050.

j. The allowable BSA may be increased for projects that qualify for participation in the incentive program set forth in Section 22.336.070.J.

k. The allowable BSA may be increased for projects that comprise two adjoining legal lots, if the existing lots are merged into one lot and one consolidated building site is provided with one access road or driveway, but in no event shall the total BSA exceed 15,000 square feet. These projects cannot also make use of the incentive program set forth in Section 22.336.070.J.

l. Development proposed in S1 habitat on a parcel with existing, legally established development shall be limited to the existing developed footprint of the parcel, including fuel modification areas as set forth herein, and shall not

increase fuel modification or brush clearance areas required by the Fire Department for the existing legal development.

m. New development in S1 and S2 habitat shall be sited and designed to minimize removal of native vegetation, required fuel modification, brush clearance, habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety.

5. Nesting Birds. Where vegetation removal and/or construction is proposed in potentially suitable habitat areas for nesting birds during bird nesting season, a series of nesting bird surveys shall be conducted by a qualified biologist. The surveys shall start no more than 30 days prior to construction, and the final survey shall be conducted within three days prior to the initiation of the clearance/construction. Surveys shall detect any active bird nests in the nesting habitat to be removed and any other habitat within 500 feet of the construction area to avoid the take of a nesting bird, as required under State (Fish & Game Code section 3503) and federal law (Migratory Bird Treaty Act). Bird nesting most commonly occurs in Southern California from February through August; however, some species may breed outside this time, and prolonged unusual weather patterns may also influence the commencement and cessation of the breeding season. Therefore, depending on the avian species present and on recent prevailing climatic conditions, a qualified biologist may determine that a change in the survey dates is warranted.

a. If an active songbird nest is located, clearing/construction within 300 feet shall be postponed until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting.

b. If an active raptor, rare, threatened, endangered, or species of concern nest is found, clearing/construction within 500 feet shall be postponed until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting.

c. Limits of construction, to avoid a nest, shall be established in the field with flagging and stakes or construction fencing. Project personnel, including all contractors working on-site, shall be instructed on the sensitivity of the area.

d. The project proponent shall provide the Department with the survey findings, as well as documentation that all measures have been taken, in compliance with applicable State and federal laws pertaining to the protection of native birds.

e. If a nest is found as a result of surveys, and avoidance of activities is not feasible during the nesting season, a qualified biological monitor is required to be present on-site during all grubbing and clearing of vegetation. The biological monitor shall ensure that these activities remain within the project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the

Department during the grubbing and clearing of vegetation, and shall notify the Department immediately if project activities damage active bird nests.

6. Fencing and Walls.

a. Wildlife-permeable fencing may be permitted to section off development features such as streets, trails, driveways, recreation areas, or animal keeping structures, and where necessary for public safety or habitat protection or restoration. Such fencing shall be developed as follows:

i. Fences shall be of an open design and made out of materials that are visible to wildlife, such as wood rail, steel pipe, vinyl rail, PVC pipe, recycled plastic, or coated wire;

ii. Horizontal and vertical elements of the fencing shall allow for at least one opening of at least 18 inches in both axes at regular intervals. The bottom edge of the lowest horizontal element shall be either flush with the ground or else no closer than 18 inches from the ground;

iii. Except where a different height is stated, the top edge of the topmost rail (either horizontal or vertical) or board shall be no higher than 42 inches from the ground;

iv. Fencing shall provide sufficient sight distance at driveways and intersections to the satisfaction of the Department of Public Works ("Public Works"); and

v. Fencing materials shall not be designed with materials harmful to wildlife. Prohibited materials include, but are not limited to, spikes,

glass, or razor/barbed wire. All hollow fence sign posts or posts with top holes, such as metal pipes or posts with open bolt holes, shall be capped and the bolt holes filled to prevent the entrapment of bird species.

b. Non-wildlife-permeable fencing, walls, or enclosures shall be permitted only within the approved BSA and outside of habitat categories S1 and S2, except as otherwise permitted in this Chapter.

c. The height and length of retaining walls shall be minimized. Retaining walls shall not exceed six feet in height and shall be constructed of materials, textures, veneers, and colors that are compatible with the surrounding landscape. Where feasible, long contiguous walls shall be broken into sections or shall include undulations to provide visual relief. Where more than one retaining wall is necessary, they shall be separated by a minimum three-foot horizontal distance; the area in front of and separating retaining walls shall be landscaped to screen them, unless otherwise screened by buildings. Terraced walls shall have a maximum cumulative height of 30 feet; no single wall may be over six feet in height.

d. As of the adoption date of this ordinance, all existing pipe corrals shall be deemed legally established.

7. Wireless Communication Facilities. Facilities shall not be sited in S1 unless they will be located on an existing or proposed utility pole in the public right-of-way. Facilities shall avoid or minimize impacts to S2 habitat and protected trees, consistent with all provisions of this CSD. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least-

significant impacts shall be selected. Existing native vegetation shall be preserved, where feasible, and disturbance of the existing topography of the site shall be minimized.

8. Mitigation Ratios. Mitigation is required for all impacts associated with development in S1 and S2 habitats, including encroachment of fuel modification zones and off-site brush clearance.

a. Impacts to S1 Habitat. Mitigation for unavoidable permanent impacts to S1 habitat shall be provided, at a minimum, through the restoration and/or enhancement of like habitat type, at the ratio of 3:1 square feet of habitat to impacted area.

b. Impacts to S2 Habitat. Mitigation for unavoidable impacts to S2 habitat shall be provided, at a minimum, through the enhancement of like habitat type, at the ratio of 2:1 square feet of habitat to impacted area.

c. On-Site Mitigation. Priority shall be given to on-site restoration or enhancement, unless there is not sufficient area of disturbed habitat on the project site, in which case off-site mitigation may be allowed.

d. Off-Site Mitigation. The County shall coordinate with other public agencies to establish priorities for off-site restoration and enhancement efforts, where appropriate, in the Santa Monica Mountains, for proposed development projects lacking adequate on-site mitigation opportunities.

e. Open Space Deed Restriction. The area of habitat to be restored shall be permanently preserved through the recordation of an open space deed

restriction that applies to the entire restored area. The open space deed restriction shall be recorded free of prior encumbrances, other than tax liens at the time the project is approved.

f. Mitigation Completion. The habitat restoration and/or enhancement shall be carried out prior to or concurrently with construction of the approved development project. In any case, installation of vegetation and irrigation for the restoration and/or enhancement mitigation shall be complete prior to the issuance of certificate(s) of occupancy for any structure(s) approved in the required permit.

9. Habitat Restoration.

a. Voluntary Restoration. Where a project consists solely of habitat restoration, with the primary purpose to improve or enhance biological resources and habitat function that is not required as direct mitigation for an approved permit, a Restoration Plan shall be required.

b. Project-Related Restoration. Restoration shall comply with the requirements of the permit authorizing the project.

c. Unpermitted Habitat Removal. Any vegetation removal or development which occurs in any habitat category, prior to receiving an approved permit, is prohibited. Where habitat has been removed or damaged without an approved required permit, a Restoration Permit, as well as mitigation as outlined in Subsection 8, above, shall be required.

d. Habitat Restoration Plan. A plan that delineates the process of habitat restoration to return the habitat to a close resemblance of its condition prior to

disturbance. A restoration plan shall be prepared by a biologist or restoration ecologist, and includes the following:

- i. Description and map of the area proposed to be restored or enhanced;
- ii. Description of restoration or enhancement activities, including incidental activities, and their timeline;
- iii. An inventory of biological resources on-site, including an evaluation of existing and pre-disturbance habitat quality;
- iv. Statement of restoration goals and performance standards;
- v. Revegetation and restoration methodologies to be implemented; and
- vi. Maintenance and monitoring provisions, including a monitoring period of no less than five years for individual restoration projects.

10. Habitat Impact Fees. Reserved.

B. Trees. Except as otherwise permitted in Subsection 3, below, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the protected zone of any tree species specified in a protected native tree list titled, "Protected Trees in the Santa Monica Mountains," which is to be maintained by the Department.

1. Definitions.

a. "Encroachment," as used in this Subsection, shall mean an intrusion, disturbance, or construction activity within the protected zone of a tree.

b. "Protected zone," as used in this Subsection, shall mean that area within the dripline of a tree and extending therefrom to a point at least five feet outside the dripline, or 15 feet from the trunk, whichever is greater.

c. "Trim" or "Prune," as used in this Subsection shall mean the cutting of or removal of any limbs, branches or roots of trees.

2. Protected Trees.

a. Native Trees. Trees native to the Santa Monica Mountains North Area, as specified in a list held by the Department, shall be protected under the provisions of this Chapter, if their trunk meets or exceeds the diameter listed in the "Protected Trees in the Santa Monica Mountains" document, measured at 54 inches above natural grade, except as otherwise outlined in this Subsection.

b. Oak Trees. Any tree or shrub of the oak genus (*Quercus* sp.), with a diameter of at least six inches, as measured 54 inches above natural grade; any tree or shrub of oak genus having two or more trunks that measure a total of at least eight inches in diameter at 54 inches above natural grade. Oak trees shall be subject to the protections, requirements and mitigation ratios of Chapter 22.174 (Oak Tree Permits).

c. Mitigation or Replacement Trees. Any tree that has been provided as a replacement tree, required in accordance with a County-approved permit, shall be protected under the provisions of this Chapter.

d. Heritage Trees. Any species of tree, whether native or non-native, is considered a heritage tree when it has a single trunk that measures 36 inches

or more in diameter, or two trunks that collectively measure 54 inches or more in diameter; or for trees with naturally occurring thin trunks when full grown, and trees with unnaturally enlarged trunks due to injury or disease (e.g., burls and galls), the tree must be at least 60 feet tall or 50 years old. Age shall be determined from historical accounts, photographs, or associations with historic structures; age shall not be determined by growth ring counts in cores taken from the edge to the center of the tree.

i. A Conditional Use Permit shall be required to remove any heritage tree.

ii. Any application for development shall be accompanied by a signed statement by the property owner or authorized agent, which discloses whether any trees of heritage size exist on the property, and describes on the plans associated with the application the location of each such tree, its species, trunk size, and drip line area.

e. Historic Trees. A non-native tree(s) may receive protected status through designation as a historic tree. A non-native tree can be nominated to become a designated historic resource via discretionary review, subject to approval and the following requirements:

i. The tree has been identified as a historic resource by the County; or

ii. The tree is listed or determined eligible for listing in the California Register of Historic Resources and/or National Register of Historic Places; and

iii. The tree must be associated with events or person that made a significant contribution to the history of the County, California, or the nation, or the location of the tree is associated with a historically significant view or setting.

3. Tree Maintenance. Tree maintenance that is limited to removal of dead wood, trimming, or pruning of branches not to exceed two inches in diameter and 25 percent of live foliage within a two-year period, and which does not adversely affect the health of the tree, shall not require permitting, pursuant to Subsection 6, below. All tree maintenance shall be performed in a manner that ensures the continued health of a protected tree, in accordance with guidelines published by the National Arborists Association. Should excessive maintenance, trimming, or pruning adversely affect the health of the tree, a Protected Tree Permit or Conditional Use Permit shall be required, as prescribed in this Chapter.

4. Tree Relocation(s). Tree relocations pose a potential danger to the health or survival rate of a tree. Any tree relocation in this CSD shall, therefore, be processed as a removal, and shall not be counted toward the required mitigation ratio for trees located in Subsection 11, below.

5. Bird Nesting. Any tree maintenance, encroachment or removal activities, or construction activities, near a tree suitable for nesting bird habitat shall follow all regulations located in Subsection A.5, above.

6. Mitigation Ratios. The mitigation ratios for various impacts to protected trees are provided in Table 22.336-A (Protected Trees Mitigation Ratios). Mitigation ratios may be increased depending on the review type and any associated

hearings. All mitigation trees shall be monitored for a period of seven years. If at any time during that period mitigation trees are destroyed as a result of natural disaster, any destroyed mitigation trees must be replaced, and the mitigation period shall continue from the date of the original approval.

TABLE 22.336-A: PROTECTED TREES MITIGATION RATIOS			
<i>Impact</i>		<i>Permit</i>	<i>Mitigation Ratio (Number of native replacement trees required to plant for every 1 tree impacted/removed)</i>
Pruning	Up to 25%; ≤ 2-inch branch diameter	---	None
	More than 25%; > 2-inch branch diameter	Protected Tree Permit	Monitoring – 7 years
Encroachment	Up to 10% encroachment into protected zone; maximum 4 trees	Ministerial Site Plan Review	None
	10-30% encroachment into protected zone	Protected Tree Permit	2:1
	More than 30% encroachment into protected zone	Processed as Removal (see below)	
Removal	Removal of 1 protected tree (under heritage size), excluding oak trees	Ministerial Site Plan Review	None
	Removal of 2 protected trees (under heritage size), excluding oak trees	Protected Tree Permit	2:1
	Removal of 3 or more protected trees (under heritage size), excluding oak trees	Conditional Use Permit	5:1
	Removal of any protected tree with a trunk diameter of 36"-54"	Conditional Use Permit	5:1
	Removal of heritage or historic tree(s)	Conditional Use Permit	10:1

7. Exemptions.

a. Emergency Tree Removals.

i. An "emergency" tree removal shall be defined as a situation that requires an immediate response, and which there is no time to apply for and obtain a Protected Tree Permit or Conditional Use Permit to remove.

ii. "Emergencies" include situations in which a protected tree within 200 feet of an existing structure, or adjacent to an existing access way, is an immediate threat to public safety, public property, or utilities. It also includes a tree that has been irretrievably damaged or destroyed due to catastrophic events such as flood, fire, wind, lightning, earthquake, landslide, drought, pests, or disease, as determined after visual inspection by a licensed forester with the Fire Department – Forestry Division, where the continuing presence of the tree is an immediate danger to public safety. The Director may consider cases of emergency due to infestation or disease that threaten surrounding trees, in consultation with the County Biologist and the Fire Department – Forestry Division.

iii. Emergency situations shall be determined, verified and granted by the Fire Department – Forestry Division in consultation with the County Biologist.

iv. All emergency removals shall require a mitigation ratio of a 1:1 replacement of a replacement tree of the same species to that which was removed. A Zoning Conformance Review to verify the location of the replacement tree

and documentation from the Fire Department – Forestry Division of the emergency tree removal shall be submitted.

b. Public Utility Projects. A Zoning Conformance Review is required before the removal of any protected tree for emergency actions, as defined in Subsection a.i, above, by a public utility necessary to protect or maintain essential components of an existing utility or transmission system.

8. Application Procedures for Protected Trees. The following types of review are required for specific impacts to protected trees:

a. Oak trees (*Quercus* sp.) shall be subject to the application and permitting requirements of Chapter 22.174 (Oak Tree Permits) at the protected diameters described in Subsection 2.b, above.

b. A Ministerial Site Plan Review shall be required for the following impacts, and pursuant to all requirements of Chapter 22.226:

i. Encroachments of no more than 10 percent into each tree's protected zone, up to four trees, in conjunction with the use of a single-family residence listed as a permitted use in the zone; and

ii. Removal of up to one protected tree listed in the "Protected Trees in the Santa Monica Mountains" list, excluding oak trees.

c. A Protected Tree Permit shall be required for any of the following impacts, and pursuant to all requirements of Chapter 22.228:

i. Pruning or trimming of protected trees in excess of 25 percent of live foliage for one or more trees;

ii. Encroachments of up to 30 percent into a tree's protected zone. Any encroachment of more than 30 percent into the protected zone of a tree shall be processed as a tree removal; and

iii. Removal of up to two protected trees. A removal of any native tree in the "Protected Trees in the Santa Monica Mountains" list with a trunk diameter of 36 inches at 54 inches above natural grade, shall require a Conditional Use Permit.

d. A Conditional Use Permit shall be required for any of the following impacts, and pursuant to all requirements of Chapter 22.230:

i. More than two removals of any combination of native trees listed in the "Protected Trees in the Santa Monica Mountains" document;

ii. A removal of any native tree with a trunk diameter of 36 inches at 54 inches above natural grade; and

iii. Removal of any tree designated as a heritage tree or historic tree.

e. Tree Standards as Part of Another Permit. Any encroachment or removal of a protected tree that is part of a larger project that requires a discretionary review permit (Protected Tree Permit or Conditional Use Permit) shall not require an additional permit for encroachment or removal. Instead, the encroachment or removal of a protected tree shall be considered as part of the discretionary review permit, pursuant to all requirements of Section 22.336.050 (Application and Review Procedures).

