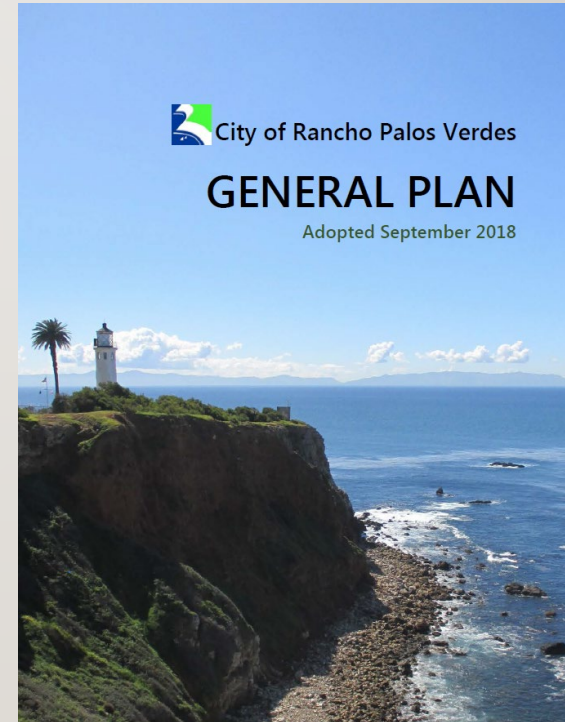


COMMUNITY DEVELOPMENT DEPARTMENT

- Planning Division
- Building & Safety Division
- Code Enforcement Division
- View Restoration Division

GENERAL PLAN

September 18, 2018 City Council
Adopted Updated General Plan



2021-2029 HOUSING ELEMENT

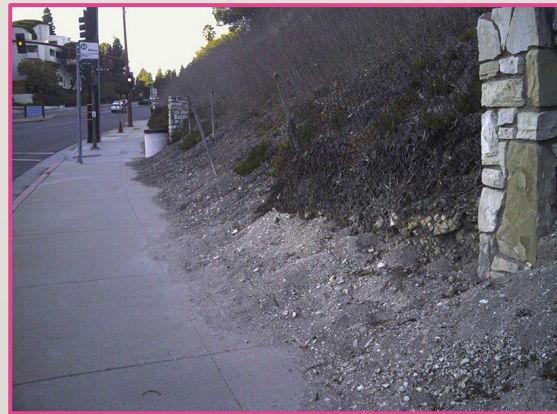
April 16, 2024 City Council
Adopted Updated Housing Element

June 12, 2024 Housing Element Certified
by California Department of Housing &
Community Development (HCD)



ARTERIAL FENCES AND WALLS

- Short-term solutions
- Long-term solutions



PEAFOWL MANAGEMENT PLAN



- Implements the Peacock Trapping Program (150 birds trapped and relocated)
 - Grandview
 - Vista Grande
 - Crestridge
 - Portuguese Bend
 - Sunnyside
 - Monaco

COYOTE MANAGEMENT PLAN

- Implements the Coyote Management Plan:
- Wildlife Watch Program
- Peninsula-wide Coyote Tracking App
- Participates in the SBCCOG Task Force



