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Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that "compliance" means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at **http://planning.lacity.org**, by selecting "Commissions & Hearings" and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **"Initial Submissions"**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.

- **"Secondary Submissions"**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.

- **"Day of Hearing Submissions"**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

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If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

Item No. 8

Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

November 16, 2022

TO: City Planning Commission

FROM: Zuriel Espinosa, City Planner

ADDITIONAL INFORMATION/TECHNICAL MODIFICATION/CORRECTION TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. CPC-2022-5432-ZC-CPIOA

The following technical corrections are to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting of November 17, 2022, related to Item No. 8 on the meeting agenda.

1.) On page 5 of Exhibit B.1 and page 7 of Exhibit B.2, the following information related to proposed CPIO Section I-3 Residential Subareas has been added (shown in underline) as follows:

[REVISED]
Residential Subareas M, N and O
Residential Subareas M, N and O focus on strengthening residential neighborhood stability, promoting the preservation of affordable housing, and encouraging well-designed projects that are compatible with the surrounding neighborhood scale and that enhance neighborhood character. The three Residential Subareas are shown on Figure V-1, V-2 and V-3 and are summarized as follows:

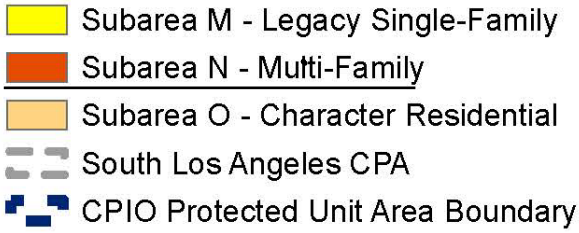
2.) On page 5 of Exhibit B.1 and page 6 of Exhibit B.2, the following information related to proposed CPIO Section I-3 TOD Subarea H has been deleted (shown in ~~strike out~~) as follows:

[REVISED]
TOD Subarea H ("TOD Regional")
The TOD Regional Subarea allows for higher intensity commercial and mixed-use development that would provide greater housing and employment opportunities and offers the greatest incentives for projects that include affordable housing.

~~*(As of the date of adoption of this Ordinance, no properties are designated Subarea H in the South Los Angeles Community Plan Area.)*~~

3.) On page 15 of Exhibit B.1, page 81 of Exhibit B.2, and page 7 of Exhibit B.4 the following information related to the legend for proposed CPIO Figure V-2 Residential Subareas has been added (shown in underline) as follows:

Figure V-1, Residential Subareas



Dear Planning Commissioners, November 12, 2022

The Chatsworth Neighborhood Council had submitted a letter of support (dated April 27, 2022) for the warehouse project *with the condition* that a greater effort is made to preserve the existing mature significant size shade trees along the Oso and Prairie Street frontages (mainly Camphor's), including the four tall Aleppo Pines at the rear of the site, and to plant native trees, such as Coastal Live Oak and Valley Oak along the south property line (see attached letter). There is no mention of this letter in the staff report nor is it attached to Exhibit "C".

The project proposed to remove all of the 195 trees on site with no justification. Concerns were raised regarding the excessive tree removal of mature shade trees, such as those already along the site perimeter in existing landscape buffers. The proposed landscape plan showed that the trees would be replaced with the same type trees in the same location, which makes no sense. The applicant was asked to return with a tree preservation plan and revised landscape plan for the next meeting but never provided such documents. A marked up tree inventory report was presented and said they can preserve approximately 22 trees however further detail revealed most of the trees to be preserved were not even significant trees on the tree report- meaning they were existing non-significant trees less than 8-inches in trunk diameter .

This presentation to you is disingenuous and it is disturbing that there is NO effort to preserve existing mature trees that are on the site perimeter. Just because these are not "protected trees" does not mean they are trees to be disregarded. The environmental impact of the loss of mature trees has to be considered when conducting environmental review on projects. The clear cutting of trees, especially on multi-acres sites, is shockingly unjustifiable, not to mention harmful given our conditions of drought and excessive heat.

As Planning Commissioners you have the authority to review such oversights and/or insufficiencies on projects presented before you and to make modifications to ensure the best outcome for all of us and our wildlife.

Can you please request that a **Condition of Approval** be added requiring the preservation of the following trees (from the Tree Report dated November 8, 2021 submitted by Carlberg Associates) :

Tree# 6, 18, 19, 21, 22, 167, 168, 173, 174, 175, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, and 189.

This is a total of 21 mature significant trees not in the way of development. This is not an exhaustive list, meaning more trees could be preserved.

Lastly, there is an approximately 1,200 feet of contiguous shrubs along the south property line. It does exactly what is often required (i.e. a parking lot landscape buffer). There is also no reason for these beautiful healthy shrubs to be removed. If those can be maintained in place that would be a win-win for the songs birds that live in them and using less water as well.

Thank you for your time and consideration,

Marianne King

Chatsworth Neighborhood Council Board Member *speaking on behalf of herself* as a Chatsworth resident and a tree preservation advocate

Attachments:
CNC Letter dated 4/27/22
Tree Report dated 11/8/21 (excerpt of highlighted trees that should be preserved)
Landscape Plan to date (original submittal)
Tree inventory site plan highlighted with trees that should be preserved
Application Tree Report requirement excerpt highlighted

CHATSWORTH
NEIGHBORHOOD COUNCIL
P.O. Box 3395, Chatsworth, CA 91313-3395
Voice: (818) 464-3511 Fax: (818) 464-3585
http://chatsworthcouncil.org

Jeff Hammond, President - Andre van der Valk, Vice President –
Vicki Briskman Treasurer Jill Mather Secretary
Dorothy Allison, Georgia Altmayer, Kamesh Aysola, Mark Cox, Frank Geraty,
Rob Glucksman, Marianne King, Jeff Mackie, Marina Mackie, Nick Montano, Shawn Shawmlou,
Patricia Thorington Carey Tri, Linda van der Valk, Jim Van Gundy Geoffrey Williams, Deb Zumerling

April 27, 2022

Case No: CPC-2021-10278-CU
ENV: 2021-10280-EAF
9201 Winnetka Avenue
Chatsworth 91311
Council District 12
Councilmember John Lee

Dear Mr. Netburn,

The Chatsworth Neighborhood Council voted at their General Board meeting on April 6, 2022, to support the request for the CUP that is being requested. The motion passed with 16 ayes and 2 nos.

The applicant presented the proposed project at two Land Use Committee meetings and the General Board meeting. There was a great deal of discussion on traffic issues and the applicant was encouraged to preserve some of the existing trees. The applicant initially proposed the removal of all existing trees on the subject property and then revised the plans to preserve 22 trees along the Oso and Prairie frontages.

The motion recommending approval of the proposed project reads as follows: The Chatsworth Neighborhood Council supports CPC-2021-10278-CU, ENV 2021-10280 EAF, 9201 Winnetka Avenue for the demolition of a movie theater building and construction of three industrial buildings with a total of 273,5000 square feet, with code required parking, driveways, and landscaping with a condition that the applicant make greater effort is made to preserve the existing mature significant size shade trees (Camphors and four tall Aleppo Pines) along

the north and west property lines and to consider the planting of native trees such as Coastal Live Oak or Valley Oak along the southern boundary of the site.

Sincerely,

Jeff Hammond
CNC President

TABLE 2 – TREE INVENTORY DATA

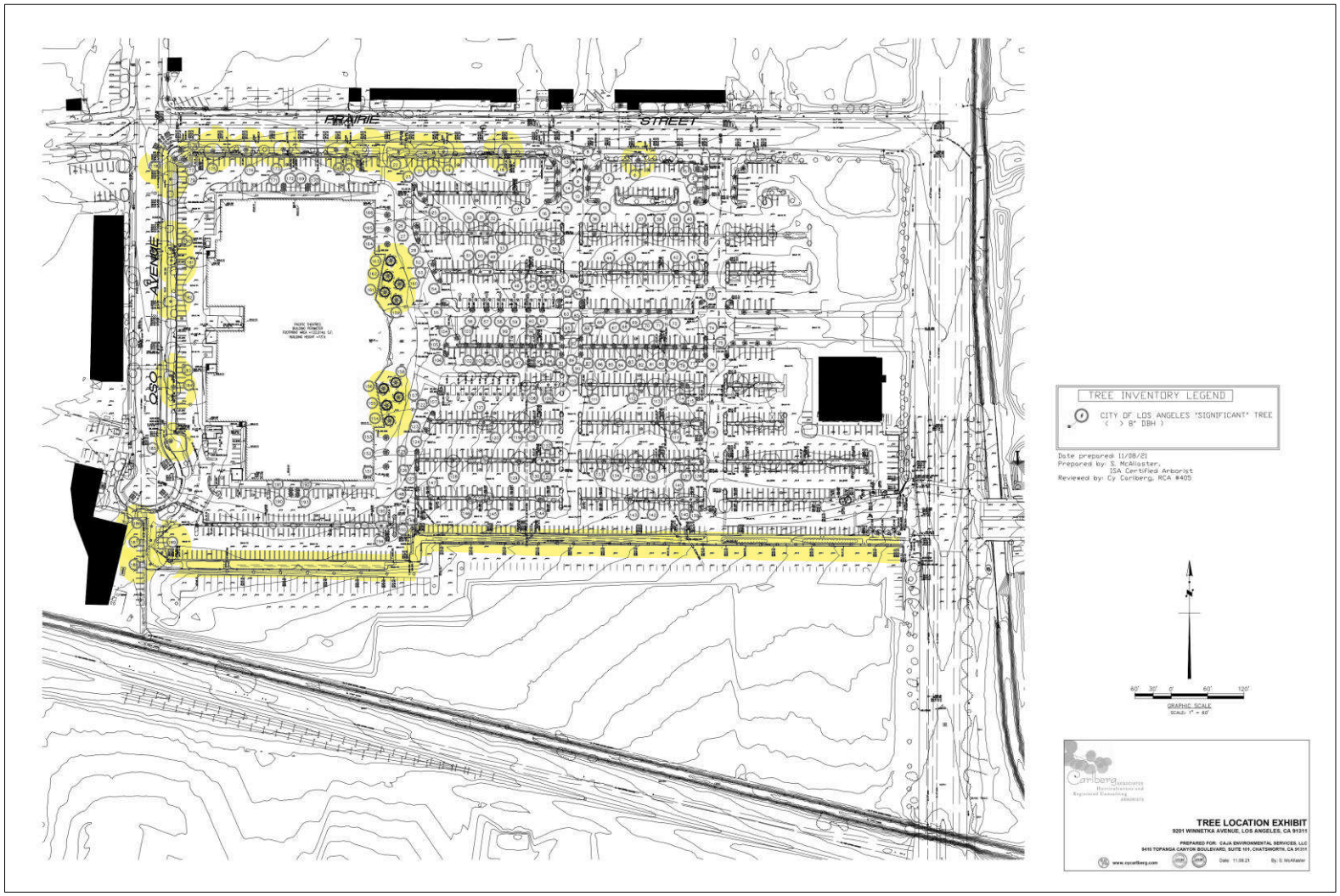
Tree #	Common Name	*Botanical Name*	Trunk Diameter (*DBH) at 4.5 feet in inches	Height (~Ft.)	Canopy Spread (~Ft.) (N/E/S/W)	Health	Structure	"Protected," "ROW," or "Significant" tree	Comments
1	Mexican fan palm	*Washingtonia robusta*	**BT40	46	6/6/6/6	A	A	Significant	
2	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
3	Mexican fan palm	*Washingtonia robusta*	BT35	41	6/6/6/6	A	A	Significant	
4	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
5	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
6	camphor	*Cinnamomum camphora*	9.4	18	12/13/12/15	A-	A-	Significant	epicormic growth
7	Mexican fan palm	*Washingtonia robusta*	BT45	51	6/6/6/6	A	A	Significant	
8	Mexican fan palm	*Washingtonia robusta*	BT45	51	6/6/6/6	A	A	Significant	
9	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
10	Mexican fan palm	*Washingtonia robusta*	BT45	51	6/6/6/6	A	A	Significant	
11	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	

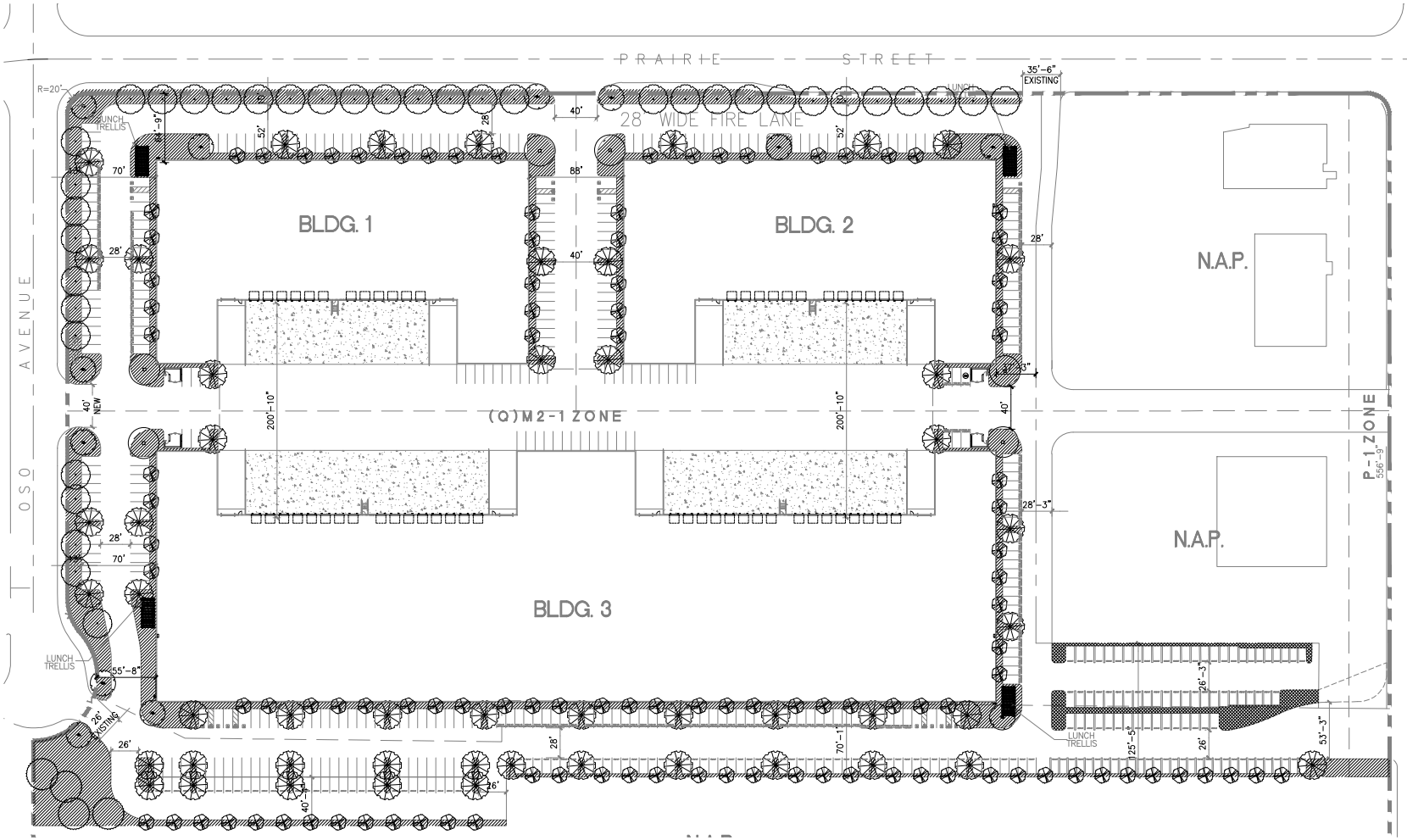
Tree #	Common Name	*Botanical Name*	Trunk Diameter (*DBH) at 4.5 feet in inches	Height (~Ft.)	Canopy Spread (~Ft.) (N/E/S/W)	Health	Structure	"Protected," "ROW," or "Significant" tree	Comments
12	Mexican fan palm	*Washingtonia robusta*	BT45	46	6/6/6/6	A	A	Significant	
13	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
14	Mexican fan palm	*Washingtonia robusta*	BT45	51	6/6/6/6	A	A	Significant	
15	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
16	Mexican fan palm	*Washingtonia robusta*	BT45	51	6/6/6/6	A	A	Significant	
17	camphor	*Cinnamomum camphora*	10.9	18	15/17/15/13	A-	A-	Significant	epicormic growth; minimum dieback
18	camphor	*Cinnamomum camphora*	8.1	18	13/13/12/13	A-	A-	Significant	
19	camphor	*Cinnamomum camphora*	15.7	18	15/17/18/14	B	A-	Significant	moderate dieback
20	camphor	*Cinnamomum camphora*	9.8	16	5/8/10/9	D	D	Significant	only minor epicormic growth; dying
21	camphor	*Cinnamomum camphora*	8.4	18	13/9/14/8	A-	A-	Significant	
22	camphor	*Cinnamomum camphora*	18.3	20	20/20/25/20	A-	B	Significant	diameter @ 4'; minimum dieback

Tree #	Common Name	*Botanical Name*	Trunk Diameter (*DBH) at 4.5 feet in inches	Height (~Ft.)	Canopy Spread (~Ft.) (N/E/S/W)	Health	Structure	"Protected," "ROW," or "Significant" tree	Comments
163	Canary Island date palm	*Phoenix canariensis*	BT30	40	12/12/12/12	A	A	Significant	
164	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
165	Mexican fan palm	*Washingtonia robusta*	BT35	41	6/6/6/6	A	A	Significant	
166	Mexican fan palm	*Washingtonia robusta*	BT30	35	6/6/6/6	A	A	Significant	
167	camphor	*Cinnamomum camphora*	8	18	12/12/12/10	B+	B+	Significant	moderate dieback; some dead branches
168	camphor	*Cinnamomum camphora*	8.6	18	12/8/14/12	B+	B+	Significant	moderate dieback; some dead branches
169	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
170	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
171	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
172	Mexican fan palm	*Washingtonia robusta*	BT40	46	6/6/6/6	A	A	Significant	
173	camphor	*Cinnamomum camphora*	11	18	15/10/12/15	A-	A-	Significant	
174	camphor	*Cinnamomum camphora*	8.2	18	10/12/12/8	B+	B+	Significant	slightly sparse; some deadwood
175	camphor	*Cinnamomum camphora*	10.2	18	14/15/15/12	A-	A-	Significant	
176	Mexican fan palm	*Washingtonia robusta*	BT35	41	6/6/6/6	A	A	Significant	

Tree #	Common Name	*Botanical Name*	Trunk Diameter (*DBH) at 4.5 feet in inches	Height (~Ft.)	Canopy Spread (~Ft.) (N/E/S/W)	Health	Structure	"Protected," "ROW," or "Significant" tree	Comments
177	Mexican fan palm	*Washingtonia robusta*	BT35	41	6/6/6/6	A	A	Significant	
178	Mexican fan palm	*Washingtonia robusta*	BT35	41	6/6/6/6	A	A	Significant	
179	camphor	*Cinnamomum camphora*	8.7, 8.3	18	10/15/12/15	A-	A-	Significant	diameter @ 3.5'; good new growth
180	camphor	*Cinnamomum camphora*	9.5	16		C+	C	Significant	all epicormic growth
181	camphor	*Cinnamomum camphora*	8	16	8/10/10/10	C+	C	Significant	all epicormic growth
182	camphor	*Cinnamomum camphora*	8.9	18		B	B	Significant	moderate dieback; sparse; epicormic growth
183	camphor	*Cinnamomum camphora*	8.3	16		B-	B-	Significant	moderate dieback; sparse; epicormic growth
184	camphor	*Cinnamomum camphora*	9.7	18	10/12/15/14	B-	B-	Significant	moderate dieback; sparse; epicormic growth
185	camphor	*Cinnamomum camphora*	10	18		B-	B-	Significant	moderate dieback; sparse; epicormic growth
186	Aleppo pine	*Pinus halepensis*	28.1	30	15/17/15/15	A-	B+	Significant	multiple pruning events; some dieback
187	Aleppo pine	*Pinus halepensis*	21.9	25	10/20/15/13	C-	C-	Significant	shaded out; many needles browning; epicormic growth; sparse
188	Aleppo pine	*Pinus halepensis*	23.2	30	20/16/14/22	C-	C	Significant	shaded out; many needles browning; epicormic growth; sparse
189	Aleppo pine	*Pinus halepensis*	18.5	28	10/14/15/10	B	B	Significant	HOB; sparse

EXHIBIT B – REDUCED COPY OF TREE LOCATION EXHIBIT (Not to Scale)





PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cinnamomum camphora Camphor Tree	24" Box	37	M	Standard
	Olea europaea Olive	48" Box	12	L	Multi
	Pinus eldarica Afghan Pine	24" Box	4	L	Standard
	Pinus torreyana Torrey Pine	24" Box	6	L	Standard
	Tristania conferta Brisbane Box	15 Gal	110	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	WUCOLS	SPACING
	Agave attenuata Fan Aloe	5 Gal	M	5' O.C.
	Carissa macrocarpa 'Boxwood Beauty' Natal Plum	5 Gal	M	4' O.C.
	Carissa macrocarpa 'Green Carpet' Natal Plum	5 Gal	L	3' O.C.
	Dianella tasmanica 'Variegata' Flax Lily	5 Gal	M	3' O.C.
	Dietes bicolor Fortnight Lily	5 Gal	M	3' O.C.
	Leucophyllum frutescens 'Green Cloud' Texas Ranger	5 Gal	L	5' O.C.
	Muhlenbergia capillaris Pink Muhly	5 Gal	M	3' O.C.
	Myrsine africana Myrsine	5 Gal	M	4' O.C.
	Rhaphiolepis indica 'Clara' Indian Hawthorn	5 Gal	M	3' O.C.
	Rhaphiolepis indica 'Snow White' Indian Hawthorn	5 Gal	M	3' O.C.
	Rosmarinus officinalis 'Tuscan Blue' Rosemary	5 Gal	L	4' O.C.
	Salvia clevelandii Cleveland Sage	5 Gal	L	3' O.C.
	Salvia leucantha Mexican Sage	5 Gal	L	4' O.C.
	Westringia fruticosa Coast Rosemary	5 Gal	L	5' O.C.
	Westringia 'Grey Box' Dwarf Coast Rosemary	5 Gal	L	3' O.C.

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	WUCOLS	REMARKS
	Agave americana Century Plant	5 Gal	L	
	Agave 'Blue Flame' Blue Flame Agave	5 Gal	L	
	Agave 'Blue Glow' Blue Glow Agave	5 Gal	L	
	Aloe arborescens Tree Aloe	5 Gal	L	
	Dasylirion wheeleri Desert Spoon	5 Gal	L	
	Hesperaloe parviflora Red Yucca	5 Gal	L	
	Leucophyllum 'Compacta' Texas Ranger	5 Gal	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Acacia redolens 'Low Boy' Dwarf Acacia	1 Gal	6' O.C.	L	
	Baccharis p. 'Pigeon Point' Dwarf Coyote Bush	1 Gal	6' O.C.	L	
	Carissa m. 'Green Carpet' Prostrate Natal Plum	1 Gal	36" O.C.	M	
	Festuca ovina Blue Fescue	1 Gal	24" O.C.	L	
	Hemerocallis 'Stella de Oro' Yellow Day Lily	1 Gal	24" O.C.	M	
	Leucophyllum 'Compacta' Texas Ranger	1 Gal	36" O.C.	L	
	Lonicera j. 'Halliana' Hall's Honeysuckle	1 Gal	48" O.C.	L	
	Myoporum parvifolium 'Putah Creek' Myoporum	1 Gal	36" O.C.	L	
	Rosa 'Flower Carpet Red' Red Flower Carpet Rose	1 Gal	30" O.C.	L	
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	48" O.C.	L	
	Sedgia australis Aloe Vera	1 Gal	18" O.C.	M	Grass
	Trachelospermum jasminoides Star Jasmine	1 Gal	24" O.C.	M	

Existing landscape to remain

N

0 20 40 80'

9201 Winnetka

21-146
10.21.21
11.16.21

Chatsworth, California

HUNTER LANDSCAPE
711 FEE ANA STREET PLACENTIA, CA 92870
714.986.2400 FAX 714.986.2408

- Provide minimum dimensions for common and typical private open spaces areas.
- Demonstrate compliance with the minimum 25% landscaping requirement for common open space are planted with ground cover, shrubs, or trees.
- **Open Space Summary Table.** Indicate required and proposed square footage for usable open space areas, including private open space, common open space, and recreation rooms (if proposed), and landscaping of common open space areas.

Area Calculations

Provide area calculations for individual and total landscaped, and landscaped open space areas, for the entire project site.

Trees and Shrubs

Identify the approximate location of all protected trees and shrubs which measure 4 inches or more in cumulative diameter, consistent with LAMC Section 46.00, and non-protected trees 8 inches or more in diameter, located onsite or within the adjacent right-of-way. Include the common name and size, and delineate which are existing to be removed, existing to be retained, or new and/or replacement trees or shrubs. All protected trees and shrubs shall be replaced at a 4:1 ratio.

Protected Southern California native tree species include:

- Oak trees including Valley Oak (Quercus lobata) and California Live Oak (Quercus agrifolia), or any other tree of the oak genus indigenous to California, but excluding the Scrub Oak (Quercus dumosa)
- Southern California Black Walnut (Juglans californica)
- Western Sycamore (Platanus racemosa)
- California Bay (Umbellularia californica)

Protected Southern California native shrub species include:

- Toyon (Heteromeles arbutifolia)
- Mexican Elderberry (Sambucus mexicana)

4. Additional Requirements

Tree Report

For discretionary projects with existing trees and shrubs located on the project site and/or within the adjacent public right-of-way, provide a Tree Report prepared by a Tree Expert, as defined by LAMC Section 46.00, evaluating the preservation, removal, replacement, or relocation of protected trees and/or shrubs which measure 4 inches or more in diameter, and non-protected trees 8 inches or more in diameter. The Report shall contain recommendations by the Tree Expert for preservation of as many trees and shrubs as possible, and desirable trees and shrubs that require removal.

YIMBY Law

57 Post St, Suite 908
San Francisco, CA 94104
hello@yimbylaw.org

YIMBY LAW

11/15/2022

Los Angeles City Planning Commission
201 N Figueroa St
Los Angeles, CA 90012

cpc@lacity.org
Via Email

Re: 6501-6521 South Sepulveda Boulevard, 6502-6520 South Arizona Avenue
CPC-2021-4937-CU-DB-SPR-WDI-HCA

Dear Los Angeles City Planning Commission,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, the City Planning Commission has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the City fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

The project entails the demolition of an existing commercial space, industrial building, and surface parking, as well as the maintenance of an existing one-story commercial restaurant building, and the construction of a new eight-story mixed-use building. It will create 362 residential units, 41 of which will be affordable at the Very Low Income level, and 3700 square feet of new commercial space.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety.

The above captioned proposal is zoning compliant and general plan compliant, therefore, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,



Sonja Trauss
Executive Director
YIMBY Law

Thryeris Mason
President

Julianne Burg
Vice President

Samantha Burg
Secretary

Julie Burg
Treasurer

Joe Vaca
Area 1
Representative

Marco Flores
Area 1
Representative

David Greenman
Area 2
Representative

Mehul Patel
Area 2
Representative

Jean Frost
Area 3
Representative

Nicolas Creighton
Area 3
Representative

Cindy Gaete
At Large
Representative

Jon Tieuel
At Large
Representative

Jim Childs
At Large
Representative

Vacant
USC Interest
Representative

Joe Ward-Wallace
Business Interest
Representative

November 15, 2022

City Planning Commission
Samantha Millman, President
Caroline Choe, Vice President
Commissioners Helen Campbell, Jenna Hornstock, Helen Leung, Yvette López-Ledesma, Karen Mack, Dana Perlman, Renee Dake Wilson

Cecilia Lamas, Commission Executive Assistant
Via e mail: cpc@lacity.org

CPC 2022-5432-ZC-CPIO
CEQA: ENV-2008-1781-EIR-ADD2
https://planning.lacity.org/plndoc/Staff_Reports/2022/11-08-2022/CPC_2022_5432.pdf
Plan Area: South Los Angeles

Via email

Honorable Commissioners:

NANDC is in support of the actions recommended by Planning but with several key amendments essential to the goals of the original Council Motion and preservation of the community character. This letter will focus on what needs to be amended.

On Thursday, September 1, 2022, NANDC held our General Board Meeting. Agenda item VII(b) called for us to support Los Angeles City Planning Ordinance Proposal pursuant to the directives set forth in CF20-1265 relative to the North University-Exposition Park-West Adams Neighborhood Stabilization Overlay Supplemental Use District's loss of affordable housing and over-concentration of student housing (Phase One). Phase One proposes and amendment to the South Los Angeles Community Plan Implementation Overlay. With a vote of (11-0-0), the NANDC board voted to support **Phase One inclusive of the following recommendations:**

PO Box 18769
Los Angeles, CA 90018
board@nandc.org | www.NANDC.org

1**. Historic resources should be recognized. Buildings aged 60 years or older ought to be considered an eligible historical resource for the purposes of CEQA review prior to any potential demolition.**

2. Area Survey. A survey detailing the existing buildings 60 years and older, and which details the loss of affordable housing stock in the proposed area is needed. Such a survey does not exist for the proposed area in its entirety. Said survey would be a critical tool in preventing demolitions of historical contributors.

We urge the Commission 1. to accept the NANDC and UNNC recommendation: Buildings aged 60 years or older ought to be considered an eligible historical resource for the purposes of CEQA review prior to any potential demolition and 2.) reject the staff denial of the definition of an "Eligible Historic Resource " as currently defined in Chapter I-4 of the CPIO be amended*. "The requested definition would classify any structure that is 60 years old or older as an "Eligible Historic Resource." After studying this proposal, staff does not recommend this change to what qualifies as an "Eligible Historic Resource."*

"This request would classify any building built before 1963 as an "Eligible Historic Resource." Since the development period for the area dates back to the late 19th century, this proposed change would apply to the vast majority of buildings in the Proposed Project area."

"*Under this request any project whether it involves demolition or not would require compliance with the CPIO Eligible Historic Resource Evaluation procedures*."

Indeed, that is exactly what the community has endorsed in meeting after meeting to stem the tide of successive demolitions that destroy the community character and replace existing low-cost family housing.

Without this adoption, the proposed actions fail to meet the objectives of the original Council Motion. The conclusion that staff find that "the request to change the definition of Eligible Historic Resource is unnecessary" is not supported by the facts.