9. Application Materials. In addition to the specific review type listed above, these additional application materials must be included for encroachments or removals of protected trees:

a. Proposed areas to be landscaped and/or irrigated, proposed construction, excavation, and/or grading. Where a change in grade is proposed, the change in grade within the protected zone of each plotted tree shall be specified;

b. Proposed and existing land uses, location of all surface drainage systems;

c. The location of all protected trees proposed to be removed and/or encroached within 200 feet of proposed construction, grading, landfill, or other activity. Each tree shall be assigned an identification number on the plan, and a corresponding permanent identifying tag shall be affixed to the north side of each tree. These identifications shall be utilized in the tree report and for physical identification on the property, where required. The protected zone shall be shown for each plotted tree;

d. Location and size of all proposed replacement trees;

e. Other development features which the Director deems necessary to process the application;

f. A protected tree report prepared by a certified arborist, acceptable to the Director and County Forester, and certified to be true and correct, which describes each tree shown on the site plan, and shall contain the following information:

- i. The name, address, and telephone number during business hours of the preparer;
- ii. Evaluation of the physical structure of each tree as follows:
 - (a) The circumference and diameter of the trunk, measured four and one-half feet (54 inches) above natural grade;
 - (b) The diameter of the tree's canopy, plus five feet, establishing the protected zone;
 - (c) Aesthetic assessment of the tree, considering factors such as, but not limited to, symmetry, broken branches, unbalanced crown, excessive horizontal branching; and
 - (d) Recommendations to remedy structural problems, where required;
- iii. Evaluation of the health of each tree as follows: identification of insect, pest, and diseases, evaluation of vigor with health rating and recommendations to improve tree health;
- iv. Prior to approval of a permit, the Director shall refer a copy of the applicant's tree report to the County Forester. In consultation with the County Biologist, the County Forester shall review said report for the accuracy of statements contained therein, and shall make inspections on the project site. Such inspections shall determine the health of all such trees on the project site and other factors, as may be necessary and proper to complete the review; and

v. The County Forester and/or County Biologist may, at their option, also suggest additional conditions for use by the Director, Hearing Officer, or Commission;

g. Identification of those trees shown on the site plan which may be classified as heritage or historic trees; and

10. Findings. In addition to the materials required for Type II and Type III reviews, as listed in Division 9 of this Title, an application may be approved only if the following findings are made:

a. That any proposed construction will be accomplished without endangering the health of the remaining trees within the potential impact area of the development, or in the vicinity;

b. That the removal of the tree(s) proposed will not be contrary to or be in conflict with the intent and purpose of the protected tree permit procedure;

c. That the removal of the tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters, or subsurface waters, which cannot be satisfactorily mitigated;

d. The required action is necessary: (1) to allow reasonable economic or other enjoyment of the property; and (2) there is no other feasible design alternative that would avoid impact to the tree(s); and

e. That in addition to the above facts, at least one of the following findings apply:

i. That the removal of the tree(s) is necessary, as the continued existence of the tree(s) at present location(s) impedes the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density, or the existing location of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized;

ii. That the condition of the tree(s) proposed for removal with reference to disease, pest, or danger of falling is such that it cannot be remedied through preservation practices;

iii. That the removal of the tree(s) proposed will not be contrary to or be in conflict with the intent and purpose of the protected tree permit procedure; or

iv. That the tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists, other than removal of the tree(s).

11. Additional Conditions Imposed. The Director, Hearing Officer, or Commission, in approving an application for a Protected Tree Permit, shall impose such conditions as are deemed necessary to ensure that the permit will be in accord with the findings required by Subsection 10, above. These conditions may involve, but are not limited to, the following:

a. The replacement of protected trees shall be required for all removals or relocation of protected trees. Replacement shall be with trees of a suitable type, size, number, location, and date of planting. In determining whether replacement should be required, the Director, Hearing Officer, or Commission shall consider, but is not limited to, the following factors:

i. The vegetative character in the surrounding area;

ii. The number of protected trees which are proposed to be removed in relation to the number of such trees currently existing on the subject property;

iii. The anticipated effectiveness of the replacement of protected trees, as determined by the tree report submitted by the applicant and evaluated by the County Forester and County Biologist;

iv. The development plans submitted by the applicant for the proposed construction or the proposed use of the subject property;

v. The relocation of trees approved for removal shall not be classified as a mitigation for replacement trees;

vi. Unless a more biologically appropriate species is identified by the County Biologist, required replacement protected trees shall be the same genus and species as their corresponding removed/encroached trees in the protected tree permit or Conditional Use Permit and follow mitigation ratios detailed in Subection 6, above. Each replacement tree shall be the smallest size likely to survive or larger, as determined by the County Biologist;

vii. Replacement trees shall be properly cared for and maintained for a period of seven years and replaced by the applicant or permittee if mortality occurs within that period;

viii. Where feasible, replacement trees should consist exclusively of native trees and certified as being grown from a seed source collected in Los Angeles or Ventura Counties; and

ix. Replacement trees shall be planted and maintained on the subject property and, if feasible, in the same general area where the trees were removed. The process of replacement of trees shall be supervised in the field by a certified arborist.

b. A plan for preserving Protected Trees on the subject property during and after development, such as, but not limited to, the following requirements:

i. The installation of chain-link fencing not less than four feet in height around the protected zone of trees shown on the site plan. Said fencing shall remain in place throughout the entire period of development, and shall not be removed without written authorization from the Director or the County Forester;

ii. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the Director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor, and certify to the

County Forester the implementation of all conditions imposed in connection with the applicant's permit;

iii. That any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, be limited to hand tools or small hand-power equipment;

iv. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a non-corrosive all-weather material and shall be permanently affixed to the tree. All tree locations shall be accurately depicted on the site plan;

v. That corrective measures for trees noted on the tree report as requiring remedial action be taken, including pruning, fertilizing, and similar actions;

vi. That, to the extent feasible as determined by the Director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure; and

vii. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which a protected tree permit is required, unless a copy of the tree report, location map, fencing plans, and approved protected tree permit and conditions are in the possession of a responsible person and also available at the site.

12. Noticing. Noticing for the removal of any protected tree shall be required for all review types. Noticing shall be required for all parcels within a 700-foot radius of the project site. If the 700-foot radius does not include a minimum of 15 parcels of real property, the radius shall be expanded until the owners of at least 15 parcels are included. Oak trees will be subject to the noticing requirements of Chapter 22.174 (Oak Tree Permits).

13. Enforcement. In interpreting the provisions as they apply to this Chapter, each individual tree cut, destroyed, removed, relocated, or damaged in violation of these provisions shall be deemed a separate offense.

22.336.070 Community-Wide Development Standards.

A. Prohibited Uses. The following uses are prohibited in all zones throughout the Santa Monica Mountains North Area CSD:

1. Cemetery, as defined in Title 22;
2. Guest ranch, as defined in Title 22;
3. Hotel, as defined in Title 22;
4. Waste disposal facilities, as defined in Title 22;
5. Menageries;
 - a. Menageries, zoos, animal exhibitions, or other similar facilities for the keeping or maintaining of wild animals shall be prohibited;
6. Wild animals;
 - a. The keeping of wild animals, either individually or collectively for private or commercial purposes shall be prohibited;

7. Outdoor dance pavilions;

a. The establishment or expansion of any structure, portion of a structure, or designated outdoor area that is used as a primary or accessory use to host or accommodate special events not otherwise permitted by a license or conditional use permit, and the use of which often involves amplified music or other noise-generating uses, including weddings, parties, or other gatherings, shall be prohibited;

8. Heliports, helistops, as defined in Title 22, and any site or facility that is used for the takeoff and landing of aircraft (commonly known as helipads and landing strips);

a. All heliports, helistops, helipads, and landing strips shall be prohibited, with the exception of publicly-owned or operated helipads and helistops, which may be allowed on public or private land, where needed, for emergency services, and consistent with all applicable policies of the Santa Monica Mountains North Area Plan and Title 22. Any new public helipads needed for emergency services shall be located in a manner that limits noise impacts on residential areas and public parklands, minimizes alteration of the existing topography, and minimizes vegetation removal.

B. Access Roads and Driveways. These provisions apply to access roads that are new, incorporate any portion of an existing access road, or require the widening, improvement, or modification of an existing, lawfully constructed road to comply with Fire Department access development standards.

1. No more than one access road or driveway with one hammerhead-type turnaround area providing access to the one approved development area may be

permitted as part of a development permitted in Habitat Categories S2-S4, unless the Fire Department determines that a secondary means of access is necessary to protect public safety.

2. An access road or driveway shall only be permitted concurrently with the use it is intended to serve, except for the approval of geologic testing roads, pursuant to Subsection G (Exploratory Testing), below.

3. Grading, landform alteration, and vegetation removal for access roads and driveways shall be minimized to the greatest extent feasible. The length of the one access road or driveway shall be the minimum necessary to provide access to the one approved BSA on a legal parcel. The alignment and design of the access road or driveway shall avoid impacts to S1 and S2 habitat, or if avoidance is not feasible, shall minimize such impacts. In no case shall new on-site or off-site access roads or driveways exceed a maximum of 300 feet or one-third the parcel depth, whichever is less, unless the County finds, based on substantial evidence, that a variance of this standard is warranted in accordance with the requirements of Chapter 22.194 (Variance). In addition to the required findings set forth in Chapter 22.194 (Variance), findings shall be made that alternative building sites, access road, or driveway locations within the property or project have been considered and eliminated from consideration because each alternative was found to be physically infeasible, less protective of scenic resources or S1 and/or S2 habitat, or has the potential for substantial habitat destruction, if any such alternative site or driveway location is used;

4. The width and grade of an access road or driveway and the size of the hammerhead turnaround approved shall be the minimum required by the Fire Department for that development project; and

C. Bed and Breakfast Establishments. Bed and breakfast establishments shall have a minimum lot size of one acre and maintain a residential character. In addition to the conditions imposed, pursuant to Section 22.158.060 (Conditions of Approval), the following development standards shall be conditions of each grant, unless otherwise modified by the Hearing Officer:

1. The facility shall be operated and maintained by the owner or lessee of the property, and it shall constitute the primary residence of the owner or lessee;

2. The facility shall contain no more than five guest rooms available for paying guests, which rooms shall be located within the primary residence and not in any accessory structures;

3. Stays for any paying guest shall not exceed 14 consecutive days and shall be not more than 30 days for such guest in any calendar year;

4. Kitchens and other cooking facilities shall be prohibited in any guest room within the facility;

5. There shall be one on-site parking space, which may be uncovered, served by an all-weather driveway, for each guest room available for paying guests;

6. Serving or consumption of food or beverages, including alcoholic beverages, shall be restricted to residents and guests of the facility. No restaurant or similar activity that is open to the general public shall be permitted; and

7. One wall-mounted or freestanding sign shall be permitted, provided that such sign does not exceed six square feet in sign area or 12 square feet in total sign area, respectively, and does not exceed a height of 42 inches measured vertically from ground level at the base of the sign.

D. Development Moratorium for Non-Compliant Properties. When a cease-and-desist order, notice of violation, or Conditional Use Permit revocation has been issued or recorded for a property by any County agency, the Director may set the matter for a public hearing before the Commission to consider a five-year ban on filing any new application or acting upon any application for the subject property. In such case, all procedures relative to notification, public hearing, and appeal shall be the same as for a Conditional Use Permit. Following a public hearing, the Commission may place up to a five-year ban on filing any applications, but may exempt emergency permits and/or permits deemed by the Director as necessary for the subject property to address a violation, cease-and-desist order, or permit revocation on the property. If approved, the ban period shall commence from the date of the hearing. The Director shall record the terms of such ban in the office of the County Recorder.

E. Equestrian Facilities.

1. Area requirements for equestrian facilities, which includes large and small horse boarding facilities and riding academies:

a. The minimum parcel size for equestrian facilities shall be one acre.

b. Parcels under one acre shall refer to Section 22.140.070 (Animal Keeping, Noncommercial or Personal Use).

c. The number of equines permitted per lot shall be limited to one per 5,000 square feet of lot area.

2. Small horse boarding shall meet the following requirements:

a. Up to a maximum of 20 equines, including any equines owned by the owner or lessor of the property, may be permitted as small horse boarding.

b. Training of horses shall be limited to horses owned by the property owner or boarder. No commercial or business uses, including, but not limited to, training, riding of horses, or other equines, trail riding, or courses in horsemanship are allowed, except as otherwise permitted by this Chapter.

3. All existing, legally established equestrian facilities may continue operation under the development standards in place at the time of establishment, subject to compliance with the Best Management Practices ("BMPs") outlined in Subsection 5.g, below. Equestrian facilities not in compliance with Subsection 5.g shall be deemed a legal non-conforming use.

a. All equestrian facilities must come into compliance with Subsection 5.g, below, within five years of the effective date of this CSD. To prove

conformance, the applicant shall show under a Ministerial Site Plan Review, compliance with the requirements set forth in Subsection 5.g.

4. For any portion of a legal non-conforming equestrian facility undergoing an addition or expansion, the entirety of the existing and proposed structure and site shall require review and approval, pursuant to Subsection 3, above, as well as code and permitting requirements.

5. All equestrian facilities must comply with the following requirements, except as otherwise described in Subsection 3, above:

a. All animal living quarters shall be located not less than 35 feet from any street or highway or from any building used for human habitation;

b. Animal containment facilities, animal living quarters, and accessory structures are not permitted in S1 habitat;

c. All animal containment facilities and animal living quarters shall be a minimum of 100 feet away from all S1 habitat. The facilities shall be a minimum of 100 feet from the outer edge of any riparian habitat or natural drainage course. If the minimum setback is not feasible for new or a proposed expansion of animal containment facilities for equines, the facility may apply for a Minor Conditional Use Permit, subject to Section 22.336.050.B, and must meet the buffering standards of Subsection 6, below;

d. The siting and design of animal containment facilities and animal living quarters shall be consistent with the slope and habitat protection requirements of this CSD;

e. Fencing for all animal containment facilities shall be no more than six feet in height, unless required to be greater in height by Los Angeles County Animal Control or California Department of Fish and Wildlife, and shall be consistent with Section 22.336.060.A.6. However, fencing for the direct control and safety of animals, such as exercise pens, that do not exceed a 60-foot diameter, may be non-wildlife permeable only where it is demonstrated, pursuant to a site-specific evaluation, that the layout and extent of the fencing will not significantly impede wildlife movement through a property or through the surrounding area;

f. Submittal of and compliance with an animal waste management plan, including:

i. A scaled site plan depicting all animal containment facilities and animal living quarters, manure storage facilities, and vehicular access. The plan should also delineate all site drainage, adjacent or on-site watercourses, and/or areas which hold or circulate water (i.e., lakes, ponds, pools, etc.);

ii. Volume of waste material generated per day. This includes manure, spilled feed, and used bedding; and

iii. The waste management plan must be in substantial compliance with Best Management Practices listed in Subsection g, below.

g. Best Management Practices.

i. Equestrian raising, training, breeding, and boarding operations shall use BMPs in a manner that avoids harm to other organisms, and protects air, soil, and water quality.

ii. The following BMPs shall be depicted on a site plan, as well as implemented for all equestrian facilities:

(a) Runoff shall be diverted, with a berm or other such measure, around holding pens, waste storage, or disposal areas, or areas containing compost, fertilizer, amended soil products, and any other byproducts of livestock activities;

(b) The roots and trunks of protected trees situated within existing animal containment facilities shall be protected from equine damage with loosely-fitted chain-link or plastic mesh fencing, pipe corral fencing, treated wood boxes, or other material deemed suitable by the County Biologist. New or expanded animal containment facilities shall be sited outside of the protected zone of individual oak trees or other protected trees, consistent with the provisions of Section 22.336.060.B (Trees);

(c) Manure, waste, oils, chemicals, fertilizers, and other noxious materials shall be stored inside a structure or in a covered container with an impervious bottom surface, and shall be stored away from any underground water source used for human consumption to the maximum extent possible. Stockpiling on the ground is not permitted. Waste shall be stored at least 100 feet from all S1 habitat, streams, and natural drainage courses;

(d) Filter strips, natural vegetation, gravel, sand, or other similar materials shall be used along the periphery of corrals, pens, animal

showers, and waste containment areas to absorb and treat runoff from animal facilities;
and

(e) Sediment-holding ponds may incorporate phytoremediation techniques to assist in filtering runoff, such as bioswales or rain gardens.

iii. The following operational BMPs must be implemented by all equestrian facilities:

(a) Runoff, waste, and waste byproducts from animal containment facilities shall be regularly collected, contained on the parcel, and disposed of in an approved manner;

(b) Equestrian facilities shall not discharge sediment, animal waste, or polluted runoff onto any public road, adjoining property, or into any S1 habitat, S2 habitat or stream/drainage course;

(c) Stockpiled dirt shall be protected from wind and water erosion by using tarps and/or jute netting to cover the pile;

(d) No burning of waste or other materials shall be allowed;

(e) All manure, soiled bedding, and spilled feed shall be collected a minimum of once per week. Wet spots shall be dried, as much as possible, by raking and/or adding absorbent material. Manure deposited in wet areas should be collected immediately. Shady areas shall be cleaned daily;

(f) Maintain good air circulation and exposure to sunlight in animal containment areas. This will include weed abatement and removal of all refuse and waste materials, as described above;

(g) Any additional measures that may be necessary to further control fly and other insect populations; and

(h) All operations shall have a contingency plan for equipment breakdown, adverse weather conditions, staffing absences, and other unforeseen circumstances.

6. Buffering standards for new and expanded animal containment facilities less than 100 feet from S1 habitat.

a. A buffer zone between S1 habitat, drainage courses, streams, rivers, and an equestrian facility shall be established to mitigate any potential impact. The buffer zone shall include native vegetation, bioswales, or other appropriate features, as determined by the County Biologist.

b. Site design must demonstrate that all runoff and drainage will be directed away from S1 habitat, drainage courses, streams, rivers, and other sensitive receptors.

c. Non-wildlife-permeable fencing shall not be allowed within 100 feet of S1 habitat.

d. If the above standards cannot be met, a variance may be requested and a biological resources assessment must be completed and be reviewed by SEATAC prior to any decision by a decision-making body.

F. Event Facilities.

1. Permit Required. A Conditional Use Permit is required to establish, maintain, or operate an event facility. Permitted zoning for event facilities is listed in Section 22.336.080.

2. Event facilities shall be prohibited along Lobo Canyon Road.

3. A property that is currently maintained as a single-family residence shall not be eligible to establish an event facility.