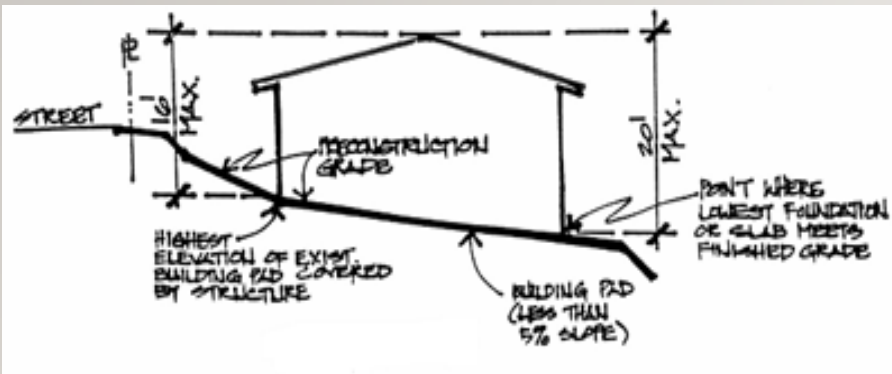
AIRCRAFT NOISE REDUCTION



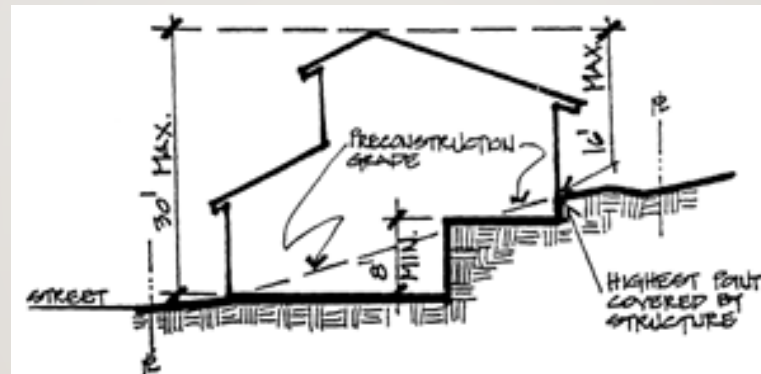
Monitors Aircraft Noise - LAX Community
Noise Roundtable

PLANNING DIVISION

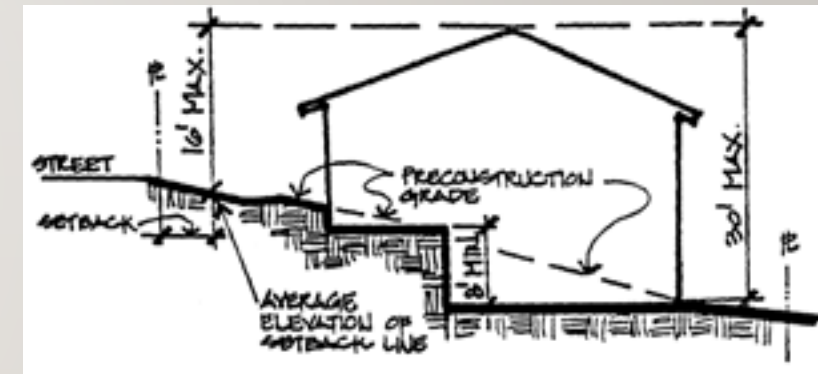
HEIGHT VARIATION



Pad Lot



Upslope Lot



Downslope Lot

HEIGHT VARIATION

- Pre-Application Review
- Silhouette
- 30-day notification
- Director or Planning Commission

Key Findings:

- View Impairment
- Privacy Impacts
- Neighborhood Compatibility



GRADING PERMIT

Purpose

- Preserve the natural scenic character of the area
- Minimize adverse impacts
- Maintain the visual continuity

Application Types

- Minor
- Major
- Remedial



MINOR GRADING PERMIT

- Over-the-counter review and approval
- 20-50 cubic yards cut/fill
- 3'-5' max of cut/fill on slopes less than 35% grade
- Examples: planters and terraced yards.



MAJOR GRADING PERMIT

- 50 cubic yards or greater
- 5' or greater of cut/fill on extreme slopes (35% or greater)
- Discretionary review
- View Protection if raising grades
- Over 1,000 cubic yards requires Planning Commission approval



REMEDIAL GRADING PERMIT

- Purpose - enhance soil stability
- Reduce geotechnical hazards due to natural land movement or the presence of natural hazards.
- Discretionary review
- 5,000 cubic yards is subject to Planning Commission review and approval.



GRADING PERMIT

General Approval Criteria:

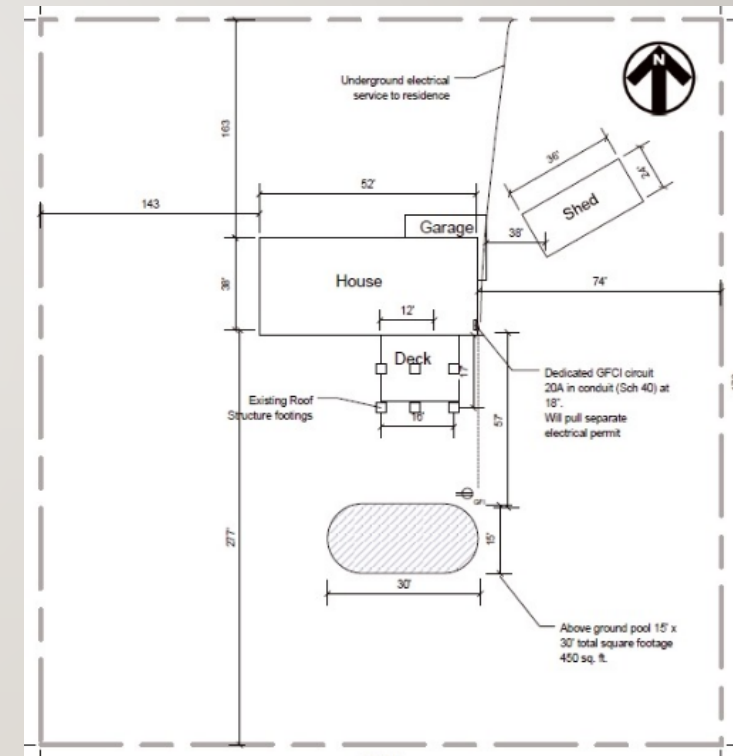
- Will not significantly adversely affect views/visual relationships;
- Preserves existing contours by minimizing grading and create reasonably natural contours; and
- Does not result in excessive grading or construction

SITE PLAN REVIEW

- Ensure development conform to basic development standards
- Planning Commission Review
 - Roof-mounted equipment
 - Architectural features
- Neighborhood Compatibility

Examples:

Decks, mechanical units, pools and spas, outdoor equipment, etc.



NEIGHBORHOOD COMPATIBILITY

- Generally the 20 closest homes
- Neighborhood Compatibility consists of:
 - Scale of surrounding residences;
 - Architectural style and building materials; and,
 - Front, side, and rear yard setbacks.
- View Ordinance not triggered.



Applicability:

- Height Variation Permits, certain Site Plan Review, and Grading Permits

FOLIAGE ANALYSIS

No permits/entitlements issued unless foliage taller than the following that significantly impairs a view from the viewing area of another parcel is removed.

- 16', as measured from the base of the tree or
- Ridgeline of the existing residence, whichever is lower.

Applicability:

- 120 square feet or more and gathering space and viewing area (e.g. deck, gazebo, etc.)
- 120 square feet or more of habitable space (e.g. additions, etc.)



VARIANCE

Relief or deviation from development standards based on:

- Exceptional/extraordinary circumstances/conditions
- Preservation/enjoyment of substantial property right
- Not be materially detrimental to the public welfare
- Not be contrary to the General Plan and Coastal Specific Plan

Examples:

Reduced setbacks, increased overall building height, reduced open space, etc.



COASTAL PERMIT

- Applies to all properties seaward of PVDW and PVDS.
- Appealable vs Non-Appealable to the Coastal Commission
- Considered by the Coastal Hearings Officer (Director of Community Development)
- Considered by Planning Commission as part of overall development application
- Conformity to the City's Local Coastal Program
 - Ensure public access
 - Protect natural resources
 - Protect view corridors



CONDITIONAL USE PERMIT

Uses and/or development will not create adverse impacts to the surrounding neighborhood.

Applicability:

- Uses necessary/desirable but not classified as permitted uses
- Uses permitted but requires special consideration and allows customized conditions of approval
- Uses that intensify the occupancy or land coverage

Compliance Reviews

Examples:

- Trump National Golf Course to operate in a residential zoning district
- Green Hills Memorial Park to operate in a cemetery zoning district
- Terranea to operate in a commercial recreation zoning district

FENCE/WALL PERMITS

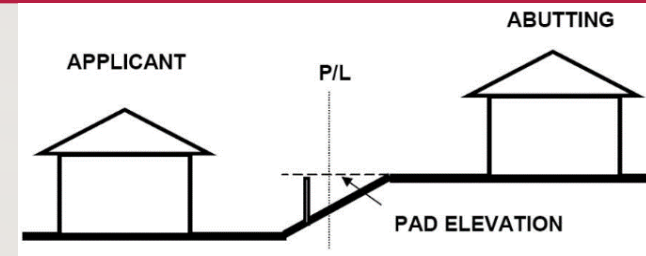
A Fence/Wall Permit ensures:

- No adverse impacts to privacy
- No creation of hazardous conditions
- No dangerous physical obstruction at street intersections
- No significant view impairment

Two-step process

- Site Visit
- View assessment & foliage analysis

Can be appealed to Planning Commission



APPEALS

- Any Director-level decision may be appealed to the Planning Commission, and any Planning Commission decision may be appealed to the City Council, who may:
 - Approve an application
 - Approve an application but impose different conditions
 - Deny an application without prejudice
 - Disapprove an application
 - Refer the matter back to the Director/Planning Commission
- Full refund if appeal upheld
- Partial refund (1/2) if appeal results in modification

DIVISION OF LAND (SUBDIVISION)

Division of Land Applications:

- A **parcel map** is required for creating 4 or less lots (Planning Commission Review)
- A **tract map** is required for creating 5 or more lots (City Council Review)

Two-Phase Process:

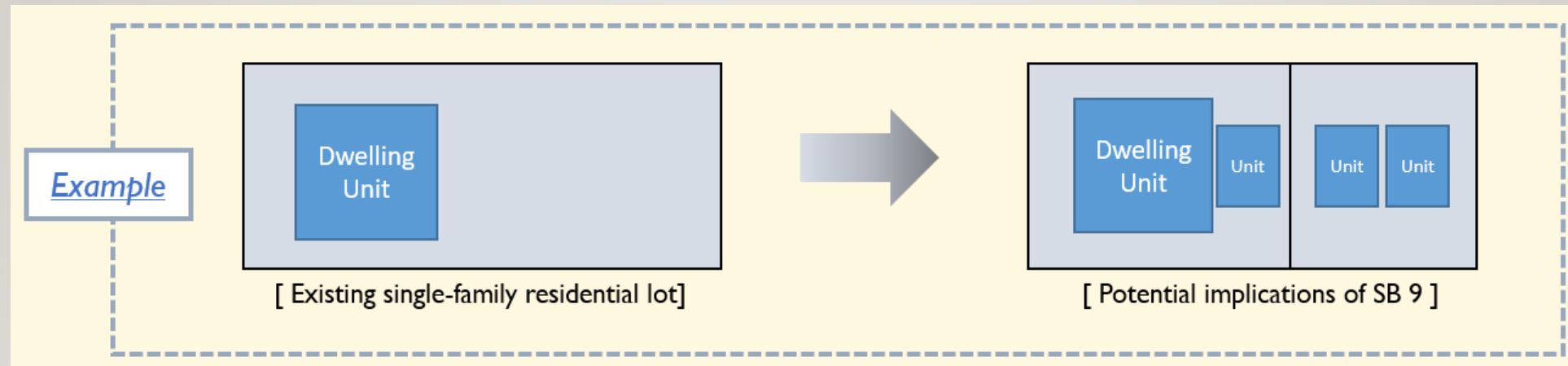
- Tentative Map
- Final Map



URBAN LOT SPLITS & SECOND UNIT DEVELOPMENTS

Senate Bill No. 9 (SB 9) signed into law to facilitate housing development

- City cannot preclude a lot from being split or prevent the construction of up to two units at least 800 sq. ft. in area.



ZONE CHANGES & CODE AMENDMENTS

- A Zone Change involves a request to change the zoning designation of a property.
- A Code Amendment allows for changes in the text of the City's Zoning Code (Title 17).
 - Application requests are initiated by:
 - City Council
 - Planning Commission and/or the Director of Community Director
upon petition to the City Council
 - Interested Parties
 - City assesses whether a change is consistent with the City's General Plan or warranted by a development proposal.