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board@nandc.org | www.NANDC.org

Demolitions continue to occur in the unprotected study area according to researcher Jesus Garcia.

Here are the links to the demolition research from Jesus Garcia on April 7, 2022, that was so stunning to all observers and underscores why this planning CPIO Ordinance is so critical to the survival of a neighborhood: [1]

UPDATED demolition map: https://www.google.com/maps/d/edit?mid=1u63_PEllSR3Kx37B0e84Os4kCM2k7kbm&usp=sharing

It should be noted that there has been intense community participation with the numerous NANDC and NANDC Task Force public meetings which has led to the NANDC position and requested conditions of approval.

NANDC Task Force meetings were held with Planning on 2/17/21, 3/17/21, 6/16/21, 8/18/21, 9/15/21, 10/20/21, 1/19/22, 2/17/22, 3/16/22, 4/20/22, 5/18/22, 7/20/22, 8/17/22, 10/19/22. These were all publicly noticed and with community participation. The NANDC conditions are a result of those meetings and are critically important to the success of this proposal.

Surveys

We object to the misrepresentation that *"SurveyLA is the official historic resources survey for the City of Los Angeles. During the establishment of the CPIO, as part of the South Los Angeles Community Plan Update process, the definition of Eligible Historic Resources was refined to acknowledge that SurveyLA would be updated over time based on the inclusion of additional surveys and on-going maintenance of the survey database."*

This statement conflicts with the established record. When the South Community Plan was revised In 2017, the City Planning Commission explicitly rejected the Planning Department's proposal to rely solely on SurveyLA as the measure to identify contributing resources for the Character Residential Overlay Districts. This

[1] From Jesus Garcia to NANDC President in e mail, 2/1/2022

was a critically important step, due to the SurveyLA's weaknesses: It literally missed entire blocks and sections of neighborhoods; SurveyLA missed at least half of the extant 1880s-1890s farmhouses that still stand west of the university between Jefferson and Exposition, Vermont to Arlington; SurveyLA missed resources such as the Paul Revere Williams Residence and the Korean Youth Academy (Young Sah Dan.)

SurveyLA uses National Register criteria which is different that the criteria for local districts such as the "contributor-altered" designation in the City's HPOZ surveys. The survey utilized National Register standards when what was being created in the Character Residential Overlays were local historic districts (as staff called them, "HPOZ Lite Districts.") It also fails to use the numerical criteria (1-5) that other surveys adopt. It also was not a cultural survey and primarily looked at architecture.

SurveyLA is not definitive. NANDC areas and South Los Angeles have been the beneficiary of many historic surveys, some by CRA, some by the Bureau of Engineering. They create a baseline for evaluations that guide fact-based analysis. The criteria in the Richard Starzak Myra Frank Survey for the SLA Community Plan identified important clusters of craftsman districts at the 1200 Block of 41st Place, he 1300 Block of 41st Street, the 1200-1300 block of 40th Place, the 900 Block of 42nd Place and the 500-700 Blocks of 41st Place. This survey provides an important base line.

The City Planning Commission recognized in 2017 these and other omissions and lapses. As a result, the Commission replaced the policy language with this phrase: "SurveyLA or other historic resource survey." City Council later adopted the very same language.

It is unfathomable that staff should dismiss survey history and data approved and vetted by CRA staff, the PACs, and SHPO.

The Proposed Survey

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Staff noted “there is community interest in conducting an updated survey of the Proposed Project area and staff is supportive of such an effort.” City actions need to go beyond “supportive” and set cooperative steps to achieve this goal. Funding has been identified (USC, NANDC AAA) but here has been no operational process crafted with City Planning. It is important that additional funds should be obtained, and the City needs to acknowledge and participate in the survey outcomes.[i]

There is so much positive in this project proposal, but this letter focuses on the necessary amendments.

We again thank Councilmember Marqueece Harris-Dawson for continued support, the Department of City Planning for leaning into this work with us and developing a feasible work program utilizing existing tools for expeditiously addressing the issues at hand, the University of Southern California for partnering with us as a good neighbor and a vested member of the community, and every single community member and organization who participated in this endeavor. We know this is just the beginning and we look forward to continuing this neighborhood stabilizing work.

What is before you today is Phase 1. Many issues remain to be addressed as the Staff Report shows. There is also some confusing language on page 51:

H. The LAMC shall prevail when there are any conflicts between the provisions of the South Los Angeles CPIO and the provisions of Redevelopment Project Areas.

This conflicts with the City’s own Ordinance adopting responsibility for administering CRA areas. Usually pursuant to the adopted Plan. CRA adopts the least permissive overlay rules as should the City. And the language that the CPIO shall prevail is vague and unclear. Redevelopment is an overlay that supersedes LAMC and the CPIO.

One additional proposal that has had little discussion is the rezoning rom R-1 to and R-1 R-3 zone. There is little to justify this change.

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We again thank Councilmember Marqueece Harris-Dawson for continued support, the Department of City Planning for leaning into this work with us and developing a feasible work program utilizing existing tools for expeditiously addressing the issues at hand, the University of Southern California for partnering with us as a good neighbor and a vested member of the community, and every single community member and organization who participated in this endeavor. We know this is just the beginning and we look forward to continuing this neighborhood stabilizing work.

NANDC is a self-governed, self-directed, and independent organization empowered by the Los Angeles City Charter. This charter offers neighborhood councils a role in the City's decision-making process. NANDC was certified by the City of Los Angeles on April 27, 2002 and was the 24th neighborhood council formed under the guidelines of the City Charter.

Sincerely,

Jean Frost, Chair NANDC Policy Committee
David Greenman, Co-Chair NANDC Policy Committee
Empowerment Congress North Area Development Council (NANDC)
www.NANDC.org

[i] SURVEY: The NANDC Task Force Coalition (TFC) DRAFT

- requests proposals from qualified historical consultants for the project of conducting an architectural and cultural resources survey for the Expo Park West/Old University District, and the North University Park-Exposition Park-West Adams Neighborhood Stabilization Expansion Area defined by CF 20-1265 which extends southerly to Gage
- Consultant will develop a context statement in cooperation with stakeholders, local experts, City Planning, and CD 8 and 9; access and utilize existing and current surveys; and provide a survey of architecturally and culturally significant buildings and sites in the study area.
- This is a cultural resource analysis as well as a building-by-building inventory of resources.

- Survey will identify resources and provide a base for future planning. For each parcel, review and record photographic record using standard forms, which include address, name of property, original construction date, lot size, property type, zoning, owner's name and address, style, and short description.
- Develop an area wide statement of significance; pull all permits. Define significance standards including contributor-altered as in HPOZ surveys. Conduct oral histories and meet with community residents.

Contacts: Steve Wesson, Thryeris Mason, Jean Frost, Albert Farias, John Tieuel

Objective of this Project

Identify architectural and cultural resources in the study area using the evaluation tools provided by SHPO and by OHR including contributor altered categories; in addition, provide thorough research including oral history and analysis of contributing resources that are culturally significant. The survey will help understand the architectural and cultural resources to form a basis for implementation of one or more planning overlays which may include an CPIO, HPOZ, Specific Plan, NSO or pilot Cultural Resources District.

Project Scope of Work:

The Proposer will be expected to prepare a historic and cultural resources survey similar to those prepared for redevelopment agencies and for City Planning for specific plans and HPOZs. This survey will also include research of cultural resources that may be significant to the history of the area rather than significant for its architecture. The resulting survey should be eligible for submittal to the Office of Historic Resources ("OHP"), and/or the Department of City Planning and the City's Cultural Heritage Commission including all documentation, attachments, oral histories, and photographs. The survey will be prepared in a professionally competent manner.

UNITED NEIGHBORHOODS NEIGHBORHOOD COUNCIL

United Neighborhoods of the Historic Arlington Heights, West Adams, and Jefferson Park Communities Neighborhood Council

November 14, 2022

Samantha Millman, President, Los Angeles City Planning Commission
Commissioners, Los Angeles City Planning Commission
via email: cpc@lacity.org

RE: Update to and Administration of CPIO Character Residential districts and Commercial subareas in the South Los Angeles -- CPC-2022-5432-ZC-CPIOA, Agenda Item 8

Dear Commissioners:

The United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC) is writing today to **reiterate our support for the revision of the South Los Angeles (SLA) CPIO ordinance to expand the Character Residential Overlay District CPIO** to include neighborhoods that were originally overlooked and subsequently have faced a great amount of displacement of long-term residents and out-of-scale development.

UNNC specifically **supports the NANDC neighborhood council's Task Force request that the definition of "Eligible Historic Resource" be altered to include any structure that is more than 60 years old** (see further explanation below). And we also reiterate our own request that the City Planning Commission not only adopt that redefinition of Eligible Historic Resource, but **also FIX the problems in the existing CPIO by applying a revised definition of "Eligible Historic Resource" to the entire SLA CPIO, not just limited to the new area**.

This memo responds to the **Staff Recommendation Report** and supplements our previously-submitted (to Planning Staff) Letter and Resolution, approved by the UNNC Governing Board on Thursday, October 6, 2022 with a vote of 16 Ayes, 0 Nays, 0 Abstentions, 6 Absent.

That letter is appended to this memo, and we also note that for some reason the Staff Report failed to append our letter and/or any other comment letter that may have been submitted by the deadline to the Staff Report. It is unfortunate that the City Planning Commission may end up not reading comments in any context other than as referred to in the Staff Report, and UNNC hopes this error is not repeated in the future.

In addition, to preserve our right to address the Commission as a Neighborhood Council, UNNC is separately submitting our Community Impact Statement (CIS) to the City Clerk's CIS portal.

So, to begin: **If the process of historic resource review is not fixed, the entire purpose of Character Residential Overlay Districts will never be achieved**.

The Planning Department policy staff conceived Character Residential Overlays as an alternative to HPOZs (calling these new districts "HPOZ Lite Districts" in numerous public meetings as recently as this summer). These Character Residential Overlay Districts cover more than ten specific, discrete and identifiable historical neighborhoods, and the boundaries are inclusive of hundreds of properties dating from the 19th and early 20th century. The CPIO imposed historic preservation protections for properties identified as "Eligible Historic Properties."

However, since adoption, this has proven illusory. Due to the rather loose language in the existing ordinance, the Planning Department's case processing staff has avoided and evaded using any resource other than SurveyLA, ignoring historic research and other surveys presented by community members while at the same time granting developers a broad ability to hire their own consultants to overturn SurveyLA's assessments. A direct result: UNNC has lost nearly a dozen homes dating from 1902 to 1908 to demolition after the effective date of the Character Residential Overlay CPIO, all within the boundaries of the District.

Importantly, UNNC is very troubled about the re-characterization (*on page A-11 of the Staff Recommendation Report*) of what is already in the ordinance regarding historic resources.

This was the subject of a great deal of testimony and discussion in 2017; the initial draft language of the ordinance identified SurveyLA as the sole arbiter of Eligible Historic Resources. However, after multiple letters and a great deal of public testimony leading up to the June 2017 CPC meeting, where multiple people pointed out that SurveyLA was inadequate, incomplete and in many ways an inappropriate evaluation tool for Character Residential Districts, CPC adopted a modified description (*below*).

Community members detailed multiple major flaws in SurveyLA, including:

- It utilized National Register Criteria but the Character Residential Overlay Districts were to be "HPOZ Lite" districts – and HPOZ criteria is different and include "altered" contributors;
- It failed to include entire blocks and sections (examples: Van Ness between Washington & Venice, developed between 1904 and 1910 and very intact; 4th Avenue between Washington and Pico; and within the current study area, much of 36th Place/former University Avenue area's early but extant 1880s farmhouses were not recognized);
- It incorrectly represented the historic status of some properties (example: 2066 West 22nd, the Kate Kelly House, listed on the National Register but showing as a non-contributor in SurveyLA); and
- It did not include cultural heritage resources (e.g. resources associated with underrepresented communities, such as sites related to African Americans in South Los Angeles.

As a result, the Planning Commission (which at the time included quite a few of the current Commissioners) adopted modified language, namely: "SurveyLA or other Historic Resource Survey." That language was also adopted by City Council in November, 2017. By the time the final ordinance was presented to the City Council in 2018, that language had morphed into the current language:

"**Eligible Historic Resource** – A building, structure, object, site, landscape, natural feature, or historic district identified as eligible for listing either individually, or as a contributor to an eligible historic district under a local, state or federal designation program, through SurveyLA (*The Los Angeles Historic Resources Survey*), or another historical resource survey completed by a person meeting the Secretary of the Interior's Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with the Office of Historic Resources (OHR). This term does not include a non-contributor to an eligible historic district."

At no time was there ever a public discussion, nor was any initiative later adopted, that would support the description in the current Staff Report that, quote, "*SurveyLA is the official historic resources survey for the City of Los Angeles. During the establishment of the CPIO, as part of the South Los Angeles Community Plan Update process, the definition of Eligible Historic Resources was refined to acknowledge that SurveyLA would be updated over time based on the inclusion of additional surveys and on-going maintenance of the survey database*."

There literally was no discussion, again in public, about "future" surveys or any effort that limited the definition of "another historic resource survey" to future surveys, given that the inadequacy of SurveyLA wasn't necessarily that it was "old" but rather than it was incomplete and inaccurate.

In fact, the Office of Historic Resources (OHR) has put up numerous barriers to the utilization of existing other historic resources -- most particularly the Planning Department's very own South Los Angeles Historic Resources Survey, prepared by a person and company meeting the Secretary of Interior's qualifications, and which lists more than 4,500 properties that were identified as Eligible Historic Resources. This Survey was provided to UNNC by the Planning Department itself. However, but for the past four years Planning Staff has repeatedly refused to utilize it in those areas of South Los Angeles, including UNNC's own Angelus Vista neighborhood, that are not – for whatever reason – fully included in SurveyLA. This new description in the Staff Report appears to be one more way to avoid the utilization of previous historic surveys.

For Commissioners' reference, UNNC has posted that complete Survey, along with its narrative documentation, in our own public Google drive agenda packet for the Planning & Zoning Committee meeting dealing with this matter.

The link is here:
https://drive.google.com/drive/folders/16DQzSWMxbO-OMzM29BOvusBm90finMkG?usp=share_link

UNNC strongly requests that the City Planning Commission instruct the Planning Department to make good on its promise that the Character Residential Overlay Districts in the CPIO would provide true historic protections to these neighborhoods at risk, and truly apply the standard of "other" (or "another") historic resources survey to provide a baseline to determine whether or not a property is an "Eligible Historic Resources." We support NANDC's suggestion of any property that is 60 years or older, since it is an objective standard. Whether we are to use surveys (plural) or that simple standard, any property found "Eligible" still must be evaluated and still may be adjudged not historic. But protect what we have left, we need a better basis than SurveyLA at this point.

Sincerely,

Laura Meyers
Co-Chair, UNNC Planning & Zoning Committee
laura.meyers@unnc.org

(*UNNC's initial letter to Staff immediately follows*)

UNITED NEIGHBORHOODS NEIGHBORHOOD COUNCIL

United Neighborhoods of the Historic
Arlington Heights, West Adams,
and Jefferson Park Communities

Letter and Resolution

October 12, 2022

Zuriel Espinosa
Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012
Zuriel.espinosa@lacity.org

RE: Update to and Administration of CPIO Character Residential districts and Commercial subareas in the South Los Angeles -- CPC-2022-5432-ZC-CPIOA

CC: Fabiola Inzunza, Department of City Planning
Rueben Caldwell
Vince Bertoni, Director, Los Angeles City Planning
Arthi Varma, Deputy Director, Citywide Planning Policy
Shana Bonstein, Deputy Director, Community Planning
Lisa Webber, Deputy Director, Project Planning
Councilmember Heather Hutt, Council District 10
Kimani Black, Council District 10
Hakeem Parke-Davis, Council District 10

Dear Ms. Espinosa:

The United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC) is writing today, first, to thank you for your efforts and that of the CD8 / NANDC Task Force to expand the Character Residential Overlay District concept to the historical neighborhoods west and south of USC that are extremely endangered with tenant / family displacement and demolitions. We support the additions of tenant displacement protections into the South Los Angeles CPIO.

The City Planning Department explains that it is amending portions of the South Los Angeles Community Plan Implementation Overlay (SLA-CPIO) “to strengthen neighborhood stability and to promote the preservation of affordable housing.”

However, the proposed amendments at this time do not extend to the other existing South L.A. CPIO areas (although they also have problems which need addressing to help strengthen those neighborhoods’ stability). Importantly, the amendments do not address issues previously identified by UNNC related to:

- Affordable housing,
- Historic preservation and/or other implementation issues; and
- Specifically do not update the process of publicly-identifying "eligible" historic properties within the SLA-CPIO via ZIMAS or other means.

NANDC (the North Area Neighborhood Development Council neighborhood council) has requested modifications to the proposed ordinance changes, namely that an “eligible historic resource” should be any structure that is 60 years old or older, which UNNC's Planning & Zoning Committee supports.

In 2017, the City Planning Commission explicitly rejected the Planning Department’s proposal to rely solely on SurveyLA as the measure by which to identify contributing resources for the Character Residential Overlay Districts. There was a great deal of advocacy and discussion on this topic revolving around SurveyLA’s weaknesses – it was already outdated; it literally missed entire blocks and sections of neighborhoods; obvious resources were overlooked (for example, SurveyLA missed at least half of the extant 1880s-1890s farmhouses that still stand west of the university between Jefferson and Exposition, Vermont to Arlington); and the survey utilized National Register standards when what was being created in the Character Residential Overlays were local historic districts (as staff called them, “HPOZ Lite Districts.”)

The City Planning Commission recognized these and other omissions and lapses. As a result, the Commission replaced the policy language with this phrase: “SurveyLA or other historic resource survey.” City Council later adopted the very same language.

In the final ordinance, other words were added, giving the Directory of Planning and the Office of Historic Resources (OHR) the authority to approve the “other” survey. Unfortunately, to date OHR has refused to accept any “other survey” – including the Planning Department’s very own Historic Resource Survey of South Los Angeles (from 1996, but listing 7,500 resources); and most Community Redevelopment Agency historic resource surveys. OHR has also put up roadblocks to community efforts to prepare updated surveys, by requiring that such surveys be only prepared by a handful of “approved” companies. City Council does not appear to have approved such a list of vendors, and the few vendors are very expensive. The Department has not requesting funding from City Council to conduct a SurveyLA update for the Character Residential Overlay Districts.

Frankly, the City should fulfill its promise to the community that it would treat the Character Residential CPIO Districts as “HPOZ Lite” Overlay Districts – as was stated by Planning Department staff that the City would do when these overlays were proposed to community members during the Community Plan Update process for both West Adams-Baldwin Hills-Leimert and South Los Angeles. Treat them as local historic districts. Make it clear on ZIMAS. Make the property owners eligible for incentives.

As a first step, for this revision of the South Los Angeles CPIO, UNNC requests that the language in the **entire South Los Angeles CPIO** (not just the newly-added areas) be changed to eliminate references to SurveyLA and, instead, **adopt NANDC's recommendation that any building 60 years or older be considered a protected "eligible historic resource."**

Regarding tenant protections and anti-displacement measures, it would be important to write those protections into the entire South Los Angeles CPIO – not just the new areas.

For clarity, it is important to prioritize anti-displacement strategies along with the **preservation of naturally occurring affordable units, not limited only to "RSO" units** (given that there are many apartment buildings in the City constructed after the effective date of the Rent Stabilization Ordinance more than four decades ago, and single family homes that are essentially co-living arrangements with lower rents).

UNNC is also already on record as supporting not just a one-to-one replacement of any demolished RSO housing in TOC or other Density Bonus projects, but also a requirement that this replacement be additive to the number of specified affordable units required by the respective Density Bonus program in order to achieve incentives. **Demolished units should not be included in the base affordable units**.

UNNC has experienced a net loss of "naturally occurring affordable units" in several of the recent TOC or DB projects approved by the City, located within the SLA CPIO. In one TOC case (pre-SB 330), five RSO units were demolished but only three affordable units are a part of the approved project. In another case, nine RSO units are planned for demolition, to be replaced by only 4 (or perhaps 5) new affordable units – with the developers each achieving incentives that dramatically increase the number of total market-rate units, the height, the massing and the FAR of the two respective buildings.

This is not the way UNNC believes it should be. The calculation should be: **Replace all RSO units at their previous rental amount (with a right of return component) and add to that the required handful of dedicated affordable units in order to achieve the bonus incentives**.

Given that the CPIOs govern most development in South Los Angeles, we would also like the **SLA CPIO to be updated to reflect the City's growing concerns regarding our tree canopy and tree equity** in South Los Angeles. Development projects directly contribute to the rapid reduction in tree canopy coverage that our already "tree-poor" neighborhoods. The loss of our mature tree canopy cannot simply be repaired by planting more trees.

Therefore, as part of the update to the South Los Angeles CPIO process, UNNC recommends that the CPIO language also reflects a new policy: **That all tree related activity be conducted by UFD, including an initial site assessment to evaluate and document the presence of exiting trees. This assessment is to take place prior to an application being deemed complete and the accompanying report to be included in the project record**. This recommendation also aligns with other city related tree considerations, including City Council Motion 15-0499-S2.

Additional Background:

UNNC is also concerned about the ongoing administration of the new CPIOs in our neighborhoods, which fall within both the South Los Angeles Community Plan and the West Adams-Baldwin Hills-Leimert Community Plan areas. We have written the Department of City Planning several times in the past 3 years about these ongoing concerns, which have not been addressed at the case-processing staff level, and are not addressed in the proposed revisions to the South Los Angeles CPIO ordinance.

This is very disappointing. The content below is an update to those prior letters.

We are concerned both about CPIO subareas on our Commercial Corridors and the two Character Residential Overlay District CPIOs (Arlington Heights, which is not within the SLA Community Plan; and Angelus Vista) that fall within the UNNC footprint. Some of these concerns may well reflect similar issues that extend into nearby neighborhood council regions but we are addressing only UNNC's own concerns in this communication.

UNNC first wants to acknowledge how difficult these complex new zoning designations are to administer, how time-consuming they are for a relatively limited staff to handle, and how there are clearly a myriad of little decisions (that add up to a complicated whole) that may not have been anticipated when the CPIO designations were brought forth for public review and acceptance/approval. And we would like to thank staff members who we know are working very hard to case-process many, many proposed projects, not just CPIO projects, in our community.

That said, UNNC and its stakeholders have multiple concerns with some of the unforeseen language in the final ordinance and, equally important, the application of the ordinance in the staff's work.

Broadly speaking, we also are concerned that staff seldom consults with the community on any matter or project (with some exceptions), even though it is neighborhood councils and their respective stakeholders who have *feet on the ground*; and as a result we have experienced many conflicts of both discretionary opinion and actual fact where UNNC feels that staff decision-making may not reflect either the intention of the CPIO designations in our community nor the actual language in the final ordinance.

Indeed, at the recent "Planning 101" training on Case/Project Planning, a webinar presenter stated that CPIO staff are "very familiar" with the communities and neighborhoods they are assigned to. But our neighbors have the perception that this is not true, and perhaps not even possible.

For UNNC's CPIO areas, at least, we have had a rotating series of staff planners, some of whom may be new to the City and/or City Planning; and who appear to be completely unfamiliar with our historic, character community with a majority of homes built between the late 1890s and through the 1920s, and commercial streets built up during the "Streetcar Commercial" era (as described by SurveyLA). Staff members this year have never attended any of our public meetings (although they are on Zoom).

This community is keen to preserve the character of our neighborhoods while creating opportunities for new housing, especially affordable housing and supportive housing. We have learned that these two elements are not in opposition – and in recent years UNNC has approved housing projects representing well over 1,000 units within our footprint, with at least 514 of those units being affordable units. But it

does not feel (again, a perception) that staff is aware of this, nor that staff is familiar enough with our neighborhoods to work together with the community to build toward these twin goals.

So, we would like to propose, first and foremost, that we together create and participate in a "familiarization tour" for staff – we can discuss if this should be a car caravan with designated (socially distanced) stops or if we need to work with staff to create a virtual tour. This is similar in concept to what the Jefferson Park HPOZ Board has done for some years: when a new HPOZ staff member has been assigned to the HPOZ, Board members have invited that person on a short walking tour of the area.

Next, we would like to address some of the issues (but also request, perhaps, a Zoom-style face to face meeting with staff, UNNC's two co-chairs of the Planning and Zoning Committee, and representation from Council District 10).

Each of these issues were identified in dealing with actual situations:

- **Demolitions cleared by CPIO staff <u>without</u> related approved plans plus building permits for new construction**. The CPIO ordinance does not permit this – and nor does the still-extant Mid City Recovery Redevelopment Plan, which co-exists/overlaps on some UNNC's commercial corridors. This can be benign (e.g., a duplex was permitted to be demolished at 2209 S. 6th Avenue without an approved project, but soon thereafter the CPIO staff did approve a project).

  More often, however, the result has been BLIGHT. CPIO staff approved the demolition of a house at 1911 S. 7th Avenue where there is no project envisioned or applied for at all; the neighbors have had to deal with not just visual blight of tall weeds and trash, but also prostitution at the site.

  At 1839 S. Gramercy Place, there was a pile of trash five feet high on the parkway from January 2020 demolition (of the neighborhood's earliest still-standing residence, by the way) until, literally, the last week of October, 2020. The demolition itself was never inspected, which likely explains why the lot was wide open, transients were able to "hang out" there, and weeds plus new trash is building up. The demolition was cleared by CPIO staff. But no project was approved. A multi-family residential project that was in application mode was withdrawn. A new proposal was later submitted and eventually cleared by the CPIO unit.

- **Failure to coordinate with the former CRA Mid City Recovery redevelopment plan**. Why is the CPIO review process separate from the redevelopment plan review process? The latter plan has certain requirements that have not disappeared. For example, new housing development in the commercial zone does need to meet prevailing setbacks, per the redevelopment plan. But UNNC is now seeing applications that do not even include mention of the redevelopment plan (where appropriate).

- **In the Angelus Vista Character Residential Overlay District, there is an ongoing failure to even consider utilizing the ordinance language of "or other survey" for determining whether or not a particular residence is a Contributor**. Per above, this flies in the face of the actual intent and reason why SurveyLA is not the sole arbiter, specifically that the Planning

Commission and later the City Council found that SurveyLA was inadequate, inaccurate and incomplete in many ways. Entire blocks were not included, including most of the original Angelus Vista Tract that is the namesake for the District.

The same concept should be applied to reviews on Washington Boulevard, which was not included in the initial round of SurveyLA, due to its then-industrial CM zoning, and later, when SurveyLA prepared an Industrial Context Statement, that of course excluded other building specimen types.

In Arlington Heights, where that language does not exist, UNNC would still urge staff to specifically just look at the dates of construction and built form, in order to determine whether or not a further evaluation is needed. For example, the entirety of 4th Avenue from Washington to Pico was not included, and yet the majority of homes and other residential structures date from the period of significance, and it appears as if this was a survey oversight. In addition, for purposes of CEQA, new evaluations would seem proper – since the SurveyLA data is more than a decade old.

UNNC has supplied Planning Staff, and specifically CPIO staff, with the prior, more-in-depth, historic resources survey for South Los Angeles conducted on behalf of the Planning Department by a professional historic consulting firm that remains on the City's approved list. There is no reason why that survey should not be in use today as a supplement to SurveyLA while we await an economic turnaround that would allow a more up-to-date and complete survey.

- **The language in the final ordinances apparently does not match all of the initiated changes**. For example, the community was clearly informed that the ban on new auto-related uses, which already existed on our commercial corridors, would be a part of the new CPIO subareas. Turns out, there are a lot of caveats and a big exception: somehow, without the public being fully informed, the final ordinance carves out "auto parts sales" as not being "auto-related." Case in point: The CPIO unit approved/cleared a new auto parts store located at 3215-19 West Washington Boulevard, in the C2-1VL-O-CPIO zone. The result is a continuance of prior blight. This is also a wholesale use that UNNC is not sure is permitted in the C2 zone, or for that matter, in the redevelopment plan. UNNC urges that staff and City Council consider amending the CPIO ordinance so that "no new auto related use" actually means exactly that.

- **The final ordinance for Character Residential CPIOs did not seemingly envision that one way to retain the character of a neighborhood while encouraging new housing is to build in the rear of parcels**, whether the new construction is one or two ADUs (mostly allowed by right) or new units (potentially allowed by the zoning but not easy to do right now because of certain language and restrictions in the ordinance that, again, UNNC urges be removed. A key example is language that states that *a side elevation above the first floor must be no more than either 60% of the lot depth or 80 feet*. While a percentage restriction is sensible, an "80 feet" restriction makes no sense since as one takes a look not just at Angelus Vista but also the nine other Character Residential districts, the lot depths vary from block to block. In Angelus Vista, many of the parcels are 178 feet deep, and 80 feet would be less than 50 percent of the total lot depth, squandering the ability to readily add units at the rear even though there is actually plenty of room. And on some other blocks the lot depth is 120 feet. Importantly, as we attempt to retain

the original structures (often two-stories in height, and circa 30-40 feet deep), it is difficult to achieve the less-than-80 feet goal, and seemingly this is also much less important than the goal of retaining the character residences and prevailing setbacks. So, again, UNNC urges a slight amendment to the existing ordinance language.

- **Staff does not appear to be fully trained in Secretary of Interior Standards or other standard historic preservation practice**. This has resulted in some very controversial clearances. For example, at a bungalow court apartments complex located at 1921-1925 S. 8th Avenue, staff allowed the removal of original (street-visible) wood siding and window change-outs along the sides of the apartments, retaining the wood only on the front exterior. This action does not follow the Secretary of Interior Standards and resulted in complaints to UNNC from stakeholders. In another situation, staff initially cleared a rehab project without a complete evaluation of plans, since it had been described as "interior only." But window changes to accommodate additional bathrooms were being planned; this was caught by an attentive neighbor and the clearance was withdrawn.

  UNNC would like to point out that our board members, along with HPOZ board members, are required to take multiple trainings. It does not appear that CPIO staff has been similarly required to evidence training in historic preservation – or that the Planning Department has even created a "Historic Preservation 101" training similar to "Planning 101" for everyone (staff, stakeholders) to participate in. So that would be UNNC's suggestion, and perhaps we can collaborate with the Department to help create it.

In conclusion, UNNC would like to reiterate that 1). We would like the additions to the South CPIO related to affordable housing and anti-displacement measures be applied to the entire community plan, not just the to the added Character Residential districts; 2). We would like the definition of "Eligible Historic Resource" changed to any structure 60 years or older, and applied to all CPIOs in the entire community plan area; and 3). We strongly support that LADCP enforce the existing provisions in the SLA CPIO that no demolition permits shall be allowed without a fully-approved project with ready-to-issue permits.