4. Amortization for Existing Outdoor Dance Pavilions and Event Venues. All properties that currently operate as outdoor dance pavilions, or other event venues that have not received a discretionary permit for an event facility, shall be considered non-conforming, as of the effective date of this ordinance, and must obtain a Conditional Use Permit to operate as an event facility. All outdoor dance pavilions are subject to the standards described in this Chapter, and must reach compliance and obtain a Conditional Use Permit within three years of the effective date of this ordinance or else all event operations must be discontinued or removed by that date.

5. Development and Operational Standards.

a. Lot Size. The minimum lot size required shall be regulated by zone, as defined in Section 22.336.080.

b. Maximum Occupancy.

i. The maximum number of attendees for any given event is 200 persons including, but not limited to, any event staff, caterers, photographers, and vendors.

ii. The maximum number of persons permitted at an event venue may be increased or decreased at the discretion of the Hearing Officer or Commission.

c. Setbacks.

i. An event facility shall be located no closer than 2,000 feet to another event facility, as measured between nearest respective parcel boundaries.

ii. Event facilities on Triunfo Canyon Road shall be located no closer than 3,000 feet to another event facility.

iii. All development and activity areas related to the event facility shall be set back not less than 150 feet from the edge of the right-of-way, when located on scenic highways or on roads designated by the Area Plan as scenic routes.

iv. Any activity area that will include the use of outdoor amplified sound or music shall be setback not less than 100 feet from any property line.

v. Existing trees, bushes, shrubs, and other vegetation within such set back areas shall be protected and preserved in compliance with Section 22.336.060.

vi. For those areas where the event facility would be visible from a property line or right-of-way, the setbacks specified above shall contain landscaping on all disturbed land.

d. Parking Options and Transportation.

i. Unless adequately screened, parking must be designed so that headlights of parked cars are facing inward toward the property and are not directed onto adjacent properties or sensitive habitat.

ii. Parking areas should be selected to maximize the distance from adjacent residences.

iii. The applicant must submit a parking and transportation plan that demonstrates adequate parking or transportation is provided for all staff and guests so that traffic flow will not adversely impact the neighborhood. The parking and transportation plan may include any combination of the following:

(a) On-site parking in accordance with the requirements of Table 22.112.060-A for entertainment, assembly, and dining uses;

(b) Shuttle service that transports guests directly to and from nearby parking or accommodations within the area; and

(c) Valet parking, which may include tandem parking spaces.

iv. If on-site parking is provided for the event, management of vehicle ingress/egress shall use traffic controllers on the property and at nearest intersections to prevent on-street queuing.

e. Access. The public and private roads providing access to the subject property meet necessary standards to provide safe and adequate access, or said standards have been amended by conditions of project approval to satisfy the

access requirements. Consideration shall be given to the event facility's access to two means of access to a highway.

f. Noise.

i. Event facilities shall abide by the ambient noise standards set forth in Subsection L, below.

ii. All outdoor amplified sound must cease at 8:00 p.m. nightly, unless otherwise modified by Conditional Use Permit.

iii. Layout for sound amplification systems shall ensure that all speakers are directed toward the middle of the property and away from any adjacent S1 habitat. The backside of all speakers shall be wrapped in sound attenuation blankets.

iv. Location of foot traffic corridors between event location, food and beverage services areas, restrooms, and parking areas should be selected to maximize the distance from adjacent residences.

v. Contact information for the on-site event supervisor(s) shall be available to residences within 2,000 feet of the event facility for questions or concerns during event operations. Calls should be returned within 30 minutes during the event, and within 24 hours before and after the event, to answer questions and handle complaints. Documentation of the complaint and resolution shall be maintained and provided to the Department when requested.

vi. Temporary sound abatement structures along site perimeters may be required if the Director determines that noise issues are persistent

and avoidable. Sound abatement walls shall be a minimum of 10 feet in height and reduce noise to a minimum of 10 A-weighted decibels (dBA).

vii. Increased setbacks and site and building design shall be first implemented to reduce noise levels at the property line before construction of noise barriers is considered.

g. Lighting.

i. This Subsection shall employ the definitions listed within the Rural Outdoor Lighting District (Chapter 22.80).

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

iii. No glare shall be visible when viewed from adjoining parcels and public rights-of-way.

iv. Holiday lights are permitted, as long as they are not flashing or otherwise sequenced.

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

vi. Flood lights are prohibited.

h. Alcohol. Alcohol service shall comply with all Alcoholic Beverage Control ("ABC") regulations.

i. Security.

i. A licensed private security company shall be contracted for all events with more than 50 attendees to ensure that staff are able to respond to security needs of the event and surrounding environment.

ii. Security duties may include ensuring compliance with noise standards, that no fire or flame exist on-site, and compliance with the event parking and transportation plan to prevent intoxicated drivers.

j. Sanitation. All event facilities must be equipped with permanent sanitation facilities to the satisfaction of the Department of Public Health.

k. Evacuation Plan. An evacuation plan approved by the Fire Department and Los Angeles County Sheriff's Department ("Sheriff") shall be in place to safely evacuate all guests and staff members in the event of an emergency without inhibiting neighboring residents' ability to safely and quickly evacuate.

6. Additional Findings for Event Facility Conditional Use Permit. In addition to the conditions imposed, pursuant to Section 22.158.060 (Conditions of Approval), the following shall be conditions of each grant, unless otherwise modified by the decision-making body:

a. Parking and transportation plan must determine that adequate transportation is provided for all guests and that roadways are not unduly burdened, if alternative transportation (e.g., shuttle service) is not provided; and

b. The facility shall be sufficiently designed or isolated so that noise from any event does not exceed ambient noise levels from the property line nearest to adjacent residences or S1 habitat.

G. Exploratory Testing.

1. Property in any zone may be used for exploratory testing, provided that a Minor Conditional Use Permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit.

a. Access for exploratory testing shall use existing roads, or track-mounted drill rigs, where feasible. Where there is no feasible access, a temporary access road may be permitted when it is designed to minimize length, width, and total grading to that necessary to accommodate required equipment. All temporary roads shall avoid S1 habitat. All such temporary roads shall be restored to the maximum extent feasible, through grading to original contours, re-vegetating with locally-indigenous vegetation to the project site, and monitoring to ensure successful restoration.

b. Grading for temporary roads necessary for geologic, hydrologic, or similar testing purposes shall be conditioned to restore and replant all graded areas to a natural condition, if the site is not developed within one year of the issuance of the permit for the grading.

c. Any disturbances incurred to soil or locally-indigenous vegetation (including S1-S3 habitat), as a result of exploratory testing, shall be mitigated and restored according to requirements herein and according to any requirements of Public Works.

d. Within 30 days from completion of exploratory testing, or immediately if heavy rain is forecasted, all disturbed areas shall be stabilized with

temporary erosion control measures and seeded with locally-indigenous grass species to prevent erosion and instability. Full remediation of disturbed soil or locally-indigenous vegetation shall commence one year from the date of the issuance of the Minor Conditional Use Permit, if further development of the disturbed site in conjunction with an approved project has not occurred.

e. Vegetation removal activities shall be conducted in a manner that protects existing vegetative root stock to facilitate revegetation of the disturbed areas.

2. All required restoration shall be completed to the satisfaction of the Director.

H. Farmers' Markets. No farmers' market or any portion thereof shall be located in or within 100 feet of S1 habitat.

I. Grading.

1. An approved Conditional Use Permit (Chapter 22.158) shall be required for any grading on a lot, or in connection with any project, that exceeds 500-cubic yards of total cut plus total fill material. For purposes of computing the 500-cubic-yard threshold amount, grading necessary to establish a turnaround required by the Fire Department, but not the grading for any access road or driveway leading to such turnaround, shall be excluded.

2. All grading shall be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project such as, but not limited to;

- a. Conforming to the natural topography;
- b. Avoid placing development on slopes greater than 25 percent, unless the outcome is biologically superior to all other siting locations;
- c. Utilizing split-level or stepped pad designs on slopes;
- d. Clustering structures;
- e. Locating the project close to a legal and established street traveled by the public;
- f. Reducing building footprints; and
- g. Minimizing hardscape, and the height and length of cut and fill slopes and retaining walls.

3. Grading shall also be accompanied by other project features that maximize preservation of visual quality and rural community character through design features such as, but not limited to:

- a. Use of landform grading techniques so that graded slopes blend with the existing natural terrain of the site and surrounding area; and
- b. Use of locally-indigenous vegetation for concealment of the project. A list of locally-indigenous vegetation appropriate for the North Area shall be maintained by the Director.

4. A grading permit, when required, shall be obtained from Public Works before the commencement of any grading project.

5. Cut material may only be exported to an appropriate landfill or a site permitted to accept the material. An approved haul route shall be required for the

off-site transport of 500 cubic yards or more of cut or fill material, or any combination thereof, subject to the following requirements:

a. The application shall contain statements setting forth the following information in addition to any requirements of Section 22.336.050:

i. The names and addresses of all persons owning all or any part of the property from which such material is proposed to be removed from and transported to;

ii. The names and addresses of the person or persons who will be conducting the operations proposed;

iii. The ultimate proposed use of the lot or parcel of land;

iv. A map, showing in sufficient detail the location of the site from which such material is proposed to be removed, the proposed route over streets and highways, and the location to which such material is to be imported; and

v. Such other information that the County finds necessary to determine whether the application should be granted.

b. All hauling, as approved under this Section, shall be restricted to a route approved by the Director of Public Works; and

c. Compliance with all applicable requirements of other County departments and other governmental agencies.

6. Physical grading (earth-moving activities) shall be prohibited during the rainy season, defined as October 15 of any year through April 15 of the subsequent year, unless permitted pursuant to provisions of Subsections 7 or 8, below.

7. Approved grading shall not be initiated unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, due to unforeseen circumstances/delays, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after April 15. However, the Director may permit grading to continue, if it is determined that: (1) completion of grading would be more protective of sensitive environmental resources and would minimize erosion and sedimentation; and (2) BMPs designed to minimize or prevent erosion, sedimentation and polluted runoff are being implemented to a degree that would prevent significant water quality impacts, or any significant disruption of habitat values within all habitat categories.

8. Grading during the rainy season may be permitted to remediate hazardous geologic conditions that endanger public health and safety, at the discretion of Public Works.

9. Grading projects must be in accordance with all applicable regulations of Subsection G (Exploratory Testing), above.

10. Grading in areas that have a slope of 50 percent or greater shall be prohibited, unless required for safety reasons, or if it would be more protective of sensitive biological resources in all habitat categories. The remediation or stabilization of landslides or other slope instability that affects existing structures or that threaten public health or safety shall be allowed. Alternative remediation or stabilization techniques shall be analyzed to determine the least-environmentally-damaging

alternative. Mitigation shall be incorporated into the project to minimize adverse impacts to natural resources.

11. Any amount of legal grading that has occurred on a lot or parcel of land, or in conjunction with a project, prior to the adoption date of this CSD, shall not be counted toward the grading thresholds set forth in Subsection 1, above. Proof that such grading was legal (received all necessary permits that were required at the time grading took place) shall be demonstrated as part of a Conditional Use Permit application that includes grading. Any grading that has occurred on a property where it cannot be demonstrated that the grading received all of the necessary permits that were required at the time the grading took place, shall be considered unpermitted, counted cumulatively in the proposed grading amount and grading thresholds set forth in Subsection 1, above, and analyzed for consistency with all policies and provisions of this CSD as part of the proposed project.

12. Grading shall utilize landform grading techniques to minimize alteration to natural landforms, minimize the visual transition from natural landforms to manufactured slopes, and present the appearance of a natural hillside. Cut and fill slopes shall be minimized by the use of retaining walls, where consistent with all other provisions of this CSD.

13. The temporary storage of construction materials for public projects or landslide material on road shoulders shall be managed using the most current BMPs to eliminate erosion into adjacent drainage courses, to protect air and water quality, and

to minimize the spread of invasive plant species. Landslide material shall be deposited in permitted landfills or sites with valid permits to accept fill.

14. The County will monitor grading projects to ensure that grading conforms to approved plans. County inspectors may only modify approved grading plans at project sites to the extent necessary to address unanticipated conditions and to protect public health and safety. In-field grading modifications shall obtain an amendment to the permit and/or site plan that authorized the grading to ensure that modifications will not create adverse impacts that were not considered during a project's environmental review.

J. Incentive Program for Certain Development Actions.

1. Purpose and Intent. The purpose of offering incentives for certain actions associated with development in the Santa Monica Mountains North Area is to encourage voluntary actions that further the goals of the Area Plan.

2. Voluntary Action. The action taken by the applicant must be voluntary, and not required as part of a project alternative or mitigation measure, or other obligation imposed or enforced pursuant to law, and must be formalized as a condition of approval.

3. Action by Applicant. Subject to the approval of the Director, actions that qualify for participation in the incentive program are:

a. Retirement of all development rights on one or more lawfully-created, buildable parcel(s) that total at least five acres in size, and contain habitat

designated as S1 habitat (may also contain S2 habitat, but shall primarily contain S1 habitat), and located in the Santa Monica Mountains North Area.

b. Dedication of a permanent, irrevocable, nonexclusive ingress and egress easement for the purpose of providing access to publicly-owned open space, accepted by a receiving land conservation agency.

c. Dedication of a trail or trail easement across a segment of a public riding and hiking trail identified by the National Park Service trail map, and accepted by the County Department of Parks and Recreation, or by a State or federal park and/or recreation agency, that submits a plan that indicates that the organization will open, operate, and maintain the easement in accordance with terms of the recorded trail easement. Recordation of the trail easement shall be required as a condition of approval of the Conditional Use Permit.

4. Incentives. Any one incentive listed below may be chosen for any one qualifying action, as specified below. Only one incentive may be taken.

a. An increase in the threshold for requiring a Conditional Use Permit from 500 cubic yards to 5,000 cubic yards of grading.

b. For the conservation of land, the project will be granted an increase in BSA up to the total maximum approvable area of 15,000 square feet in S3 or S4 habitat. This incentive is only available when an applicant voluntarily proposes and implements the retirement of all development rights on one or more lawfully-created, buildable parcel(s) located in the unincorporated Santa Monica Mountains

(Coastal Zone or North Area) that is at least five acres in size and is comprised of at least 50 percent habitat designated as S1 or S2.

5. Recordation. Any action taken by an applicant, as provided in Subsection 3, above, must be recorded by the County Recorder and reported to the Assessor's office. Copies of the recorded documents, including any documents verifying that a dedication or easement has been received by a land conservation agency, shall be provided to the Director subsequent to planning approval as a requirement for issuance of a Conditional Use Permit.

6. Not all actions may be commensurate with each incentive. Therefore, the Director may reduce the incentive(s) chosen by the applicant to ensure that the public benefit obtained from a proposed action is commensurate with the incentive(s) conveyed to the applicant. However, in no case shall the incentive(s) exceed the maximums allowed in Subsection 4, above. Criteria to be used in the Director's evaluation of the benefit obtained from a proposed action shall include, but not be limited to:

a. For Subsection 3.a, above, greater benefit given to the retirement of lots containing at least 50 percent S1 or S2 habitat and that are contiguous with publicly-owned open space or already-protected S1 and/or S2 habitat, and not isolated from other S1 and/or S2 habitat;

b. For Subsection 3.b, above, greater benefit given to an easement that provides access to an existing public trail or an existing public campground; and

c. For Subsection 3.c, above, greater benefit given to a trail dedication or trail easement that helps to complete the publicly-owned or accessible alignment of an already-existing public trail.

K. Local-Serving Commercial Uses.

1. Applicability.

a. Local-serving commercial uses and associated buildings and structures that were lawfully established and in compliance with all applicable ordinances and laws prior to September 19, 2002, and which became non-conforming as a result of the adoption of Ordinance No. 2002-0062Z, are not subject to the provisions of Chapter 22.172 (Nonconforming Uses, Buildings and Structures). Such uses, buildings, and structures may continue indefinitely, as long as the use does not change or as long as the use meets the criteria contained in Subsection 1.b, below.

b. A different local-serving commercial use may be allowed if the Director finds that the use has the same or a lesser parking requirement, occupant load, and occupancy classification, as described in Title 26 (Building Code) of the Los Angeles County Code ("County Code"), as the existing commercial use, and if no zoning permit would have been required for said different use, pursuant to the provisions of this Title 22 in effect immediately prior to September 19, 2002.

c. If a non-conforming local-serving commercial use described in Subsection 1.a, above, is discontinued for a consecutive period of two years or longer, the right to operate such non-conforming use shall immediately terminate and

any subsequent use of the lot shall be subject to the other provisions of this CSD, the other applicable provisions of this Title 22, and the Area Plan.

2. Changes Requiring Conditional Use Permit. An approved Conditional Use Permit (Chapter 22.158) shall be required for uses, buildings, and structures otherwise described in Subsection 1.a, above, for:

a. Any extension, expansion, or enlargement of the area of land, or the area within a building or structure requiring a building permit in or on which the use is conducted;

b. Any alteration, enlargement of, or addition to a building or structure requiring a building permit in which the use is conducted; or

c. Any addition of land, buildings, or structures used in conjunction with the use, building, or structure in or on which the use is conducted.

3. Proof of Existing Use. In addition to the information required by Section 22.158.030 (Application and Review Procedures), the applicant for a Conditional Use Permit must provide proof that the use, building, or structure was lawfully established prior to September 19, 2002.

4. Substantiation of Consistency and Compatibility. In addition to the information required by Section 22.158.050 (Findings and Decision), the applicant for a Conditional Use Permit shall substantiate that the proposed expansion:

a. Except as relating to its status as a non-conforming use, business or structure, is consistent with the goals and policies of the Area Plan; and

b. Is a local-serving business use that is compatible with surrounding land uses.