VIEW RESTORATION DIVISION

PROPOSITION M - VIEW PRESERVATION AND RESTORATION ORDINANCE

Ballot measure passed by RPV voters on November 7, 1989

- Established permanent view protection
- Encourages neighborhood cooperation
- Protects the legal rights of all parties
- Codified on November 17, 1989 as Section 17.02.040

VIEW APPLICATIONS

- View Restoration Permit Application
 - **Restore** a view to a condition to, or close to, when the applicant's lot was created.
- View Preservation Application
 - **Preserve** a view which existed in November 1989 (or existed at any time since Nov. 1989) and is now significantly impaired

VIEW RESTORATION PERMIT (VRP)

Restore a view to a condition to, or close to,
when the applicant's lot was created

VIEW RESTORATION PERMIT PROCESS

- Pre-application meeting is held
- Formal application filed, with fee, if no agreement reached
- Commissioners visit site (mandatory to participate)
- Public hearing held
- 15-day appeal period

VIEW RESTORATION FINDINGS

- 1) The applicant has complied with the early neighbor consultation process.
- 2) Foliage exceeding sixteen (16) feet or the ridgeline of the primary structure, significantly impairs a view from the applicant's viewing area.
- 3) The foliage is located on property less than one thousand (1,000) feet from the applicant's property line.
- 4) The foliage significantly impairing the view did not exist as view impairing vegetation when the lot from which the view is taken was created.
- 5) Removal or trimming of the foliage will not cause an unreasonable privacy infringement the occupants of the property upon which the foliage is located.
- 6) For property located within the boundaries of the Miraleste Recreation and Parks District, the Commission shall also find that removal or trimming of foliage strikes a reasonable balance between meeting the purposes of the View Ordinance and preserving the historical development of the Miraleste Recreation and Parks District with large numbers of trees.

VRP – EARLY NEIGHBOR CONSULTATION FINDING (NO. 1)

- Potential applicant(s) encouraged to resolve the issue privately with the foliage owner without City involvement
- Pre-application meeting held with City's View Restoration Mediator and City Staff to resolve the issue

VRP – FOLIAGE HEIGHT & SIGNIFICANCE FINDING (NO. 2)

Significantly impaired view

- Viewing area
- Defined protected view
- Significant impairment?
 - Landmarks?
- Position of foliage in view frame
 - Center or periphery?
 - Single vs. multi-component?
- 16 feet is measured from the base of the tree

View impairment of foliage before VRP



VRP – 1,000 FOOT DISTANCE FINDING (NO. 3)

- Measured from applicant's property line to the foliage owner's closest property line
- City maps used to determine distance between properties
- General rule of thumb: The greater the distance to the foliage, the less likely the foliage significantly impairs a view

VRP – VIEW CONDITION ON LOT CREATION DATE FINDING (NO. 4)

The applicant's lot had been afforded a view when the lot was created/recorded. Since then, the neighboring foliage has grown to impair the applicant's view.

- Tract or parcel map recordation dates
- LA County geology and/or grading information
- Aerial Photos
- Dated photographs taken from the applicant's property



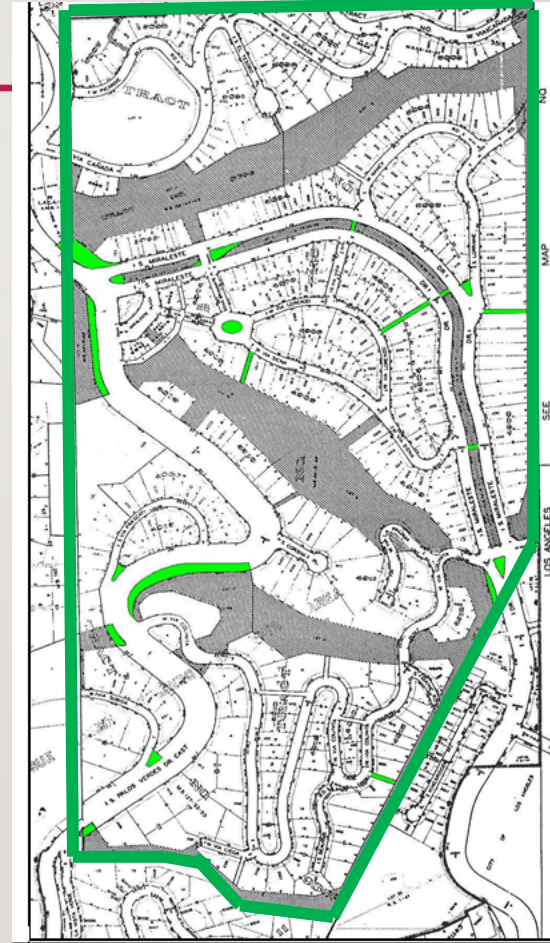
VRP – PRIVACY INFRINGEMENT FINDING (NO. 5)