There is no good public policy reason why these proposed changes to the SLA CPIO ordinance cannot be applied across the entire community plan, and many reasons why the changes UNNC (and NANDC) suggests should be applied to "to strengthen neighborhood stability and to promote the preservation of affordable housing."

Sincerely,

Laura Meyers
Co-Chair, UNNC Planning & Zoning Committee
laura.meyers@unnc.org

CC: Greg Jackson, president@unnc.org
John Arnold, john.arnold@unnc.org

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance

Arthur Alexander <arteksound@earthlink.net>
To: cpc@lacity.org

Sun, Nov 13, 2022 at 3:42 PM

Dear Los Angeles City Planning,

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Arthur Alexander
819 E. Tufts Ave.
Burbank, CA, 91504, USA
Landline/fax: 818 955-8681
Mobile: 818 631-7640
Arteksound@earthlink.net

Planning CPC <cpc@lacity.org>

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Alan Backus <albackus@gmail.com> Mon, Nov 14, 2022 at 5:31 PM
To: "CPC@LACity.org" <CPC@lacity.org>

November 14, 2022
Dear CPC Members,
I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.
When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.
In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:
A. Proper Due Process:
New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.
Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.
Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.
B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition
D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.
E. Regulations:
Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.
Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.
Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.
Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review
7,500sf is too small to trigger this process. Specific Site Plan Review cr 90077iteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.
Thank you,
Alan Backus
1660 Bel Air Road
Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Anastacia Belmonte <anastaciabelmonte@gmail.com> Mon, Nov 14, 2022 at 10:46 AM
To: CPC@lacity.org

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE
If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

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B. **Exemption of City from WO Regulation**
That Development by the City NOT be exempt from the WO regulations
C. **Open Space Definition**
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

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Thank you,
Resident…Anastacia Belmonte

Sent from my iPhone

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

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When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

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The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

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Thank you,

Angela and Daniel Blatteis
7 Beverly Park
Beverly Hills, CA 90210

Planning CPC <cpc@lacity.org>

Comments regarding the proposed Wildlife Ordinance

Ann Dorsey <aedorsey@hotmail.com> Fri, Nov 11, 2022 at 11:03 AM
To: Planning CPC <cpc@lacity.org>

Los Angeles City Planning Commission,

I support having a wildlife ordinance and urge the commission to adopt one that has strong protections for wildlife by making changes to the current version that will address some weakening of the ordinance:

- Wildlife Resource Buffers have been significantly reduced
- Severe Slope calculations are now included in Floor Area Ratios
- R1 and R2 Zones have been removed from Lot Coverage Requirements

Thank you,

Ann Dorsey
Northridge, CA 91325

To whom it may concern

I am strongly opposed to the proposed "Wildlife" Ordinance, as written, for the reasons stated below.

As a hillside resident for many decades I can attest to the fact that, in spite of having fencing, landscaping, lighting etc. which would be outlawed under this ordinance, I often see raccoons, skunks, coyotes, possums, bobcats, and even the occasional deer on my property. I have to wonder if the so-called experts who drafted these proposals have ever lived in the hills and witnessed the frequent wildlife traffic which exists here, in spite of all the supposed hinderances which are to be outlawed.

I also object to:

1) the fact that this ordinance, by the Planning Department's own admission, was developed with significant outreach to, and input from, certain special interest groups while largely excluding affected homeowners who were not affiliated with those groups;

2) the deceptive hearing notice mailed to homeowners, and the insufficient time it allowed homeowners to understand a complicated ordinance prior to the Hearing; and

3) the lack of transparency, failure to respond to questions, and deceptive tactics on the part of the City of Los Angeles' Planning Department in presenting the Wildlife Ordinance to the public, and to affected homeowners and residents.

I reserve the right to further detail those, and other, objections in a future communication.

In 2014 Councilmember Paul Koretz introduced a motion directing the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining open space wildlife habitats, which were in the process of being mapped by the Santa Monica Mountains Conservancy. In 2021, and again in 2022, the Planning Department released a proposed "Wildlife" Ordinance that inexplicably ignores that mandate, and the SMMC maps, and instead targets homeowners in already developed areas with oppressive regulations that will have minimal impact (and in many cases no impact) on the preservation of wildlife corridors and remaining open space habitat. The harm the proposed "Wildlife" Ordinance would cause to homeowners drastically outweighs the minimal benefits to wildlife, and as such the ordinance is, quite simply, a bad law. The Planning Department needs to go back to the drawing board and develop an ordinance based on strong science, the actual needs of wildlife in this area, and due consideration for the people who would be affected.

I. Many of the provisions of the Wildlife Ordinance are of little or no benefit to wildlife but have a significant negative impact on homeowners and residents, including:

Fencing & Hedges

The "Wildlife" Ordinance's open fencing/hedges scheme requires fences or walls to be 50% open/void space, and have a minimum of 6 inches of open space between any solid elements of the fence. This poorly conceived scheme would, among other things,

1) result in fencing that can easily be climbed by criminals, thereby making properties and homeowners more vulnerable to crime;
2) provide easier access to undeveloped land behind homes for trespassers, thereby creating an increased danger of trespassing, illegal camping and cooking fires, and resulting wildfires;
3) result in fencing that is more easily climbed by coyotes, thereby presenting an increased risk to the safety of children and pets in homeowners' yards.
4) present a danger of entrapment and/or escape for children and pets (how long before we hear of child who climbed an open fence and drowned in a neighbor's pool?);
5) promote fencing configurations that are a risk of entrapment to wildlife (e.g. deer getting caught in widely spaced iron fencing);
6) to the extent that this ordinance might increase wildlife intrusion into developed yards, wildlife (and household pets) will be at increased risk of disease transfer, and wildlife will be at increased risk of exposure to dangers often found in yards (e.g. swimming pools, chemically treated lawns, etc);
7) destroy residents' privacy in their own homes and yards.

Additionally, these dangers exist regardless of whether the open fencing is on the homeowner's property or on a neighboring property.

The Planning Department has admitted that it failed to consult with LAPD and LAFD on the dangers of this open fencing scheme. That is simply irresponsible.

The Planning Department has failed to produce any scientific evidence that the Wildlife Ordinance's open fencing scheme would have a significant benefit to wildlife, and has been unable to identify any animal that could get through a 6"x6" opening that cannot already get over or under the typical perimeter privacy fence. Even if such an animal existed, it would not require an entire fence 50% full of 6"x6" openings. Rather, openings spaced at intervals along the bottom of the fence would serve the same purpose without the dangers described above.

The Wildlife Ordinance's option of allowing the usual privacy fencing outside the setback area is untenable as well. Setbacks comprise a considerable percentage of a property, and homes are usually built to the setback line. Homeowners who "chose" this option in order to preserve their privacy and safety would be forced to effectively forfeit the use of a large part of their property.

The Wildlife Ordinance's prohibition against chain link fencing prohibits the most common form of fencing used to protect active construction sites and fails to provide a reasonable alternative. Unprotected construction sites would be a magnet for criminals and curious children and would present a considerable danger to the latter.

The Santa Monica Mountains Conservancy has done considerable work on mapping undeveloped habitat blocks and the existing corridors that wildlife actually uses to move between these habitats. The science is clear that these true wildlife corridors are very different from the yards of the typical home in the Wildlife District. The Wildlife Ordinance's ill-considered fencing regulations cannot magically turn a typical yard into an actual wildlife corridor, and no amount of spin will change this. Rather than find a way to protect the true wildlife corridors that animals actually use, the Planning Department instead entirely ignores the SMMC's work and accepted science, and for inexplicable reasons attempts to create small counterfeit corridors throughout the Wildlife District that will have little or no benefit to wildlife, to the detriment of residents and wildlife alike.

Trash Enclosures

The Wildlife Ordinance requires trash receptacles to be stored inside a building or specially built trash structure.

LADWP trash cans are already resistant to the types of wildlife found in the proposed Wildlife District. This regulation appears to be designed to deter bears from accessing trash cans. There are no bears in the proposed Wildlife District. This regulation therefore forces homeowners to incur the expense of building a "trash can house" for no purpose.

The trash can house required by the Wildlife Ordinance appears to fit the LAMC definition of a "Building" and would therefore not be allowed in the side yard of most homes. As a result, homeowners would be forced to place this trash can house in their rear yards, or to keep their trash cans in their garages or homes. This is patently unreasonable.

Setbacks

The "Wildlife" Ordinance's increased front setback requirement for some properties may also serve to push home development or additions farther back into the hillside. Given that a hillside a generally a more sensitive wildlife and habitat location that the street or front yard, this regulation may increase damage to habitat.

Landscaping and Trees

The Wildlife Ordinance requires that, for any new landscaping within 30 feet of any structure, 50% of the area must be planted with native species chosen from the "Preferred Plant List", and from 30 feet to the property line 75% of the area must be

planted with these plants. The Wildlife Ordinance also requires that a Significant tree (one with a trunk that has a trunk that is 12" or more in diameter and/or taller than 35 feet) that is removed or dies be replaced with two new trees, that a native tree be added for each 1000sf of added building, prohibits earth work and construction within the dripline of a large tree, etc , and requires the homeowner to apply to the Planning Department for an Administrative Clearance to do any of these things. I am concerned that the Planning Department has not considered the unintended consequences of the blanket tree regulations in the Wildlife Ordinance.

The Planning Department's Preferred Plant List has several plants that are highly flammable. To have these plants on the list of plants that homeowners are required to plant is irresponsible and is yet another example of the lack of care and/or knowledge that went into drafting of this ordinance.

"Significant" trees are not native to many areas in the proposed Wildlife District – rather these areas are native brush with larger trees only in some riparian areas. I question the benefit of requiring an increase in the number of human-planted trees to these areas, where they cannot survive without additional water which is an ever-decreasing resource. This is yet another example of the failure of the Wildlife Ordinance's "one size fits all" approach.

This regulation increases the cost and complexity of removing flammable trees, such as pine and eucalyptus, which discourages homeowners from removing these trees.

This regulation fails to consider fire safety best practices in universally requiring that two new trees be planted for every significant tree removed. Some lots will not have enough room to leave adequate space between trees as recommended by fire safety experts.

In these situations, if there is a fire, the Wildlife Ordinance will have contributed to Wildlife and habitat loss due to the increased fire intensity and spread caused by these trees.

Many homes have trees whose canopies extend over the home - this regulation would prohibit homeowners from doing construction on their homes where the tree's canopy extends over the home. This is unreasonable.

This regulation may also discourage people from planting trees that would grow to be Significant trees, thus having a chilling effect on the number of Significant trees in appropriate locations and number.

As noted above, some properties have plenty of trees and don't need more – the Wildlife Ordinance should provide an option for homeowners to fund a tree in a neighborhood that doesn't have enough trees.

II. **Even where a regulation has a scientifically supported potential wildlife, habitat, or climate resilience benefit, many of the regulations are unreasonably burdensome on homeowners. The Wildlife Ordinance's failure to consider the burden on homeowners is unconscionable.**

Lot Coverage

The Wildlife Ordinance expands the definition of what counts as lot coverage. Currently, only buildings count towards Lot Coverage. However, under the Wildlife Ordinance, Lot Coverage would also include any pavement, patios, planters, pools, and tennis courts; and these, together with buildings, would not be permitted to cover more than 50% of the total lot.

The "Wildlife" Ordinance's expanded definition of Lot Coverage, coupled with the 50% limit, is unreasonable for many homeowners with smaller lots.

Many existing homes on smaller lots will be rendered non-conforming, with significant financial and practical consequences for those homeowners (See e.g. see LAMC Section 12.23.A.3)

This will significantly affect the value of these homes, and the stability of neighborhoods as homeowners are forced to sell their homes when they cannot be altered to suit their needs.

The Wildlife Ordinance caps lot coverage at 100,000 square feet (this would apply to properties over 4.6 acres). 100,000sf of lot coverage is excessive regardless of the size of the lot. For the Wildlife Ordinance to allow 100,000sf of lot coverage for large properties while placing an unreasonable restriction on ordinary homeowners with small lots is offensive.

Windows

The Wildlife Ordinance requires that window panes greater than 24sf have coverings or treatments to reduce the number of birds that crash into windows.

Despite repeated requests from members of the public, the City has failed to produce any scientific evidence that bird/window collisions are a significant problem *in the proposed Wildlife District*, let alone on every property in the proposed Wildlife District. In fact, many homeowners report that bird strikes are extremely rare on their properties.

Currently, there are no coverings or treatments to reduce bird strikes that are unnoticeable to the human eye.

Because the rate of bird strikes is highly variable for different properties in the proposed Wildlife District, it is not reasonable to require visually distracting "bird-safe" window treatments for all properties. A better and more reasonable approach is to provide

education on bird-strike mitigation strategies for those homeowners actually experiencing bird strikes.

Grading

Hidden in the Grading Section is a prohibition against any structures on slopes greater than 45 degrees. Because "structure" is defined elsewhere in the code as "anything constructed or erected which is supported directly or indirectly on the earth", the regulation would even prohibit exterior stairs on these slopes, depriving homeowners of the use their property reached by those stairs.

Wildlife Resources and Wildlife Buffers

The Wildlife Ordinance creates 1) 50-foot buffers around parcels that are zoned or designated Open Space, undeveloped land owned by the City, and conservation easements; and 2) 50-foot buffers around "water" features and riparian areas; and 3) 15-foot buffers around open channels and public easements. The Wildlife Ordinance prohibits "*all* construction and grading activity" within a Resource Buffer (with an exception that interior construction and construction that does not change an existing building's footprint are allowed). Thus, even a fence would be prohibited in a Resource Buffer.

Additionally, the Wildlife Ordinance subjects homeowners who have a Resource Buffer anywhere on the property, and whose construction is nowhere near the Resource Buffer, to undergo a Site Plan Review (the massive bureaucratic nightmare discussed above) for any non-exempt construction that requires a permit.

The Planning Department places this extraordinary burden on homeowners without bothering to determine if the "Resource" has any ecological value that might justify this burden. For example, just because land is zoned Open Space does not mean that it has significant ecological value that makes it worthy of effectively placing conservation easements on all the adjoining properties, yet this is exactly what the Wildlife Ordinance does.

According to the Planning Department, the Wildlife Ordinance would create Resource Buffers on approximately 5,600 privately-owned properties in the proposed Wildlife District. Moreover, due to the extremely open definitions in the Wildlife Ordinance for "Wildlife Resource" and "Open Space", the Planning Department and even individual employees have the ability to "find" a "Resource" and place Buffers on many more properties.

Where the Wildlife Ordinance creates a Resource Buffer over an existing home, the regulations could be devastating for the homeowner, especially for those with smaller or older homes.

Even for those homeowners who have a single square foot of Resource Buffer at the very edge of their property, the consequences are significant. For any construction or any grading that doesn't fall within the very limited exceptions, the Wildlife Ordinance will force homeowners to submit to a Site Plan Review - the same extensive bureaucratic process as is required to build an apartment building over 50 units, or 50,000 square feet of retail or industrial space. This is an unreasonable burden to place on a homeowner, especially when the construction doesn't even touch the Resource Buffer.

Rather than enduring this expensive and protracted process, homeowners whose homes do not meet their needs will sell their homes to spec builders who have the time, money, intestinal fortitude, (and connections?) for this kind of thing, and those developers will build the biggest home they can. And, once again, neighborhoods will suffer from higher turnover, and consequent decreased community involvement and cohesion.

The negative effects for homeowners of having adjacent undeveloped land become an "Open Space" Resource will have a chilling effect on land conservation and donation. Homeowners will band together to purchase undeveloped land to keep it out of the hands of conservation groups, and they will not donate land they otherwise would have because of the effect on their neighbors.

Although the Planning Department has currently only identified Open Space and Water-related Wildlife Resources on its maps, the ordinance is written so that other "Wildlife Resources" could be added in the future without any public input or opportunity to object.

The Wildlife Ordinance expressly states that Wildlife Resources can include those that are not on the Planning Department's map. The Wildlife Ordinance's definition of a "Wildlife Resource" as any "*feature*" that provides "wildlife benefits, ecosystem services and contributes to the overall quality of the natural and built environment" is so vague and open-ended that nearly anything could be deemed to be a "Wildlife Resource". As a result, homeowners who thought they were unaffected by the Wildlife Ordinance's Resource Buffers could suddenly find themselves with a new "Resource" Buffer on their property, or even covering their homes, with the attendant severe consequences. Home buyers would have no way of knowing whether the home they were purchasing had a hidden or future "Resource Buffer" on the property, or even on the home itself. These uncertainties would have a chilling effect on home values, and homeowners' financial security.

III. General Objections

The “Wildlife” Ordinance fails to provide meaningful protections for wildlife, in part because of the Planning Department’s inexplicable unwillingness to have different regulations for land that is pristine/undeveloped and that which has already been developed.

Regulations that are onerous and unreasonable for developed properties may be reasonable for undeveloped or multi-acre properties. The unwillingness of the Planning Department to distinguish between these types of properties is a missed opportunity. A bifurcated approach would have allowed for regulations that would have meaningfully benefited wildlife without harming existing homeowners. Instead, the Planning Department’s insistence on a one-size fits all approach places unreasonable and unnecessary burdens on existing homes in long established neighborhoods, with little or no wildlife benefit.

The Wildlife Ordinance’s applicability scheme is a failure as well. The Wildlife Ordinance misses the opportunity to have reasonable beneficial regulations (e.g. lighting regulations, prohibited fencing materials, and others not included in the Wildlife Ordinance) applied more widely by failing to make those regulations applicable to a wider range of properties in the Wildlife District.

In fact, the Planning Department has attempted to use the Wildlife Ordinance’s “limited” applicability as a shield against criticism that the ordinance overreaches. This is no defense – that a bad law would not entrap every homeowner immediately is no justification for enacting a bad law.

Despite repeated requests by the public, and at least one Neighborhood Council, for scientific research that would support the Wildlife Ordinance’s regulations, the Planning Department has released only a single “report” which was commissioned, and paid for, by the Planning Department (the “Protected Areas for Wildlife and Wildlife Movement Pathways Report” conveniently named the “PAWS” report for short), and so cannot be considered an independent work. However, it would appear that the Planning Department may not have read its own “PAWS” report, as very few of the regulations in the Wildlife Ordinance can be found in that report’s recommendations, and most of the report’s recommendations are nowhere to be found in the Wildlife Ordinance.

Additionally, the majority of the studies cited by the PAWS report do not consider the developed areas of proposed Wildlife District to be important wildlife habitat. As an example,

- the National Parks Service excluded most of the proposed Wildlife District in its “Rim of the Valley Corridor Special Resource Study and Environmental Assessment”;
- the “California Essential Habitat Connectivity Project” which was prepared for Caltrans and the CA Dept of Fish and Game, excludes the entire proposed Wildlife District (giving a habitat score of zero to those areas with more than one house per 5 acres, for example);

- the Santa Monica Mountains Conservancy excluded the developed portions of the proposed Wildlife District from its wildlife habitat maps;
- and the South Coast Missing Linkages study, which lists almost twenty collaborating agencies, entirely excluded the proposed Wildlife District as well.

This is not to say that the proposed Wildlife District deserves no wildlife or other ecological protection, but to enact regulations for this urban area that are far more restrictive than those recommended and/or enacted for areas of high ecological value is simply unreasonable and extremist.

I reserve the right to add to, or amend, this objection at a later date.

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Afsoon Hamid <afsoon2014@gmail.com> Mon, Nov 14, 2022 at 2:26 PM
To: CPC@lacity.org

Sir/Madam,

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE says:

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review
7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Resident

Planning CPC <cpc@lacity.org>

Wildlife ordinance meeting of Nov 17

Afsoon Hamid <afsoon2014@gmail.com> Wed, Nov 9, 2022 at 5:14 PM
To: "OurLA2040@lacity.org" <OurLA2040@lacity.org>, Patrick.wahlen@lacity.org, "CPC@lacity.org" <CPC@lacity.org>, "Lena.Mik@lacity.org" <Lena.Mik@lacity.org>, Vince.Bertoni@lacity.org, "Paul.Koretz@lacity.org" <Paul.Koretz@lacity.org>, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Aleigh Lewis <aleighlewis@gmail.com> Mon, Nov 14, 2022 at 9:02 PM
To: info@coyotl.macehualli.org, cpc@lacity.org, Patrick Whalen <patrick.whalen@lacity.org>

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized by redlining in the recent past, and now the exemptions will deprive our communities of the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilize equity and the environmental sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitats:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - The proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Aleigh Lewis

90065

Angelenos for Green Schools
Empowering communities to re-imagine schoolyard ecology

November 13, 2022

From Alison MacCracken

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC and ENV-2022-3414-CE

Dear Honorable Members of the CPC,

Thank you for taking the time to read this well researched OBJECTION letter to the "Wildlife" Ordinance. I have read all +600 pages of the staff file, including all prior drafts of the ordinance, the ESA Report, consulted with biologists, land use attorneys, worked closely with HCD, and architects. I am a homeowner in the affected area and reside in a 2,000 sf home with original pink tile in the bathroom from the 1950s. I am not a developer.

I, like the majority of the homeowners in the affected area, have worked hard to save and buy a modest home in the incredibly expensive City of Los Angeles to raise a family. Now, in the name of skunks, squirrels and shrubs, my investment is being threatened without being provided significant proof that adjustment to my development regulations are necessary. If we truly want to affect climate change in Los Angeles, it will start with traffic mitigation on our roads and at our port. It will not be in the city-required, brush-cleared backyards of hillside homeowners. Brush-cleared hillside is not "wildlife habitat", not is private property "open space" for the city to manage as if it were publically owned land.

Sadly, this ordinance has been flawed from the start. It could have been something good, but The Motion made by Councilman Paul Koretz in 2014 was directed by three homeowners, not biologists. Please see the attached letter from CLAW in 2013 where they discuss ways to avoid "property takings", and then cross reference it with the actual motion made by Councilman Koretz in 2014. Even CLAW recommends Easements!

In addition to the lack of expert thought, the motion, as does the staff report and ordinance, specifically list *wildlife corridors, wildlife linkages, habitat connectivity, and protection of remaining open space* multiple times, yet this ordinance does nothing to accomplish those goals. City Planning commissioned their own study, the ESA Report, which maps over 34 Wildlife Movement Paths (WMPs) within the proposed District, and does not protect a single one. When City Planning was asked why they did not protect these paths in the office hours held on 11/9/22, they said they do not have the authority to create easements, therefore they tried to create development regulations that may or may not have any impact on wildlife connectivity and biodiversity.

If we apply a little common sense and use the provided data points, the majority of parcels in the area are zone RE15 (Page A-11 of Staff Report). These parcels, that are already developed, are required to do brush clearance annually, which wipes out animal habitat. In addition, these smaller lots are typically fenced along the perimeter to keep coyotes and other predatory animals out of backyards away from children, pets, and preventing wildlife from wondering onto streets and becoming disoriented, causing traffic accidents or road kill. Fencing is recommended by biologists in areas where wildlife and humans cohabitate**. Therefore, if my property is fenced, and does not contain true, documented wildlife habitat, why should I be subject to development regulations that will have no impact on wildlife connectivity (skunks, raccoons, coyotes, dear, and squirrels)?**

In addition, by City Planning's own admission, large parcels (RE40, A1 and OS zones) make up 37% of the District land and "offer the most obvious opportunities for habitat protection and connectivity" (Staff report page A-11).

> **Recommendation: The ordinance, with modifications, should only be applied to lots greater than 5 acres and zoned A1 and OS. In addition, City owned land within the District should be subject to the ordinance as well.**

The City has stated "DCP acted with urgency to develop the proposed ordinance with all due consideration of stakeholder input and expert consultation to put forward standards consistent with city, county, state and federal environmental goals and policies" (Page p-4). This is false. DCP is in violation of the Housing Accountability Act, specifically state law SB330 and SB8. The City Planning admits (page A-37), they have not properly/concurrently, upzoned in other areas. They will not be able to do so until they calculate the amount of "development capacity" they have decreased in the District. Also, the state will not allow new regulations to increase hurdles to get a project developed. I reached out to HCD in July of 2022, and they have reached out to City Planning, and will continue to ensure compliance. The HCD comment letter from August 22, 2022 and the State Law section are referenced here:

> **"The California Department of Housing & Community Development (HCD) submits to the City of Los Angeles (City) comments related to the proposed 2022 Revised Draft Wildlife Ordinance (Ordinance). HCD acknowledges the great work that the City has done in up-zoning land to accommodate housing production and is currently considering awarding the City the Prohousing designation. While the City is making strides to accommodate and protect wildlife, HCD would like to offer its support as the City drafts its Ordinance to maintain compliance with the Housing Accountability Act, specifically in reference to Government Code section 66300, subdivision (b)(1)(A):**
>
> > ***Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (i). For purposes of this subparagraph, "reducing the intensity of land use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site's residential development capacity.***
>
> **HCD urges the City to demonstrate that the practical effects of the new Ordinance will not result in a reduction in the intensity of residential uses, or if it does, that the City conducts a concurrent and compensatory action elsewhere to ensure that a reduction in residential development capacity does not occur. Please be aware that reductions in**

residential floor areas can be considered to reduce the intensity of land use. As the draft Ordinance comes into shape, HCD is happy to assist moving forward to prevent conflict with state housing law."

SEC. 11.

Section 66300 of the Government Code is amended to read:

66300.

(a) As used in this section:

(1) (A) Except as otherwise provided in subparagraph (B), "affected city" means a city, including a charter city, that the Department of Housing and Community Development determines, pursuant to subdivision (e), is in an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) Notwithstanding subparagraph (A), "affected city" does not include any city that has a population of 5,000 or less and is not located within an urbanized area, as designated by the United States Census Bureau.

(2) "Affected county" means a census-designated place, based on the 2013-2017 American Community Survey 5-year Estimates, that is wholly located within the boundaries of an urbanized area, as designated by the United States Census Bureau….

… (7) "Objective design standard" means a design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.

(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (i). For purposes of this subparagraph, "reducing the intensity of land use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site's residential development capacity.

Recommendation: Take out all regulations that reduce existing "development capacity". Specifically, the basement exemption, height regulations, surface area coverage and grading regulations need to remain unaltered from today's existing code.

I understand there is great concern for mega-mansion abuse in the hills, however we are already regulated by multiple development ordinances, including the current expansion of the HCR. Adding another one that punishes small homeowners like myself is malicious, especially in a time of needing more space to work from home, care for aging parents, and home schooling. Currently we are regulated by:

Baseline Hillside Ordinance	Community Plan/General Zoning
Hillside Construction Regulations	Severe High Fire Zone
Mulholland Scenic Parkway Specific Plan	Landslide Zone
Protected Tree and Shrub Regulations	Hollywood Community Specific Plan

Recommendation: If Mega Mansions are concern for disturbance, modify the current BHO or HCR with a trigger of site plan review for projects greater than a significant size. HOWEVER, Councilman Koretz was successful in getting and EIR trigger at 17,500sf already. Why are we doing this all over again? Throw this ordinance out and tell the city to negotiate conservation easements.

The ordinance is not ready to move to PLUM. There are many open ended issues as it currently stands, and residents have a right to review these materials prior to a public hearing. DCP states in the staff report "Following adoption of the Ordinance, additional administrative materials would be created to assist Project applicants with submittal requirements" (A-29). These include, but may not be limited to:

-**Biological Assessment** – The residents have not been given this form to review and consider.

-**Resource Map** – Currently a map is proposed, but DCP stated it would be updated annually. How will it be updated? What is the process to qualify as a resource? Who is doing the study? How will the public be notified?

-**Site Plan Review** – The residents have not been provide the key components in the site plan review. Will this be a standard form? Will it be tailored and reviewed with an architect and biologist?

Recommendation: Send this ordinance back to DCP and have them redraft the ordinance so it does not violate SB330, and add in the necessary administrative materials/procedural steps so stakeholders know what they are voting on.

Unfortunately, Councilman Koretz motion was directed to the wrong department from the beginning because he listened to activists, not biologists, and even went so far as to hire one of them, Alison Simard, who became his Director of Communications in his office. It is not surprising the majority of affected residents in CD5 knew nothing about this ordinance until notices went out at the end June of in 2022, 8 years after the motion. Even sessions held in the past, going back to 2018, neglected public comment to focus on wildlife easements and vegetation, not development regulations.

Despite trying to notify as many homeowners as possible, the majority of homeowners are still unaware of the ordinance, and activists and DCP have presented this as a way to protect animals, when it is truly a way to restrict development. The staff report states they received letters in support, and letter with comments, questions and concerns. They failed to use the word OPPOSITION. The majority of neighborhood councils and HOAs within the district either opposed the ordinance or could not support it

without further information, corrections, and time to analyze. Giving stakeholders 4 weeks to review the staff report, updated ordinance, and supporting documents is negligent and unfair.

> **Recommendation: Delay the CPC Hearing, or request multiple hearings to properly vet this flawed ordinance.**

Countless state reports have not identified this area as "Significant" or containing "Missing Linkages". We are criss-crossed and surrounded by some of the most heavily trafficked freeways in the country. The 405 Frwy, 101 Frwy, Benedict Canyon, Coldwater Canyon, Beverly Glen, Roscomare Canyon, Laurel Canyon all act as major commuter routes.



Managing private property is not the way state and local initiatives are approaching their conservation policies. DCP sites the States 30x30 program, yet this is to manage public land, not private.

According to the staff report, "The Ordinance received detailed letters of support from various neighborhood councils, nonprofits, and leading environmental agencies and organizations, including:

Arroyos and Foothills Conservancy, Arroyo Seco Neighborhood Council, Ballona Creek Renaissance, Benedict Canyon Association, Brentwood Alliance of Canyons and Hillsides, California Department of Fish and Wildlife (CDFW), the City's Community Forest Advisory Committee (CFAC), Center for Biological Diversity, Doheny Sunset Plaza Neighborhood Association, Citizens for Los Angeles Wildlife (CLAW), Endangered Habitats League, Friends of Griffith Park, Grassroots Coalition, Hillside Federation, Historic Highland Park Neighborhood Council, Laurel Canyon Association, Laurel Canyon Trust, National Wildlife Foundation, Natural Resources Defense Council: Southern California Ecosystems Project, Neighborhood Council Sustainability Alliance, Rampart Village Neighborhood Council, Studio City for Quiet Skies, San Pascual Arroyo Seco Wildlife Preservation, SMMC, and Sunshine Hill Resident Association."