L. Noise.

1. The daytime exterior noise level shall not exceed 43 dBA at a L90 measurement in any hour from 8:00 a.m. until 8:00 p.m. The nighttime exterior noise level shall not exceed 38 dBA at a L90 measurement in any hour from 8:00 p.m. until 8:00 a.m. Noise levels are considered a nuisance when they exceed these ambient noise levels when measured from the property line closest to the nearest residential receptor.

2. Outdoor amplified sound shall be prohibited between the hours of 8:00 p.m. and 8:00 a.m. within the North Area.

3. Where a new land use is proposed to be located within 2,000 feet of a land use with a lower ambient noise standard, the new use shall not exceed the ambient noise limits of the more sensitive use.

4. Due to the existing above-average ambient noise conditions in the Topanga Canyon area, the daytime exterior noise level shall not exceed 48 dBA at a L90 measurement in any hour from 8:00 a.m. until 8:00 p.m. for the Topanga Canyon subarea. Noise levels are considered a nuisance when they exceed this ambient noise level when measured from the property line closest to the nearest residential receptor.

5. Building construction noise is exempt from the ambient noise limit set forth in this Section, but remains subject to Chapter 12.12 of County Code.

M. Outdoor Lighting. Permanent outdoor lighting, including street lights, shall be provided in accordance with the applicable provisions of Chapter 22.80 (Rural Outdoor Lighting District). In addition, properties in the CSD are subject to the following standards:

1. Prohibited outdoor lighting. The following types of lighting are prohibited within this CSD:

- a. Lighting around the perimeter of a parcel;
- b. Lighting for aesthetic purposes;
- c. Lighting of access roads;
- d. Lighting of equestrian pasture areas; and
- e. Lighting of driveways, with the exception of:
 - i. Driveways that also operate as pedestrian walkways;

and

- ii. Drive aisles within approved commercial parking

areas.

2. Lighting allowance.

- a. All lighting must be fully shielded and directed downward.
- b. Outdoor lighting shall be minimized and directed away from

S1 and S2 habitat and adjacent residences.

c. Security lighting attached to the principally permitted structure and other permitted accessory structures shall be controlled by motion

detectors and shall have a manufacturer's maximum output rating of no greater than 60 watts (600 lumens), or the equivalent.

d. Walkways used for entry and exit to permitted structures, including parking areas, on the site shall use the minimum lighting necessary. This lighting shall be limited to fixtures that do not exceed two feet in height, that are fully shielded, and have a manufacturer's maximum output rating of no greater than 60 watts (600 lumens), or the equivalent.

e. Lighting of equestrian arenas or round pens may only be allowed where it is demonstrated, pursuant to a site-specific evaluation and photometric analysis, that the lighting will cause no light trespass into any adjacent S1 and S2 habitat, including within 100 feet of S1 habitat.

3. Hours of Operation. Permanent and temporary outdoor lighting shall be turned off between the hours of 10:00 p.m. and sunrise every day, unless the use on the involved property operates past 10:00 p.m. in accordance with approved permits or entitlements, and then the outdoor lighting shall be turned off within one hour after the use's operation ends for the day. Notwithstanding the foregoing, if the use on the involved property requires outdoor lighting between 10:00 p.m. and sunrise every day for safety or security reasons, outdoor lighting shall be allowed during these hours, but only if:

a. Fully-shielded motion sensors are used to turn the outdoor lighting on after 10:00 p.m., and these sensors turn the outdoor lighting off automatically no more than 10 minutes after the involved area has been vacated; or

b. Where the use is commercial or industrial, at least 50 percent of the total lumen levels for the outdoor lighting are reduced, or 50 percent of the total number of outdoor light fixtures are turned off, between 10:00 p.m. and sunrise.

4. Exemption from Hours of Operation.

a. Outdoor lighting shall be exempt from the hours of operation requirements of Subsection 3, above, if such lighting:

i. Is required by Title 26 (Building Code) for steps, stairs, walkways, or points of ingress and egress to buildings; or

ii. Is governed by an approved discretionary permit which specifically provides for different hours of operation.

5. Maximum Height.

a. As contained in Chapter 22.80 (Rural Outdoor Lighting District), the maximum height for outdoor light fixtures is 20 feet and any lighting over 15 feet high is limited to a maximum output of 40 watts (400 lumens).

b. The maximum height for lighting of walkways used for entry and exit to permitted structures, including parking areas, is two feet.

c. The height of any new outdoor light fixture used for an outdoor recreational activity area, regardless of the zone, shall be the minimum height necessary to illuminate the activity area, but in no event shall exceed 40 feet.

6. LED Lighting. All LED lighting, with the exception of LED lighting associated with institutional uses, must meet the following requirements:

a. Correlated Color Temperature ("CCT") of less than 3000 K.

b. An S/P ratio of less than 1.2.

7. Temporary Lighting:

a. Any lighting within a temporary structure, such as a tent or canopy, may be exempt from this Subsection with approved permits or entitlements, provided that the structure fully shields all lamps.

b. Holiday lights are permitted, as long as they are not flashing or otherwise sequenced.

c. No glare shall be visible when viewed from adjoining parcels and public rights-of-way.

N. Protective Enclosures for Outdoor Animals.

1. Animal living quarters are required for all outdoor animals, such as animals kept as pets and livestock, except adult equines, that cannot adequately protect themselves against predators native to the Santa Monica Mountains. Structures and confined areas shall be fully enclosed on all sides and on the top of the structure, and constructed in a manner which prevents predatory animals from preying on privately raised animals.

2. If obtaining a permit for rehabilitation, renovations, or expansion of use for any structure on a property, owner(s) shall fully enclose all existing animal living quarters on the parcel, except where State and federal laws preclude local development review, such as the installation of solar panels and electric vehicle charging stations.

O. Rebuilding after Disaster. In the instance of a catastrophic event(s) destroying structures throughout the Santa Monica Mountains, resulting in the

declaration of a State of Emergency or Declaration of Disaster by the County or other relevant government entities, the following standards will facilitate the establishment of temporary housing for residents affected by the disaster and facilitate the process for rebuilding structures damaged or destroyed by the disaster, while protecting the public health and safety of the residents within the declared emergency or disaster area.

1. Temporary Housing. Notwithstanding any contrary provisions in this Title 22, recreational vehicles, as defined in section 18010 of the California Health and Safety Code, in addition to mobile homes and manufactured homes, as defined in sections 18007 and 18008 of the California Health and Safety Code, respectively, shall be permitted as temporary housing subject to the following standards:

a. Temporary housing shall be permitted only on a lot or parcel of land where a legally-established single-family residence or legally-established employee housing was irreparably damaged or destroyed by disaster;

b. Temporary housing units shall be exempt from the permitting requirements listed in Section 22.102;

c. Any structure used as temporary housing may not exceed a maximum floor area of 2,200 square feet;

d. Temporary housing shall be located on the existing building site or graded area of the parcel on which the destroyed or damaged home or employee housing was located;

e. Temporary housing may only be occupied by the property owner(s) and household members who reside with them;

f. Temporary housing to replace employee housing shall be limited to employees who work on-site;

g. All structures used for temporary housing must contain sleeping, cooking, bathing, and sanitary facilities;

h. Temporary housing must be connected to a permanent source of potable water approved by the County;

i. Temporary housing must be connected to a wastewater disposal system approved by the County;

j. Temporary housing must be connected to an electrical source approved by the County;

k. Where temporary housing is used to replace legally-established employee housing, more than one structure may be used. The temporary housing shall be designed to accommodate no more than the number of employees who lived on-site before the disaster;

l. In addition to the one-year length of temporary housing allowed, pursuant to Section 22.246.080 of the County Code, the Director may grant a time extension for up to an additional three one-year time extensions for a maximum duration of four years; and

m. All temporary housing structures shall be removed within 24 hours of the expiration date listed on the temporary housing approval.

2. Rebuilding Damaged or Destroyed Structures. Notwithstanding Chapter 22.336 of the County Code, structures destroyed by disaster may be replaced

and any development standard or regulation that prohibits or delays said reconstruction may be waived by the Director, subject to a Ministerial Site Plan Review and the following:

a. Replacement of a destroyed structure and waiver of development standards and regulations applies only to the reconstruction of structures that were legally-established prior to the disaster;

b. Structures irreparably damaged or destroyed by the disaster will be reconstructed as a like-for-like replacement and shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent to accommodate building code compliance and where there are no new impacts to S1 or S2 habitat;

c. The height of a rebuilt structure shall not exceed the height maximum outlined by the underlying zone, CSD standard, or condition of approval, as applicable;

d. Structures located within the significant ridgeline protection area shall not be expanded, shall only be constructed as a like-for-like replacement, and shall not encroach further into the protected zone of the significant ridgeline;

e. Where a previous entitlement(s) that established the use occupying the destroyed structure remains valid and in full effect, the rebuilt structure(s) shall comply with any previous conditions of approval;

f. For use(s) that required a Conditional Use Permit at the time it was originally legally established, and no such Conditional Use Permit exists or has

previously expired, then the use(s) must obtain a Conditional Use Permit prior to reconstruction or resuming operations;

g. Minor relocations of replacement structures may be authorized due to changes in topography or alteration of drainage features (e.g., creeks, streams, waterways, etc.) resulting from mudslides and other forms of debris flows and consistent with other applicable standards and regulations; and

h. After completion of like-for-like reconstruction of structures destroyed in the disaster, all future development on-site will be subject to all applicable requirements within Title 22 of the County Code.

3. Waiver of Permitting Requirements. Notwithstanding Chapter 22.174 (Oak Tree Permits) of the County Code, activities related to demolition and reconstruction of structures eligible under this Subsection are not subject to the County's Oak Tree Permit requirements, subject to and except for, the following:

a. Waiver of applicability of Chapter 22.174 applies only to legally-established structures located within the protected zone of an oak tree on the day the structure was destroyed by disaster;

b. Structures to be reconstructed within the protected zone of a protected oak tree will be a "like-for-like replacement" of legally-established structures irreparably damaged or destroyed by disaster;

c. Reconstruction does not result in new encroachments into the protected zone of subject oak tree or the removal of said tree;

d. Subject oak trees shall be fenced off and protected during construction activities; and

e. Reconstruction activities that irreparably harmed oak trees shall be subject to Section 22.174, including, but not limited to, requiring a retroactive Oak Tree Permit and requirements to plant replacement oak trees at a ratio determined by the Hearing Officer.

4. Grading Standards.

a. Structures to be rebuilt shall not be subject to the standards of Section 22.336.060.I.6, which prohibit the commencement of grading operations during the rainy season (from October 15 through April 15). Said grading activities shall provide erosion control to the satisfaction of Public Works;

b. Notwithstanding Section 22.336.060.I, grading projects related to the rebuilding of structures destroyed by disaster shall abide by the following permitting requirement: Grading required for a like-for-like rebuild, that exceeds 5,000 cubic yards of total cut plus total fill material, shall not require a Conditional Use Permit (Chapter 22.158) and shall instead be processed with a Site Plan Review (Chapter 22.186). Only the minimum amount of grading required to prepare the lot for rebuilding the fire-damaged structures will be allowed. For purposes of determining the minimum amount of grading, justification by the project Soils Engineer, Geologist, and/or Civil Engineer will be required and be subject to verification by Public Works, Building and Safety Division; and

c. Notwithstanding Section 22.336.060.I.5, a haul route for off-site transport of 1,000 or more cubic yards of cut or fill shall be permitted with a Ministerial Site Plan Review (Chapter 22.186).

5. Vineyard Standards. Applications requesting to re-establish vineyards destroyed by the 2018 Woolsey Fire shall comply with all applicable standards for new vineyards in Subsection Y, below.

P. Residential Uses within 500 Feet of Freeways. Multi-family residential uses are prohibited within 500 feet of a freeway.

Q. Rural Inns. Rural Inns must comply with the following:

1. The lot or parcel of land containing the facility has, as a condition of use, an area of at least five net acres;

2. The facility maintains a rural appearance consistent with the outdoor character of the Santa Monica Mountains;

3. The facility does not exceed one guest room or cabin per acre, with a maximum limit of 40 guest rooms or cabins available for paying guests. Cabins may not contain more than one guest room;

4. Stays for any paying guest do not exceed 14 consecutive days and do not exceed 30 days for such guest in any calendar year;

5. Guest rooms or cabins within the facility do not contain kitchens and other cooking facilities;

6. Each guest room or cabin available for paying guests has one on-site parking space, which may be uncovered, that is served by an all-weather driveway;

7. Serving or consumption of food or beverages, including alcoholic beverages, is restricted to guests of the facility. No restaurant or similar activity that is open to the general public is permitted;

8. The building site for the facility is no more than 20 percent of the net area of the lot or parcel of land containing the facility, unless the BSA is otherwise restricted, pursuant to other applicable provisions of the CSD;

9. The facility does not contain conference facilities;

10. The facility has only one wall-mounted or freestanding sign, provided that such sign does not exceed six square feet in sign area or 12 square feet in total sign area, respectively, and when installed does not exceed a height of 42 inches measured vertically from ground level at the base of the sign; and

11. In addition to the information required in the application by Section 22.336.050, the applicant shall submit an evacuation/emergency plan for approval by the Fire and Sheriff Departments. No development permit for a rural inn shall be issued without an evacuation/emergency plan approved by the Sheriff and Fire Department.

R. Scenic Resource Areas. Scenic resource areas include the scenic features identified in the Conservation and Natural Resources Element of the North Area Plan, and consist of the following:

- Significant ridgelines;
- Scenic elements;

- Scenic routes and all property within 200 feet of the edge of the right-of-way for scenic routes; and
- All places on, along, within, or visible from scenic routes, public parklands, trails, beaches, or State waters that offer scenic vistas of the mountains, canyons, coastline, beaches, or other unique natural features.

1. Significant Ridgeline Protection.

a. Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines which, in general, are highly visible and dominate the landscape. The location of the significant ridgelines within this CSD, and the criteria used for their designation, are set forth on the official Santa Monica Mountains North Area Plan Significant Ridgeline Map, on Figure 22.336-B: Significant Ridgelines.

b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, and amateur radio antennas. Where there are no feasible alternative building sites below the ridgeline or where the only alternative building site would result in unavoidable adverse impacts to sensitive habitat areas, structures shall be limited to 18 feet in height to minimize visual impact and preserve the quality of the scenic area.

c. Structures located within the significant ridgeline protection area shall not be expanded and shall not encroach further into the protected zone of the significant ridgeline.

d. No part of a proposed structure shall block the view of a significant ridgeline from a scenic route or scenic resources.

2. Development Standards. Property in scenic resource areas shall be subject to the following development standards:

a. New development shall be sited and designed to protect public views and to minimize adverse impacts on scenic resources to the maximum extent feasible.

b. If there is no feasible building site location on the proposed project site, where development would not be visible from a scenic resource area, then the development shall be sited and designed to minimize impacts on scenic areas through measures that may include, but not be limited to:

i. siting development in the least visible portion of the site;

ii. breaking up the mass of new structures;

iii. designing structures to blend into the natural hillside setting;

iv. restricting the building maximum size;

v. reducing maximum height;

vi. clustering development;

- vii. minimizing grading;
 - viii. incorporating landscape and building material screening elements; and
 - ix. berming, where appropriate.
- c. Landscape or building material screening shall only be used when there is no feasible site selection or design alternative, including re-siting or reducing the height or bulk of structures, subject to Director's approval.
- i. Landscape screening shall be required for structures that will be unavoidably visible from a scenic route, to help diffuse the visual impact of the structure.
 - ii. Trees, shrubs, flowers, and other landscaping that form a hedge or similar barrier serving the purpose of a wall shall not be placed so that they obscure views from scenic routes, and shall comply with the height restrictions applying to fences and walls in Section 22.336.060.A.6.
- d. New development shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited, with the exception of solar panels. Solar energy devices/panels shall be sited on the rooftops of permitted structures, where feasible. If roof-mounted systems are infeasible, ground-mounted systems may be allowed only if sited within the BSA of permitted development. Wind energy systems are prohibited.
- e. All buildings and structures within scenic resource areas shall not exceed a height of 18 feet above natural or finished grade, whichever is lower,

excluding chimneys, rooftop solar panels, and rooftop antennas. Chimneys, rooftop solar, and rooftop antennas may extend a maximum of six feet above the permitted height of the structure.

f. Utilities shall be located underground, where feasible.

g. All new access roads shall be paved with colored concrete to blend with the natural soil. The length of roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of scenic resources. Driveway slopes shall be designed to follow the natural topography, unless otherwise required by the Fire Department. Driveways that are within or visible from a scenic resource shall be a neutral color that blends with the surrounding landforms and vegetation.

h. Fences, gates, walls, and landscaping shall minimize impacts to public views of scenic areas, and shall be compatible with the character of the area. Fences, gates, and walls shall be designed to incorporate veneers, texturing, and/or colors that blend in with the surrounding natural landscape, and shall not present the appearance of a bare wall.

i. Only wood, wire, or wrought-iron style or similar open-type fences shall be permitted. Solid fences and walls, except for retaining walls, shall be prohibited along the frontage of a scenic route.

ii. Fences and walls located along the frontage of a scenic route shall comply with the provisions of Section 22.336.060.A.6.

i. Signs shall be sited and designed to minimize impacts to scenic resources. The placement of signs (except traffic control signs), utilities, and accessory equipment that would adversely impact public views to the ocean, parks, and scenic resources are prohibited. No pole sign along a scenic route may be replaced if it is removed, damaged, or destroyed for any reason.

j. Alteration of natural landforms shall be minimized by conforming to natural topography and using contour grading, and shall comply with the following standards:

i. The height and length of manufactured cut and fill slopes shall be minimized. A graded slope shall not exceed a height of 15 feet;

ii. Graded pads on hillsides having a natural slope of 15 percent or more shall be split-level or stepped pad designs. Cantilevers and understories shall be minimized and covered with materials that blend with the surrounding landscape; and

iii. Structures on the downslopes along scenic routes shall be set below road grade, whenever feasible.

k. Preserve and, where feasible, restore and enhance individual native trees and native tree communities in areas containing suitable native tree habitat—especially oak, walnut, and sycamore woodlands—as important elements of the area's scenic character.

l. Large areas of natural open space of high scenic value shall be preserved by clustering development and siting development in and near existing developed areas.

m. Structures shall not occupy more than 50 percent of the linear frontage of a parcel fronting on a scenic route.

n. Roof-mounted equipment shall not be visible from a scenic route, excluding solar energy devices. If there is no alternative location possible for the location of such equipment, such equipment shall be screened with materials that blend with the roof or background landscape.