- Greater weight given to outdoor privacy over indoor privacy
- Mitigate with replacement foliage

VRP – MIRALESTE RECREATION AND PARKS FINDING (NO. 6)

- Privately owned properties within the District boundaries are subject to the View Restoration Permit process.
- District property not subject to View Ordinance

MIRALESTE RECREATION & PARKS DISTRICT AND DISTRICT PROPERTIES



Restored



VIEW PRESERVATION PROCESS

Preserve a view which existed on
or after November 17, 1989 and
is now significantly impaired

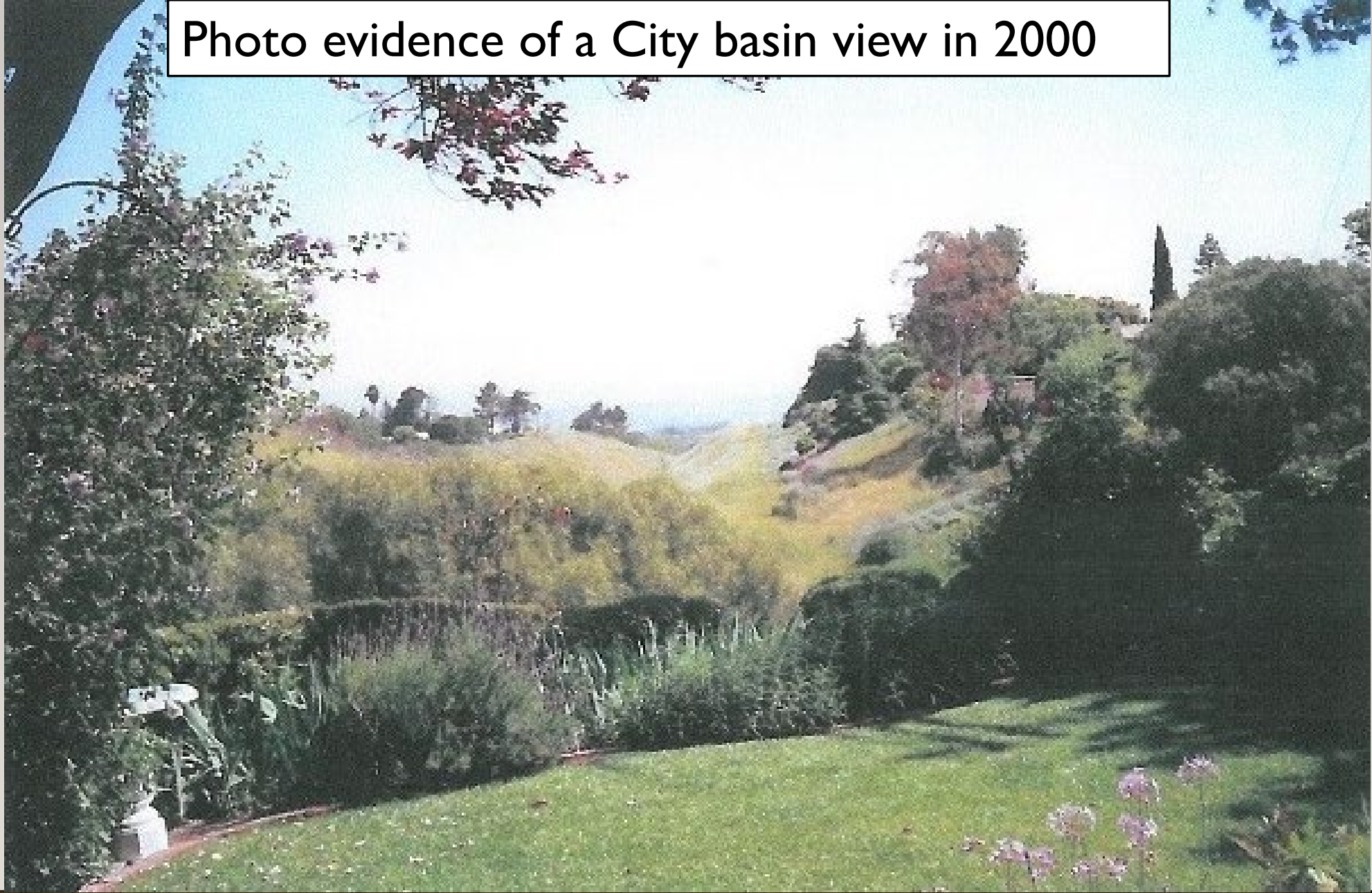
VIEW PRESERVATION APPLICATION PROCESS

- Applicant contacts foliage owner
- Staff verifies documented view photograph and view impairment before any forms are submitted to City
- Staff notifies foliage owner of the pending application and request that the trimming be performed voluntarily
- If no trimming is performed within 30 days, then Director renders a decision requiring the foliage owner to trim within 90 days
- 15-day appeal period (Planning Commission then to City Council)