Doheny Sunset Plaza supported the intent, but not the ordinance. They had many suggested changes and concerns. That only leaves three HOA that support the ordinance, and the rest of the groups are special interest groups that do not live in the area, are paid to support such well titled initiatives, or have or will gain financially from the passing of this.

The majority of HOAs and Neighborhood Councils in the affected area either opposed, asked for more time and expressed great concern or requested changes to the ordinance. The majority of stakeholders feel this is over burdensome with no proof of benefit to flora or fauna. Here are the groups that opposed the draft reviewed at the July Public Hearing:

Bel Air Association, Bel Air Beverly Crest Neighborhood Council, Bel Air Crest Homeowners Association, Bel Air Hills Association, Benedict Canyon Association, Benedict Hills Ridge Homeowners Association, Cahuenga Pass Property Owners Association, Lake Hollywood Homeowners Association, Mount Olympus Property Owners Association, and Studio City Neighborhood Council, and Hillside Neighborhoods United (HNU) and Neighbors for Hillside Safety, community groups formed by affected residents to alert residents of the ordinance and what was in it. HNU was successful in raising more awareness within the District in a few months than City Planning and the Councilman's office did in 6 years.

This ordinance is not tested and extremely burdensome to homeowners. Homeowners are in favor of an ordinance that does protect flora and fauna, but this ordinance does not do that. It is simply a development ordinance on private property in an area that is heavily developed, already filled with development ordinances (See map).

Stop this ordinance before it runs amuk. On page A-33, the staff report states "it is envisioned that it could be applied to identified PAWS throughout the city." There has already been over $500k allocated in the city budget for its expansion! This ordinance is not ready to be applied anywhere, let alone be considered for expansion. Save 100,000s of homeowners who are not harming wildlife and trees, and please reject this ordinance.

> **Recommendation: Suggest the Councilman's office ban poison/rodenticides and create wildlife easements.**

Thank you for your time and consideration,

Alison MacCracken

2008 Linda Flora Dr, Los Angeles, CA 90077

310-600-8590

CITIZENS FOR LOS ANGELES WILDLIFE, INC.
1.805.225.4766 • INFO@CLAWONLINE.ORG • PO BOX 50000 • STUDIO CITY CA. 91614

September 4, 2013

Councilman Paul Koretz
Fifth Council District
200 N. Spring Street, Room 440
Los Angeles, CA 90012

Dear Honorable Councilmember Koretz and staff:

Thank you for meeting with Citizens for Los Angeles Wildlife (CLAW) on Wednesday, August 21st 2013. It was the general consensus that the city needs to do a better job preserving our habitat connectivity (wildlife corridors) in the eastern area of the Santa Monica Mountains (I-405 to Griffith Park.) We agreed that small hillside conservation easements are not "a taking" and that it is possible to have growth while preserving our environmental heritage. Unfortunately, that is currently not the city's philosophy because there is a systemic breakdown in the city's review and approval process that threatens our native wildlife species.

So during our meeting, we introduced the idea of a "biological constraints checklist" that ensures that hillside properties are presumed as part of a wildlife corridor until scientifically verified otherwise. We all agreed to the need for a new ordinance that protects this key element of the city's public trust because we are already seeing evidence of adverse changes to this area's biology.

Therefore, this letter is a formal request for you, Councilmember Koretz, to author a wildlife corridor ordinance for the City of Los Angeles' eastern area Santa Monica Mountains in order to:

- formally label this area as a Regional Wildlife Habitat Linkage Zone -- where just one single-family residential project can cause permanent, system-wide, adverse effects;
- guarantee open space connectivity by requiring all future building permits to permanently accommodate the habitat connectivity;
- create a new system for adequate review and mitigation -- one that includes undisputable guidelines and measurable metrics -- to unequivocally protect this region and other dwindling habitat areas citywide.

We propose this ordinance should include the following:

- A Biological Constraints Checklist -- every new building project needs a simple habitat connectivity and wildlife permeability review. A factual, scientific screening process in a form of a yes or no checklist, for example: "Is the project adjacent to a habitat block?"
- Land protection ratios and minimum guarantees -- on a sliding scale, depending on the size of the parcel, project and the degree of biological impact determined by the checklist. Every impacting parcel must contribute to the wildlife habitat connectivity on a minimum level.
- Easements and deed restrictions in perpetuity -- deed restrictions by the City of LA are the minimum level of protection that should be instituted (with only a unanimous city council vote to undo a wildlife corridor/open space deed restriction recorded in favor of the city.)
- A rule that no grading or building permits are issued until deed restrictions (or easements) are finalized, recorded and approved in writing by the presiding District Councilmember and/or City Attorney's office.
- Ordinance draft preparation that includes not only council office and planning staff, but also Santa Monica Mountains Conservancy, citizen advocates (i.e. CLAW, MDRB, etc.) and at least one independent biologist.

Since our mountain and urban interface is rapidly approaching a tipping point, this ordinance under your leadership could ultimately be the catalyst to protect our native wildlife. Planners, builders, architects, and city staff will have to presume a hillside property is part of an existing or potential wildlife corridor until scientific written analysis indicates it is not AND design urban growth in accordance. We commend you for your leadership on this issue.

Sincerely,



Alison Simard, Skip Haynes and Tony Tucci
Board of Directors


Stone
Canyon
Reservoir
Franklin
Canyon
Park
Fryman Canyon Park
Runyon
Canyon
Park
Universal City
Studio City
Los
Angeles
River
Beverly Hills
Lake
Hollywood
Reservoir

Planning CPC <cpc@lacity.org>

WILDLIFE ORDINANCE - TRASH ENCLOSURES

Anastasia K Mann <anastasiamann@me.com> Sun, Nov 13, 2022 at 5:36 PM
To: cpc@lacity.org
Cc: Patrick Whalen <patrick.whalen@lacity.org>, Conni Pallini LA Planning <conni.pallini-tipton@lacity.org>

Patrick & Conni….

As you know our HHWHC Board Meeting is Weds night. I am in court (LAPĐ Board of Rights) this week and concerned about deadlines.

I'm submitting my personal concern as an individual- not as President of HHWNC - here.

TO CITY PLANNERS:

RE: TRASH CONTAINERS - "to enclose" is restrictive and unclear. For example, my four trash containers are in an area "enclosed" on three sides - garage, wall to neighbor & locking gate in a narrow passageway leading to my back yard from the front (off of driveway). There is no way the "top open air" could be "enclosed" into a box and still maintain access by anyone to my back yard or to the trash containers.

My point is - "in a secure area off the street" may be better phrasing.

Currently trash containers are lining the streets not only in the Hills but also in the "flats". Part of the problem is that the garbage collection is rarely completed now in one day.. and cans are stolen or - if it rains - washed down the roads. People leave them in the streets 24/7 at houses with no storage area and no curbs.

THERE IS NO ENFORCEMENT CURRENTLY ON THE STORAGE OF TRASH CONTAINERS.

Thank you for your consideration.

Anastasia Mann
7220 Outpost Cove Drive
LA 90068
310-753-9777 mobile

Submitting as an individual, not as president of HHWNC.

Anastasia Mann
Anastasiamann@icloud.com
310-753-9777 mobile

Planning CPC <cpc@lacity.org>

Support Wildlife Ordinance!!!

Amy Plesetz <aplesetz@gmail.com> Wed, Nov 9, 2022 at 7:09 PM
To: cpc@lacity.org

Please please support the wildlife ordinance. We need more protection for wildlife connectivity. Los Angeles CAN be better, I have faith that it can.

Amy Plesetz

Animals need to be able to live among us and cross through our neighborhoods and spaces, without them endangering us and without us endangering them.
Los Angeles Times

Sent from my iPhone

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

IIYC Los Angeles Chapter <losangeles@indigenousyouth.org> Mon, Nov 14, 2022 at 2:34 PM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Alexis Saenz

90041

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Bill Beck <wmchasbeck@aol.com> Tue, Nov 15, 2022 at 7:02 AM
Reply-To: Bill Beck <wmchasbeck@aol.com>
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for “utility easements”. The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of “development capacity” in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department’s own PAWs Report.

Additionally, the Planning Department’s own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners’ use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

William Beck

1692 Bel Air Road

Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

Wildlife ordinance

Brian C <vox2k@yahoo.com>
Reply-To: Brian C <vox2k@yahoo.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Tue, Nov 15, 2022 at 7:10 AM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Brian Cleary
3213 Andrita St
Los Angeles, CA 90065

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Bob Halavi <bob@ppicapital.net> Mon, Nov 14, 2022 at 1:39 PM
To: CPC@lacity.org

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

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Thank you,

Bob Halavi

1195 Roberto Lane

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Bob Halavi <bob@ppicapital.net> Wed, Nov 9, 2022 at 2:36 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Bob Halavi

1195 Roberto Lane

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

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Thank you,
Benjamin Khakshour and Justine Freeman
930 Linda Flora drive and concerned resident.

Bel Air Beverly Crest
NEIGHBORHOOD COUNCIL
Building a Better Community

VIA EMAIL (patrick.whalen@lacity.org, cpc@lacity.org)

November 14, 2022

City Planning Commission
City of Los Angeles

Re: November 17, 2022, Items 9 & 10. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear President Millman and Commissioners:

The Bel Air-Beverly Crest Neighborhood Council was established in 2002 and has for 20 years served as the venue for coordination and cooperation across the community of interest that it serves. We are organized to represent the hillside communities stretching from Laurel Canyon to Sepulveda Boulevard, and from Sunset Boulevard to Mulholland Drive.

With the release of this new draft, the Bel Air-Beverly Crest Neighborhood Council ("Council") continued our thorough process of reviewing the proposed Wildlife District Ordinance ("Ordinance"), meeting on the new draft for ten hours over five meetings, on the previous draft for well over twenty hours in fifteen meetings and hearing many hours of public comments. Further, many previous meetings were held by committees on the previous draft of the wildlife ordinance as well as on the previous draft of the ridgeline ordinance. The Council continued to receive both comments in support of and opposition to the Ordinance after its revision. Minutes of meetings contain all comments and completed minutes are attached will be posted to the Council's website.

OFFICERS
President
Travis Longcore, Ph.D.
Vice President – Operations
Robin Greenberg
Vice President – Leg. Affairs
Jamie Hall
Secretary
Nicole Miner
Treasurer
Vadim Levotman

COMMITTEES/CHAIRS
Executive – **Travis Longcore, Ph.D.**
Planning and Land Use – **Robert Schlesinger**
Bylaws, Rules and Elections – **Cathy Wayne**
Emergency Preparedness – **Vadim Levotman**
Outreach – **Andre Stojka**
Traffic Committee – **Irene Sandler**
Public Works and Telecommunications – **Timothy Steele, Ph.D.**
Budget and Finance – **Nicole Miner**

STAKEHOLDER GROUPS
Bel Air Association
Bel-Air Crest Master Association
Bel Air Hills Association
Bel Air Ridge Association
Benedict Canyon Association
Casiano Estates Association
Doheny-Sunset Plaza Neighborhood Assn.
Holmby Hills Homeowners Association
Laurel Canyon Association
Residents of Beverly Glen

RESIDENTIAL DISTRICTS
Bel Air District
Bel Air Glen District
Franklin-Coldwater District
North of Sunset District
NON-RESIDENTIAL REPRESENTATION
At-Large Members
Commercial or Office Enterprise Districts
Custodians of Open Space
Faith-Based Institutions
Public Schools & Private Schools

Our aim in reviewing the ordinance has once again been to ensure that the focus of the ordinance is on protecting the most valuable resources, and on balancing that protection with legitimate desires to safeguard property interests. The current draft greatly reduces disparities present in the previous draft. The Council appreciates Planning staff's responsiveness to the comments of the community, and the Council applauds many of the changes in the ordinance - the application of site plan review to projects resulting in 7,500 square feet of residential floor area, the addition of "overall height" for the entire district and the reduction in number of small projects subject to site plan review. The Council also appreciates the clarifications regarding which district-wide regulations are triggered and when, and the ability to rebuild after a disaster.

Addition of "Habitat Triggers" for Site Plan Review

Changes in the new draft have succeeded in lessening the potential burden on owners of smaller lots. What the new draft has not successfully achieved is ensuring that the development projects that are most likely to result in substantial loss to wildlife habitat are subjected to Site Plan Review — where a more focused, site-specific analysis can be undertaken to ensure that landform alteration is minimized, impacts to biotic resources reduced and project modifications considered. The Council is therefore requesting the addition of "habitat triggers" for Site Plan Review.

Currently, there are only three triggers for Site Plan Review in the Ordinance, which include the following: (1) 1,000 cubic yards or more of remedial grading, (2) homes of 7500 square feet or larger and (3) building within a Wildlife Resource or buffer. Unfortunately, Site Plan Review will not be triggered for most development projects that result in habitat loss. This is because the City has too narrowly defined "Wildlife Resource" to include only zoned or protected open space and water resources. See Table 7.2. Development can occur via this Ordinance that will result in significant habitat loss to protected species and native woodlands without ever triggering Site Plan Review. This is a problem. Substantial swaths of high-value habitat exist on large, undeveloped lots in the Pilot Study Area and the Council strongly contends that the development of these lots should be subject to Site Plan Review. Preventing habitat loss is a critical function of any wildlife ordinance and inclusion of a habitat trigger for Site Plan Review makes perfect sense.

The Council suggests four potential "habitat triggers" (which would only apply to *undeveloped* lots). They could include the following:

- Placement of lot in a Santa Monica Mountains Conservancy ("SMMC") mapped "habitat block"
- Presence of National Park Service (NPS") mapped native woodlands
- Presence of "habitat for protected species" per Govt Code. Section 65913.4(a)(6)(J)

- Proposed removal of 3 or more protected or significant trees

The necessary mapping that would allow the application of these rules is already available and adding these triggers would ensure that the development on lots with high value habitat value be done with sensitivity towards the preservation of that habitat. Site Plan Review captured by this habitat trigger will be targeted to those types of development projects that truly warrant the site-specific analysis warranted by Site Plan Review. Again, the Council suggests that this be limited to undeveloped lots based on the comments received from the public. We further request that a *de minimus* exception be incorporated that allows exemption for projects that clearly have no impact on the sensitive resources.

***De Minimus* Review Process for Site Plan Review**

While the removal of site plan review for all lots with biological resources or resource buffers on the lot has lessened the possibility that a homeowner will be required to undergo site plan review when resources are not going to be affected, there are still lots where a resources may be mapped but may not really exist as well as instances where a resource takes up the majority of a very small lot that has already been developed. Small lots on Beverly Glen, where there is a mapped but theoretical stream running along the street, come to mind, as well as lots where a water resource is mapped as running through an existing building.

Because currently available mapping is fallible, it is critical that a *de minimus* review process be made available, particularly for lots where the cost and burden of undergoing site plan review is substantial compared to the value of the structure being proposed.

Definitions

The previous definition of open space should be restored. Staff has removed a key sentence in the definition of Open Space, which stated as follows: "*Open Space shall also include City owned vacant land that, while not zoned as Open Space, meets the criteria above*." See page 7. The City owns remnant vacant parcels in the Pilot Study Area that are not being used and currently exist as open space and contain important habitat for wildlife. There is no legitimate reason for City-owned land that meets the criteria for being considered open space from being exempted from the definition of "open space" and therefore exempted from Site Plan Review and protective buffers.

Fencing

While the Council appreciates that the community had a number of concerns about the Wildlife-Friendly Fencing standards in the previous draft of the ordinance, removal seems to significantly

lessen the potential impact of the ordinance on wildlife movement and connectivity. BABCNC would like to see the following added to the ordinance for undeveloped lots *only*:

- For new single-family dwellings proposed for lots greater than ½ an acre, perimeter fencing must be appropriately set back and permeable to allow wildlife to pass through. Interior fencing may be impermeable.

Height

Again, the Council appreciates the application of an overall height standard district-wide. The Council notes that 45 feet is extremely generous, therefore all roof structures should be included in this measurement.

Residential Floor Area

This rule should apply to Additions as well. Covered parking over the required amount should not be exempt from this calculation.

Lot Coverage

Changes in lot coverage requirements show a much-appreciated sensitivity to burdens for owners of smaller lots. The Council continues to recommend that lot coverage percent be adjusted according to lot size.

The maximum lot coverage amount should be 25,000 square feet, not 100,000 which far exceeds what might be necessary for residential purposes.

Trees

These regulations should apply to all project types. Staff should be able to exempt projects from this regulation should there not be room to plant required additional trees on the lot. The entity responsible for determining the health of a tree should be the Urban Forestry Division. Furthermore, these regulations should not apply where homeowner's insurance companies are requiring the removal of trees as a condition of coverage.

Lighting

Multi-colored LED lights illuminating structures should not be permitted.

Further, it is critical that the limits on lighting be per unit of area not per fixture. Light effects are cumulative and a lumen limit per fixture would potentially just result in a greater number of fixtures to achieve a lighting level that continues to be harmful for wildlife.

The following previous recommendations should be looked at for inclusion in any subsequent draft of the ordinance:

- That all lights be fully shielded to eliminate upward emissions.
- That security lighting be motion activated and not be constantly illuminated.
- That a curfew be set for both recreational and landscape lighting
- That the definition for "recreational lighting" be provided in the definition section.

Trash Enclosures

BABCNC would like clarification on the definition of "enclosure." Further, the enclosure should be allowed to encroach on the front or side yard setback to the extent that it does not interfere with access necessary for firefighting. Trash enclosures should be constructed of any non-flammable material.

Site Plan Review

Projects requesting 500 cubic yards or more of remedial grading should be subject to site plan review.

Clearly articulated *objective* criteria should be added to the subjective criteria currently articulated for site plan review.

The following comments from our previous letter should be closely considered for any further revisions in the draft ordinance:

Grading

Grading permits shall *not* be issued prior to building permit issuance for a structure, and proposed structures must be sited on the lot such that grading is minimized.

Windows

Strike the current standards and use the following instead:

- Windows shall conform to the standards set forth in California Code of Regulations, Title 24.
- Treatments should not have a threat factor exceeding 30 in the American Bird Conservancy Products and Solutions database for Glass Collisions.

Slope Development Restrictions

An exemption to the limit on development on slopes greater than 100% should be made for stairs.

Rebuilding After Loss

The ordinance should explicitly allow rebuilding for non-disaster related complete losses (e.g., house fire) by stating that "Reconstruction of a building or structure damaged or destroyed in a natural disaster or casualty loss shall not be considered new construction nor major remodel".

Public Input

We strongly recommend that the City Planning Commission provide adequate opportunity and time for all members of the public to comment on the proposed ordinance during its meeting.

Conclusion

While the new draft of the Wildlife Ordinance greatly reduces undesirable consequences resulting from the ordinance, critical measures still need to be taken to ensure habitat protection. We urge the Planning Department, the City Planning Commission, and our elected decision makers to carefully consider our recommendations. We look forward to working with you as this legislative process continues.

Sincerely,

Ellen Evans
Chair, Ad Hoc Subcommittee on Wildlife District

Jamie Hall
Vice President – Legislative Affairs

Travis Longcore, Ph.D.
President

VIA EMAIL (cpc@lacity.org, ourla2040@lacity.org)
November 14, 2022

City Planning Commission
City of Los Angeles

RE: November 17, 2022, Items 9 & 10CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Dear President Millman and Commissioners,

> **If CPC members have not had sufficient time to read and understand the full Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC has an obligation to delay consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.**

By way of introduction, we are Bel Air Hills Association ("BAHA") and we represent the approximately 950 homes in Bel Air Hills mainly located along Roscomare Road and the streets that intersect Roscomare Road. Bel Air Hills is a **fully developed** and **well-established** neighborhood dating back to the early 1950's, and it consists primarily of single-family homes. Bel Air Hills is located within the proposed Wildlife Supplemental Use District ("WLD"). 1

We made our position clear to the Planning Department in a letter dated July 28, 2022. The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. We applaud the intent of the motion. We believe that new development in undeveloped areas should take into account the preservation and protection of wildlife, as well as the natural vegetation. It would seem that the proposed Wildlife Ordinance, as revised, makes some progress toward that goal.

However, when the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as Bel Air Hills, **it simply does not work**. Unless the Planning Department develops an ordinance that makes a distinction between undeveloped areas and fully developed and established areas, with separate regulations that are appropriate to each, **BAHA respectively requests that Bel Air Hills be removed from the proposed Wildlife Supplemental Use District**.

In order to make the proposed Wildlife Ordinance better, more reasonable for fully developed and well-established areas, such as ours, and more palatable to the residents and homeowners who would be affected by this ordinance, we propose the following modifications.

Section I

We propose the following modifications to the proposed Wildlife Ordinance, applicable to the Wildlife Ordinance as a whole.

A. New Resource Buffer Categories – p.4 and p.20, Section F.2

The Wildlife Ordinance must be clarified to ensure that new Wildlife Resource categories may not be added at the Planning Department's discretion, but rather must be treated as an amendment to the Wildlife Ordinance.

As written, the Wildlife Ordinance has identified two Wildlife Resources (Open Space and Water) which result in Resource Buffers being placed on privately owned property. However, the staff report indicates that the Planning Department intends that additional Wildlife Resource categories be added over time. The Ordinance is unclear regarding the mechanism of adding other Wildlife Resources and their Buffers, which is seriously concerning. In its "office hours" the Planning Department stated that it had not yet determined the procedures by which new Resource Buffers would be added, and they indicated that adding new Resource categories might be within the sole discretion of the Planning Department. That would be wholly unacceptable.

Any new Wildlife Resource Categories be treated as an amendment to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance, specifically:

i. Written Notice to all property owners in the WLD,
ii. Public Hearing by Planning Department
iii. CPC Approval
iv. City Council PLUM Committee approval
v. City Council approval

B. Wildlife Resources Map errors – p.23, Section H.3

The Wildlife Ordinance must have a de minimus review procedure for those situations where the Wildlife Resource Map contains an error (there are many of these, see Appendix 1 for just a few examples of the Map depicting streams running through homes, pools and streets), or where it is clear the Project would not affect legitimate biological resources. As written, the Wildlife Ordinance requires homeowners to undergo a very expensive and time-consuming Biological Assessment and Site Plan Review when their Project is within the Buffer of a non-existent Resource, or when their Project would clearly have no impact on a Resource. This is unacceptable.

C. Administrative Clearance application form – p. 6, Section 4.b

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

D. Exemption of City from WO Regulation – p.8, Section C
That Development by the City NOT be exempt from the WO regulations

E. **Open Space Definition – p.8, Section D**
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

Section II

In this Section II, we propose modifications that would make the proposed Wildlife Ordinance more applicable and palatable to a fully developed and well-established neighborhoods, but are not proposing any changes for undeveloped properties. However, should it not be possible for the Wildlife Ordinance to distinguish between developed and undeveloped properties, then these modifications should apply universally.

A. Applicability – Project Type - Rebuilding After Loss. P.10, Section E.1

1) Exemption from the Wildlife Ordinance regulations for reconstruction of a building or structure damaged or destroyed as a result of all casualties must be included in the exemptions, not just reconstruction from natural disasters.
2) Remedial Grading – it is unclear if Remedial Grading is included in the Grading project trigger. It should not be included – many homes in the proposed WLD were lawfully built on lots with site conditions that do not meet current code, and may be required by law to engage in remedial grading

B. Applicability: Additions – p.10, Section E(1)(b)
The Wildlife Ordinance should not apply to already developed lots.

C. Applicability: Major Remodels – p. 10, Section E(1)(c)
The Wildlife Ordinance should not apply to already developed lots. We note also that smaller, older homes, like many of those in our neighborhood, will be unduly burdened by the major remodel applicability, as bringing these homes up to current code is far more likely to result in meeting the major remodel threshold.

D. Applicability: Significant Tree removal – p.10, Section E(1)(e)
This regulation should not apply to non-native Significant trees (the term Significant, as used in the Wildlife Ordinance, only refers to a tree's size, and not to any particular ecological or biodiversity importance. The natural vegetation of this area is chaparral; non-native trees are a

human-introduced phenomenon and not necessary for the biodiversity or ecological health of the WLD. We note that the Planning Department's own PAWS report does not provide any justification, or even recommendation, for this regulation, and as such the inclusion of non-native Significant trees is unjustified and overly intrusive.

E. Regulations: Fencing – p. 11, Section F.1(a)1.c

The Planning Department has stated to the public in its "office hours", that it did not intend to prohibit chain-link fencing under this regulation. However, chain-link fencing is a type of woven wire fencing, and as such is prohibited under this section of the proposed Wildlife Ordinance.

F. Regulations: Overall height measured 5 feet from base – p.11, Section F.1(b)(2)

Overall height should be from the ground at the base of the building/structure, not 5 feet away, as this unnecessarily penalizes those whose ground drops sharply at the base of their home.

G. Regulations: Grading – prohibition against structures on slopes in excess of 45 degrees (100% slope) – p.12, Section F.1(c)(2)(i)(a)

1) Stairs should be exempted from this regulation. Prohibiting stairs on these slopes would render it difficult/dangerous for property owners to reach areas of their property for a) property maintenance, including brush clearance, and b) the enjoyment of their own property, and as such constitutes a taking.
2) Decks should be exempted from this regulation. Many, if not most, homes in the hills are located on streets with no sidewalks and are on building pads that take up only a small portion of the lot. As such, these homes have limited usable outdoor space relative to the size of their lots, and limited opportunity for safe outdoor recreation and enjoyment. This is another instance of this Ordinance prioritizing a small wildlife benefit over the well-being of the human inhabitants.

H. Regulations: Grading – BHO grading exemptions revoked- p.12, Section F.1(c)(2)(i)(a)

BHO grading exemptions should be restored. Cut and Fill exemptions minimize hauling, and disturbance to residents, and have minimal impact on wildlife.

I. Regulations: Remedial Grading on slopes greater than 33 degrees (45%) counts toward Maximum By-Right Grading Quantity – p. 12, Section F.1(c)(2)(i)(b)

This regulation should be removed from the Wildlife Ordinance. Many homes in the WLD were lawfully built on pads that no longer meet current safety standards, and may require remedial grading for even small structural changes or to repair foundation problems.

J. Regulations: RFA – basements to count toward RFA - p. 13, Section F.1(d)(2)

Basements do not count toward RFA in the rest of City, and the Planning Department has failed to provide any scientific basis as to why they should not be exempt in the WLD.

K. Regulations: Lot Coverage exemptions – p. 13, Section F.1(e)(2)

Many RE zoned homes in the WLD are on lots that are smaller than R1 lots. Our neighborhood, although zoned primarily RE-15, has several such lots (e.g. lots of 6 or 7 thousand square feet) and these homeowners would be greatly burdened by the application of this regulation to their properties. Lots less than 1 acre and driveways should be exempt from this regulation.

L. Regulations: Tree removal, replacement and dripline prohibitions – p.14, Section F.1(f)

Non-native Significant Trees should be removed from this Section entirely. Regulating homeowners' removal of non-indigenous, human-introduced trees is not only overly intrusive but the 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report. Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. We note also that both the increased fire danger and the increased bird strikes disallow a CEQA exemption. As to the other trees,

1) Urban Forestry should be the Agency responsible for determining the health of a tree
2) Emergency Removal - By definition, time is of the essence in an emergency tree removal situation. Therefore, homeowners should be permitted to remove a tree if they have not received a determination from LAFD or Urban Forestry within 72 hours of the request.
3) Tree removal should be exempt from the regulation where homeowner's insurance companies are requiring the removal of the tree as a condition of coverage, or where the trees continued existence would increase home insurance costs by more than 10%.
4) Tree dripline regulations should only be applicable to New Construction. Where a tree overhangs an existing home, these regulations would interfere with a homeowner's ability to remodel their home.

M. Regulations: Native Plant requirement – p.15, Section F.1(g)

These regulations should only apply to New Construction

S. Regulations: Bird Safe Windows – p. 17, Section F.1(i)

1) These regulations should be removed. Although both the staff report and the PAWs report throw out numbers regarding the nationwide estimate of bird-window collisions, all of the studies cited are in areas that are not representative of the WLD (eg they were done near bodies of water, or in bird migration routes, etc). No studies have been done in the WLD, consequently there is no scientific support for the notion that bird strikes are an endemic problem in the WLD, such that an ordinance that forces homeowners to obscure their windows could be justified.
2) There is a typo, which the Planning Department admitted was an error in their "office hours" on page 18, in the section entitled Architectural Features. The number there should be 40sf, not 24sf. Also, the section letter should be "e", not "a".

T. Regulations: Trash Enclosures – p. 18, Section F.1(j)

This section appears to be a holdover from previous iterations of the Wildlife Ordinance that irresponsibly invited wildlife into homeowners yards, and it must be removed in its entirety. 1)

There is no evidence whatsoever that wildlife is accessing the existing Bureau of Sanitation supplied trash cans on homeowners properties, and homeowners report that it simply does not happen. 2) Consequently, this regulation is entirely unnecessary and extremely burdensome for homeowners, as the Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. 3) many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, and unreasonably interferes with homeowners use of their property, all for no purpose. 4) Many homes in the WLD have back yards that accessed by steps, or back yards that are inaccessible. Forcing these homeowners to undergo an expensive and time-consuming WLD Exception is unreasonable in these circumstances. 5) For future areas where the Wildlife Ordinance may be implemented that do have a wildlife-trash problem, wildlife resistant straps are readily available for around $20, and are a far more reasonable solution than trash can houses in back yards. Certified bear-resistant trash cans are also available that are less expensive and less intrusive than trash can enclosures in back yards.