3. Visual Resource Protection

a. The length of roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of scenic resources. Driveway slopes shall be designed to follow the natural topography, unless otherwise required by the Fire Department. Driveways that are within or visible from a scenic resource shall be a neutral color that blends with the surrounding landforms and vegetation.

b. Cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated prior to the beginning of the rainy season, unless the County Biologist determines that another time would be more advantageous for the long-term success of the vegetation included in the landscaping/revegetation project. All such landscaping/vegetation shall include only native, drought-tolerant plant species that blend with the existing natural vegetation.

c. New development shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly-reflective materials shall be prohibited, with the exception of solar panels.

d. Solar energy devices/panels shall be sited on the rooftops of permitted structures, where feasible, to minimize site disturbance and the removal of native vegetation. If roof-mounted systems are infeasible, ground-mounted systems may be allowed only if sited within the BSA of permitted development. Wind energy systems are prohibited.

e. Limit the height of structures above existing grade to minimize impacts to visual resources. Within scenic areas, the maximum allowable height shall be 18 feet above existing or finished grade, whichever is lower. Chimneys, rooftop solar equipment, and non-visually-obstructing rooftop antennas may be permitted to extend above the allowable height of the structure, but shall not extend more than six feet above the maximum allowable height.

f. Land divisions, including lot line adjustments, shall be designed to minimize impacts to visual resources by:

- i. Clustering the building sites to minimize site disturbance and maximize open space;
- ii. Prohibiting building sites on ridgelines;
- iii. Minimizing the length of access roads and driveways;
- iv. Using shared driveways to access development on adjacent lots, where feasible;

v. Reducing the maximum allowable density in steeply sloping and visually sensitive areas; and

vi. Minimizing grading and alteration of natural landforms.

g. All applications which require a discretionary permit review in the North Area shall be reviewed through site-specific investigation by County staff prior to any public hearing to determine whether the proposed project has the potential to cause adverse impacts upon scenic resources, as defined in the North Area Plan. Development shall be sited and designed to minimize impacts on scenic resources to the maximum extent feasible through measures that may include, but not be limited to: siting development in the portion of the site least visible from public viewing areas; breaking up the mass of new structures; restricting building size and height; designing the structure to blend into its setting; clustering development; minimizing grading; incorporating landscape screening elements; and, berming where such berming would be appropriate.

h. In addition to the application materials required in Section 22.336.050, a visual analysis is required as part of this CSD and shall include the following:

i. Proposed structures shall be accurately indicated as to footprint, height, and rooflines by story poles, as described in Subsection i, below;

ii. All proposed grading and the proposed location of access roads or driveways, including the centerline top of cut and toe of fill, shall be accurately indicated by stakes;

iii. The applicant may be required to provide other visual aids such as photographs with superimposed structures;

iv. The above requirements may be waived by the Director, if it is determined through on-site investigation, evaluation of topographic maps or photographic evidence, or by other means, that there is no possibility that the proposed development will create or contribute to adverse impacts upon scenic resources.

i. The installation of story poles shall comply with the following requirements:

i. If not already in place, story poles shall be erected at least 30 calendar days prior to the public hearing date. The applicant shall submit photographic evidence of the story poles erected on the property;

ii. Story poles shall remain in place until the project has been reviewed and the appeal period(s) has ended. If the project is appealed, the poles shall remain until the appeal(s) has been acted upon;

iii. Story poles associated with an application that has been inactive for three months shall be removed until the application review returns to an active status;

iv. Story poles shall be removed within seven calendar days after a final decision on a Conditional Use Permit has been made and the appeal process has been exhausted;

v. Story poles shall be constructed of two-inch by four-inch lumber or other sturdy material. The poles must be able to withstand weather, and to this purpose, guy wires, support beams, or other support measures may be used. Guy wires shall be strung with bright red or orange tape, one foot in length, spaced every six feet along the length of the wire to the ground to improve visibility of the wires;

vi. Story poles shall be erected to delineate the most distant corners of a structure, roof ridgelines, chimneys, balconies, and accessory buildings;

vii. The height of story poles shall indicate the final height of the building. Grading shall be accounted for in the height of the poles. The top two feet of poles shall be painted red or orange to better identify the height of the proposed structure. Bright red or orange tape shall be strung between poles at the top of the painted area to aid visibility;

viii. An applicant shall submit a signed written statement by a licensed architect, engineer, or surveyor that the locations and heights of the story poles are true and correct representations of the proposed structure; and

ix. All story poles shall be erected safely and without putting the public at risk. If the story poles become unsafe at any time, they shall be repaired or removed immediately. The poles shall be removed immediately if

determined by the County to be a public safety risk. The applicant shall notify the Department when the story poles are in place.

j. In addition to the information required by Section 22.336.050, maps showing the existing topography of the subject property and project area, including all off-site improvement areas associated with the project, shall be provided with an application for a discretionary review, to determine whether the development site is within a scenic resource area and to analyze potential adverse impacts to scenic resources. The following materials shall be submitted:

i. One copy of such map shall identify the locations of all drainage patterns, drainage courses, and any other physical features which are customarily found on topographical maps prepared by the United States Geological Survey;

ii. A separate copy shall delineate all property having a natural slope of 0 to 14.99 percent, 15 to 24.99 percent, 25 to 32.99 percent, 33 to 49.99 percent, and a natural slope of 50 percent or more. All slope values should be rounded to the nearest one-hundredth percent;

iii. A grading plan to a scale satisfactory to the Director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded; and

iv. Such other information as the Director determines to be necessary for adequate evaluation. The Director may waive the filing of one or more of the above items, if any item is deemed unnecessary for processing the application.

S. Schools. A Conditional Use Permit (Chapter 22.158) shall be required for all schools, including trade or commercial schools.

T. Signs. The following signs shall be prohibited:

1. Signs employing any continuous or sequential flashing operation, including electronic reader boards and LED signage that employs crawling displays or flashing illuminations;

2. Signs employing video components;

3. New billboards.

U. Street and Road Cross-Sections. Streets and roads shall be developed consistent with Figure 22.336-E: Standards for Street Width, except that depicted widths may be reduced by the Director of Public Works to minimize grading and alteration of the natural topography.

V. Temporary Events.

1. Notwithstanding Chapter 22.188 (Special Events Permits), temporary special events shall be limited to a maximum of six event days. Events days may take place individually for single events or in-tandem for multiple day events, subject to the following limitations:

TABLE 22.336-B: TEMPORARY EVENTS					
		<i>Small Events</i>	<i>Large Events</i>		
	<i>Max. # of Event Days Allowed Per Calendar Year</i>	<i>Max. # Event Days with no more than 100 Attendees</i>	<i>Max. # of Event Days with 101-2000 Attendees</i>	<i>Max. # of Attendees</i>	<i>Min. Lot Size Required</i>
Parcel does not have two means of access to a highway	6	6	-	-	-
Parcel has two means of access to a highway	6	3*	3	500	1 acre
				1,000	2 acres
				1,500	2.5 acres
				2,000	≥ 3 acres
* If a property does not wish to have its allowed three events with more than 100 attendees, the parcel may instead have up to six events of 100 or fewer attendees, not to exceed a total of six small events.					

2. Temporary Filming. Temporary filming locations may not exceed a total of 60 days in a calendar year, not including days for set up or break down. If filming occurs at a location for more than 60 days in a calendar year, a Conditional Use Permit must be obtained to be established as a permanent film set.

W. Transfer of Development Credit Program.

1. Establishment and Purpose. For each new lot created or legalized, an existing qualifying lot(s) sufficient to provide one transfer of development credit must be retired. Lots proposed for retirement in satisfaction of the transfer of development credit requirement must meet the criteria detailed below, and all development potential must be retired by one of the processes described below, as determined by the Director, for the credit to be secured.

2. Lot Retirement Required.

a. Land divisions.

i. All land divisions, as defined in Title 21, shall participate in the transfer of development credit program;

ii. One transfer of development credit shall be retired for each new parcel to be created or legalized (e.g., to divide one parcel into three parcels, two transfer of development credits must be retired; to divide a combination of three parcels into four parcels, one transfer of development credit must be retired), ensuring that there is no net increase in the number of buildable lots in the Santa Monica Mountains North Area. The size of the new parcels is not a factor for purposes of the calculation;

iii. One transfer of development credit shall be retired for each new residential unit created for a community apartment project or lease project.

b. All projects subject to this Subsection shall be conditioned upon the applicant submitting evidence that the required number of transfer of development credits have been obtained prior to the issuance of the permit. The condition of approval shall specify the total number of credits required to mitigate the impacts of the approved development.

3. Qualifying Criteria.

a. Qualifying criteria for lots to be retired in donor areas as a condition of a tentative parcel/tract map that includes the approval of a new lot(s)

created in S3 or S4 habitat. Lots in the donor areas may be retired subject to the following criteria:

i. One transfer of development credit shall be given for the retirement of the development potential on each lawfully-created buildable lot that is served by an existing road and water main, and is not located in an area of landslide or other geologic hazard, with a sum total credit area of at least 1,500 square feet, as determined by the credit area formula.

(a) Credit Area Formula:

Credit Area = $(A/5) \times (50-S)/35$ Where:

A = the area of the lot in square feet.

S = the average slope of the lot in percent. All slope calculations are based on natural (not graded) conditions, as calculated by the formula:

$$S = I \times L/A \times 100$$

Where:

S = average natural slope in percent.

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least five contour lines.

L = total accumulated length of all contour lines of interval "I" feet.

A = the area of the lot in square feet.

(b) Where there is any question of geologic stability, the applicant must submit a geologic assessment that determines that the lot is buildable prior to credit area calculation.

(c) A credit area of 1,500 square feet qualifies for one transfer of development credit. The applicant can receive fractional credit. For instance, a credit area of 750 square feet would qualify for one-half transfer of development credit. A lot smaller than one acre cannot qualify for greater than one transfer of development credit.

(d) As an alternative to calculating the credit area formula, the required 1,500-square-foot credit area may be calculated on the basis of 500 square feet of credit area per rural village lot, provided that each lot exceeds 4,000 square feet in area, and is served by an existing road or water main within 300 feet of the property, and is not located in an area of landslide or other geologic hazard.

ii. One transfer of development credit shall be given for the retirement of the development potential on any combination of legal lots totaling at least one acre, regardless of current availability of road and water service to such lots.

b. Qualifying criteria for lots to be retired in donor areas as a condition of a tentative parcel/tract map that includes the approval of a new lot(s) in S2 habitat. Existing, lawfully-created lots that meet the following criteria may be retired: one transfer of development credit shall be given to any parcel, exceeding seven acres in size, where 100 percent of the parcel contains S2 habitat.

4. Procedure.

a. All projects subject to the transfer of development credit program shall submit the following information as part of the application:

- i. A calculation of the number of transfer of development credit that need to be retired to accommodate the proposed project, pursuant to Subsection 2, above;
- ii. A list by assessor's identification number of the donor lots proposed to be retired;
- iii. A map showing the locations of the proposed donor lots;
- iv. A discussion of how the donor lots meet the qualifying criteria for retiring lots in donor areas; and
- v. Maps of a scale generally not less than one inch equals 10 feet (1"=10') showing the parcel and building site, existing topographic contours, and both slope and area calculations, prepared by a Licensed Surveyor or Registered Professional Civil Engineer.

b. As part of processing an application subject to the transfer of development credit program, the Director shall:

- i. Verify the applicant's calculations for the number of lots to be retired;
- ii. Verify that the proposed donor lots meet the lot retirement criteria; and
- iii. Include, as a condition identified in the tentative parcel/tract map staff report, the precise number of lots to be retired should the permit be approved.

c. Lot retirement process.

i. The applicant must submit evidence of the purchase of the number of legal lots or parcels within the prescribed donor areas necessary to meet the transfer of development credits for the project. The applicant need not purchase the lots or parcels outright, but may instead acquire only the right to extinguish the development potential, as described below. The applicant shall provide evidence that the property owner of the donor lots authorizes participation in the transfer of development credit program;

ii. To generate a transfer of development credit, the potential for development must be permanently and irrevocably extinguished on all lots or parcels used for each credit. The right to a transfer of development credit shall be granted by the Director's determination that the applicant has submitted sufficient evidence that all of the following steps have been completed for either one of the following two methods:

(a) Open Space Easement Dedication and the Merging of the Retired Lot(s) with One or More Adjacent Developed or Buildable Parcel(s);

(1) The applicant shall provide evidence of the purchase of fee title or of development rights on one or more donor sites that have not been previously retired and recordation (free of prior liens, including tax liens, and encumbrances) of a valid dedication to a public entity of a permanent, irrevocable open space easement in favor of the People of the State of California over the entirety of the

retired lot(s) that conveys an interest in the lot(s) and insures that future development on the lot(s) is prohibited and that restrictions can be enforced, the text of which has been approved by the Director. Recordation of said easement on the donor site shall be permanent and irrevocable; and

(2) The combination of the donor lot(s) (used to generate the credit) with 1) an adjacent lot that is already developed, or has not been previously retired under the transfer of development credits program or for any other purpose, or 2) with multiple contiguous parcels, at least one of which is developed or has not been previously retired; and in either case, all parcels to be combined must be in the same tax rate area, in common ownership, and free of all tax liens. The retired lot(s) and adjacent parcel(s) shall be recombined and unified, and shall henceforth be considered and treated as a single parcel of land for all purposes with respect to the lands included therein, including, but not limited to, sale, conveyance, lease, development, taxation, or encumbrance. The permittee shall provide evidence that the combined parcels appear on a preliminary report issued by a licensed title insurance company as a single parcel (which may require the property owner re-conveying the combined property to him/her/itself, presumably via a quitclaim deed). The extinguishment of development potential and lot combination(s) shall be accurately reflected in the records of the County Tax Assessor.

(b) Open Space Deed Restriction and Transfer in Fee Title to a Public Entity.

(1) The applicant shall provide evidence of the purchase of fee title or development rights on one or more donor sites that have not been previously retired or otherwise restricted, and the recordation of an open space deed restriction, recorded free of prior liens including tax liens and encumbrances which the Director determines may affect the interest being conveyed, that applies to the entirety of the donor site(s), that insures that the future development on the lot(s) is prohibited and that restrictions are enforceable; and

(2) Evidence that fee title to the donor site(s) has been successfully transferred to a public entity acceptable to the Director after the recordation of the deed restriction listed above, and that the document effectuating the conveyance has been recorded with the County Recorder. The permittee shall provide evidence that the ownership transfer and the open space deed restriction appear on a preliminary report issued by a licensed title insurance company for the donor site(s);

d. Upon receiving notification from the applicant that the lot retirement procedures have been completed, the Director shall verify that the development potential on the lots has been retired, that any additional conditions have been satisfied, and that the transfer of development credit condition on the applicant's tentative parcel/tract map has been satisfied.

X. Vegetation Clearance. At no time shall clearing to bare earth, or practices that disturb the soil, such as discing or tilling, be acceptable methods of vegetation removal and/or maintenance within fuel modification or brush clearance areas.

Y. Vineyards.

1. Applicability.

a. All new vineyards, regardless of size, shall be prohibited in this CSD.

b. Any existing and lawfully-established vineyard as of January 7, 2016, the effective date of the ordinance that added these vineyard requirements to this CSD, that meets the requirements set forth in Subsection 2.a, below, shall be deemed a conforming vineyard.

c. Notwithstanding the legal nonconforming use provisions in Chapter 22.172 (Nonconforming Uses, Buildings and Structures), this Subsection 1.c shall regulate all legal nonconforming vineyards within this CSD. Any existing and lawfully-established vineyard as of January 7, 2016, that does not meet the requirements set forth in Subsection 2.a, below, shall be deemed a legal nonconforming use. Any vineyard which is a legal, nonconforming use, due to the requirements set forth in Subsection 2.a, below, must be removed or made to conform by January 7, 2022. To prove conformance, the applicant shall show under a site plan review, and subject to the approval of the Director, compliance with the requirements set forth in Subsection 2.a, below.

d. All new vineyards and vineyard expansion applications as of January 7, 2016, shall require a Conditional Use Permit (Chapter 22.158) application. Notwithstanding Section 22.158.070 (All Zone Regulations Apply Unless Permit is

Granted), any modification of development standards specified in Subsection 2, below, shall be subject to Section 22.336.100.A.2 (Modification of Vineyard Standards).