VIEW PRESERVATION FINDINGS

- 1) The applicant has complied with the early neighbor consultation process and has shown proof of cooperation on his/her part to resolve conflicts.
- 2) Foliage exceeding sixteen (16) feet or the ridgeline of the primary structure, whichever is lower, significantly impairs a view from the applicant's viewing area, whether such foliage is located totally on one property, or when combined with foliage located on more than one property.
- 3) The foliage to be removed is located on property, any part of which is less than one thousand (1,000) feet from the applicant's property line.
- 4) The foliage significantly impairing the view did not exist as view impairing vegetation in November 1989 or thereafter.
- 5) Removal or trimming of the foliage will not cause an unreasonable infringement of the privacy of the occupants of the property upon which the foliage is located.

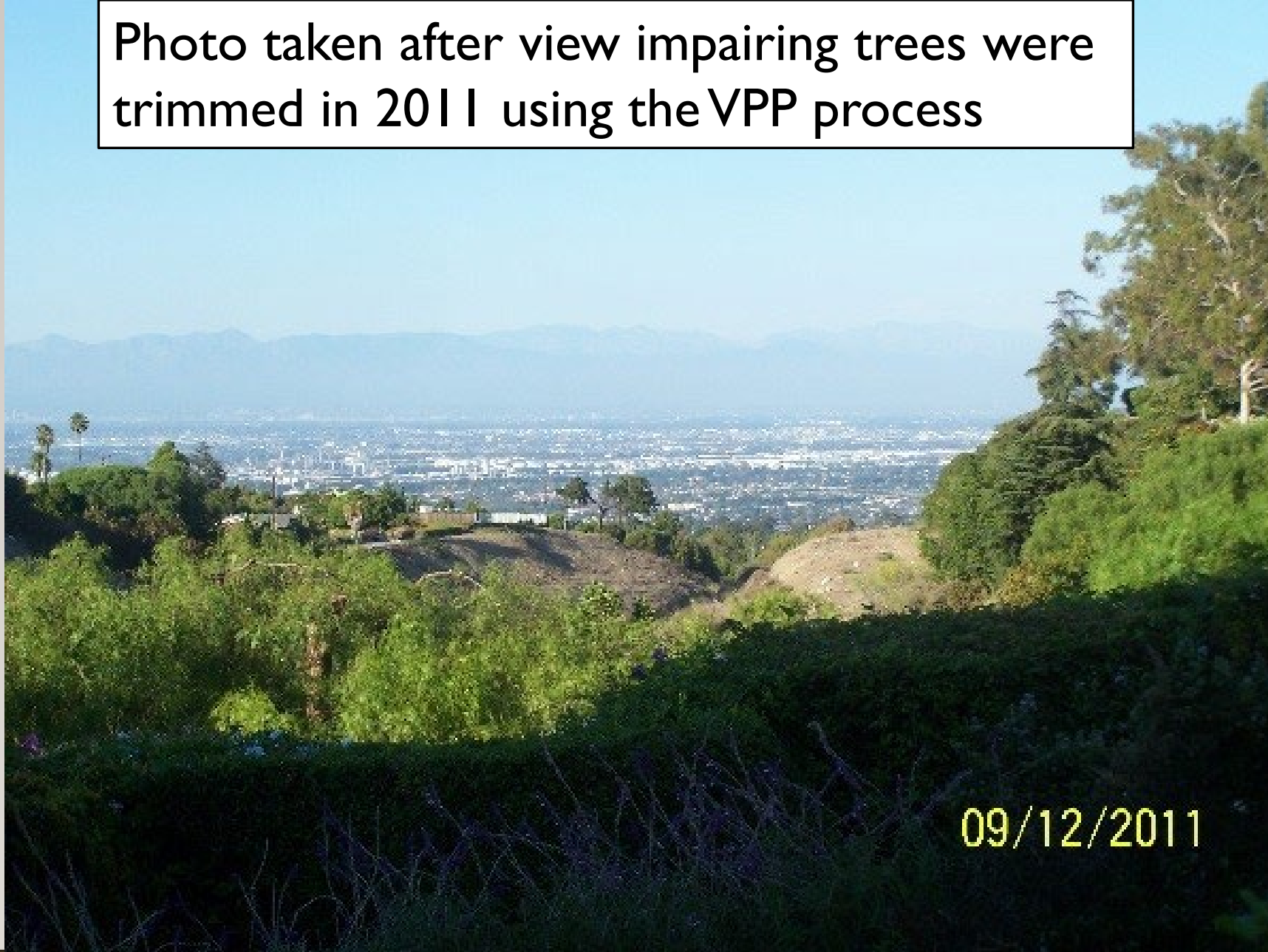
Photo evidence of a City basin view in 2000