U. Regulations: Site Plan Review required for homes 7500sf or more – p. 19, Section F.1(j)
7,500sf is too small – the threshold should remain at 17,500sf

V. Regulations – Biological Assessment – p.20, Section F.2(b)(1)
Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

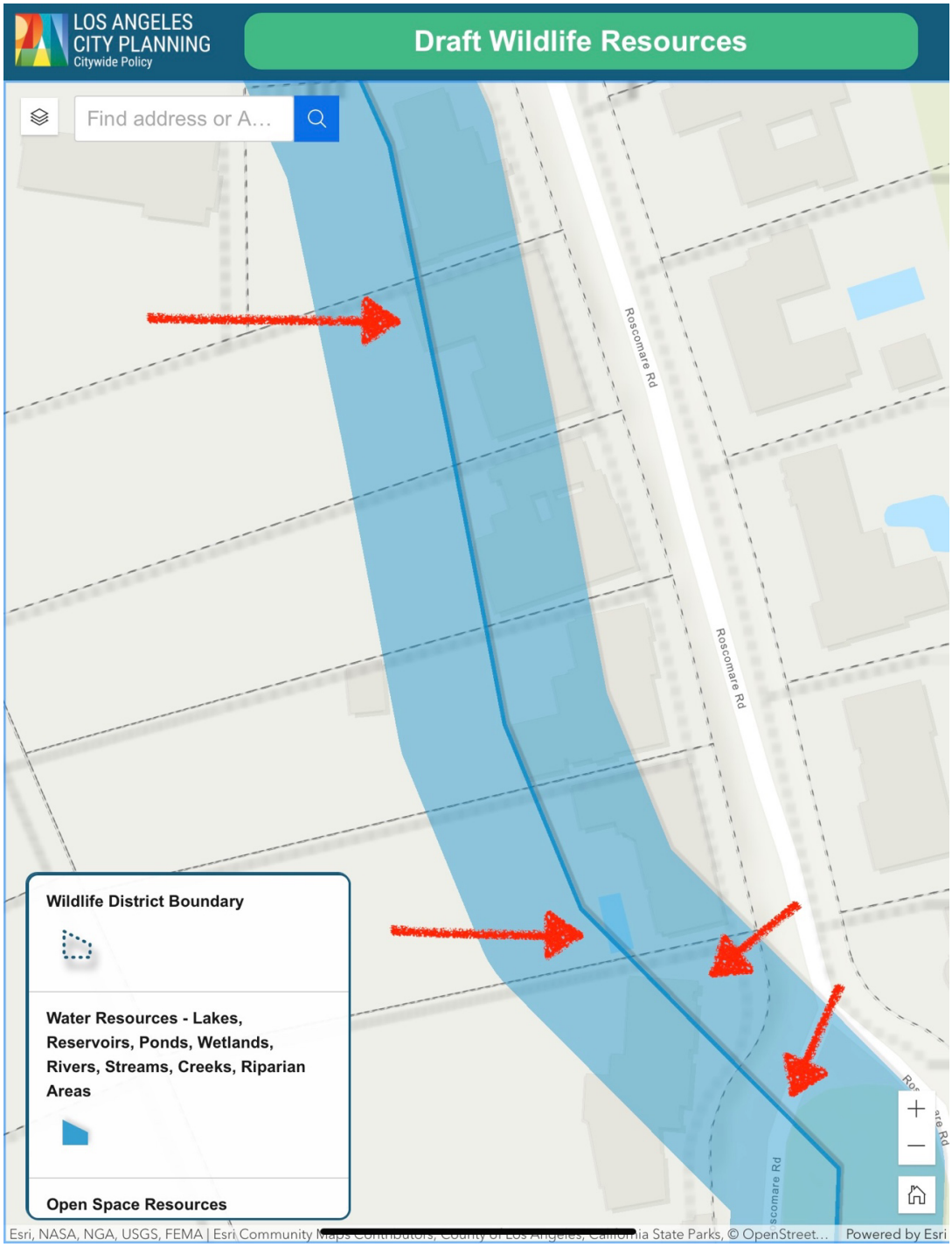
W. Site Plan Review – p.21, Section F.2(b)(3)

1) Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines are are ripe for unequal application and potential graft.
2) Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task.
3) Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines

Sincerely,

Andrew Paden, Vice President,
For the Board of Directors of the Bel Air Hills Association

APPENDIX 1
Example of Erroneous Wildlife Resource in Bel Air Hills,
depicting stream traversing homes, pools, and Roscomare Road.
The Wildlife Resource depicted does not exist.
Source: Current Planning Department Wildlife Resource Map, captured on November 14th, 2022



November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Resident…

Planning CPC <cpc@lacity.org>

Support LA City's Wildlife Ordinance!

Cassandra Chowdhury <cassandranc@gmail.com> Thu, Nov 10, 2022 at 10:47 AM
To: cpc@lacity.org

Please do what is necessary to protect our wildlife and wild places. This is not only a measure to protect LA's animal population, this is an investment in ourselves. Humans are a part of this ecosystem as much as wildlife are, everything is connected and we cannot live without each other. Thank you for your consideration!

Cassandra Chowdhury

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA and CPC-3712-ZC - DELAY HEARING

Cara DiNorcia <cdinorcia@gmail.com> Mon, Nov 14, 2022 at 4:39 PM
To: CPC@lacity.org

To Whom It May Concern,

After reviewing the Wildlife Ordinance Update, it is apparent it is incomplete and needs critical pieces of information identified before it can go to a hearing and be properly reviewed.

Here is a list of concerns we have identified:

Concern	Page	Recommendations
Wildlife Resource Definition and Map	4	No new Resource categories may be added without: a) Written notification to all parcel owners in the WLD, said notification to be an unbiased description of the proposed new Resource, its buffer and the consequences of such a Buffer on development rights, and b) Public Hearing (with same notification), and c) Hearing before CPC, and d) Vote in favor before City Council PLUM, and e) Vote in favor by full City Council
Administrative Clearance application form	6	That the CPC, City PLUM and/or City Council not approve the WO until the Administrative Application form has been available to the public for 30 days prior to the Hearing and/or vote
Exemption of City from WO Regulation	8	That Development by the City NOT be exempt from the WO regulations
Open Space Definition	8	Clarify utility easements that they don't include regular utility easements
Applicability: Additions	10	Ordinance should not apply at all
Applicability: Major Remodels	10	Ordinance should not apply at all
Applicability: Significant Tree removal	10	Not apply to Significant trees
DW Regulations: Fencing	11	Ordinance should not apply at all
DW Regulations: Overall height of 45 feet?	11	45 feet to base of building, and apply per structure. This is to ensure thoughtful design, and proper land use and avoid everything being smashed together.
DW Regulations: Grading – prohibition against structures on slopes in excess of 45 degrees (100% slope)	12	That stairs and decks be exempt.
DW Regulations: Grading	12	Keep as in BH0
DW Regulations: Remedial Grading	12	Keep as in BHO
DW Regulations: RFA	13	Keep as in BHO

DW Regulations: Lot Coverage	13	Not for lots less than 1 acre and driveways don't count.
DW Regulations: Tree Removal	14	Don't include significant trees
DW Regulations: Trees - No grading or construction within the dripline of a Significant Tree	14	Not Significant trees. Protected tree okay.
DW Regulations: Trees – Emergency Removal	15	Provide Urban Forestry 72 hours before homeowner can remove tree.
DW Regulations: Native Plant requirement	16	Only new construction.
DW Regulations: Security and Outdoor Recreational Lighting	17	Outdoor Recreational Lighting must be defined
DW Regulations: Bird Safe Windows	17/18	Must be clarified that the 40sf refers to the size of the window pane, not the window.
DW Regulations: Trash Enclosures	18	Remove from Ordinance
DW Regulations: Site Plan Review required for homes 7500sf or more	19	Stay with existing 17,500 trigger
Wildlife Resource Regulations – Map	20	Same issues as above, and need easy fix for homeowners that have non-existent Resources that are not properly mapped
WR Regulations – Biological Assessment	20	Details of the Biological Assessment requirements must be disclosed to the public with an opportunity to be heard at least 30 prior to Hearings/votes.
WR Regulations – Buffers	20/21	Are these Buffers reasonable? Need reasonable fix for homeowners when buffer zone is too burdensome and unnecessary
Site Plan Review –	21/22	a) Needs specific Site Plan Review criteria before CPC votes on this, eg Coastal Commission, city of Malibu, LA County b) Need a graduate degree biologist and licensed architect reviewing for Planning Dept like Malibu and County of LA c) Needs to ensure public safety of adjoining properties

Once again, it is only reasonable and fair to delay the hearing until we have all critical pieces of information to review.

Thank you,
Cara DiNorcia

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance -- now!!

Cyd Gold <cydgold@fastmail.fm>
To: cpc@lacity.org

Tue, Nov 15, 2022 at 10:58 AM

Dear Los Angeles City Planning Department:

Please note that I agree with the Los Angeles Times Editorial Board and support the creation of a special use district to implement the Wildlife Protection Ordinance.

Creating and implementing a Wildlife Protection Ordinance is a vital 1st step if we hope to maintain biodiversity in today's unprecedented climate crisis.

Thanks in advance for doing the RIGHT THING!

Very truly yours,

Cynthia [Cyd] Gold
4540 El Reposo Drive
Los Angele, CA 90065

--
Cyd Gold
cydgold@fastmail.fm

Planning CPC <cpc@lacity.org>

Wildlife Ordinance #CPC-2022-3413-CA, CPC-2022-3712-ZC CPC Hearing

Claudia H Lowry <cl@group3aviation.com> Thu, Nov 10, 2022 at 4:58 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org, Nithya.Raman@lacity.org, CPC@lacity.org, mehmet.berker@lacity.org, joan.pelico@lacity.org, david.hersch@lacity.org, andy.shrader@lacity.org, gregory.martayan@lacity.org, alison.simard@lacity.org, dylan.sittig@lacity.org, monica.molina@lacity.org

Dear City Councilmembers and City Planning Department,

I am a registered voter, homeowner and a resident of the area affected by the proposed new Wildlife Ordinance #CPC-2022-3413-CA, CPC-2022-3712-ZC.

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way, residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Regards,

Claudia Herrera

Sherman Oaks, CA

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

maginnistel@aol.com <maginnistel@aol.com> Mon, Nov 14, 2022 at 9:53 AM
Reply-To: maginnistel@aol.com
To: CPC@lacity.org

CPC Members,

CPC members have not had time to read and understand the full 600 page report! I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

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The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

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7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Sincerely,

Chuck Maginnis

1440 Bel Air Rd

Planning CPC <cpc@lacity.org>

Support of the LA Wildlife Ordinance

Constance Villalvazo <constancev@berkeley.edu> Mon, Nov 14, 2022 at 2:16 PM
To: cpc@lacity.org, patrick.whalen@lacity.org

To Whom It May Concern,

I spoke at the July meeting in broad support of the LA Wildlife Ordinance to comment that this was a wonderful first step, which had influence on the greater environmental impact of historically redlined disadvantaged areas of Los Angeles, and which ultimately ought to be strongly implemented there in the interest of racial as well as climate justice.These are areas currently being exploited for land use after years of political intervention by former disgraced Councilmans Huizar and Cedillo and this Ordinance has the opportunity to grant protection and redress. I have been disturbed to hear reports that the Ordinance will be amended to make it less effective and want to speak out against that. There should be no exemption for lot coverage on R1 and R2 zoned parcels. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles. Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5 and proposed removal of 3 or more protected or significant trees should also trigger the Ordinance in any version that is proposed.

Thank you,
Constance Villalvazo
Los Angeles, 90042

CITIZENS FOR LOS ANGELES WILDLIFE
CLAW
PO Box 50003 Studio City, CA 91614
(818) 821-6000 info@clawonline.org www.clawonline.org

November 14, 2022

Los Angeles City Planning Commission
200 N. Spring Street, Suite 525
Los Angeles, CA 90012
Via: cpc@lacity.org

SUPPORT for Wildlife District Ordinance (CPC-2022-3413-CA and CPC-2022-3712-ZC) WITH AMENDMENTS

Dear City Planning Commissioners:

Citizens for Los Angeles Wildlife (CLAW) is a non-profit environmental organization concerned with the wellbeing of wildlife and wildlife habitat for the City of Los Angeles and beyond. A citizenry of more than 5,000 individuals support our organization's multiple calls for practices and policy to benefit biodiversity in LA City, County, California and the globe. CLAW, therefore, joins the Los Angeles Times (editorial attached), LA Hillside Councilmembers, and thousands of hillside stakeholders who have been following and supporting the carefully crafted regulations of the Wildlife Ordinance through the years. We recognize that the ordinance supports the State's efforts to enhance biodiversity, and also helps to achieve goals and targets related to staving biodiversity loss as outlined in LA's Green New Deal.

CLAW urges the Planning Commission to support the proposed regulations of the latest draft of the Wildlife Ordinance (WO), and also make amendments to strengthen its effectiveness. Please support the following (justifications are on the next page):

1. **Wildlife Resources** – Revert to regulations in the WO draft 2; development 50 feet from open space resources must go to Site Plan Review. The current draft's reduction to a 25 foot buffer does not suffice. Further, non-contiguous buffers divided by a road should trigger Site Plan Review, as well.

2. **Lot Coverage** – Revert to regulations in the WO draft 2; make no exemptions for R1 and R2 lots. Lot coverage is an essential spatial consideration especially for narrow habitat linkages and chokepoints and the proposed exemptions are inconsistent and inequitable to neighborhoods with average-size residential lots.

3. **Residential Floor Area** – Revert to regulations in the WO draft 2; the current draft's change will allow Severe Slopes in floor area calculations; however, Severe Slopes need to be removed to reduce the impact for projects of all sizes, especially near ridgelines.

1. **Wildlife Resources Buffer**

Why this matters to wildlife: Resource buffers identified in the ordinance contribute to the existing habitat and wildlife corridors that run through the Santa Monica Mountains. Every time those areas are reduced or narrowed, the risk increases for bottlenecking and chokepoints. For healthy ecosystems to remain, there needs to be functioning connective habitat. In addition, nearby development needs to be regulated as an "area of Inclusion," meaning that all nearby projects to open space should have limitations in mass, lighting, fencing, height, and impervious surfaces. Much of this can be achieved in Site Plan Review, but the reduced open space buffer from 50 feet to 25 feet will remove many projects from oversight and threaten wildlife resources. Moreover, while a 25 foot buffer will send projects on both sides of open space resources to Site Plan Review, an equally important project across the street from open space will not trigger Site Plan Review. To allow an undeveloped lot directly across the street from parkland to be exempted from Site Plan Review would be unacceptable. CLAW proposes to reinstate the 50 foot open space buffer or to make the 25 foot buffer a non-contiguous measurement, i.e. a distance that omits improved and paper roads from its measurement.

2. **Lot Coverage**

Why this matters to wildlife: Lot coverage in the ordinance includes hardscape and other obstacles inside the lot area aside from the home. If a lot is exempted from lot coverage and permitted to fill the entire area with built environment from lot line to lot line without allowing for wildlife thoroughfare, then the property will contribute to wildlife blockages or drastically narrow passageways. These are outcomes in direct opposition to the intent of the ordinance. Lots, no matter the size, especially the last open lot on a block, and especially if abutted by developed and fenced properties, have the potential to block animal pathways unless regulated against doing so. Since the latest draft has removed setbacks, fencing, and other spatial elements from the ordinance, the R1 and R2 exemption must not be allowed. Moreover, R1 and R2 lots vary a great deal in size and using this standard is an unfair standard for neighborhoods trying to preserve wildlife connectivity.

3. **Residential Floor Area**

Why this matters to wildlife: Historically, steep slopes (like other biological resources including water and trees) created natural thoroughfares for wildlife to cross terrain. However, with engineering advancements, building has crept up the steepest terrain of the Santa Monica Mountains and created larger homes that are contributing to blockages where wildlife used to cross. Excluding Steep Slope (60% and above) from floor area calculations would help reduce mass on all projects within the pilot district and has been included in all previous iterations of the ordinance. Given that ALL ridgeline regulations have been remove from the current ordinance draft, excluding Severe Slope becomes a necessary tool to manage mass near ridgelines and should be reinstated.

Thank you for receiving our comments. CLAW urges the LA City Planning Commission to adopt the pilot Wildlife Ordinance. We also thank the Planning Department for making wildlife habitat and connectivity a priority through the creation of the Wildlife Ordinance.

Sincerely,



Tony Tucci, Chair

CLAW is a public benefit non-profit 501(c)(3) environmental organization that works to protect and restore the environments of wildlife of Los Angeles and California from dwindling open spaces. Our mission is to promote, educate and protect the fundamental importance of wildlife, wildlife habitats and wildlife corridors everywhere.

Editorial: If we want wildlife to thrive in L.A., we have to share our neighborhoods with them

latimes.com/opinion/story/2022-11-07/los-angeles-wildlife-district-ordinance
By The Times Editorial Board Nov. 7, 2022 5 AM PT November 7, 2022



Los Angeles abounds with wildlife, and now the city is creating its first wildlife ordinance that would regulate development to protect wildlife and biodiversity unique to Southern California. Above, a deer stands on the edge of a field near a row of residences. (Citizens for Los Angeles Wildlife)

No one knows exactly how the young male mountain lion found resting near a country club on a busy street in Brentwood last month got there. But he probably left a hillside perch, made his way through a residential neighborhood, then crossed San Vicente Boulevard. Had

he never been spotted (and tranquilized and returned to the Santa Monica Mountains without incident) he would have probably hunkered down under cover of trees, waited for night and then returned to the hills.

Although a daytime sighting of a mountain lion in an urban neighborhood is rare, Los Angeles abounds with wildlife. For decades, development has encroached upon open space and hillside habitats, endangering the existence of Southern California mountain lions and other animals and species of plants. Now, the city is creating its first wildlife ordinance that would comprehensively regulate development to protect the biodiversity of Los Angeles.

Eight years ago, City Councilman Paul Koretz introduced a motion calling upon the planning department to craft a wildlife ordinance. When the necessary funding for this effort was finally allocated to the department three years ago, it began working with ecologists, the Santa Monica Mountains Conservancy and community wildlife advocates, including Citizens for Los Angeles Wildlife, to strike a balance between allowing new construction while ensuring the survival of the wild animals that are living on this land.

On Nov. 17, the ordinance goes to the Planning Commission, which can recommend approval to the L.A. City Council or ask for changes before doing so. The City Council has to vote it into law.

The proposed ordinance would create a wildlife district in the Santa Monica Mountains, between the 405 and 101 freeways that includes neighborhoods in Studio City, the Hollywood Hills and Bel-Air. Within that district, the city would dictate how much of the lot can be covered by structures, the height of homes, the type of outdoor lighting and the landscaping required. The ordinance also addresses the kinds of fencing materials allowed, so animals won't get injured, and the treatments of glass windows over a certain size to discourage animals from running into them.

The goal is to maintain and enhance habitat so that animals can travel through these areas easily without getting blocked or hurt, and to have plantings that are fire-resistant and native to the environment as well as provide food for animals.

The ordinancewould apply only to new construction, extensive remodeling of the existing structures or an addition 500 square feet or more. The wildlife district could be expanded in the future to include other areas of the city with wildlife and plant populations that should be protected.

The proposal has faced opposition from some hillside residents who say they love wildlife — "I have 10 bird feeders on my property," said one homeowner — but saw the ordinance as a violation of property rights.

It's not. The proposed ordinance places reasonable restrictions on private land located in sensitive habitat to protect the wildlife and biodiversity that are unique to Southern California. In fact, some wildlife experts argue the current proposed ordinance isn't as strong as it should be.

The planning department initially proposed restricting all houses and other structures on parcels in the wildlife zone to 50% of the lot. Owners of smaller single-family lots, however,

complained vociferously that it was too onerous to comply with. So, in the current draft, the department exempted smaller single-family lots, which make up about 6% of 23,000 acres within the proposed district.

Experts who have spent years studying wildlife connectivity paths through this area say it is the smaller parcels that, once they are built up, could close off a last remaining cut-through or pathway for wildlife. That would undermine what the city should be trying to do, which is to help the movement of animals across this entire district.

A wildlife ordinance is a necessary tool for maintaining the biodiversity in hillsides where it's dwindling. The only way to do that is to make sure these habitats don't get overbuilt. That means some restrictions on land use. Los Angeles is not the first region to create a wildlife ordinance. Ventura County passed one in the last few years that protects a chunk of the county.

If there are no corridors for wildlife movement and if excessive excavation of dirt to build bigger, taller houses erodes the slope of a hillside, then we are slowly destroying wildlife habitat. For those people fretting about what this will do to their property values — isn't open space, trees, and wildlife an amenity in these communities?

Animals need to be able to live among us and cross through our neighborhoods and spaces, without them endangering us and without us endangering them.

The Times Editorial Board
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Los Angeles, CA 90013
(213) 255-4863
Fax: (213) 255-4422

Community Forest Advisory Committee
Los Angeles

November 11, 2022

To: City Planning Commission

Re: SUPPORT for the revised Wildlife District Ordinance, CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE.

We at CFAC strongly support the revised Wildlife District Ordinance, and offer several suggested amendments.

We are keenly aware of the loud and organized lobbying and misinformation campaign that has been peddled by the opposition who feel that the ordinance is "onerous." And while we listen to the opinions of others, the goals of the Ordinance are far too important for ALL and too urgent to be stalled or diminished. **The past and ongoing destruction of native habitats that can never be replaced or restored has been very "onerous" to wildlife, biodiversity and the well-being of our entire city.** And it will continue with all of the projects already underway until the ordinance becomes effective. Furthermore, with the Federal directive and State goals of protecting 30% of open lands by 2030, as well as the scientific evidence that the threats to nature are upon us now, it is critical that everyone participates in protecting our ecosystems that provide PUBLIC benefits, even on private land. Living in a natural hillside community comes with a certain degree of responsibility and the WLD Ordinance presents reasonable restrictions in order to ensure that the natural life of the hillside endures into the future. It is the City's responsibility and moral obligation to enact policies which strike a balance between personal gain and the greater good of Los Angeles, and the planet. **We feel that the Wildlife District Ordinance staff have done an excellent job of striking that balance, which for far too long has been leaning in the direction of rampant, destructive development and self-interest at the expense of natural resources, biodiversity, open space, and climate-resilience.** The current and continued threats of climate change and biodiversity loss show that we do not have the luxury of compromising when our last-remaining natural refuges and resources are at risk. We live in 1 of 36 global biological hotspots – equally rich in biodiversity and equally threatened. It is everyone's duty to protect it.

The DCP staff report says it best: "Habitat connectivity between intact patches of habitat, and particularly with larger expanses of natural areas, plays a vital role for the maintenance of the wealth of species to allow natural ecological and evolutionary processes to continue. Habitat connectivity allows for greater wildlife movement, which is essential to wildlife survival for seeking food, shelter, or mates; dispersal of offspring to find new homes; or seasonal migration to find favorable conditions and/or breeding grounds. Movement is also essential for gene flow, for recolonizing unoccupied habitat after a local population goes extinct, and for species to adapt their geographic range (i.e., in response to a significant natural disaster, or global climate change). **The preservation of biodiversity within the City is important, not only for the intrinsic value of conserving the remaining natural resources and species that inhabited the area long before people altered the landscape, but also because maintaining the ecological health of these areas can provide ecosystem**

services that benefit people. Open space areas near urban land uses function as a visual amenity, as a passive recreational asset, a groundwater recharge site, and a 'storehouse' for natural species populations. The value of the ecosystem to daily life is found in the contributions toward soil erosion control, air pollution protection, crop and fruit production through pollination (via insects and birds), water quality purification, and other environmental stress reducers."

We support and commend the following elements of the Wildlife District Ordinance:

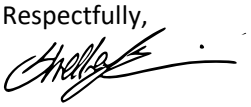
- We support and applaud the inclusion of **Significant Trees** of all species. There are many native and non-native species that provide critical food and habitat, yet have had no protections from destruction. And we heartily support the fact that tree removal is considered a project, which requires permits and review. For too long we have seen rampant destruction of trees as if they were simply outdoor furniture or an aesthetic feature that has little value.
- Closing the remedial grading loophole in the BHO by including it and setting a trigger for site plan review. Soils hold microorganisms and stored carbon and should be left undisturbed as much as possible.
- Including accessory structures, pools, sports courts, driveways and other hardscapes in lot coverage, in order to reduce impermeability and site disturbance.
- Including requirements for native landscaping, and
- Including requirements for native trees & shrubs

We would ask the commission to include several amendments in order to make the WLD Ordinance even more robust:

1) The removal of 3 or more significant and/or protected trees to trigger a Site Plan Review.
2) Require 5 year maintenance/irrigation to accompany any tree planting, and ensure adequate planting space before approving removals (not more than one tree per planting hole).
3) On emergency removals require that LAFD must confer with UFD. LAFD and their contractors don't have the background or expertise to assess tree health or pests.
4) Not to exempt R1 & R2 parcels from lot coverage. Small lots are often critical to habitat connectivity.
5) Revert to previous draft: exclude significant slopes from FAR calculations, especially since Ridgeline Protections were removed.
6) Revert to previous draft: development must be a minimum of 50 ft. from open space Resource Buffers, as 25 ft. is too narrow.

The Community Forest Advisory Committee (CFAC) was formed many years ago to improve the state of our City's urban forest by convening community representatives from the 15 council districts and a Mayor's representative. **We applaud the Planning Department team that has been working on this painstakingly** since the early efforts on Council File #14-0518 for Wildlife Corridors, through the first draft Wildlife Pilot Project, and now. We have been following this effort for more than 8 years! Please don't let the voices that are fueled by greed and self-interest to slow this down. The time to pass this ordinance and begin implementation, with an eye towards expanding it to the rest of the city, is long overdue!

Respectfully,



Shelley

Cc: Conni Pallini-Tipton, et al

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

team@arroyosecoalliance.org <team@arroyosecoalliance.org> Tue, Nov 15, 2022 at 8:41 AM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: info@coyotl.macehualli.org, Derek Ryder <derekryder.101@gmail.com>, LUCY MORENO <lucy1moreno@yahoo.com>

Dear City Planning Commissioners,

We support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Dave Chapple,

Arroyo Seco Alliance

90065

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
DON & JENNIFER HARDISON- LINDA FLORA DR.

Planning CPC <cpc@lacity.org>

I oppose the proposed Wildlife Ordinance, #CPC-2022-3413-CA, CPC-2022-3712-ZC.

Don Hardison <dmhardison@yahoo.com> Wed, Nov 9, 2022 at 3:07 PM
To: "OurLA2040@LAcity.org" <OurLA2040@lacity.org>, "Patrick.wahlen@lacity.org" <Patrick.wahlen@lacity.org>, "CPC@LACity.org" <CPC@lacity.org>, "Lena.Mik@LAcity.org" <Lena.Mik@lacity.org>, "Vince.Bertoni@lacity.org" <Vince.Bertoni@lacity.org>, "Paul.Koretz@LAcity.org" <Paul.Koretz@lacity.org>, "ContactCD4@lacity.org" <ContactCD4@lacity.org>, "Mayor.helpdesk@lacity.org" <Mayor.helpdesk@lacity.org>
Cc: Jennifer Hardison <abrot29@yahoo.com>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY

Don & Jennifer Hardison

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Dan Harrison <dan@harrisontv.com> Wed, Nov 9, 2022 at 4:08 PM
To: "OurLA2040@lacity.org" <OurLA2040@lacity.org>, "CPC@lacity.org" <CPC@lacity.org>, "Paul.Koretz@lacity.org" <Paul.Koretz@lacity.org>, "ContactCD4@lacity.org" <ContactCD4@lacity.org>, "mayor.helpdesk@lacity.org" <mayor.helpdesk@lacity.org>, Greg Martayan <gregory.martayan@lacity.org>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance.

In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment."

Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. Excluding developed property would go a long way to assuaging concerns about vast parts of the City of LA being rezoned without a fair process, in a way that could have adverse consequences on use, enjoyment and value of our homes.

City Planning should take more time to complete their updated draft, and residents demand a proper due process. This ordinance is not ready, and it should wait for a properly seated City Council and new Mayor to address after the election has been fully resolved.

Thank you,

With respect,

Dan Harrison

408 Cascada Way

Los Angeles, CA 90049

323-377-7856

dan@harrisontv.com

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

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Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

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That Development by the City NOT be exempt from the WO regulations

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Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

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Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

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7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Dixie L. Holtz
14581 Deervale Place
Sherman Oaks

Planning CPC <cpc@lacity.org>

Regarding The New WPO

Diana Marbella <dianamarbella@hotmail.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Sun, Nov 13, 2022 at 6:32 PM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Diana Marbella

864 Hyperion Ave.
Los Angeles, California 90029

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Dax Miller <dax@daxdesign.com> Mon, Nov 14, 2022 at 10:50 AM
To: CPC@lacity.org

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Stop Cramming this down our throats! Its clear that no one at the CPC fully understands the impact of this ordinance the way it is currently written from their previous responses. The CPC members have clearly not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices. They need to read all the comments submitted by the public first which it has not done. The CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments. Period.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD") AKA Hillside ordinance. The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

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Thank you,
Dax Miller

Planning CPC <cpc@lacity.org>

WO (AKA Hillside ordinance) & the CPC hearing Nov. 17th

Dax Miller | DAX DESIGN <dax@daxdesign.com> Wed, Nov 9, 2022 at 3:31 PM
To: "CPC@lacity.org" <CPC@lacity.org>

CPC Board,

I am the Holmby Hills South HOA representative for District 5 and a very concerned resident officially requesting that you postpone the CPC hearing of the WO (wildlife Ordinance) on Nov. 17th. I urge the CPC gain all of the pertinent information, and more importantly, fully understand the WO (wildlife Ordinance) how it is currently written before you have a hearing on it. Did you know that "By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance"?. This is all on record. It is very clear to thousands of homeowners that the CPC members do not fully understand the particulars of the WO as it is currently written and the negative effects it will have on every homeowner within the "resource map". Our attorneys agree that this ordinance is not well crafted nor conceived which will ultimately lead to many lawsuits IF this ordinance is addopted in its current form. City planning has also admitted (on record) that they do not know what will be included in the "Biological Assessment". How can you discuss passing something as ambiguous as this? Its reckless and dangerous for the city and the planning department. The WO is far from ready and the hearing most definitely should be postponed. Anyone or any department that picks up the WO will suffer the same fate as Paul Koretz did today. Paul tried to spearhead the WO for over 10 years (when it was called the Hillside Ordinance), only to realize today just how many informed residents we are who voted against him in a landslide failure, even after he spent 10x his opponent. This was no coincidence. Do not be fooled. This is a seriously flawed ordinance and it should not, & cannot be adopted the way it is written now. We are only asking that you postpone it until it better understood by residents, its nominated leaders and the city.

Respectfully,

DAX MILLER
Holmby Hills Homeowners South Representative

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

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Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,



Dorianne Mir, Resident

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Daniel Platt <dplatt@loeb.com> Mon, Nov 14, 2022 at 1:50 PM
To: "CPC@LAcity.org" <CPC@lacity.org>

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

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Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

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Thank you,

Daniel Platt
Partner

LOEB & LOEB LLP

10100 Santa Monica Blvd., Suite 2200 | Los Angeles, CA 90067
Direct Dial: 310.282.2110 | **Fax:** 310.919.3503 | **E-mail:** dplatt@loeb.com
Los Angeles | New **York** | **Chicago** | **Nashville** | **Washington, DC** | **San Francisco** | **Beijing** | **Hong Kong** | **www.loeb.com**







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Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Dorian Redding <dredding69@gmail.com> Mon, Nov 14, 2022 at 11:47 AM
To: CPC@lacity.org

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.