2. Vineyard Requirements.

a. All vineyards, regardless of size, including vineyards that are less than 4,356 square feet in size, must comply with the following requirements:

i. To the extent feasible, the vineyard shall use Integrated Pest Management ("IPM") techniques to prevent and control pests in a manner that avoids harm to other organisms, air, soil, and water quality. Such techniques may include, but are not limited to, the following biological, cultural, and mechanical/physical controls used to prevent crop pests, weeds, and diseases:

(a) Soil and crop nutrient management practices;

(b) Sanitation measures to remove disease vectors, weed seeds, and habitat for pest organisms;

(c) Cultural practices that enhance crop health, including selecting plant species and varieties with regard to site-specific conditions and their resistance to prevalent pests, weeds, and diseases;

(d) The application of biological, botanical, or mineral inputs;

(e) The augmentation or introduction of predators or parasites of the pest species, the importation of which shall be approved by the United States Department of Agriculture and be completed in compliance with all other applicable federal, State, and local laws and requirements;

of pests;

- (f) The development of habitat for natural enemies

- (g) Mulching with fully biodegradable materials;

- (h) Mowing or mechanical cultivation of weeds or hand weeding; and

- (i) The implementation of measures to minimize sharpshooter populations, including the removal of diseased vines as soon as detected, and the use of yellow sticky traps to monitor sharpshooter populations in the vineyard, and extending up to areas within 200 feet of riparian habitat.

ii. The vineyard shall: conserve water; reduce water loss to evaporation, deep percolation, and runoff; remove leachate efficiently; and minimize erosion from applied water by implementing a managed drip-irrigation micro-sprinkler or similar type of non-aeration watering system that includes all of the following:

- (a) Irrigation scheduling;

- (b) The efficient application of irrigation water;

- (c) The efficient transport of irrigation water;

- (d) Management of drainage water; and

- (e) The use of rain barrels and reclaimed water or

"gray water," where feasible.

iii. At the end of each calendar year, a comprehensive water report shall be prepared and submitted to the Director that includes total water used at the vineyard throughout the year.

iv. An erosion control/water quality plan that complies with the conditions in this Subsection shall be submitted. Such plan shall be approved by Public Works, and a covenant evidencing the approved plan shall be recorded with the County Recorder. The conditions required for the erosion control/water quality plan are that:

(a) Planting areas shall be designed utilizing the water quality design elements of low-impact development, pursuant to Chapter 12.84 (Low Impact Development Standards) in Title 12 (Environmental Protection) of the County Code, so that runoff from the planting areas, from both irrigation and stormwater, is treated or retained on-site. Site-specific water quality measures may include, but are not limited to, the installation or implementation of:

- (1) Biofiltration areas such as bioswales;
- (2) Bioretention facilities;
- (3) Constructed wetlands;
- (4) Dry wells;
- (5) Extended detention basins;
- (6) Infiltration basins;
- (7) Infiltration trenches;
- (8) Sand filters;

- (9) Stormwater planters;
- (10) Tree-well filters;
- (11) Vegetated swales or filter strips;
- (12) Wet ponds; or
- (13) Any combination of the above.

(b) Planting areas shall implement temporary and/or permanent measures, as appropriate, to minimize the transport of sediment to or from the site and to control erosion to prevent water quality degradation from sediment discharge. Site-specific erosion control measures may include, but are not limited to, the installation or implementation of:

- (1) Active treatment systems;
- (2) Biofilter bags;
- (3) Check dams;
- (4) Compost blankets;
- (5) Compost socks and berms;
- (6) Earth dikes and drainage swales;
- (7) Fiber rolls;
- (8) Geotextiles and mats;
- (9) Gravel bag berms;
- (10) Hydraulic mulch;
- (11) Hydroseeding;
- (12) Sandbag barriers;

- (13) Sediment basins;
- (14) Sediment traps;
- (15) Silt dikes;
- (16) Silt fences;
- (17) Slope drains;
- (18) Soil binders;
- (19) Storm drain inlet protection;
- (20) Straw mulch;
- (21) Strawbale barriers;
- (22) Streambank stabilization;
- (23) Velocity dissipation devices;
- (24) Wood mulching; or
- (25) Any combination of the above.

v. Permanent vegetation shall be planted or resident vegetation shall be maintained between vineyard crop rows for ground cover. The species of vineyard ground cover shall foster cycling of resources. Common barley (*Hordeum vulgare*) and certified disease-free and weed-free woodchips are acceptable ground cover. The species of vineyard ground cover shall be non-invasive and appropriate to the site, as determined by the Director. The grower shall seek advice from an appropriate cover crop specialist for site-specific recommendations.

vi. Hedgerows, shrubs, and grasses with native and, if appropriate, non-native flowering plants shall be maintained throughout the property to

preserve habitat for wildlife and pest predators. Natural nesting sites and perches shall be maintained.

vii. No clearing to bare earth or use of practices that disturb the soil, such as discing or tilling, shall be allowed.

viii. Runoff from the vineyard shall be diverted, with a berm or other such measure, around the vineyard's storage or disposal area for waste, crop residues, waste by-products, fertilizers, oils, soil amendments, and any other agricultural products or materials utilized in the planting and growing of crops, to prevent contamination of surface waters.

ix. Waste and waste by-products from the vineyard must be contained, and if feasible, reused on the area on which crops are grown until disposed of in a manner that does not negatively impact natural resources.

x. Waste, compost, oils, chemicals, manure, fertilizers, and other similar materials for the vineyard shall be stored: (1) in a sealed area, either inside a structure or in a covered container with an impervious bottom surface; and (2) at least 200 feet away from any stream/natural drainage course, or any underground water source used for human consumption.

xi. For access roads and driveways to the vineyard, anti-dust strategies that do not rely on water applications or increase the amount of impervious surface shall be implemented. These strategies shall include, but are not limited to, the application of appropriate non-toxic materials along roadways, such as gravel, sand, porous paving materials, and mulches.

xii. No burning shall be allowed in the vineyard.

xiii. The vineyard's total amount of hazardous materials used, stored, and/or generated shall be monitored, tracked, and recorded.

b. All new vineyards, pending vineyards, and vineyard expansions, regardless of size, including vineyards that are less than 4,356 square feet, shall not be planted on a slope with a slope ratio greater than 3:1 (33 percent slope).

c. Additional Conditional Use Permit Requirements. In addition to the requirements in Subsections 2.a and 2.b, above, vineyards requiring a Conditional Use Permit (Chapter 22.158) shall also comply with the following:

i. The vineyard shall be prohibited on significant ridgelines, as defined in Subsection R.1, above, and shall comply with the siting requirements for structures requiring a permit under Subsection R.2, above. Any modification sought from this Subsection must comply Section 22.336.100.A.2 (Vineyard Modifications);

ii. The vineyard shall not exceed a maximum of two acres in size per lot;

iii. Any vineyard located in a SEA, as shown in Figure 9.3 of the General Plan, shall comply with the requirements of Chapter 22.102 (Significant Ecological Areas);

iv. To the extent feasible, the vineyard shall be sited within the approved BSA and/or the associated irrigated fuel modification zone, which is typically 100 feet from such structure;

v. To the extent feasible, the vineyard shall not be visible from a scenic highway (as depicted in Figure 9.7, Scenic Highways Map, of the General Plan) or the Backbone Trail (as depicted in Figure 10.1, Regional Trail System Map, of the General Plan). If no feasible location on the proposed project site exists where the vineyard would not be visible from a scenic highway or the Backbone Trail, the vineyard shall be sited and designed to minimize its impacts on the scenic highway and/or the Backbone Trail. These mitigation measures may include, but are not limited to, siting the vineyard in the least visible portion of the site, designing the vineyard plantings to blend into the natural hillside setting, restricting the vineyard size, minimizing grading for the vineyard, incorporating landscape and screening elements into the vineyard design, and where appropriate, berming at the vineyard. The preferred mitigation measures in this Subsection are site selection and design alternatives, rather than landscape screening or berming;

vi. The vineyard shall not be located in or within 200 feet of S1 habitat:

(a) Where a stream exists on or adjacent to the property containing the vineyard, a buffer shall be maintained at least 200 feet in width from the outer edge of the bank of the stream, unless a canopy of riparian vegetation associated with the stream is present, and then the buffer shall be measured from the outer edge of the canopy. Vegetation removal, vegetation thinning, or the planting of non-native or invasive vegetation shall not be permitted within any such buffer, unless

required for fire suppression. Banks of streams shall maintain native vegetation adjacent to the water way;

vii. All vineyards shall comply with the wildlife-permeable vineyard fencing requirements outlined below:

(a) The fencing material shall be of wood or an alternative material that gives the appearance of wood, such as wood composite or recycled material.

(b) The fencing shall not contain barbed material, such as spikes, barbs, or razor blades.

(c) The maximum height of the fence shall be 48 inches, measured from the ground.

(d) The fencing material shall not incorporate wire mesh netting or chicken wire that prevents ingress by wildlife.

(e) The bottom edge of the fencing shall be no higher than 18 inches from the ground.

viii. Notwithstanding any other fencing requirement in this CSD, non-wildlife-permeable fencing may only be used to surround the immediate area of buildings on the site, and may extend no further than the outer edge of the fuel modification setback zone for such buildings, typically 20 feet, as required by the Fire Department. Such non-wildlife-permeable fencing shall be installed solely for safety purposes and shall be no more than six feet in height. Vineyard plantings may be

permitted within these non-wildlife-permeable fenced areas, provided that all other applicable requirements set forth in Subsection 2 (Vineyard Requirements) are met.

ix. The vineyard development shall not result in the damage, removal, and/or encroachment into the protected zone of a protected tree.

x. All grading, landform alteration, and vegetation removal for access roads and driveways for the vineyard shall be minimized to the greatest extent feasible. The length of the one access road or driveway shall be the minimum necessary to provide access to the vineyard. The alignment and design of the access road or driveway shall avoid any impact to sensitive habitats, and if such avoidance is not feasible, shall minimize and mitigate any such impact. In no case shall a new on-site or off-site access road or driveway exceed a maximum of 300 feet or one-third the lot depth, whichever is less, unless the review authority finds, based on substantial evidence, that a modification of this standard is warranted, in accordance with Chapter 22.194 (Variance). In addition to the required findings set forth in Chapter 22.194, if the review authority finds that a modification of this requirement is warranted, the review authority shall make findings that alternative access roads or driveways have been considered and eliminated from consideration because the alternatives were found to be: physically infeasible; less protective of scenic resources, sensitive habitat areas, or other natural resources; and/or have the potential for substantial habitat destruction, if any such alternatives were used.

xi. The vineyard Conditional Use Permit (Chapter 22.158) application shall, in addition to the requirements in Chapter 22.158:

(a) Provide expected annual water usage for irrigation of the vineyard, as well as for on-site operations related to vineyard production;

(b) Indicate the water source proposed for the vineyard and whether a new or deeper well will be needed. If a new or deeper well is needed, the applicant shall provide the depth of the well, its projected flow rate, and any anticipated impacts from the well to the surrounding region;

(c) Provide a visual simulation of the vineyards as seen from the nearby public roads, parks, and trails;

(d) Include a site-specific survey, conducted by a qualified biologist, to identify, characterize, and delineate habitat types present at the site, as well as any special status plant or animal species at the site. The survey shall include an assessment of how the proposed vineyard development may impact habitat function and/or connectivity. Vineyards shall be sited and designed to avoid or minimize any impact to, or removal of, sensitive and rare species and habitat areas, as determined by the site survey; and

(e) Provide proof of legal access for any new development associated with the vineyard that is not accessed directly from a public right-of-way.

Z. Trash Enclosures. Commercial and industrial uses must provide locking trash bin lids or secure all bins within a locked enclosure.

AA. Residential Uses Serving Seven or More Persons.

1. Where a lot or any portion thereof is located within a Very High Fire Hazard Severity Zone, as defined in Title 32 (Fire Code) of the County Code, and a Hillside Management Area, residential uses serving seven or more persons shall have two distinct means of vehicular access to a highway that meet the following requirements:

a. The two distinct means of vehicular access, as measured from the lot frontage to the point of intersection with a highway, shall not overlap with each other;

b. Each distinct means of vehicular access shall contain pavement of at least 24 feet in width, exclusive of sidewalks; and

c. Each distinct means of access shall be built to public street standards approved by Public Works.

2. Where a lot or any portion thereof is located within a Very High Fire Hazard Severity Zone and is not located within a Hillside Management Area, residential uses serving seven or more persons shall have two distinct means of vehicular access from the lot to a highway that meet the requirements in Subsection 1, above, except that the means of vehicular access may include an unpaved road of at least 24 feet in width maintained by Public Works.

3. Notwithstanding Subsections 1 and 2, above, residential uses serving seven or more persons shall be permitted on lots with a single means of vehicular access, if such lots front a highway and vehicles enter directly from the highway.

22.336.080 Zone Specific Development Standards.

A. Zone A-1.

1. Permitted Uses. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in Zone A-1 may be used for the following uses with a Ministerial Site Plan Review (Chapter 22.186):

- Horse-boarding, small, subject to the standards for equestrian facilities contained in Section 22.336.070.E.

2. Uses Subject to Permits. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in Zone A-1 may be used for the following uses, subject to a Conditional Use Permit (Chapter 22.158):

- Bed and breakfast establishments, subject to the standards contained in Section 22.336.070.C.
- Event facilities, limited to no more than 24 events per year, minimum lot size 10 acres and must have two means of access to a highway, subject to the standards contained in Section 22.336.070.F.
- Horse-boarding, large, subject to the standards for equestrian facilities outlined in Section 22.336.070.E.
- Rural inns, subject to the standards outlined in Section 22.336.070.Q.

B. Zone A-2.

1. Permitted Uses. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), Property in Zone A-2 may be used for the following uses with a Ministerial Site Plan Review (Chapter 22.186), subject to the standards for equestrian facilities outlined in Section 22.336.070.E.

- Horse-boarding, large.
- Horse-boarding, small.
- Riding academies.

2. Uses Subject to Permits. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in Zone A-2 may be used for the following uses, subject to a Conditional Use Permit (Chapter 22.158):

- Bed and breakfast establishments, subject to the standards and conditions outlined in Section 22.336.070.C.
- Event facilities, number of events determined by Conditional Use Permit, subject to the requirements listed in Section 22.336.070.F.
- Rural inns, subject to the standards outlined in Section 22.336.070.Q.

C. Commercial and Industrial Zones.

1. Commercial Uses Subject to Permits. Where property in a commercial zone is not located in the commercial land use category of the Area Plan,

an approved Conditional Use Permit (Chapter 22.158) shall be required for any commercial use otherwise permitted in the base zone. Notwithstanding the above, no Conditional Use Permit shall be required for a change of an existing commercial use to a new commercial use having the same or lesser parking requirement and occupant load, and having the same occupancy classification, as described in Title 26 (Building Code) of the County Code, unless such new use is subject to permit in the basic zone.

Additionally, properties in the commercial zones may be used for the following use, in addition to the uses specified in Chapter 22.20 (Commercial Zones), subject to a Conditional Use Permit (Chapter 22.158):

- Event facilities, number of events determined by Conditional Use Permit, subject to the requirements listed in Section 22.336.070.F.

2. Industrial Uses Subject to Permits. In addition to the uses specified in Chapter 22.22 (Industrial Zones), as requiring a Conditional Use Permit (Chapter 22.158), any industrial use listed as permitted, accessory or as requiring a Ministerial Site Plan Review (Chapter 22.186) application, shall be subject to a Conditional Use Permit.

3. Additional Findings.

a. In addition to the findings required by Section 22.158.050 (Findings and Decision), the Hearing Officer shall find that any commercial use subject to a Conditional Use Permit (Chapter 22.158) is local serving and is compatible with surrounding land uses located within 1,000 feet.

b. In addition to the findings required by Section 22.158.050 (Findings and Conditions), the Hearing Officer shall find that any proposed industrial use in an industrial zone is a quiet, non-polluting light industrial use and is compatible with surrounding land uses located within 1,000 feet.

4. A building or structure in a commercial zone shall not exceed a height of 35 feet above grade, excluding signs that are permitted by Chapter 22.114 (Signs), chimneys, and rooftop antennas.

D. Zone O-S.

1. Uses Subject to Minor Conditional Use Permit. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in Zone O-S may be used for the following uses, subject to a Minor Conditional Use Permit (Chapter 22.160) and in compliance with Section 22.16.060.C.1 and C.3 (Additional Regulations for Zone O-S):

- Marinas, small boat harbors, docks, piers, boat launches, and similar recreational facilities.
- Horse-boarding, large, subject to the standards for equestrian facilities outlined in Section 22.336.070.E.
- Riding academies, subject to the standards for equestrian facilities outlined in Section 22.336.070.E.

E. Zone R-R.

1. Permitted Uses. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in

Zone R-R may be used for the following uses with a Ministerial Site Plan Review, subject to the standards for equestrian facilities outlined in Section 22.336.070.E.

- Horse boarding, large.
- Horse boarding, small.
- Riding academies.

2. Uses Subject to Minor Conditional Use Permit. In addition to the uses specified in Chapter 22.16 (Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in Zone R-R may be used for the following uses, subject to a Minor Conditional Use Permit (Chapter 22.160):

- Adult residential facilities, serving six or fewer persons.
- Group homes for children, serving six or fewer persons.
- Residences, single-family.

3. Uses Subject to Permits.

a. In addition to the uses specified in Chapter 22.16

(Agricultural, Open Space, Resort and Recreation, and Watershed Zones), property in

Zone R-R may be used for the following uses, subject to a Conditional Use Permit (Chapter 22.158):

- Bed and breakfast establishments, subject to the standards and conditions outlined in Section 22.336.070.C.
- Rural inns, subject to the standards outlined in Section 22.336.070.Q.

- Event facilities, number of events determined by Conditional Use Permit, minimum lot size 10 acres, subject to the requirements listed in Section 22.336.070.F.
- Rodeos, one acre minimum lot size.

b. In addition to the findings required by Section 22.158.050 (Findings and Decision), the Hearing Officer shall find that such proposed bed and breakfast establishment or single-family residence is compatible with surrounding resort and recreation land uses located within 1,000 feet.