Staff confirmed that foliage significantly
impairs the view



Photo taken after view impairing trees were trimmed in 2011 using the VPP process



09/12/2011

COMMISSION TOOLKIT

- 2010 View Restoration & Preservation Guidelines
- Consider your own site visit observations, public testimony, City arborist's input, City staff recommendations, and any expert testimony, if needed.
- Make the permit findings
- Commission Action – Crown reduction, crown raise, lace or thin out foliage
- Tree removal, if the tree owner consents
- May order tree replacement for removed trees. Tree replacement number and size is at the discretion of the Commission.

ADDITIONAL INFORMATION



CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- Exemptions
 - Categorical
 - Statutory
- Negative Declarations (ND)
- Mitigated Negative Declarations (MND)
- Environmental Impact Reports (EIR)

500' FOOT RULE

- Conflicts of interest involving real property
- Within 500' – presumed to have a material impact
- Beyond 1000' – presumed **not** to have a material impact
- Between 500' and 1000' – material impact depends on various factors.
 - Development potential;
 - Income-producing potential;
 - Highest and best use;
 - Market value; or,
 - Character by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels or air quality

BROWN ACT

- Open Meeting Law - to provide public access to, and participation in, meetings.
- Meeting is defined as any gathering of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body.
- Meeting includes any series of telephonic or email communications, lunches, social gatherings, or board meetings.
- City Council, Planning Commission, Committees, and standing City Council subcommittees
- Public notice
- Post agendas (72 hours in advance and publicly accessible)
- Public comment

BROWN ACT & TELECONFERENCING

- Hybrid Planning Commission Meetings (In-person & virtual participation)
- Planning Commissioners may participate remotely under specific teleconferencing rules, including but not limited to,
 - Emergency and Just Cause Situations
 - Must disclose presence of individuals over 18 years of age
 - Technical equipment requirements

PLANNING COMMISSION SUBCOMMITTEES & VACANCIES

- Zoning Code Update Subcommittee- Assists Staff in the review of comprehensive code amendments updates (3 members)
 - Current Members- Commissioners Chura & Nulman (1 vacancy)
- Arterial Fence/Wall Plan Subcommittee- Assists Staff in the review of City-Wide Arterial Fence/Wall Plan (3 members)
 - No current members (3 vacancies)
- Housing Element Ad Hoc Committee- Joint City Council committee that assists with Housing Element Updates (2 members)
 - Current Member- Commissioner Chura (1 vacancy)