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biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the
requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should
be included in criteria/guidelines.

Thank you,
Dorian and Shelley Redding - Aqua Verde Drive, LA, CA, 90077

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance

Linda Schneider <irie3@pacbell.net>
To: cpc@lacity.org

Sun, Nov 13, 2022 at 12:12 PM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I **support the creation of a special use district** to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

David Schneider
LA, CA

Planning CPC <cpc@lacity.org>

CNPS LA/SMM Chapter Comments - Draft LA Wildlife Ordinance

Dodson, Snowdy D <snowdy.dodson@csun.edu> Mon, Nov 14, 2022 at 2:28 PM
To: "cpc@lacity.org" <cpc@lacity.org>
Cc: Julie Clark <juliedclark@protonmail.com>, Joseph Farewell <jfarewell88@gmail.com>, Mary Montes <mcmontes100@hotmail.com>, Steve Hartman <naturebase@aol.com>, "Neill, Bill" <bgneill@earthlink.net>, Nick Jensen <njensen@cnps.org>

To: Los Angeles City Planning Commission
Via email: cpc@lacity.org

From: Snowdy Dodson, Co-Vice President
Calif. Native Plant Society, Los Angeles/Santa Monica Chapter
Snowdy.dodson@csun.edu

Re: Draft Wildlife Ordinance – November 2022

On behalf of our CNPS Chapter I am submitting input to the Draft Wildlife Ordinance coming before the Planning Commission on Nov. 17, 2022. In general, we support most of the draft document recommendations. However, we recommend the following:

- The “native plant” definition seems to eliminate native vegetation planted “due to human landscaping” – why is how the plant came to be on the property relevant? All California native plants are of ecological value regardless of their origin – planted out or growing naturally.
- The “Prohibited Plant” sections seem to only prohibit the planting of invasive plants; in actuality, most property owners would not be planting the plants on that list. We recommend that you include language that requires the active removal of these invasive species and, thus, improve the areas for the survival of the native plants that provide food and habitat for native animals.
- We recommend that there be more stringent grading restrictions as excessive excavation leads to destruction of wildlife habitat for creatures living both above and below ground.
- Small lot size should not exempt the property owner from contributing to the native plant ecological value of the designated area.
- We ask that you expand the scope of this ordinance to include all areas of the Santa Monica Mountains within the boundaries of the City of Los Angeles.

The Draft Wildlife Ordinance is the start of making the Santa Monica Mountains a more wildlife and native plant friendly environment leading to increased sustainability and carbon sequestration.

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE- Postpone Hearing

David White <davidscottwhite@aol.com> Mon, Nov 14, 2022 at 9:32 AM
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

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Thank you,

David White

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

David White <davidscottwhite@aol.com>
To: "CPC@lacity.org" <CPC@lacity.org>

Wed, Nov 9, 2022 at 2:37 PM

"As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

DOHENY SUNSET PLAZA
NEIGHBORHOOD ASSOCIATION
From La Collina to Crescent Heights

P.O. Box 692055
Los Angeles, CA 90069
dspna.org

November 14, 2022

City Planning Commission
City of Los Angeles
VIA EMAIL (patrick.whalen@lacity.org, cpc@lacity.org)

Re: November 17, 2022, Items 9 & 10. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear President Millman and Commissioners:

The Doheny Sunset Plaza Neighborhood Association represents resident and property owners of the 2000 households in zip code 90069 that are part of the proposed WLD district.

We are part of the Bel Air-Beverly Crest Neighborhood Council area and are in support of the letter submitted today by the NC on this issue.

We have had many lots in our area scraped clean of any plant life, and any environmental clearances that have been required of developers have not adequately addressed this issue. Environmental reviews done for development projects normally only consider habitat for protected species without viewing reduction in volume of habitat for non-protected species as anything requiring mitigation. Habitat of all kinds is necessary for protected species to thrive and to foster biodiversity.

In recent years, we have seen significant habitat loss due to development of large, grading-intensive homes in our area. In fact, some of this development has been featured in Planning Department materials related to the ordinance. Along with this habitat loss, many residents would likely report seeing a decrease in wildlife population and diversity.

We are in support of the ordinance as currently drafted. Recent changes that extended overall height requirements districtwide, that clarify application of the ordinance and

that limit impacts on smaller lots helped to focus the regulations and balance protection of nature and impacts on property rights. We thank Planning Staff and others from Council District offices who we know have put much time into improving the previous draft.

We would like to see further changes. We believe that more protection needs to be afforded to woodland resources and particularly woodland resources on large, undeveloped lots, and that a review process confirming presence or absence of resources on a lot with a resource buffer be available to lift the burden of site plan review in cases where the mapped resource may not exist or may not present habitat value.

We appreciate your consideration of this important ordinance.

Best regards,



Ellen Evans
President
Doheny Sunset Plaza Neighborhood Association

Planning CPC <cpc@lacity.org>

LA Wildlife Ordinance

Elizabeth Barcohana <ebarcohana@gmail.com> Fri, Nov 11, 2022 at 4:28 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Planning CPC <cpc@lacity.org>

Wildlife Ordinance Delay

Beth Redick <bethredick@mac.com>
To: "CPC@lacity.org" <CPC@lacity.org>

Wed, Nov 9, 2022 at 4:26 PM

Dear CPC,

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Thank you,

Elizabeth Redick

8909 Appian Way

Los Angeles, CA 90046

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA and CPC-3712-ZC - DELAY HEARING

Ethlie Ann Vare <ethlie@gmail.com>
To: CPC@lacity.org

Sun, Nov 13, 2022 at 12:04 PM

Good morning;

I am one of the many homeowners in Laurel Canyon who is very concerned about the proposed Wildlife Ordinance you are currently rushing through to approval.

The Map is faulty; the Ordinance is incomplete; the process is flawed.

PLEASE PLEASE PLEASE postpone this hearing in order to get proper input from the stakeholders. You may unintentionally destroy one of the most revered historic hillsides in Los Angeles, and I know you don't want that.

Thank you for your attention - ethlie

ethlie ann vare
8107 Amor Road
los angeles, ca 90046
m. 323-394-2422
www.ethlieannvare.com

ELKINS KALT

John M. Bowman
D: 310.746.4409
Direct Fax: 310.746.4489
JBowman@elkinskalt.com
Ref: 11460-0056

Elkins Kalt Weintraub Reuben Gartside LLP

November 14, 2022

Samantha Millman, President
and Members of the Los Angeles
City Planning Commission
City of Los Angeles
200 N. Spring St.
Los Angeles, CA 90012
E-Mail: CPC@lacity.org

Re: Proposed Wildlife District Ordinance
CPC-2022-3413-CA
CPC-2022-3712-ZC
Hearing Date: November 17, 2022 (Agenda Item Nos. 9 and 10)

Dear President Millman and Members of the City Planning Commission:

This letter is submitted on behalf of our client, Gilcrest Properties, LLC ("Gilcrest"). Gilcrest owns property that would be affected by the proposed Wildlife District ordinance ("WLD").

During the July 13, 2022 public hearing in this matter, Gilcrest and other community stakeholders expressed serious concerns regarding the WLD, which as proposed would have imposed overly restrictive and unnecessary development regulations that would not advance the ostensible purposes of the WLD. Since the hearing, staff has made substantial revisions to the proposed WLD that address many of these concerns. Although the revisions proposed by staff represent a significant improvement over the prior draft, one of the major concerns raised by Gilcrest and others has not been addressed.

Specifically, under the WLD, projects that propose at least 1,000 cubic yards of remedial grading or result in at least 7,500 sq. ft. of additional Residential Floor Area, as well as any construction or grading activity on a lot where a Wildlife Resource is present, would require Site Plan Review ("SPR") approval by the Director of Planning or his/her designee. SPR is a cumbersome and time-consuming process that requires the filing of extensive application materials, payment of a filing fee, adoption of findings, and, at the discretion of the Director, a

T: 310.746.4400 F: 310.746.4499
10345 W. Olympic Blvd, Los Angeles, CA 90064 | elkinskalt.com

public hearing.[1] Furthermore, SPR is a discretionary approval that is subject to the requirements of the California Environmental Quality Act ("CEQA").[2] Consequently, the City, as lead agency for the project under CEQA, must determine whether the project qualifies for an exemption from CEQA and, if not, must evaluate the potential environmental impacts of the project in an initial study leading to the preparation of either a Mitigated Negative Declaration ("MND") or an environmental impact report ("EIR").

The Director's decision on the SPR application can be appealed by any interested party to the applicable Area Planning Commission ("APC"), and the APC's CEQA determination concerning the project can be further appealed to the Los Angeles City Council.[3] Depending on the City's CEQA determination and whether or not appeals are filed, the SPR process can take anywhere from about 4 months to well over 18 months – even for a project that complies fully with all applicable development standards.

For a project on a lot where a Wildlife Resource is not present, the SPR requirement is completely unnecessary and serves no valid purpose. Most of the proposed WLD District overlay area is already subject to the HCR District overlay, which requires SPR approval for any new single-family residential development with a cumulative Residential Floor Area of 17,500 square feet or larger.[4] Homes of this size are relatively rare and, in some cases, pose unique issues that arguably justify a discretionary review process. However, as proposed by staff, the WLD would reduce the threshold for SPR from 17,500 to 7,500 square feet of new floor area and would apply the SPR requirement to all such projects within the WLD District. This change would dramatically increase the number of projects that would be required to go through the cumbersome and time-consuming SPR process.[5]

The staff report does not provide any rationale for reducing the SPR threshold from 17,500 to 7,500 square feet or otherwise explain why an expansion of the SPR requirement is needed to protect wildlife. We submit that SPR is unnecessary for projects involving less than 17,500 square feet of new Residential Floor Area on a lot where a Wildlife Resource is not present. Among other things, the proposed WLD area is currently subject to the City's Single-Family Zone

[1] See LAMC § 16.05.
[2] California Public Resources Code §§ 21000 *et seq*.
[3] See LAMC §§ 16.05.H and 11.5.13.
[4] See LAMC § 16.05.C.1(f). Outside of the HCR District, SPR only applies to housing development projects that create, or result in an increase of, 50 or more dwelling units or guest rooms. See LAMC § 16.05.C.1(b).
[5] The staff report include any information regarding the number of additional projects that may be subjected to SPR under the proposed WLD.

Hillside Area Development Standards, which already include rigorous restrictions on building height, grading, setbacks, maximum residential floor area, and lot coverage within the City's hillside areas.[6] There is no reason to believe that these existing regulations (some of which would be made even more restrictive under the proposed WLD) are in any way inadequate, or that development in accordance with these objective hillside development standards would somehow harm wildlife. Many projects within the WLD area would also be subject to the provisions of the Mulholland Scenic Parkway Specific Plan, which includes additional development standards and a robust design review process.

Applying SPR to projects that propose 1,000 cubic yards or more of remedial grading or result in 7,500 square feet or more of additional Residential Floor Area would simply provide new avenues for project opponents to appeal approvals of housing projects and/or challenge such projects in court – even projects that comply fully with all applicable development standards and advance the City's housing goals. We see no valid reason to subject a proposed single-family home that complies with all applicable development standards to the political and legal vagaries of the discretionary SPR process, and we urge the City Planning Commission to recommend that this requirement be removed from the WLD.

Thank you for your consideration.

Very truly yours,



JOHN M. BOWMAN
Elkins Kalt Weintraub Reuben Gartside LLP

JMB:JMB

cc: (all via email)
Council Member Paul Koretz
Council Member Nithya Raman
Kevin Keller, Mayor's Office
Vince Bertoni, Planning Director
Patrick Whalen, City Planner

[6] See LAMC § 12.21.C.10. Any deviation from these standards requires a discretionary approval by the Zoning Administrator which would trigger CEQA.

Planning CPC <cpc@lacity.org>

Please Reschedule CPC Wildlife Ordinance Hearing

Farinaz Karimi <karimifarinaz@gmail.com> Wed, Nov 9, 2022 at 2:58 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Farinaz Karimi

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

fmeeker@ffbcorp.com <fmeeker@ffbcorp.com> Mon, Nov 14, 2022 at 12:21 PM
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Franklin Meeker

4165 Saugus Ave.

Sherman Oaks, CA 91403

Resident…

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sat, Nov 12, 2022 at 11:33 AM
To: CPC@lacity.org

Dear City Planning Commission:

As a concerned Hollywood Hills property owner, I've requested that the Department of City Planning postpone the scheduled CPC hearing for November 17th for the proposed Wildlife Ordinance to allow time for the planning department to answer questions and clear up issues the ordinance has raised. For example, the new requirement of a "Biological Assessment" is not defined nor properly covered in the ordinance itself nor staff report. The language the staff report uses with respect to the Biological Assessment is vague with many interpretations possible. Without this and other key components in the proposed ordinance clarified it is impossible for residents or CPC Members to properly access the Wildlife Ordinance.

Best,
Gary Davidson
Los Angeles Property Owner

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sat, Nov 12, 2022 at 9:59 PM
To: CPC@lacity.org

Dear City Planning Commission:

A Biological Assessment according to the US Government guidelines is called for when you need to evaluate the proposed actions (building, etc.) on listed and proposed species and on listed and proposed habitat. The Biological Assessment has traditionally been used for the assessment of aquatic life, but in the Proposed Wildlife Ordinance this has been expanded to include any residential lot within a designated buffer. The proposed ordinance turns the long-standing principle of bioassessments on its head by requiring a Biological Assessment on the chance that something on your lot may be a listed species or critical habitat. This expensive and time-consuming burden of proof is placed squarely on the landowner. I feel this is an unfair and drastic action.

Best,
Gary Davidson
Los Angeles Landowner

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sun, Nov 13, 2022 at 12:15 PM
To: CPC@lacity.org

Dear City Planning Commission:

A Biological Assessment according to the US Government guidelines is required when evaluating the proposed actions on listed species and on listed habitat, particularly wetlands. The proposed ordinance turns the principle of bioassessments upside down by requiring a Biological Assessment on the chance that something on your lot may be damaging to a species or habitat if your parcel falls within an arbitrary buffer. The chance that this is true is likely zero unless you are building on wetlands. This burden of proof is placed on the landowner. I feel this is an unfair and drastic action.

Using a residentially zoned lot to build a house for your family to live in is not damage.

Best,
Gary Davidson
Los Angeles Landowner

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sun, Nov 13, 2022 at 1:13 PM
To: CPC@lacity.org

Dear Department of City Planning:

I strongly oppose the requirement for a Biological Assessment for parcels (page 20 of the Wildlife Ordinance, under "(b) Regulations") as it's written and respectfully request it be modified or omitted.

The Proposed Wildlife Ordinance requires all residentially zoned parcels falling within an arbitrary resource buffer submit a full Biological Assessment. What if your bioassessment returns with an opinion of "may affect" and alternative conservation treatments are prohibitively expensive or impractical, will the city offer to purchase the lot and designate it as open space? Will a property owner have any options other than a lengthy, expensive and probably futile appeal process?

Best,
Gary Davidson
Los Angeles Landowner

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sun, Nov 13, 2022 at 1:28 PM
To: CPC@lacity.org

Dear City Planning Commission:

I strongly oppose the requirement for a Biological Assessment for parcels (page 20 of the Wildlife Ordinance, under “(b) Regulations”) as written and respectfully request it be modified or omitted.

The Proposed Wildlife Ordinance requires all residentially zoned parcels falling within an arbitrary resource buffer submit a full Biological Assessment. From what I can determine it can take up to 90 days to prepare a Biological Assessment and then 45 days to write an opinion. Add to that the time the city needs to review the opinion (another 30 days?). We're talking a possible 5-6 months. In the volatile up and down nature of today's economy this could be quite impactful on a project.

Additionally, if your bioassessment returns with an opinion of “may affect” and alternative conservation treatments are prohibitively expensive or impractical, will the city offer to purchase the lot and designate it as open space? Will a property owner have any options other than a lengthy, expensive and probably futile appeal process?

Best,
Gary Davidson
Los Angeles Landowner

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Mon, Nov 14, 2022 at 12:18 PM
To: CPC@lacity.org

Dear City Planning Commission:

I implore CPC members take the time to read the 595-page Staff Report as well as all the comments submitted by the public. Over the past many months residents of the affected area have besieged the City Planning Department with feedback to the extent that many suggestions were incorporated in the most recent draft. Unfortunately, the Planning Department added many new requirements to the recent draft, many vaguely defined, while leaving little time to study the accompanying Staff Report. In light of this circumstance I think it would be prudent to delay consideration of the Wildlife Ordinance to give stakeholders time to consider the just released Staff Report, and until the CPC feels they have truly fully understood all sides of the story of this complex and impactful ordinance.

Best,
Gary Davidson
Los Angeles Landowner

Planning CPC <cpc@lacity.org>

CASE NUMBER: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Gary Davidson <jd.gary@gmail.com> Sat, Nov 12, 2022 at 10:39 AM
To: cpc@lacity.org

Dear City Planning Commission:

I strongly oppose the requirement for a Biological Assessment for parcels (page 20 of the Wildlife Ordinance, under "(b) Regulations") as it is now written and respectfully request it be modified or omitted.

The Proposed Wildlife Ordinance will require that all parcels in proximity to Open Space submit a Biological Assessment if it's within a designated buffer. The Staff Report states that this review is to assess present resources and provide an accurate description and assessment of the potential impact the project will have on those resources as well as wildlife connectivity.

Upon conducting a Biological Assessment, different biologists will find different data. And accessing the potential impact of a project will be a subjective judgement. It is also uncertain whether the City will be able to regulate this with any utility or fairness. For example, will the annual brush clearance requirement by the LAFD impact your assessment negatively? It also seems as if the Biological Assessment was added last minute. For example, the Proposed Wildlife Ordinance provides a 12-page "Proposed Plant List" (taking up nearly half the ordinance's 28-page count). And yet, guidance for the Biological Assessment is summed up in the Staff Report as a single paragraph using vague language like "assessment of resources," "potential impact" and "wildlife connectivity," words that can be interpreted many ways. A "Biological Assessment" is not even mentioned in the ordinance's list of definitions.

I suggest that the City implement a less stringent visual inspection of flagged properties as an initial step (perhaps like the LAFD does with brush clearance) before the requirement of a more stringent Biological Assessment. The requirement for all parcels within a designated buffer is too broad and while it may be appropriate for some (parcels with bodies of water for example) for others this is an expensive and unnecessary requirement. In particular, parcels located within 200 feet of other structures, and within ten feet of a combustible fence or roadway and thus falling within the LAFD's stringent brush clearance requirement.

There are other issues with both the Draft Ordinance and Staff Report which, in the spirit of brevity, I have not included here.

Best,
Gary Davidson
Los Angeles Property Owner

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE Wildlife Ordinance

George Grant <connectedmarkets@gmail.com> Mon, Nov 14, 2022 at 10:36 AM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead, it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area, this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

Resource Buffers

I am particularly concerned about the designation of "Wildlife Resources." A small isolated parcel consisting of 2 or 3 lots apparently owned by the city is adjacent to a portion of my small lot and thereby creates a buffer on my lot. However, I have read the "Protected Areas for Wildlife and Wildlife Movement Pathways Report (2021) (ESA Report) which, according to the staff report, forms the basis for the designation of "Wildlife Resources" in the ordinance. The parcel in question is not included in the definition of any "Protected Area for Wildlife" (PAW) or any Wildlife Movement Pathway (WMP) in the ESA Report. Moreover, in the ordinance, the term "Wildlife Resource" is defined to include (i) water features, such as lakes, reservoirs, ponds, wetlands etc. (ii) open space, including zoned Open Space, conservation easements, and protected areas, (iii) open channels. The lot in question is none of these. Therefore, I question why this parcel is shown on the map as a Wildlife Resource.

The consequences that flow from this designation are numerous and onerous and would result in significant costs and unnecessary bureaucracy for even a relatively minor addition to my existing house. This is because my property would become subject to requirements in addition to the numerous new requirements that will become applicable to all properties in the Wildlife District. These additional regulations apply to and are appropriate for major new construction (i.e., any

Project that proposes 1,000 cubic yards or more of Remedial Grading or any Project that results in 7,500 square feet or more of Residential Floor Area) but are not appropriate for a small lot and a modest addition on such lot simply because it is adjacent to a small vacant parcel that has been designated as a Wildlife Resource but, in fact, likely has no wildlife resource of any value.

Among these additional requirements are a Site Plan Review and a Biological Assessment neither of which is defined or explained in the Ordinance. After reading LAMC Section 16.05 "Site Plan Review", I find it even more bizarre that a Site Plan would be required for even a 501 sq. ft. addition to my house. Under LAMC, Site Plan Reviews are currently required for massive projects, e.g. a development project that results in 50,000 gross square feet or more of nonresidential floor area or 50 or more dwelling units or guest rooms, certain changes to Drive-Through Fast Food Establishments and any single-family residential development with a floor area of 17,500 square feet or more. It makes no sense to subject a modest home addition to the same requirements as are applied to large commercial projects and residential projects of massive proportions. What a Biological Assessment entails is not dealt with at all in the proposed ordinance.

It is simply not reasonable or fair to impose these potentially burdensome requirements on a property owner unless an actual wildlife resource habitat or connectivity has been identified. Even where Wildlife Resources are present there must be some common sense standard. And this ordinance must clearly spell out the requirements for a Biological Assessment so that the people responsible for doing these assessments and property owners are on the same page as to what is expected. This ordinance is not ready. We will have to live with every word in this ordinance once it is enacted. More time should be taken to ensure that it is clear and complete on its face and does not leave CPC members, residents and other stakeholders with questions or differing interpretations of its many provisions. This ordinance and its many protections for our valuable wildlife is too important to rush through.

Further, City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC's consideration and vote.

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D. Applicability: New Construction, Major Remodels, Additions

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E. Regulations:

Overall height, Grading, RFA, and Lot Coverage

Altering existing building codes will result in a violation of State Law. The City needs to properly analyze the loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement, and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation-supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interfere with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

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Thank you,
George Grant

1650 Bel Air Rd
Los Angles, CA 90077
650 814-2830

310 475-1501 office
650 814-2830 cell

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

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In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

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Sincerely,

Gwyneth Paltrow

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

greg webster <gregwebster@mac.com> Mon, Nov 14, 2022 at 4:59 PM
To: "cpc@lacity.org" <cpc@lacity.org>

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE- Postpone Hearing

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Thank you,

Greg and Danae Webster
2021 Linda Flora Drive
LA, CA 90077
310-490-2645

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

greg webster <gregwebster@mac.com> Thu, Nov 10, 2022 at 3:59 PM
To: "cpc@lacity.org" <cpc@lacity.org>, "lena.mik@lacity.org" <lena.mik@lacity.org>, "vince.bertoni@lacity.org" <vince.bertoni@lacity.org>, "contaccd4@lacity.org" <contaccd4@lacity.org>, "patrick.whalen@lacity.org" <patrick.whalen@lacity.org>, "paul.koretz@lacity.org" <paul.koretz@lacity.org>, mayor.helpdesk@lacity.org

All,

"As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

Greg and Danae Webster
Home Owners
310 490 2645

November 14, 2022

Re: Item #9 (Wildlife District Ordinance; case numbers CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE) -- **Support If Amended**

Los Angeles City Planning Commission
City of Los Angeles
200 N. Spring Street
Los Angeles, California 90012
cpc@lacity.org
ourla2040@lacity.org

Dear Los Angeles City Planning Commission:

A strong wildlife ordinance is a critical step in protecting the City's biodiversity and open space for both people and wildlife. In July 2022, many of the undersigned organizations urged you to adopt the April 2022 Revised Draft Wildlife Ordinance (the "April 2022 Draft") and consider inclusion of the amendments outlined in this letter submitted to the City Planning Department on August 9, 2021 (the "August 2021 Letter"). Unfortunately, the October 2022 Draft Wildlife Ordinance ("October 2022 Draft") removes many of the protections included in the April 2022 Draft, and does not incorporate the amendments outlined in the August 9, 2021 letter. **We strongly urge inclusion of the amendments proposed below, which are necessary for our support of the Wildlife Ordinance.**

I. Amendments for the Wildlife Ordinance

In order to offer our support for the Wildlife District Ordinance, we urge inclusion of the following two revisions. These two revisions would significantly expand the universe of properties for which the Site Plan Review process applies and strengthen the Site Plan Review process to ensure that it is a meaningful process to ensure consideration of wildlife connectivity.

First, the Site Plan Review process must be expanded to encompass projects that meet any of the following thresholds:

- *Any Project that creates or results in 3,000 square feet or more of Residential Floor Area ("RFA").* The October 2022 Draft establishes a threshold of 7,500 square feet or more of RFA for Site Plan Review to be required (See Page 19). This would likely exempt many extremely large homes (e.g., 7,000+ square feet) from Site Plan Review despite potentially significant impacts on wildlife and wildlife habitat. The approval of more massive homes ranging from 4,000-7,000+ square feet with no Site Plan Review

appears antithetical to the purpose of the ordinance and will not ensure protection of the sensitive resources or wildlife connectivity in the District.

- Any Project that results in the removal or destruction of a total of three or more "Significant Trees" or "Protected Trees or Shrubs" as those terms are defined in the October 2022 Draft (See page 9.). As currently written, some projects that destroy multiple large or protected trees could still be exempt from Site Plan Review. Projects that destroy these irreplaceable and rare resources should undergo a Site Plan Review process.

- Any Project within 100 feet of water features (lakes, reservoirs, ponds, wetlands, rivers, streams, creeks, riparian areas), open channels, or Open Space (zoned open space, conservation easements, protected areas). The October 2022 Draft only requires Site Plan Review for certain projects within much smaller buffers (See Table 4.1 on page 20). As outlined in the August 2021 Letter, buffers of a minimum of 100 feet are supported by multiple scientific studies, including the Sustainable LA Grand Challenge Sustainability Report Card for Los Angeles County. Moreover, the definition of "Open Space" must include Santa Monica Mountains Conservancy[1] ("SMMC") mapped "habitat blocks", National Park Service mapped native woodlands[2] and "habitat for protected species" per Government Code Section 65913.4(a)(6)(J). This proposal would not preclude all development within this buffer; it would simply require a review process to ensure protection of sensitive resources and wildlife connectivity.

- Any Project that cannot meet its Guaranteed Minimum Residential Floor Area calculations because of grading, lot coverage, slope, or height limitations.

Second, in addition to existing requirements, the Site Plan Review process should require (1) a public hearing (and adequate notice thereof) and (2) an opportunity for the public to provide written and oral comments on the project and any proposed modifications/mitigation measures. Moreover, for a project to be approved pursuant to the Site Plan Review process, the Planning Department and/or Hearing Officer must make discretionary findings based on the record that the project—with the inclusion of project modifications and/or mitigation measures—meets each of the criteria set forth on pages 21-22. These goals set forth in the October 2022 Draft include that the project is highly compatible with and will have minimal impact on any natural features or resources, will avoid substantial landform alternation, and is highly compatible with biotic resources, among other criteria. As currently stated in the October 2022 Draft, it is ambiguous whether the decisionmaker is required to make these findings, or whether an applicant can simply submit materials that *merely support* such findings. Those are profoundly different thresholds. A strong ordinance requires a public process where the decisionmaker must affirmatively make the required findings prior to approving a development proposal.

[1] Santa Monica Mountain Conservancy's Eastern Santa Monica Mountains Habitat Linkage Planning Map is available at https://smmc.ca.gov/wp-content/uploads/2021/12/Eastern-Santa-Monica-Mountains-Habitat-Linkage-Planning-Map-Copy.pdf.

[2] The data from the mapping is publicly available and can be accessed at https://gisucla.maps.arcgis.com/apps/instant/basic/index.html?appid=868b0af352f5426c8ecef8d31e0796f9. The full NPS report can be accessed at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18243.

II. Rationale for the Wildlife Ordinance

As outlined in our July 2022 letter to the City Planning Department, the City urgently needs a strong wildlife ordinance. Life on Earth is experiencing a sixth mass extinction, with species disappearing at a rate of more than 1,000 times greater than the background extinction rate.[3] Habitat loss and fragmentation are the primary drivers of the extinction crisis. Combating this crisis requires engagement from all levels of government. In Southern California, local jurisdictions such as Ventura County have already adopted wildlife ordinances, and the City has an opportunity to join other forward-thinking jurisdictions in using its land use authority to protect wildlife and ecosystems.

In Los Angeles, local mountain lions exemplify the need for a strong wildlife ordinance. Local mountain lions are often unable to find mates, food, and shelter due to barriers caused by poorly sited development and roads. Southern California mountain lions – including the local Santa Monica Mountains population within the City – are now provisionally listed under the state endangered species act primarily due to loss of habitat connectivity. A strong wildlife ordinance will help ensure the survival of local mountain lions and advance the state's policy of preserving threatened and endangered species.

A strong wildlife ordinance will enhance fire safety.[4] The science is clear that increased development in high fire-prone wildlands can lead to more human-caused ignitions, as most contemporary wildfires in California are caused by human sources such as power lines, car sparks, cigarettes, and electrical equipment.[5] Building new developments in high fire-risk areas increases unintentional ignitions and places more people in danger. Since 2015, almost 200 people in the state have been killed in wildfires, more than 50,000 structures have burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution.[6] In addition, increasing fire frequency due to development is converting chapparal and sage scrub ecosystems into non-native grasses that burn more easily, leading to a dangerous "feedback loop" of increasing fire and degraded habitats. A strong wildlife ordinance is an important step to combat these issues.

A wildlife ordinance will also foster climate resiliency. Climate change is worsening ecosystem stress and increasing variability in temperature, leaving plants and wildlife struggling to adapt. A permeable landscape allows species to adjust to shifts in resource availability and help ensure populations persist after extreme events worsened by climate change. For example, during wildfires and floods, a permeable landscape provides escape routes for animals seeking safety.

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[3] Center for Biological Diversity, *California Connections: How Wildlife Connectivity Can Fight Extinction and Protect Public Safety* (Aug. 2021), available at https://www.biologicaldiversity.org/campaigns/wildlife-connectivity/pdfs/California-Connections-wildlife-connectivity-report.pdf.

[4] Greenbelt Alliance, "The Critical Role of Greenbelts in Wildfire Resilience" (2021), available at https://www.greenbelt.org/research/the-critical-role-of-greenbelts-in-wildfire-resilience/.

[5] Center for Biological Diversity, "Built to Burn: California's Wildlands Developments Are Playing With Fire (Feb. 2021), available at https://www.biologicaldiversity.org/programs/urban/pdfs/Built-to-Burn-California-Wildfire-Report-Center-Biological-Diversity.pdf.