4. A building or structure in Zone R-R shall not exceed a height of 35 feet above grade, excluding signs that are permitted by Chapter 22.114 (Signs), chimneys, and rooftop antennas.

5. Properties in Zone R-R located within the Rural Commercial land use category shall have a maximum lot coverage of 30 percent and be limited to one story, with the exception of properties with a lot coverage of up to 15 percent, which shall be permitted a maximum of two stories.

6. Setbacks.

- a. Front Yard: 20 feet from property line.
- b. Side Yard: 5 feet from property line.
- c. Rear Yard: 15 feet from property line.

22.336.090 Area Specific Development Standards.

A. Topanga Canyon Area.

1. Purpose. The Topanga Canyon Area is established to implement policies related to antiquated subdivision development contained in the Area Plan to address development on small lots in hillside and other areas that lack adequate infrastructure or are subject to the potential hazards of fire, flood, or geologic instability, and to preserve important ecological resources and scenic features found in this area.

2. Area Boundary. The boundaries of the Area are as shown on Figure 22. 336-C: Topanga Canyon Area.

3. Definition. For the purposes of this Subsection A, "small lot subdivision" includes all land within TR. 3944, TR. 8545, TR. 8674, TR. 9287, and TR. 9346. "Small lot subdivision" also includes those portions of TR. 6131, TR. 9385, and all Records of Survey and Licensed Surveyor's Maps in Section 5, Township 1 South, Range 16 West, San Bernardino Base and Meridian, located north of the Coastal Zone boundary. Lots created by a parcel map are exempt from these provisions.

4. Development Standards.

a. 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 Modification, according to Section 22.336.100.B and subject to the following standards:

i. Height. No fence or wall shall exceed six feet in height, inclusive of any architectural feature, fixture, and/or support element attached to or part of the fence or wall.

ii. Transparency.

(a) At least 70 percent of the fence or wall area above three and one-half feet in height shall be open and non-view obscuring. The open and non-view-obscuring area above said three and one-half feet must be evenly distributed horizontally along the entire length of the fence or wall and comply with all of the following provisions:

(1) No slats or other view-obscuring materials may be inserted into, placed in front of or behind, or affixed to such fences and walls;

(2) Vertical support elements shall be a minimum of five feet apart; and

(3) Non-support vertical or horizontal fence elements shall have a maximum diameter of two inches.

iii. Materials. All portions of new or replacement yard fences and walls shall be constructed of stone, brick, rock, block, concrete, wood, stucco, tubular steel, wrought iron, or a combination of these materials. Either recycled or composite materials, each with the appearance and texture of wood, may also be used. Chain link, wire, and highly reflective materials are prohibited. Fence and wall materials shall have at least one of the following features:

(a) Non-combustible construction;
(b) Ignition resistant construction meeting the requirements of the California Office of the State Fire Marshall's SFM Standard 12-7A-4 parts A and B;

(c) Heavy timber construction; or
(d) Exterior fire-retardant treated wood construction.

iv. Colors. Only earth tone or neutral colors that are similar to the surrounding landscape shall be used.

b. Fences and walls located between five feet from the highway line and the interior boundary of the required corner side yard or required rear yard, and retaining walls, wherever located, are subject to the provisions of Sections 22.110.070 (Fences and Walls), 22.110.180 (Modifications Authorized), and this Subsection A (Topanga Canyon Area).

c. Landscaping.

i. Trees, shrubs, vines, flowers, and other landscaping forming a barrier or obstructing views in the same manner as a fence or wall, shall not exceed three and one-half feet in height, if located within 10 feet of a highway line.

ii. Invasive non-native species are prohibited from use in all landscaping areas.

d. Additional Standards. The construction of residential units on a lot of less than one acre within a small lot subdivision shall be subject to the following development standards:

i. For the construction of residential units on a lot of 5,000 square feet or more, the maximum gross structural area shall be equal to 20 percent of the area of the lot. Construction of residential units on a lot of less than 5,000 square feet shall be subject to the following slope intensity formula:

(a) The maximum allowable gross structural area of a residential unit to be constructed on a building site shall be determined by the following formula:

$$\text{GSA} = (A/5) \times [(50-S)/35] + 500$$

Where:

A = the area of the building site in square feet. The building site is defined by the applicant and may consist of all, or a designated portion of, the one or more lots comprising the project location. All permitted structures must be located within the designated building site.

S = the average slope of the building site in percent, as calculated by the formula:

$$S = I \times L/A \times 100$$

Where:

S = average natural slope in percent.

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least five contour lines.

L = total accumulated length of all contour lines of interval "I" in feet.

A = the area of the building site in square feet.

(b) All slope calculations shall be based on natural, not graded conditions. Maps of a scale generally not less than one inch equals 10 feet (1" = 10'), showing the building site and existing slopes, prepared by a licensed surveyor or registered professional civil engineer, shall be submitted with the application. If slope is greater than 50 percent, enter 50 for S in the GSA formula.

(c) The maximum allowable GSA, as calculated above, may be increased as follows:

(1) Add 500 square feet or 12.5 percent of the total lot area, whichever is less, for each lot which is contiguous to the designated building site, provided that such lot is combined with the building site, and all potential for residential development on such lot is permanently extinguished.

(2) Add 300 square feet or seven and one-half percent of the total lot area, whichever is less, for each lot in the vicinity of (e.g., in the same small lot subdivision) but not contiguous with the designated building site, provided that such lot is combined with other developed or developable building sites and all potential for residential development on such lot is permanently extinguished.

(d) The floor area requirement for single-family residences contained in Section 22.140.580.C (Minimum Floor Area) shall not apply.

(e) All residences approved in small lot subdivisions by the slope intensity formula shall be subject to an improvement condition requiring that any future additions or improvements to the property shall be subject to an additional review by the Director.

ii. The provisions of Sections 22.110.030 (Accessory Buildings), 22.110.080.B.1 (On Partially Developed Blocks), and 22.110.080.B.3 (On Sloping Terrain) shall not apply.

iii. Procedural Requirements. Notwithstanding Section 22.160.070 (All Zone Regulations Apply Unless Permit is Granted), any modifications of development standards, except for fences, walls, and landscaping, pursuant to Subsections 4.b and 4.d above, shall be considered only through Chapter 22.194 (Variance).

B. Malibou Lake Area.

1. Purpose. The Malibou Lake Area establishes development standards to help mitigate the impacts of cumulative residential development on existing historical lots with limited street access in a high fire hazard area.

2. Area Boundary. The boundaries of the Area are as shown on Figure 22.336-D: Malibou Lake Area.

3. Development Standards.

a. Off-Street Parking. Each single-family residence shall have automobile parking spaces, conveniently accessible to the street and to the residence served, as follows:

i. At least two covered, standard-size automobile parking spaces; or

ii. At least two uncovered, standard-size automobile parking spaces. These spaces may be located in required front, side, and rear yards, only if they constitute a driveway to the covered parking.

b. Street Access.

i. A minimum 20 feet of paved roadway width to Crags Drive shall be provided to the property and constructed to the satisfaction of Public Works, or to a lesser width, as determined by the Fire Department.

ii. All access easements through or abutting the property shall be paved a minimum of 10 feet from the centerline and constructed to the satisfaction of Public Works.

c. Lot Coverage. Buildings and structures shall cover no more than 25 percent of the area of a lot, except to the extent necessary to allow a residence of up to 800 square feet of floor area, in which case such residence shall be permitted to cover more than 25 percent of the area of a lot, only to the extent that it otherwise complies with the provisions of this Title 22.

d. Yards and Setbacks. The provisions of Sections 22.110.030 (Accessory Buildings), 22.110.040 (Accessory Structures and Equipment), 22.110.050

(Distance Between Buildings), 22.110.080.B through D (Required Yards), 22.110.090 (Projections into Yards), and 22.110.180 (Modifications Authorized) shall not apply to new construction.

4. Application of Development Standards. The development standards contained in Subsection 3, above, concerning off-street parking, street access, and lot coverage, are applicable to the construction of residential units, as well as to additions made to existing residential units where the cumulative area of all additions made to the units after February 28, 1993, adds at least 200 square feet to the GSA, as defined in Section 22.336.020.B (Definitions). "GSA" means the floor area of the permitted development expressed in square feet, as existing on February 28, 1993.

5. Accessory Uses. The establishment of the following new accessory uses is prohibited, notwithstanding the general authority of Section 22.18.030 (Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5) or superseding Title 22 regulation:

- a. Detached guest houses on the same lot as the primary residence; and
- b. Attached guest houses.

22.336.100 Modification of Development Standards.

A. Modifications Authorized.

1. Modification of Significant Ridgeline Standards. Where structures on a lot cannot meet the standards prescribed by Section 22.336.070.R.1.b, above, a

Variance (Chapter 22.194) shall be required. In addition to the required findings set forth in Section 22.194.050 (Findings and Decision), findings shall be made that:

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

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 Section 22.336.070.I.3.b. 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.

2. Modification of Vineyard Standards. Except for access road and driveway modifications, as provided for in Section 22.336.070.Y.2.a.xi, all other modifications of the requirements set forth in Section 22.336.070.Y.2 (Vineyard Requirements) shall be considered through a Variance (Chapter 22.194) application. In

addition to the Variance application, any modification to Section 22.336.070.Y.2.c.i, shall be subject to the additional findings set forth in Subsection 1, above.

3. Modification of Equestrian Facilities Standards. Modification of any development standards contained in Section 22.336.070.E, shall be considered through a Variance (Chapter 22.194) application. A Biological Resources Assessment must be completed and be reviewed by SEATAC prior to any decision by a decision-making body.

4. Modification of Topanga Canyon Area Specific Development Standards.

a. Modification of the development standards specified in Subsections A.4.a and A.4.c of Section 22.336.090 shall be subject to a CSD Modification application in compliance with Subsection B, below. The CSD Modification application shall also include findings that the proposed modifications will not create a safety hazard and will not impair views of scenic resources and the application shall contain the following information:

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

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.

5. Modification of Malibou Lake Area Specific Development Standards.

a. Any modification of the development standards contained in Section 22.336.090.B.3, concerning parking, street access, and lot coverage, shall be considered for residences through the Conditional Use Permit procedure (Chapter 22.158). 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:

i. The modification is necessary for the preservation and enjoyment of a substantial property right possessed by owners of other property in the community;

ii. The modification will not create an adverse safety impact in the surrounding community;

iii. The modification will not be materially detrimental or injurious to the property or improvements in the vicinity of the property; and

iv. The modification will not adversely affect or be in conflict with the General Plan, including the Area Plan.

b. Modification to yard or setback regulations required by this Title 22 may be granted, pursuant to a Yard Modification (Chapter 22.196) application and this Subsection b.

i. The application shall comply with all noticing requirements, as required by Chapter 22.196 (Yard Modifications). Such noticing shall also be sent to:

(a) 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) 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 22.196.030 (Findings and Decision) and Subsection a, above.

iii. Notwithstanding Section 22.222.270.A, a Yard Modification 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.

B. Modification of Specific CSD Standards.

1. Applicability. Modification of the development standards specified in Subsection A.4, above, shall be subject to a CSD Modification application, in compliance with this Subsection B.

2. Application and Review Procedures.

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

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

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 findings in Subsection b, below.

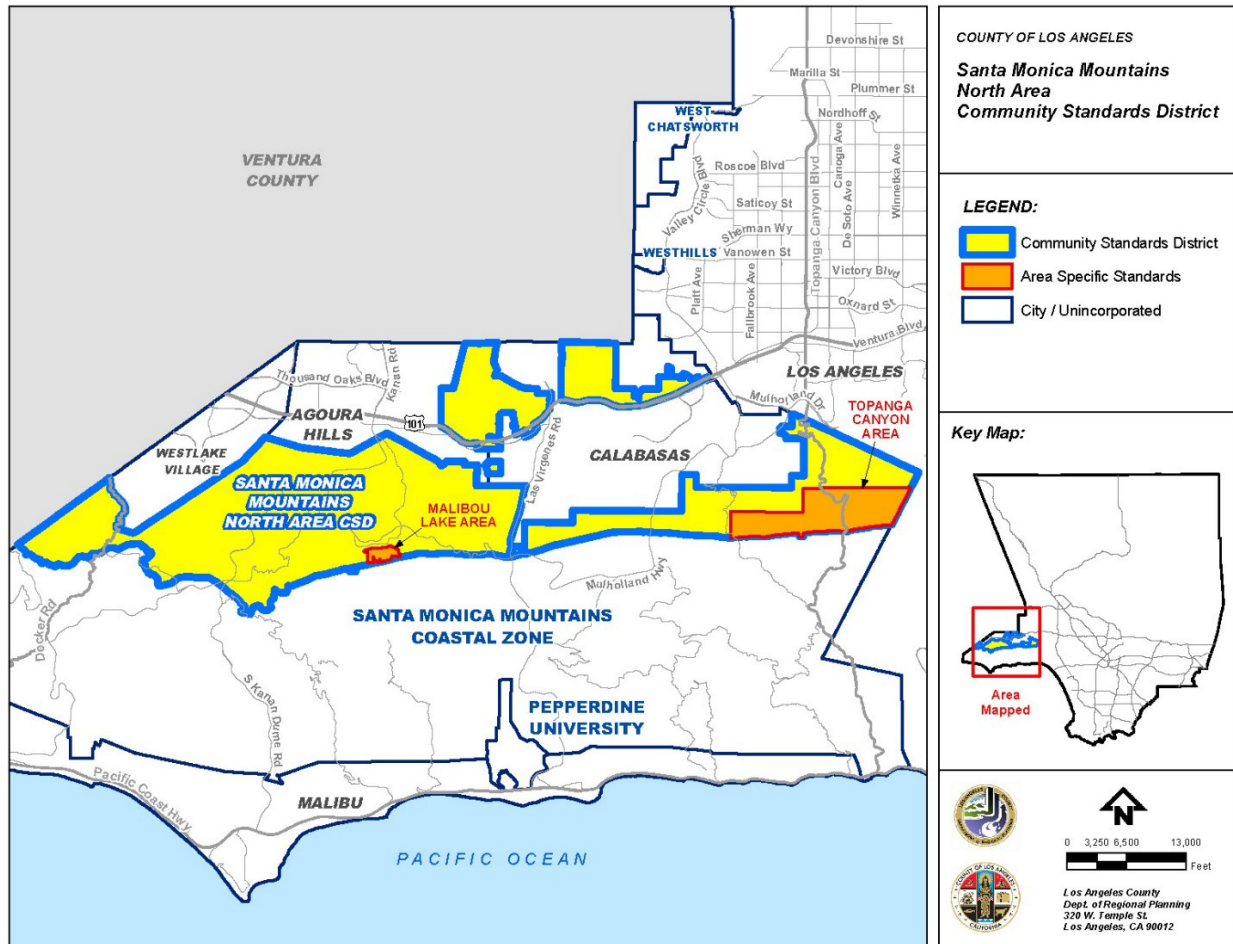
b. Findings.

i. The use, development of land, and application of development standards are 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, insure the protection of public health, safety, and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.

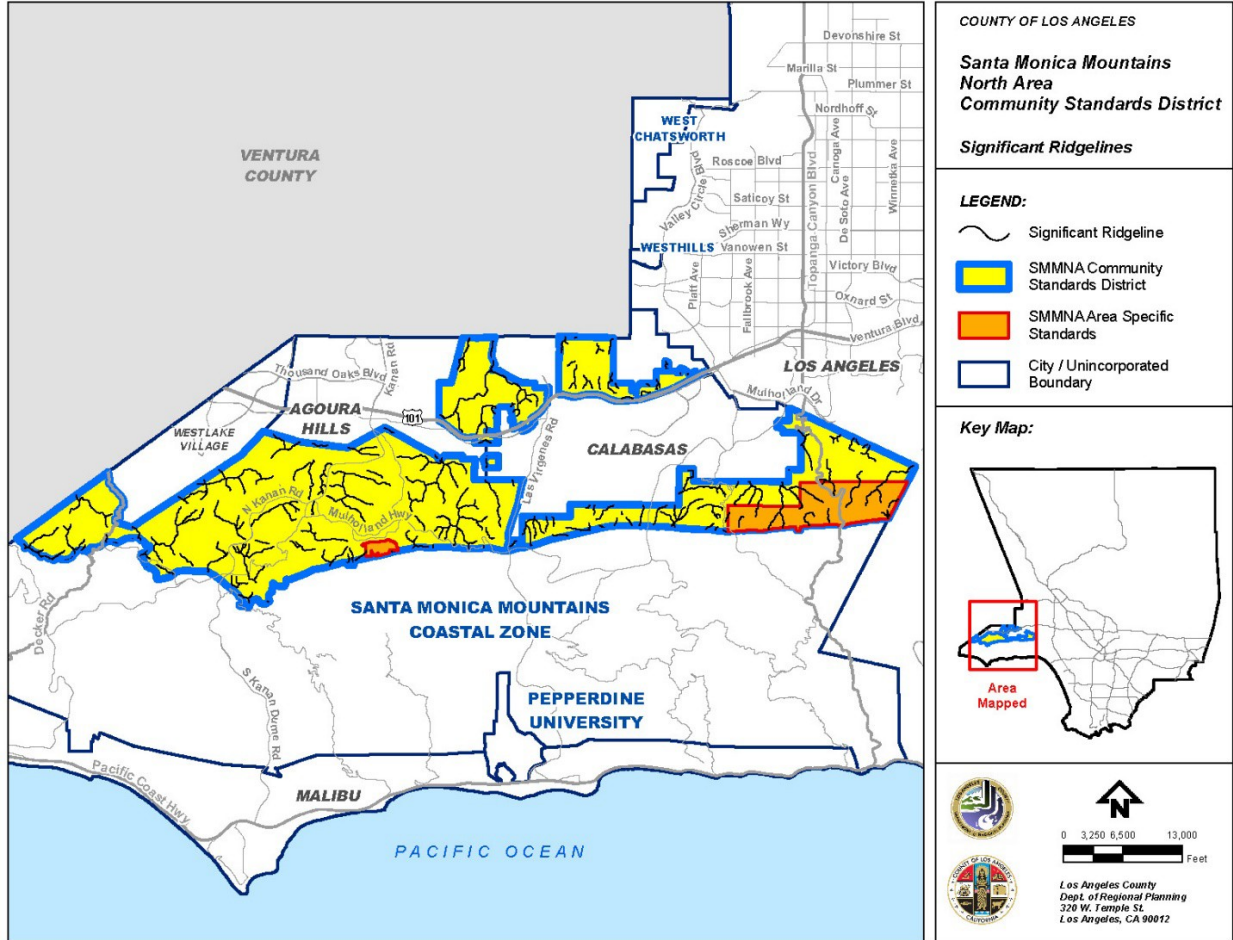
iii. The use, development of land, and application of development standards is suitable from the standpoint of functional developmental design.