[6] CAL FIRE Incidents. CAL FIRE (2015-2020), Accessed, March 15th, 2021. https://www.fire.ca.gov/incidents

The welfare of humans is deeply linked to nature and access to open space. Open space has been vital to many communities during the pandemic and provided community spaces for safe socially distanced gatherings. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature. Native landscapes help us regulate our climate, purify our air and water, pollinate our crops and create healthy soil. In addition to the direct benefits from access, preservation of our native habitats and the species that rely on them is critical to our long-term health and wellbeing.

By supporting a strong wildlife ordinance, the City can join other leaders and jurisdictions in forward-thinking efforts in biodiversity and environmental health, such as Ventura County's wildlife connectivity ordinances, Governor Newson's 30 by 30 conservation goals, and Representative Adam Schiff's Rim of the Valley Preservation Act.

For all of these reasons, we urge you to expeditiously recommend approval of a wildlife ordinance with the amendments proposed above.

Sincerely,

J.P. Rose
Policy Director & Senior Attorney
Urban Wildlands Program
Center for Biological Diversity

Jim Hines
Team Leader
Sierra Club California Wildlife Team

Gerry Hans
President
Friends of Griffith Park

Wendy-Sue Rosen
Co-founder
Brentwood Alliance of Canyons & Hillsides

Tony Tucci
Chair & Co-founder
Citizens for Los Angeles Wildlife (CLAW)

cc:
Lena Mik, Planning Associate, City Planning, lena.mik@lacity.org
Alexander Linz, Planning Assistant, City Planning, alexander.linz@lacity.org
Kat Superfisky, Urban Ecologist, City Planning, kat.superfisky@lacity.org
Connie Pallini-Tipton, Senior Planner, City Planning conni.pallini-tipton@lacity.org
Joe Buscaino, councilmember.buscaino@lacity.org
Bob Blumenfield, councilmember.blumenfield@lacity.org
Mike Bonin, councilmember.bonin@lacity.org
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Marqueece Harris-Dawson, councilmember.harris-dawson@lacity.org
Paul Krekorian, councilmember.krekorian@lacity.org
Paul Koretz, paul.koretz@lacity.org
John Lee, councilmember.lee@lacity.org
Mitch O'Farrell, councilmember.ofarrell@lacity.org
Kevin de León, councilmember.kevindeleon@lacity.org
Curren D. Price, Jr.; councilmember.price@lacity.org
Monica Rodriguez, councilmember.rodriguez@lacity.org
Nithya Raman, nithya.raman@lacity.org
Herb Wesson, councilmember.wesson@lacity.org

Planning CPC <cpc@lacity.org>

Proposed Wildlife Ordinance CPC-2022-3413-CA, CPC-2022-3712-ZC

Helene Desruisseaux <helene.desruisseaux@gmail.com> Sun, Nov 13, 2022 at 11:45 AM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, paul.koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

To all addressed officials:

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY. This rushed process of proposing MAJOR changes to our property rights without adequate time for analysis or impact review by the community is a violation of due process.
We insist on a delay of consideration of this Ordinance by the CPC so that answers to our critical questions can be provided by the Planning Department and our responses to those answers can be considered before any decision is made by the Commission or the Council.

Sincerely,
Helene DesRuisseaux
Marcus Horwitz
Residents of Stradella Road

Sent from my iPhone

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Holiday Maginnis <holidayish@aol.com> Mon, Nov 14, 2022 at 5:04 PM
Reply-To: Holiday Maginnis <holidayish@aol.com>
To: CPC@lacity.org

CPC,

CPC members have not had time to read and understand the full 600 page report! And 1 day notice to respond to this is absurd! I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for “utility easements”. The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of “development capacity” in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department’s own PAWs Report.

Additionally, the Planning Department’s own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners’ use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Sincerely,

Holiday Maginnis

1440 Bel Air Rd

P.O. Box 27404
Los Angeles, CA 90027
www.hillsidefederation.org

PRESIDENT
Charley Mims
CHAIR
Marian Dodge
VICE PRESIDENTS
Mark Stratton
Jamie Hall
SECRETARIES
Julie Kremkus
Robin Greenberg
TREASURER
Don Andres

Argyle Civic Assn.
Beachwood Canyon NA
Bel-Air Assn.
Bel-Air Hills Assn.
Bel Air Knolls Property Owners
Bel Air Skycrest PropertyOwners
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Bundy Canyon
Cahuenga Pass Property
Owners Canyon Back Alliance
Crests Neighborhood Assn.
Dixie Canyon Assn.
Doheny-Sunset Plaza NA
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland HOA
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
LFIA (Los Feliz)
Mountaingate
Mt. Olympus Property Owners
Mt. Washington HomeownersAll.
Nichols Canyon NA
Oak Forest Canyon HOA
Oaks Homeowners Assn.
Outpost Estates HOA
Pacific Palisades Res. Assn.
Residents of Beverly Glen
Save Coldwater Canyon!
Save Our Canyon
Shadow Hills POA
Sherman Oaks HOA
Silver Lake Heritage Trust
Studio City Residents Assn.
Sunset Hills HOA
Tarzana POA
Upper Mandeville Canyon Assn.
Upper Nichols Canyon NA
Whitley Heights Civic Assn.

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Alan Kishbaugh
Steve Twining
CHAIRS IN MEMORIAM
Brian Moore
Gordon Murley
Polly Ward

HILLSIDE FEDERATION

November 14, 2022

VIA ELECTRONIC MAIL

City Planning Commission
201 N. Figueroa Street
Los Angeles, CA 90012
cpc@lacity.org
Patrick.whalen@lacity.org

Re: November 17, 2022, Items 9 &10; CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear President Millman and Commissioners:

The Federation of Hillside and Canyon Associations, Inc. ("Hillside Federation"), founded in 1952, represents 46 homeowner and resident associations with approximately 250,000 constituents panning the Santa Monica Mountains. The Federation's mission includes protecting the property and quality of life of the residents of the Santa Monica Mountains and other hillside areas of Los Angeles and its environs, and encouraging and promoting those policies and programs which will best preserve the natural topography and wildlife of the mountains and hillsides for the benefit of all the people of Los Angeles.

The Hillside Federation continues to strongly support the proposed Wildlife District Ordinance ("Ordinance"). However, the Hillside Federation believes that the current draft of the Ordinance has room for improvements and offers the following comments and suggested revisions:

Addition of "Habitat Triggers" for Site Plan Review

The new draft has not successfully achieved ensuring that development projects most likely to result in substantial loss to wildlife habitat are subjected to Site Plan Review - where a more focused, site-specific analysis can be undertaken to ensure that landform alteration is minimized, impacts to biotic resources reduced and project modifications considered.[1] We are therefore requesting the addition of a "habitat trigger" for Site Plan Review.

Currently, there are only three triggers for Site Plan Review in the Ordinance, which include the following: (1) 1,000 cubic yards or more of remedial grading, (2) homes of 7500 square feet or larger and (3) building within a Wildlife Resource or buffer. Unfortunately, Site Plan Review will not be triggered for many development projects that result in significant habitat

[1] See Site Plan Review Wildlife Findings at page 26 of Ordinance.

loss. This is because the City has too narrowly defined "Wildlife Resource" to include only zoned or protected open space and water resources. See Table 7.2. Development can occur via this Ordinance that will result in significant habitat loss to protected species and native woodlands without ever triggering Site Plan Review. This is a problem. Substantial swaths of high-value habitat exist on lots in the Pilot Study Area and we strongly contend that the development of these lots should be subject to Site Plan Review. Preventing habitat loss is a critical function of any wildlife ordinance and inclusion of a habitat trigger for Site Plan Review makes perfect sense.

We are suggesting the following habitat trigger:

- Proposed removal of 3 or more protected trees

Adding this trigger would ensure that development of lots with high habitat value is done with sensitivity towards the preservation of that habitat.

Reduction in Size of Home Triggering Site Plan Review

The Hillside Federation believes that the 7,500 square foot trigger for Site Plan Review should be reduced to between 3,000 to 4,000 square feet. A modern family can be fully accommodated by a home of this size.

Revision to Definition of Open Space

The City has proposed to delete the following sentence from the definition of "Open Space:" Open Space shall also include City-0owned vacant land that, while not zones as Open Space, meets the criteria above." The Hillside Federation strongly opposes this deletion. City-owned vacant land in the hillsides provide abundant habitat for wildlife. The deletion of this sentence would allow development provides to be built *within* 25 feet of these City-owned lots without ever triggering Site Plan Review resulting in significant habitat loss. There is no legitimate basis to exclude City-owned land that meets the criteria for being considered open space from being deemed "open space." To the extent that the City is concerned that City-initiated developments could be subjected to Site Plan Review, the Ordinance could be amended to clarify that development initiated by the City is exempt from the ordinance altogether.

Thank you for your attention in this matter.

Very truly yours,

Charley Mims

President, Hillside Federation

CC: Councilmember Paul Koretz
Councilmember Nithya Raman
Councilmember Mike Bonin

Planning CPC <cpc@lacity.org>

Fwd: CPC - 2022 -3413-CA, CPC - 2022-3712-ZC, ENV-2022-3414-CE

Ira Krinsky <krinskyi@gmail.com> Mon, Nov 14, 2022 at 10:18 AM
To: CPC@lacity.org

---------- Forwarded message ---------
From: **Ira Krinsky** <krinskyi@gmail.com>
Date: Mon, Nov 14, 2022 at 10:17 AM
Subject: CPC - 2022 -3413-CA, CPC - 2022-3712-ZC, ENV-2022-3414-CE
To: Ira Krinsky <krinskyi@gmail.com>

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE -P OSTPONE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.
When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.
In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:
New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.
Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.
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That Development by the City NOT be exempt from the WO regulations

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Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

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Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.

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This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

I am as well disturbed by the breadth and depth of external Environmental groups that are pushing this -- I believe that few if any reside in the effected areas and would not have the burden of implemention these extreme measures.

Thank you,

Ira W. Krinsky

Planning CPC <cpc@lacity.org>

Fwd: Wildlife Ordinance - Hearing must be rescheduled

Ira Krinsky <krinskyi@gmail.com> Sun, Nov 13, 2022 at 3:02 AM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

Ira W. Krinsky
1529 Gilcrest Drive
Beverly Hills,CA 90210

Planning CPC <cpc@lacity.org>

Wildlife Ordinance Comments

Ignacio Rodriguez <ignacio@ir-arch.com> Mon, Nov 14, 2022 at 2:33 PM
To: "cpc@lacity.org" <cpc@lacity.org>
Cc: Lauren Rodriguez <lauren@ir-arch.com>

Dear Wildlife Team,

Thank you for sharing your revised ordinance draft, there are major improvements from the previous version. Below are questions and comments I have towards your current draft

- Regarding the building height, how does the height limitation help with slope instability, soil erosion, improve storm water management, and maintain the hillside ecosystem?
  - How was the 45 foot height limit established?
- Regarding Grading why is remedial grading not exempt anymore? Remedial grading is required by the grading department and its outside of the owners control, its non-exempt classification could deem many lots unbuildable.
  - Remedial grading is grading that is being conducted to fix a bad soil condition at the owners expense, why would the city not encourage that work by making it non-exempt?
- Regarding basements, why are basements no longer exempt from the RFA? If they are now included in the RFA, there should be a reasonable increase to the RFA to include that area.
  - If the basement is completely below the house footprint how is the basement RFA posing an additional impact on the environment?
  - A better application of this thought would be that all area beyond the footprint of the first floor should count towards the RFA
- There should be a better map that clearly delineates all Wildlife and open space resources so the buffer zone can be accurately measured and applied.
  - As this map stands the public cannot make a clear determination if their property will be affected or not. The water and open space resources shown are vague highlights that will be left open to interpretation.

Thanks,

Ignacio Rodriguez, AIA

Principal

*** In light of recent developments with CoVID-19, our company is putting some new precautions into place, which includes limiting in-person meetings. With this in mind, we will be hosting most meetings via Go-To Web dial-in conferences for the time being. We hope this doesn't cause any inconvenience and we thank you for your understanding.

16800 Devonshire St, Suite 307

Granada Hills, CA 91344

P: 818.488.9435

F: 855.375.5218

www.irarchitects.us

Planning CPC <cpc@lacity.org>

Proposed Wildlife ordinance

John Becker <jbecker2067@gmail.com> Fri, Nov 11, 2022 at 10:52 AM

To whom it may concern:

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Thank you,

John Becker

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance

Justin Burrill <justsuzl@pacbell.net> Sun, Nov 13, 2022 at 1:14 PM
Reply-To: Justin Burrill <justsuzl@pacbell.net>
To: "cpc@lacity.org" <cpc@lacity.org>

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.
Sincerely,

Justin Burrill
2012 Vestal Avenue
Los Angeles, CA 90026

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance Public Hearing 11/17

John Collinson <johncollinson67@gmail.com> Sun, Nov 13, 2022 at 12:22 PM
To: "cpc@lacity.org" <cpc@lacity.org>

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. While the recent exemption of R1 and R2 parcel coverage will prove regrettable, adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

John Collinson

6269 Strickland Ave., Los Angeles, CA 90042

November 14, 2022

Los Angeles City Planning Commission

Re: Support for Proposed Wildlife District Ordinance
CPC-2022-3413-CA, CPC-2022-3712-ZC

Dear Commissioners,

As both a hillside homeowner and a wildlife conservation proponent, I am delighted by the progress of the proposed Wildlife District Ordinance. The latest draft forges a strong compromise that will enable the City of Los Angeles to move toward important policy goals while responding to the concerns of property owners in the pilot area. I would especially like to commend City Planning staff for their tireless efforts to refine the ordinance in line with the intent of residents and policy-makers.

As the City Planning Commission considers this ordinance – which I hope it will pass, expeditiously – I offer a handful of suggestions to bring it even closer to policy-makers' intent. Yet even in its present form I would urge its swift passage, as it will enable the City of Los Angeles to provide wildlife protection in key habitat areas while at the same time respecting private property rights.

Recommendations are as follows:

SEC. 13.21.F.1.(k)(2)(i) (Exhibit A1 – 19):

- The 7,500 square foot RFA benchmark for site plan review would capture only the largest hillside developments. A more reasonable threshold would be in the range of 3,000 s.f. – a figure that would exempt most at-scale projects, but provide sufficient review for those projects most likely to have an outsized impact on surrounding wildlife habitat.

- In addition to the current site plan review criteria (remedial grading; residential floor area; wildlife resource area or buffer), I suggest one more: A project that requires the removal of four or more protected trees. Any such project that removes a cluster of protected oak, sycamore, toyon or walnut is likely to have significant impacts on habitat. Requiring site plan review is a reasonable step that is directly in line with the logic of the staff report, which states that such review "affords the City an opportunity to take a closer look at Projects that have a higher probability of having impacts on Wildlife Resources and wildlife connectivity." (A-29)

SEC. 13.21.F.2.(b)(2) (Exhibit A1 – 20):

- The latest draft significantly reduces the open space wildlife resource buffer from 50' to 25'. Recognizing the reasonable concerns of area property owners, I suggest a compromise of 40', striking a balance between the interests of property rights and habitat protection.

- Separately, as noted in the City Planning staff report (A-38-39, A-44), the Santa Monica Mountains Conservancy (SMMC) has mapped habitat blocks within the hillside area as depicted in its Eastern Santa Monica Mountains Natural Resource Protection Plan. SMMC's comprehensive mapping could serve as a useful tool in evaluating any future revisions to the criteria for wildlife resource areas/buffers.

SEC. 13.21.F.2.(b)(3) (Exhibit A1 – 21):

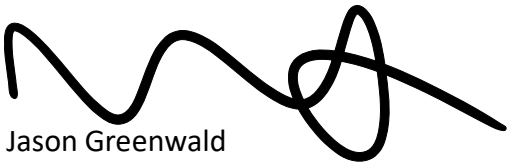
- The Biological Assessment requirement is crucial; so too is the validity of any such assessment. It is standard practice for city departments to require reports to be drafted by a pre-selected list of experts (for example, Urban Forestry's requirement that a Protected Tree Report be written by a Registered Consulting Arborist). Similarly, City Planning could require a Biological Assessment to be written by a certified/approved biologist, selected from a list that City Planning would maintain. This step will increase public confidence in these assessments.

- A further suggestion for this section would be a provision specifically stating that City Planning staff may review the overall record in considering biological impacts. Doing so would create a mechanism for parties such as SMMC to share expert opinions about land adjacent to its own property, or within mapped habitat blocks.

Again, this handful of suggestions is designed to ensure that the enacted Wildlife District Ordinance does as much as possible to meet policy-makers' intent, recognizing that "it is urgent to immediately prevent the further alteration or irreversible loss of wildlife habitat and to minimize future obstacles to wildlife connectivity in the Santa Monica Mountains of Los Angeles…" (Exhibit A1 – 3).

For those of us fortunate enough to live in the hillsides of Los Angeles, it is a privilege to share space with abundant wildlife and wild lands. Thank you for your efforts to maintain that balance for current and future generations of Angelenos.

Sincerely,



Jason Greenwald

cc: Mashael Majid, Council District 4
Kat Superfisky, Department of City Planning
Paul Edelman, Santa Monica Mountains Conservancy

JOHN A. HENNING, JR.
ATTORNEY AT LAW
125 N. SWEETZER AVENUE
LOS ANGELES, CALIFORNIA 90048

TELEPHONE: (323) 655-6171
E-MAIL: jhenning@planninglawgroup.com

November 14, 2022

COMMENT ON MAP OF "WILDLIFE RESOURCES" AND PROCEDURE FOR REVISIONS TO MAP

VIA ELECTRONIC MAIL

Los Angeles City Planning Commission
c/o Cecilia Lamas
Commission Executive Assistant
Department of Planning
200 N. Spring St.
Los Angeles, CA 90012

Re: Proposed Wildlife Ordinance (Case No. CPC-2022-3413-CA and CPC-2022-3712-ZC (hearing date Nov. 17, 2022, Agenda Item No. 9)

Honorable Commissioners:

The proposed Wildlife Ordinance would subject parcels containing a "Wildlife Resource" or a buffer area around a Wildlife Resource to significantly more stringent regulations than those which apply in the rest of the Wildlife District. Yet the draft ordinance does not clearly identify parcels that contain a Wildlife Resource or a buffer area using a detailed parcel-level map. The draft ordinance also implies that the map of Wildlife Resources can be revised by the Department of City Planning, rather than through a formal amendment of the ordinance. Finally, the draft ordinance refers to a "Map X" that does not exist.

We recommend that you modify the ordinance to (1) include complete and detailed parcel-level maps showing all Wildlife Resources and buffers; (2) expressly remove a reference to a Wildlife Resources map "adopted" by the Department of City Planning, so that an amendment to the ordinance is required to modify the Wildlife Resources map; and (3) correct a typographical error referring to "Map X" rather than the Wildlife Resources map.

1. Identification of "Wildlife Resources" and Buffers Through a Detailed Map.

The phrase "Wildlife Resource" is defined in Section 1 of the draft ordinance, which would amend LAMC section 12.03 (Definitions). The language is quite broad, and it could potentially encompass many parcels within the Wildlife District. Of particular note is the use of the phrase "protected areas," which was added to Section 1 in the most recent draft of the ordinance. The draft ordinance does not define "protected areas" and there is no definition of this phrase in the code presently.

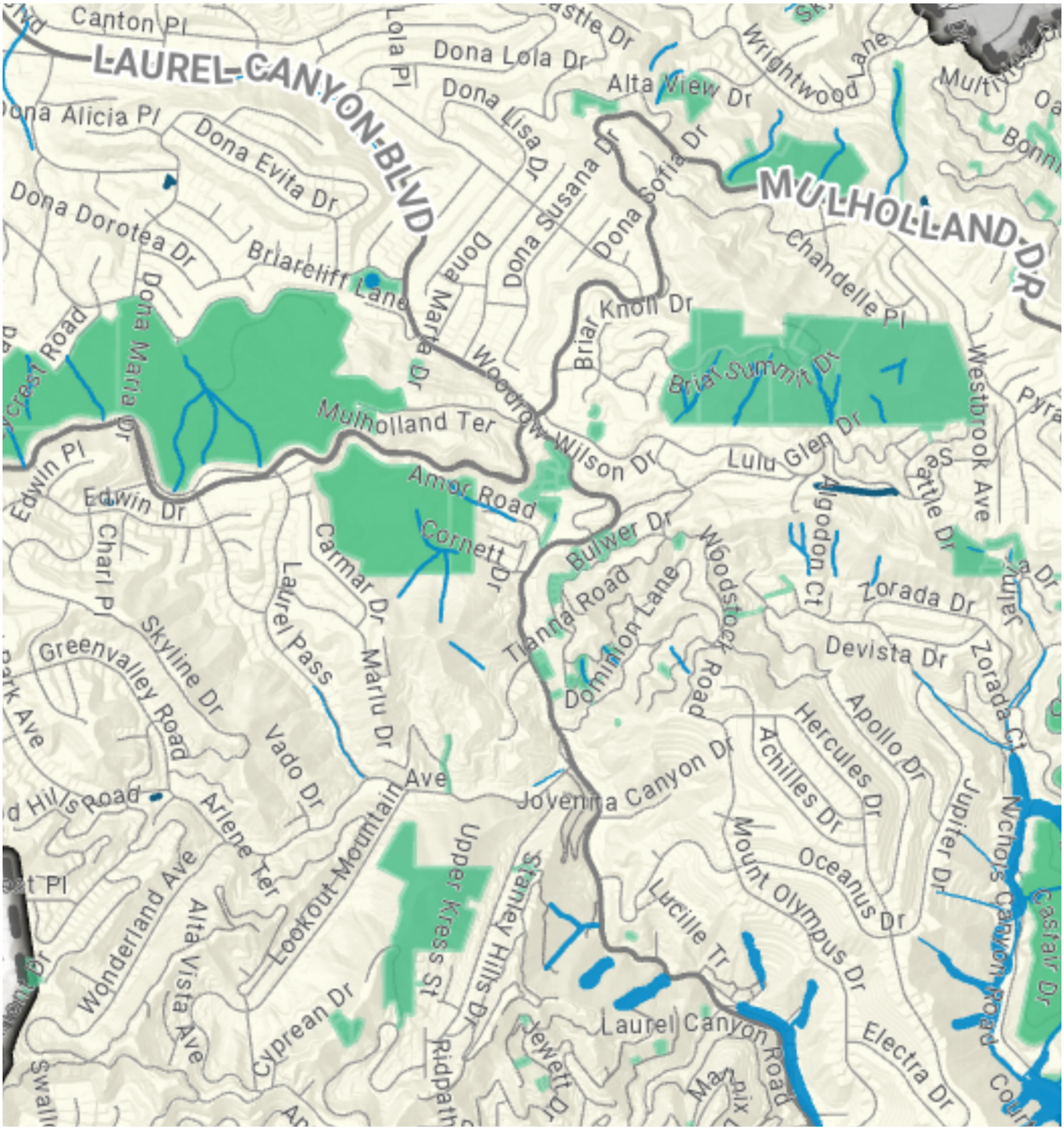
Given the absence of a clear definition in the code to the contrary, an area could arguably be deemed to be a "protected area" for purposes of the Wildlife Ordinance simply because the City – or even another public agency – decides at some point in the future to "protect" the area in question by way of an ordinance or staff-level policy. Further confusing the matter is that the fact that the staff report here has already identified the vast majority of the land in the proposed Wildlife District as "Potential Protection Areas for Wildlife (PAWs)." (See staff report, Exhibit F-7 (Proposed Protection Areas for Wildlife).)

Notwithstanding the use of ambiguous phrases like "protected area" in the draft ordinance, it appears as though the drafters intended to identify Wildlife Resources more narrowly, and in accordance with a map prepared by staff and presented to the Planning Commission in the staff report. Section 1 of the draft ordinance states: "Wildlife Resources are identified in Map B: Draft Resource Areas," and further notes that the areas on Map B "include" resources of various types, including water features, open space and open channels.

The use of a map is appropriate, as it is the only way for property owners, neighbors and members of the public to determine, before the proposed ordinance is considered further, whether particular property is subject to the heightened restrictions applicable to Wildlife Resources. Unfortunately, a sufficiently detailed map (or series of maps) is not included with the draft Wildlife Ordinance, which is Exhibit A to the staff report.

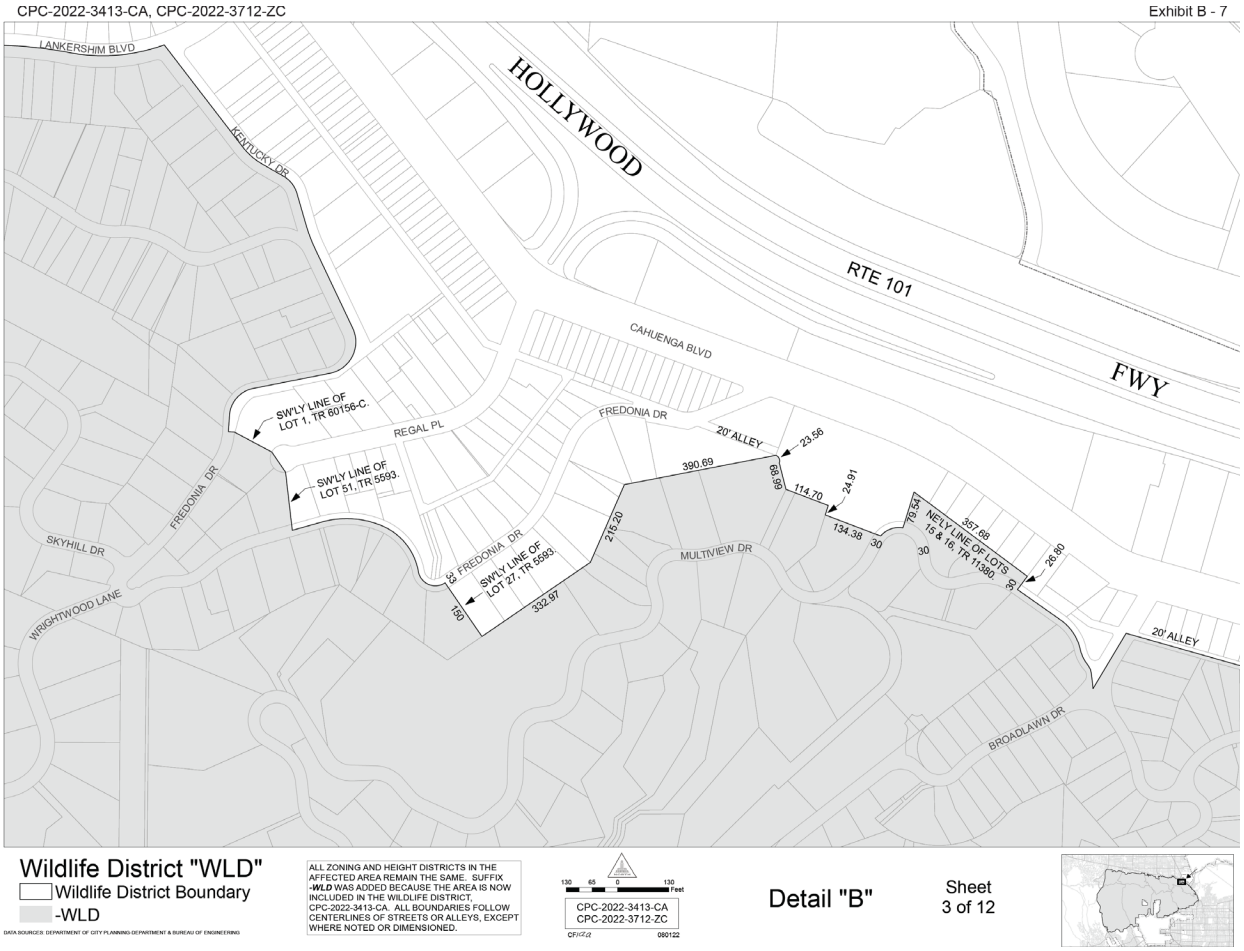
It appears that staff intended to have "Map B" be Exhibit A3 to the staff report. Exhibit A3 is labeled "Proposed Wildlife Resources" and labels "Open Space Resources," "Water Resources" and "Water Resources – Open Channels" as green, blue and dark blue respectively. Assuming that was staff's intent, however, Exhibit A3 is far too low-resolution to accurately identify at a parcel level where Wildlife Resources and their surrounding buffers are located. The single-page map spans an area approximately 10 miles by 10 miles. Unlike some PDF maps, Exhibit A3 is not capable of being blown up electronically so as to depict parcel-by-parcel data. Further, it appears as though "buffers" identified in the draft ordinance (as much as 50 feet around the identified Wildlife Resources) are not mapped at all in Exhibit A3, as they are not called out in the legend.

A portion of Exhibit A3 (Proposed Wildlife Resources) is depicted below, in its original resolution as depicted in the staff report. Many small areas are shown in green and blue, and it is impossible to tell which parcels are affected. Buffers are not shown at all.



Excerpt from staff report Exhibit A-3: Proposed Wildlife Resources

It is certainly feasible for staff to prepare a parcel-by-parcel series of maps for proposed Wildlife Resources. The draft Zone Change Ordinance which accompanies the Wildlife Ordinance is Exhibit B to the staff report. That ordinance is accompanied by 12 detailed maps, 11 of which are parcel-level, showing the boundary of the Wildlife District and which parcels are within the district. An excerpt from Exhibit B is depicted below.



Excerpt from staff report Exhibit B: Wildlife District "WLD"

Map B should be modified to consist of a similar series of parcel-level maps, which would identify "Wildlife Resources" and corresponding buffers for purposes of the Wildlife Ordinance. "Map B" should also be revised to be entitled "Wildlife Resources and Buffers." Finally, the text of Section 1 of the draft ordinance should be modified to read "Wildlife Resources are identified in Map B: Wildlife Resources and Buffers."

2. Amendment of Ordinance to Modify "Wildlife Resources" Map.

The Wildlife Ordinance identifies "Wildlife Resources" with reference to Map B. As with any part of the ordinance, Map B could certainly be revised or replaced by way of a subsequent action of the City Council to amend the ordinance. However, there is language elsewhere in the draft ordinance which implies that Map B could also be revised or replaced by City Planning Department staff, without a formal amendment to the ordinance. This language appears for the first time in the most recent revision to the draft ordinance.