FIGURE 22.336-A: SANTA MONICA MOUNTAINS NORTH AREA CSD BOUNDARY



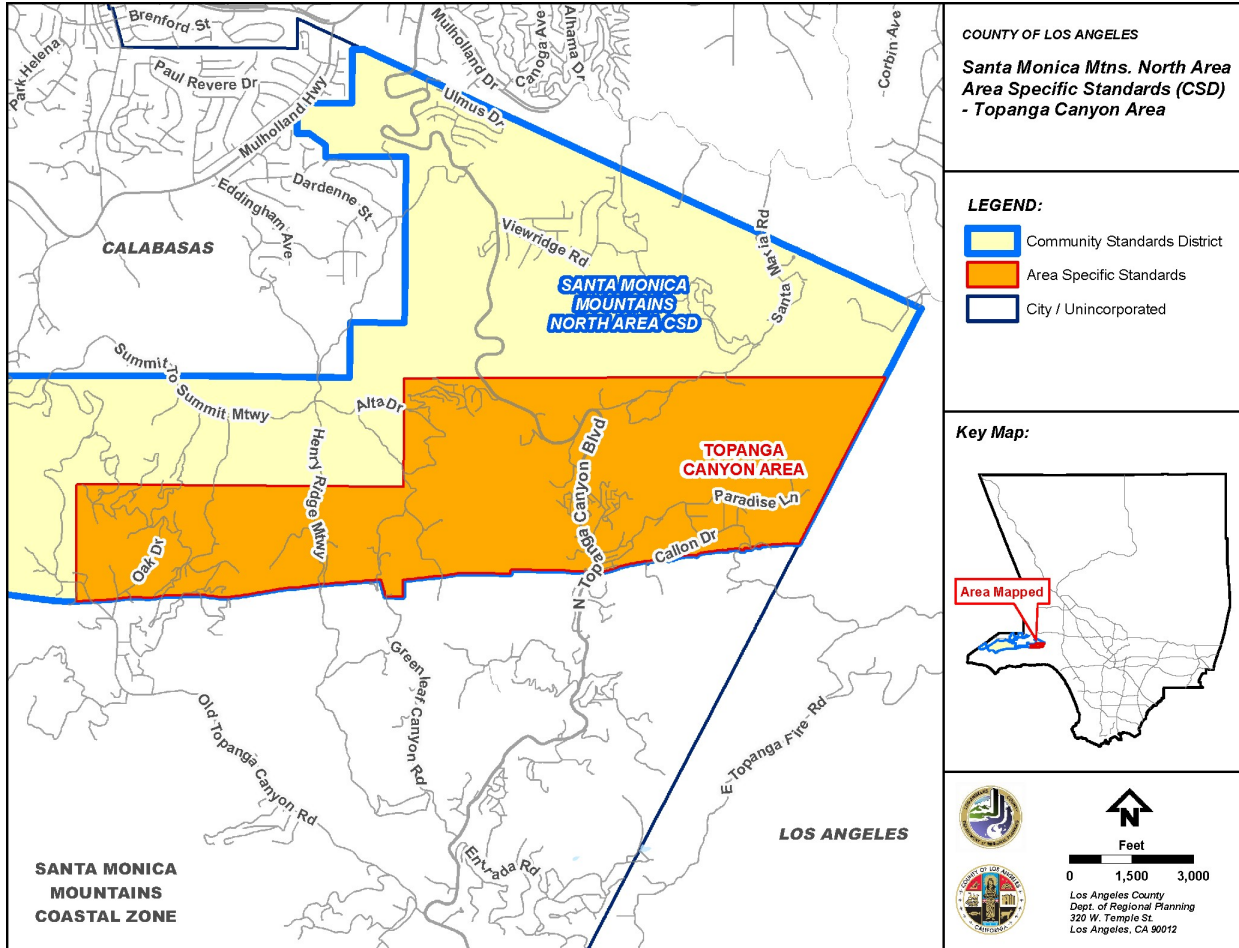
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FIGURE 22.336-B: SIGNIFICANT RIDGELINES



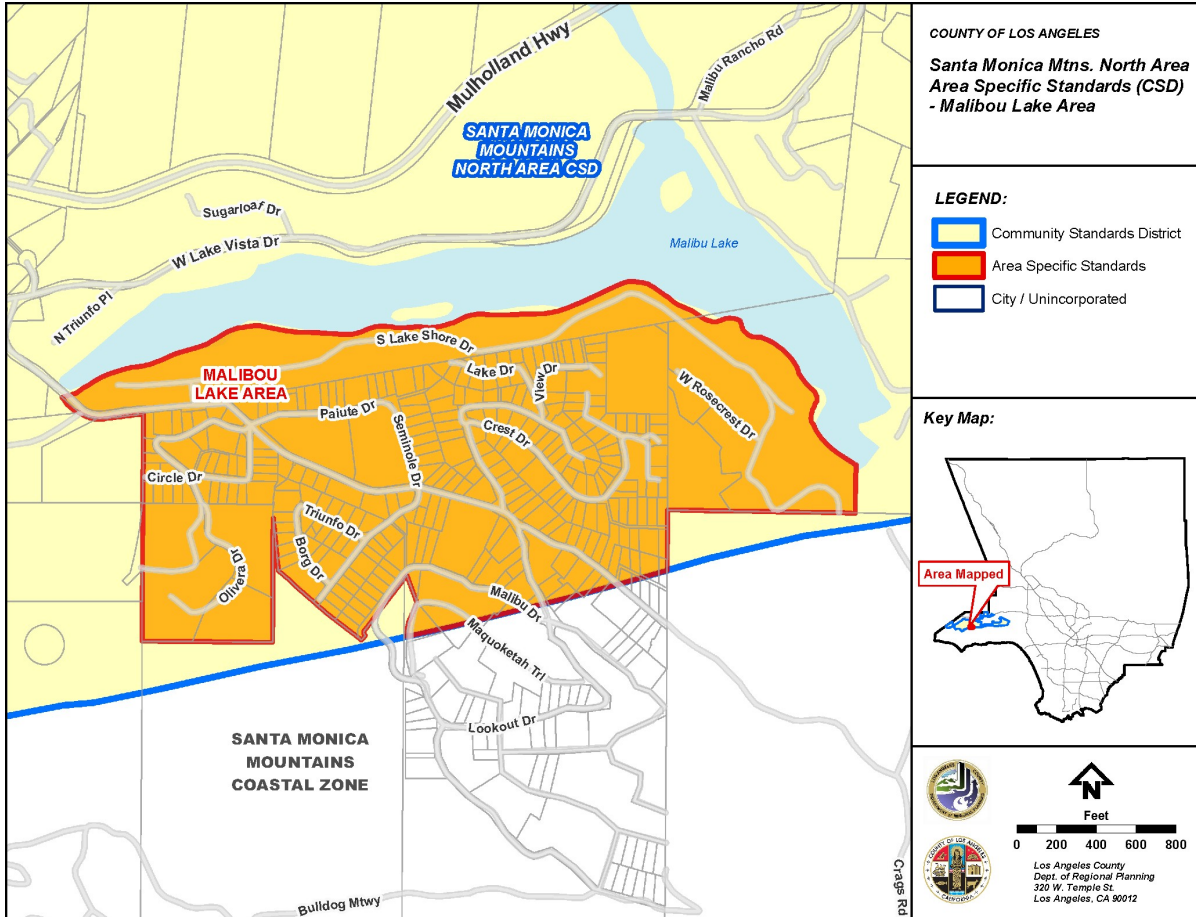
..\\O\\THE\\MAP_SERIES\\supp_\\stemap_documents\\Supp_Dist_CSD_SMMNAP_RIDGELINES_rev2

FIGURE 22.336-C: TOPANGA CANYON AREA



\\OTHERMAP_SERIES\supp_distmap_documents\Supp_Dist_CSD_SMM\MAP_SUBAREA_Topanga

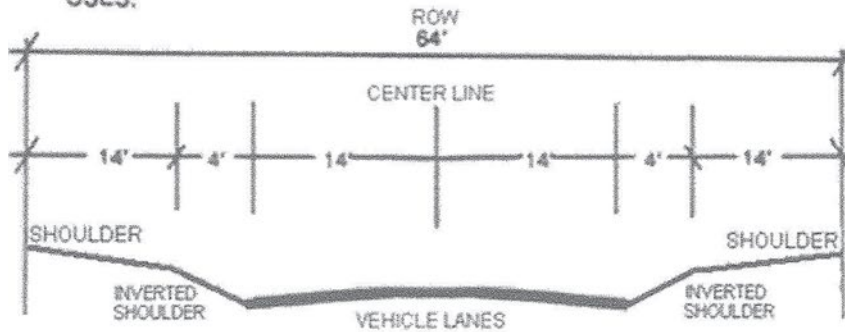
FIGURE 22.336-D: MALIBOU LAKE AREA



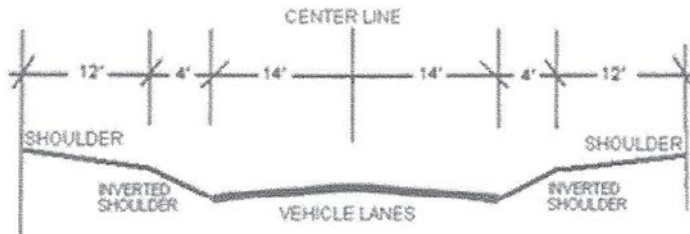
.\OTHERMAP_SERIES\supp_distmap_documents\Supp_Det_CSD_SMMNAP_SUBAREA_Malibu_Lake

FIGURE 22.336-E: STANDARDS FOR STREET WIDTH

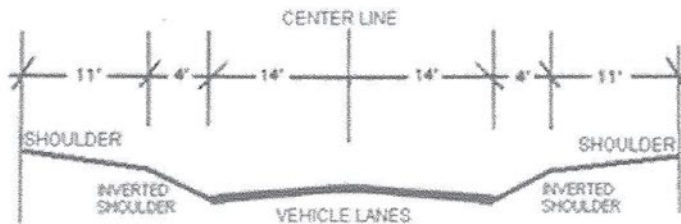
1. RESIDENTIAL ENTRANCE STREETS FROM HIGHWAYS, THRU COLLECTOR STREETS, SECTION AND QUARTER-SECTION LINE COLLECTOR STREETS, AND STREETS ADJACENT TO SCHOOLS AND MULTIPLE RESIDENTIAL USES.

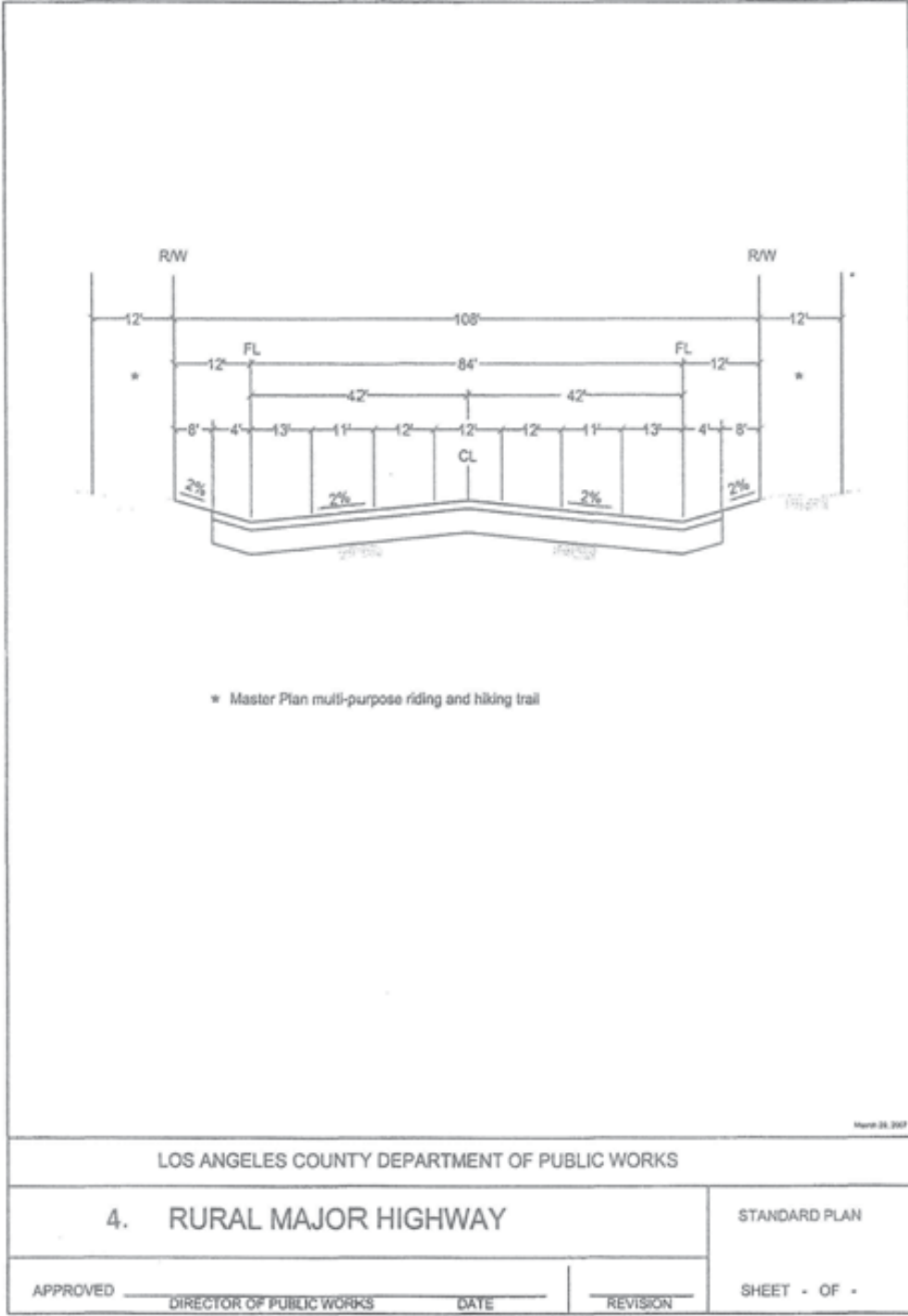


2. INTERIOR COLLECTOR STREETS, CUL-DE-SAC STREETS MORE THAN 700 FEET IN LENGTH, AND LOOP OR OTHER LOCAL STREETS MORE THAN 1,400 FEET IN LENGTH - ONE OR TWO FAMILY RESIDENCES.

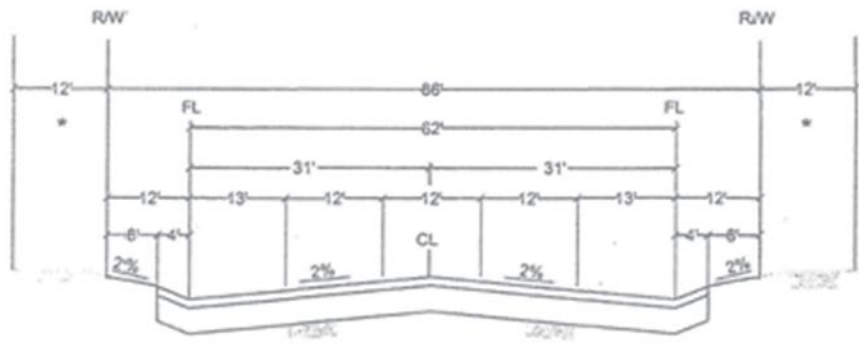


3. INTERIOR LOCAL STREETS, CUL-DE-SAC STREETS HAVING A LENGTH OF 700 FEET OR LESS, LOOP OR OTHER LOCAL STREETS HAVING A LENGTH OF 1,400 FEET OR LESS.





[CH22336LJCC]



* Master Plan multi-purpose riding and hiking trail

March 28, 2007

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS

5. RURAL SECONDARY HIGHWAY

STANDARD PLAN

APPROVED _____ DIRECTOR OF PUBLIC WORKS _____ DATE _____ REVISION _____

SHEET - OF -

SECTION 3. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Hilda F. Solis
Chair

ATTEST:

Celia Zavala

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

I hereby certify that at its meeting of May 4, 2021 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 L. Solis
Holly J. Mitchell
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: June 3, 2021

Operative Date:

Celia Zavala

Celia Zavala
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
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
RODRIGO A. CASTRO-SILVA
County Counsel

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