The language at issue appears in Section 6 of the draft Wildlife Ordinance, which adds section 13.21 ("WLD" Wildlife District) to the LAMC. Subsection F (Development Regulations) includes a subsection 2 (Wildlife Resources), which states:

> **2. Wildlife Resources.** In addition to the District-Wide regulations contained in Paragraph 1 of Subsection F of this Section, the following regulations apply to all lots in a Wildlife District where a Wildlife Resource has been identified on a map created, maintained, and adopted by the Department of City Planning in conjunction with the application of a Wildlife District.

The above-referenced language refers to "a map created, maintained and adopted by the Department of City Planning in conjunction with the application of a Wildlife District." In the last version of the draft ordinance circulated in April 2022, the map to be "created, maintained and adopted" by the Department was of a "Ridgeline". (See Exhibit D (Revisions to the April 2022 Draft Wildlife District Ordinance), pg. D-24.) This reflects the fact that, as part of the earlier iteration of the ordinance (and as part of the "Ridgeline Protection Ordinance" which preceded that effort), staff had mapped ridgelines within the proposed Wildlife District. In the most recent draft of the Wildlife Ordinance, staff decided to de-emphasize ridgelines as a basis for the regulations. In accordance with that, staff apparently decided to delete the reference to "Ridgeline" in proposed section 13.21.F.2.

However, by making the foregoing deletion, staff has – perhaps inadvertently – injected significant ambiguity into the draft ordinance regarding the proper procedure for amending the map of "Wildlife Resources". As discussed above, the Definitions section of the ordinance states that "Wildlife Resources are identified in Map B: Draft Resource Areas". Map B is clearly intended to be an exhibit or appendix to the ordinance itself, and therefore any modification to it should require a formal amendment to the ordinance. Yet the language in section 13.21.F.2 would arguably allow for Map B to be "created, maintained and adopted by the Department of City Planning." This implies that the Department could, without further amending the Wildlife Ordinance, simply modify Map B to include additional parcels and then "adopt" it through some sort of internal department procedure.

Any change to Map B, especially one that includes additional parcels, would significantly alter the regulations applicable to such parcels. Therefore, in order to protect the due process rights of the affected property owners and the public, and to preserve the City Council's jurisdiction over the underlying regulations, the draft ordinance should be modified to delete the reference to a map "created, maintained and adopted" by the Department, and substitute a simple reference to Map B. Specifically, the language of section 13.21.F.2 should be revised as follows:

> **2. Wildlife Resources.** In addition to the District-Wide regulations contained in Paragraph 1 of Subsection F of this Section, the following regulations apply to all lots in a Wildlife District where a Wildlife Resource has been identified on ~~a map created, maintained and adopted by the Department of City Planning in conjunction with the application of a Wildlife District~~. Map B: Wildlife Resources and Buffers.

3. Errant Reference to "Map X" Rather Than Wildlife Resources Map.

There is an apparent typographical error in proposed section 13.21.F.2.(b).1. It states:

> (b) Regulations.
> (1) A Biological Assessment is required for any project proposed within a Wildlife Resource or its Buffer as shown on Map X.

Exhibit A to the staff report contains the proposed Wildlife Ordinance and the other maps which appear to be referenced in the draft ordinance. There is no "Map X" anywhere in Exhibit A, or elsewhere in the staff report. Evidently, then, the reference to "Map X" is a typographical error and was intended to refer to "Map B," which is discussed at length above. Provided that Map B is modified to include buffer areas, as recommended above, it should suffice as the map defining whether a project is "within a Wildlife Resource or its Buffer," and therefore whether the project is subject to the requirement of a Biological Assessment.

Thank you for the opportunity to comment on this proposed Wildlife Ordinance.

Very truly yours,



John A. Henning, Jr.

cc: Patrick Whalen

Planning CPC <cpc@lacity.org>

Draft Wildlife Ordinance / Santa Monica Mountains

jwallace <jolene.wallace@gmail.com> Mon, Nov 14, 2022 at 9:32 AM
To: cpc@lacity.org

Hello!

This email is to register my strong support for the Draft Wildlife ordinance, CPC-2022-3413-CA and CPC-2022-3712-ZC (Agenda items 9 and 10). While this is not perfect it is a necessary start, and I thank the Planning Department for their hard work in getting the study completed despite many obstacles including threatened defunding.

Thanks,
Jolene Herz
21229 Velicata
Woodland Hills, CA 91364

Planning CPC <cpc@lacity.org>

Opposition to and request for Delay of Hearing regarding Wildlife Ordinance #CPC-2022-3413-CA, #CPC-2022-3712-ZC and ENV-2022-3414-CE

jeffrey kaplan <jeffreykaplan@msn.com> Mon, Nov 14, 2022 at 10:12 PM
To: "CPC@lacity.org" <CPC@lacity.org>
Cc: "Patrick.wahlen@lacity.org" <Patrick.wahlen@lacity.org>, "OurLA2040@LAcity.org" <OurLA2040@lacity.org>, "Lena.Mik@LAcity.org" <Lena.Mik@lacity.org>, "Vince.Bertoni@lacity.org" <Vince.Bertoni@lacity.org>, "Paul.Koretz@LAcity.org" <Paul.Koretz@lacity.org>, Shawn Bayliss <shawn@belairassociation.org>

Dear CPC Members,

I am the owner of 1461 Bel Air Road, Bel Air 90077 which is within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance ("Proposed Ordinance") does not accomplish those goals in a reasonable fashion. Instead, it burdens homeowners like me and my neighbors with overly broad and unnecessary development regulations and restrictions.

When the revised Proposed Ordinance is applied to fully developed and well-established neighborhoods such as our homes, **it simply does not work**. **I oppose the Proposed Ordinance due to its outrageously disproportionate breadth of regulation, complexity, etc.; and I request that the CPC Hearing be delayed for further determinations in accordance with the below comments and other comments of homeowners who also oppose the Proposed Ordinance.**

It is clear that City Staff has failed to consider some fundamental principles that should be applicable to this matter. Those are:

#1 First and foremost, Property Owners should have the right to use and enjoy their homes and properties as regulated by current law;

#2 Wildlife preservation is important; but

#3 To respect the priority of #1, any Proposed Ordinance to promote #2 must be tailored to the narrowest of means possible.

It seems that the City Staff, in proposing the Proposed Ordinance, has lost sight of the primary importance of Principle #1 versus the subordinate importance of Principle #2. For example, if there is a specific wildlife issue such as a diminishing population of coyotes due to a specific habitat destruction, then of course an Ordinance (or other regulation) should specifically address that situation. But, that means a study needs to be done to determine the reason for that specific problem and the least intrusive way to remedy it.

But, for the City Staff to simply propose a broad brush, one size fits all remedy, to unknown potential wildlife issues is CRAZY! It is changing the priority of Principles and places #2 in front of #1 for no good reason other than a bureaucrat's desire to find the "easy way out", without regard to the special rights of homeowners.

The City should simply acknowledge the problem by doing specific studies on specific wildlife issues; and once an issue is determined, the remedy should be the absolute minimum burden on affected property owners necessary to address the issue. And, this should be done on an issue-by-issue basis. That is the fairest way to respect Principle #1 while still addressing Principle #2.

I think the City needs to reconsider the Proposed Ordinance consistent with the above analysis. If the City does not respect Principle #1 by minimizing the impact on Homeowners, it will suffer the wrath of Homeowners who will rightfully feel the City (and their representatives) do not care enough about them to do the right thing.

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the Proposed Ordinance be rescheduled to a later date. The Proposed Ordinance is not ready for consideration. However, if CPC does consider the Proposed Ordinance in its current form, it should not be approved.

Thank you in advance for your anticipated thoughtful determination regarding this matter.

Very Truly Yours,

Jeffrey A. Kaplan
Attorney at Law (inactive)
10877 Wilshire Blvd., Suite 1520
Los Angeles, CA 90024-4341
Tel. (310) 208-0075 x 109
Fax (310) 208-0571

Note: This email is intended only for the addressee and may contain privileged or confidential information. If you are not the addressee, please destroy this email and advise us immediately.

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA and CPC-3712-ZC - DELAY HEARING

Jon Kinnally <jonkinnally@gmail.com> Mon, Nov 14, 2022 at 8:02 AM
To: CPC@lacity.org, "kevin.keller@lacity.org" <kevin.keller@lacity.org>, "emma.taylor@lacity.org" <emma.taylor@lacity.org>, mehmet.berker@lacity.org, mashael.madjid@lacity.org, Kevin.James@lacity.org

One of my greatest concerns is the Resource Map, which is flawed, subject to change annually (according to City Planning), and has no defined process as to how the map will be updated. This leaves me and my neighbors all subject to heavy restrictions in the future, and we would like this clarified and available for review before any further hearings take place.

I respectfully ask for a delay in the hearing until we have all critical pieces of information to review.

This Ordinance is incomplete and leaves us all at risk.

Thank you

Jon Kinnally
Chris Young
8328 Livingston Way
LA CA 90046

James D. and Karen N. Lakin
14575 Deervale Place
Sherman Oaks, CA 91403
Tel: (404) 431-9470

November 14, 2022

Los Angeles City Planning Commission
201 N. Figueroa Street, 4th Floor
Los Angeles, CA 90012

Subject: Proposed Wildlife Ordinance
CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

In addition, I believe that city planning staff are rushing to have this ordinance considered by the CPC members without sufficient time for the members to fully consider the entirety of its impact. If the CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

James D. and Karen N. Lakin

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you for your consideration,

James D. and Karen N Lakin

CC: Los Angeles City Council
Mayor of Los Angeles

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA and CPC-3712-ZC - DELAY HEARING

Jill L <jill.lewis1@gmail.com> Sun, Nov 13, 2022 at 3:10 PM
To: CPC@lacity.org

Wildlife Ordinance November 2022

This version is still not acceptable!

1) The wildlife ordinance still allows developers to build on pristine land up to 100,000 square feet, while existing homeowners will be forbidden to rebuild, remodel, or add anything, if they are within 50 feet of a buffer zone.

Practically the whole canyon is buffer zones. We need to protect existing homeowners, and curb abusive development, like this $4M+ 'ADU' that mysteriously got approval even tho it's only 700 feet from a giant fissure/landslide that closed the Blvd. for years.

2)This ordinance is NOT ready to be approved! There are multiple open-ended issues that could have us all sitting in resources buffers, requiring unsafe fencing and other burdensome regulations once this is passed. There is more work to be done.

3 One of our greatest concerns is the Resource Map, which is flawed, subject to change annually (according to City Planning), and has no defined process as to how the map will be updated. This leaves homeowners all subject to heavy restrictions in the future, and we would like this clarified and available for review before any further hearings take place.

3) As seems to be the City's trend, the small "Mom and Pop" homeowners are treated with utter dismissal while the bigger developers can do what they want if they pay enough money. The city is destroying the middle class, and destroying the idea of a "neighborhood" They are heavy handed and are not paying attention to the will of the people.

4) Recently there have been several injuries to children who are not being protected due to wildlife intrusions into play areas. Where are the concerns for the children?

5) the Site Plan Review

a) Needs specific Site Plan Review criteria before CPC votes on this, eg Coastal Commission, city of Malibu, LA County

b) Need a graduate degree biologist and licensed architect reviewing for Planning Dept like Malibu and County of LA

c)Needs to ensure public safety of adjoining properties

6) Details of the Biological Assessment requirements must be disclosed to the public with an opportunity to be heard at least 30 prior to Hearings/votes.

You cannot pass this in good conscience!
Yours,
Jill Lewis

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Joe Mansour <jgm@accordinterests.com>
To: "CPC@LACity.org" <CPC@lacity.org>

Wed, Nov 9, 2022 at 8:23 PM

ACCORD

Joseph G. Mansour

Principal

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Joe Mansour

1775 Summitridge Drive

Los Angeles, CA

300 Bowie Street, Suite 3405, Austin, TX 78703. Office 512.600.1880 ext. 303 Mobile 310.245.8220 Facsimile 323.512.0105

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Planning CPC <cpc@lacity.org>

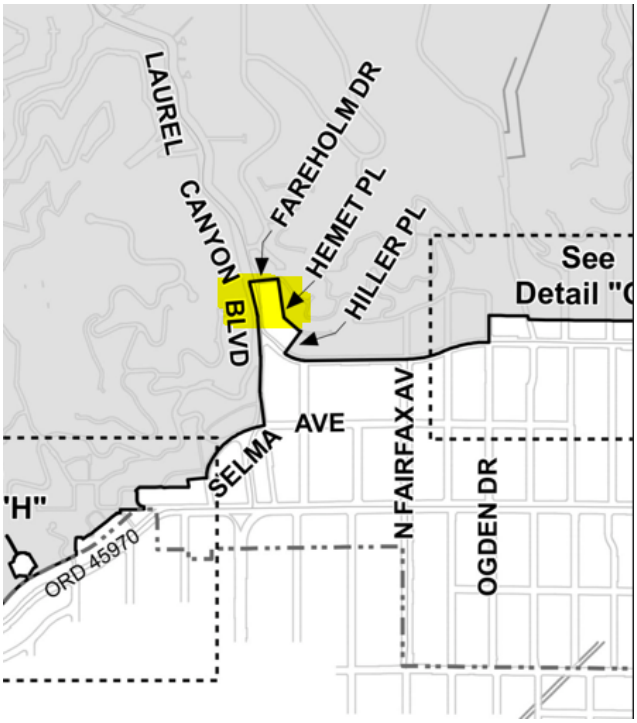
Wildlife District Ordinance feedback

Samuel Drake <samuel.p.drake@gmail.com> Mon, Nov 14, 2022 at 10:10 PM
To: cpc@lacity.org
Cc: Jason McCoy <jasonbmccoy@gmail.com>

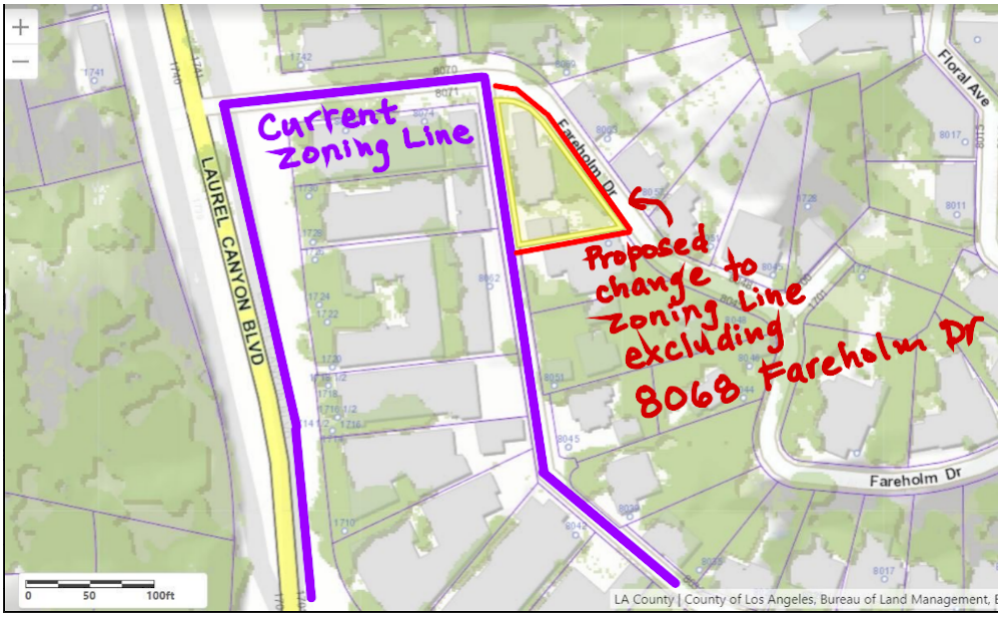
City Planning Council,

I am writing to ***ask that you make a very minor change to the Wildlife zoning map to exclude my property at 8068 Fareholm Drive***. The front part of the property is on the zoning line (on Hemet Place) and the rear of the property is bordered by a giant cement retaining wall, which itself would prevent the movement of wildlife. This is a minor change that would still satisfy the intention of the ordinance.

Screen capture from the current Zoning Map:

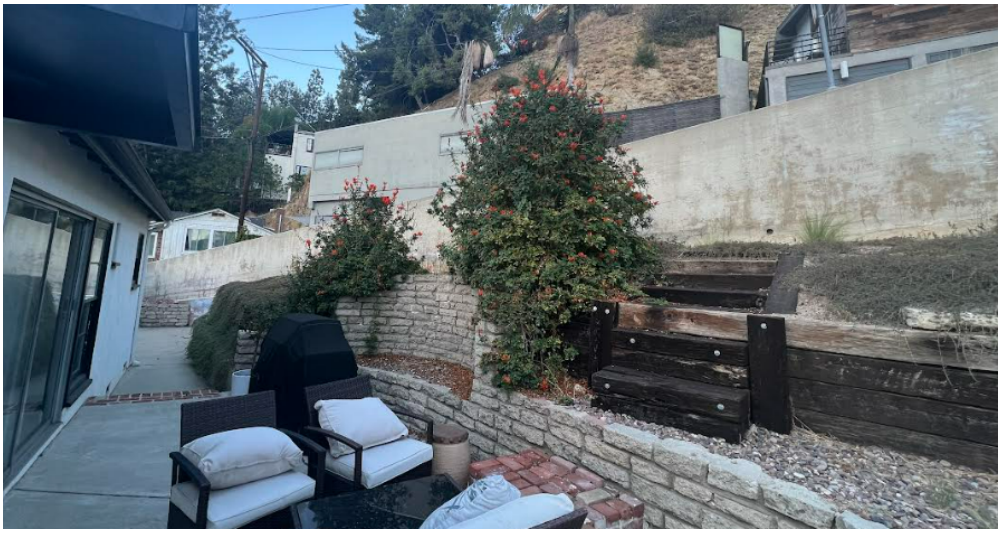


Proposed adjustment to Zoning Map:



Photos of retaining wall along rear of property





Although we understand the positive intent behind the project, **we are strongly opposed to the draconian restrictions homeowners would be subject to under the ordinance. Our property is in a neighborhood which is already highly developed, with very limited open space/wildlife. We strongly recommend that the committee re-draw the boundaries of the ordinance to exclude highly developed neighborhoods such as ours, and instead focus on less-developed areas, hillsides, and parks.** As written and drawn, the ordinance would create unacceptable restrictions on homeowners.

As property owners, we are entitled to the privacy and freedom to determine which type(s) of shrubs, privacy and security fencing, and home and property features are best for our family budget and lifestyle. We have serious concerns about our ability to rebuild in the event of a natural disaster, our ability to secure our property given the limitations on fencing and vegetation, and the impact these restrictions will have on our homeowner resell value.

We object to the influence of special interest groups seeking to impart restrictions outside-in onto property owners, when those groups will not actually be affected by the restrictions. If you would like to create restrictions for the area, **please limit those restrictions to currently open and/or undeveloped lands. Homeowners who already live in the area should be "grandfathered" in and not be subject to these new, unexpected restrictions.**

We would appreciate a response to this note, and updates to the plan.

Thank you,
Jason McCoy & Sam Drake

Benjamin M. Reznik
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82536.0001

November 10, 2022

VIA EMAIL
President Millman, and Honorable Members
of the City Planning Commission
Department of City Planning
City of Los Angeles
200 N Spring St.
Los Angeles, CA 90012
E-Mail: CPC@lacity.org

Re: **Comments on Proposed Wildlife Pilot Study Zone Change Ordinance**
Case No(s). CPC-2022-3413-CA and CPC-2022-3712-ZC
Env. Case No. ENV-2022-3414-CE
City Council File No. 14-0518

Dear Honorable Members of the City Planning Commission:

This office represents *Neighbors for Hillside Safety*, an unincorporated association of homeowners, residents, and stakeholders, who live and work within the proposed Wildlife Ordinance District being considered as part of the City's Wildlife Pilot Study and the associated Wildlife Ordinance District (the "Ordinance").[1] We submit this letter to reiterate several serious concerns and objections our client(s) have with this Ordinance as proposed, and to again express our clients' frustration over the City's decision to "fast track" a sweeping new zone change that impacts tens-of-thousands of homes without performing any environmental analysis.

While we appreciate the City's effort to address some of our clients' concerns with the prior draft of the Ordinance, such as the elimination of the fencing requirements, two of the most important issues we have raised have yet to be addressed. First, the City continues to refuse to conduct any CEQA review for a project that spans over 20,000 acres and makes significant zoning changes that have the potential to impact the environment. Instead, the City has doubled-down on its view that the Ordinance qualifies for inapplicable CEQA exemptions. Second, the Ordinance violates the Housing Crisis Act (SB 330), and in its most recent staff report, the City has openly acknowledged this violation. As such, this letter incorporates the relevant CEQA and Housing Crisis Act comments from our prior August 22, 2022 letter , and urges the City to take these issues seriously,

[1] We also represent 9922 LLC, a resident and homeowner within the proposed district, and Ardie Tavangarian, who similarly owns property in the district and is an architect with over 40 years of experience building and remodeling homes in the affected communities.

because if they are not addressed here in the administrative phase of this Ordinance, they will need to be addressed by the Courts. Specifically, this letter addresses the following issues:

(i) **Violation of CEQA due to Failure to Conduct Environmental Review.** The City's claim that the ordinance qualifies under several exemptions to CEQA are flawed. The City's claimed exemptions (Classes 7-8, and the "common sense" exemption) are inapplicable, and moreover, the CEQA Guidelines do indeed include an exemption for habitat restoration projects (Class 33 exemption), but that exemption is limited to projects that are 5 acres or less. Because this project spans over 20,000 acres, it obviously cannot qualify for the Class 33 exemption, and the City's attempt to pigeonhole this ordinance into other inapplicable exemptions will fail. The Ordinance also violates CEQA's project-splitting prohibition, and fails to evaluate the cumulative impacts of the Ordinance. The City must conduct an EIR to properly analyze the environmental impacts of this ordinance.

(ii) **Violation of the Housing Crisis Act due to Reduction in Residential Capacity.** The Housing Crisis Act prohibits any reduction of density without ***concurrent*** changes in development standards in other areas to ensure that there is no net loss in residential capacity. The City has openly admitted that there is no "concurrent" City action to up-zone other areas of the City, and therefore, this ordinance cannot be passed until the City has done so.

We urge the City to reconsider moving forward with the Ordinance in its current form without first 1) preparing an EIR that considers the Ordinance's impacts on the environment, and 2) complying with the Housing Crisis Act by concurrently (*i.e.*, on the same timeline as this Ordinance) changing the development standards on parcels elsewhere in the City to ensure no loss of residential capacity.

Notably, although we have outlined two of our main concerns with the Ordinance here, we will be submitting a second comment letter that addresses, among other things, the issues with the science and biology of the Ordinance, which will be accompanied by a report from expert environmental consultants.

I. THE ORDINANCE DOES NOT COMPLY WITH CEQA

Our August 22, 2022 letter sets forth in detail the reasons why the City's claimed exemptions – Classes 7 and 8, and the common sense exemption – are inapplicable. There, we explained that 1) CEQA must be conducted at the earliest feasible point in the planning process, 2) that other similar projects in other jurisdictions (*e.g.*, Riverside County, San Diego County, Orange County, Los Angeles County) underwent CEQA review, 3) that the Class 7-8 exemptions claimed by the City are inapplicable on their own terms, because the Ordinance does not "assure the maintenance, restoration, or enhancement" of the environment or natural resources, 4) that the Class 7-8 exemptions are inapplicable because of "unusual circumstances" such as fire hazards, topography, seismicity, and grading, and 5) that a negative declaration would be inappropriate for the

Ordinance, as substantial evidence supports a fair argument that a significant environmental impact would occur.

This letter sets forth three additional reasons why the Ordinance violates CEQA: 1) the City has chosen the wrong CEQA Exemption, 2) the Ordinance violates CEQA's prohibition on project-splitting, and 3) the City has failed to analyze the cumulative impacts of similar wildlife-protection regulations throughout Southern California.

A. The City has Attempted to use Inapplicable Categorical Exemptions, While Ignoring the One Exemption that is On Point, but for which the Ordinance Does Not Qualify

There is a direct reason why the City's claimed categorical exemptions do not apply here: ***it has chosen the wrong categorical exemption for the Ordinance***. There is another exemption – Class 33 (CEQA Guidelines § 15333, Small Habitat Restoration Projects) – that is directly on point for wildlife corridors, but due to the massive geographic size of the Ordinance, it fails to qualify under Class 33, which limits the exemption to projects less than five acres in size.

"A categorical exemption can be relied on only if a factual evaluation of the agency's proposed activity reveals that it applies. The agency invoking the categorical exemption has the burden of demonstrating that substantial evidence supports its factual finding that the project fell within the exemption." (*Save Our Big Trees v. City of Santa Cruz* (2015) 241 Cal.App.4th 694, 705, *internal marks and cites removed; citing, Muzzy Ranch Co. v. Solano County Airport Land Use Com*. (2007) 41 Cal.4th 372, 386.) Entirely absent from the City's analysis of applicable CEQA exemptions is any discussion of the Class 33 exemption, which provides as follows:

> § 15333. Small Habitat Restoration Projects.
>
> Class 33 consists of projects **not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife**…
> (d) Examples of small restoration projects may include, but are not limited to:
> (1) revegetation of disturbed areas with native plant species;
> (2) wetland restoration, the primary purpose of which is to improve conditions for waterfowl or other species that rely on wetland habitat;
> (3) stream or river bank revegetation, the primary purpose of which is to improve habitat for amphibians or native fish;
> (4) projects to restore or enhance habitat that are carried out principally with hand labor and not mechanized equipment.
> (5) stream or river bank stabilization with native vegetation or other bioengineering techniques, the primary purpose of which is to reduce or eliminate erosion and sedimentation… (CEQA Guidelines § 15333.)

The Class 33 categorical exemption is thus directly on point for an Ordinance that purports to "maintain, restore, enhance, or protect" "habitats" for "wildlife." (*Id*.) The Ordinance's plain terms and main purpose fall most directly under the purview of Class 33, in the sense that the exemption itself directly discusses protection of wildlife habitats, and addresses issues that are dealt with head-on in the Ordinance, such as the promotion of native plant species over invasive species, and restoration of wetlands, streams, and rivers. Indeed, the word "restoration" (in its various forms) appears in the staff report no less than 130 times, the word "habitat" appears at least 740 times, and the word "wildlife" over 1650 times.

The City admits, time and again, that restoration of habitat is front and center in the Ordinance:

> Future development will continue to put pressure on these limited remaining natural resource areas within the City, and wildlife will be forced to survive on fewer habitat areas and resources, which will continue to threaten the biodiversity remaining within the City. One of the City's Conservation Element objectives is to "preserve, protect, restore and enhance natural plant and wildlife diversity, habitats, corridors and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern." The City is committed to conserving natural habitat areas and provide connectivity for wildlife. (Staff Report, 2-7.)

Also, the City does not even deny that the Ordinance is a project that is specifically designed to "***assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife***"—*i.e.,* the activity class that is the subject of the Class 33 exemption. (CEQA Guidelines Section 15333.) In fact, the City acknowledges that the purpose of the Ordinance is just that: "The proposed Wildlife District Ordinance has a critical goal of protecting habitat and wildlife connectivity in the hillsides and is supportive of related goals for open space management…and maintaining overall quality of life for both people and wildlife. The Ordinance aims to reduce cumulative development impacts on plants, animals and natural resources for supporting wildlife connectivity while providing co-benefits related to climate resilience and public health."

However, there is a reason that such an exemption was designed by the Resources Agency to be limited to projects of "five acres" or less. When the Resources Agency contemplated this exemption for wildlife corridors, it established a five acre limit, presumably because it cannot make similar assumptions regarding environmental impacts for larger projects. In *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, the court went to great lengths to explain that significant thought and consideration went into the identification of each of the categorical exemptions that are identified in the CEQA Guidelines. (*Davidon,* 54 Cal.App.4th at 116.) The term "categorical exemption" in CEQA Guidelines "means an exemption from CEQA for a class of projects based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment." (CEQA Guidelines § 15354.) Put differently, when the Resources Agency decided that this "class of projects" specifically relating to protection of wildlife was a class that is exempt from CEQA, it did so with the precise caveat that such projects must be limited to less than five acres. (CEQA Guidelines § 15333.) There is an implied finding

within the Class 33 exemption that similar, but larger, projects are not automatically categorically exempt from CEQA, precisely because the Secretary for Resources is unable make a finding that such projects do "not have a significant effect on the environment." (CEQA Guidelines § 15333, 15354.) In contrast to the Class 33 exemption, the Class 7-8 exemptions lack the specificity and direct applicability to wildlife corridors. Classes 7-8 cover regulatory actions to assure the maintenance, restoration, or enhancement of a natural resource (Class 7) and/or the maintenance, restoration, enhancement, or protection of the environment (Class 8). (CEQA Guidelines §§15307, 15308.)

In interpreting a statute, courts ascertain the underlying intent of the regulations "so as to effect the purpose of the law." (*City of Berkeley v. Cukierman* (1993) 14 Cal.App.4th 1331, 1338-39.) This includes various provisions within a comprehensive regulatory scheme. (*O'Brien v. Dudenhoeffer* (1993) 16 Cal.App.4th 327, 332 ["A statute must be construed in the context of the entire statutory scheme of which it is a part, in order to achieve harmony among its parts."] [*internal marks removed*].) "It is a settled axiom of statutory construction that significance should be attributed to every word and phrase of a statute, and a construction making some words surplusage should be avoided. (*People v. Woodhead* (1987) 43 Cal.3d 1002, 1010, *citing Moyer v. Workmen's Comp. Appeals Bd.* (1973) 10 Cal.3d 222, 230.) A statute is to be taken and considered as a whole, so that seeming inconsistencies are reconciled and that it is construed to give force and effect to all its provisions. (*Neuwald v. Brock* (1939) 12 Cal.2d 662, 668-69; Code of Civil Procedure § 1858.) In addition, "particular intent will control a general one." (Code of Civil Procedure § 1859; *In Re Haines* (1925) 195 Cal. 605, 613.)

In light of these canons of statutory interpretation, the three relevant CEQA exemptions (Classes 7, 8, and 33) should be interpreted in a way that gives effect to each of them, and the specific provisions should control over the general ones. If Classes 7 and 8 were meant to cover projects related to wildlife protection and habitat preservation, then there would be no need for the Class 33 exemption – it would be surplusage. Put differently, the Class 33 exemption would be rendered entirely meaningless and superfluous if any habitat enhancement project over five acres could be deemed exempt under Class 7 or 8. If that was a possibility, then why did the Resources Agency adopt Class 33 at all? Under the City's interpretation of the Class 7-8 exemptions, Class 33 exemptions would be mere surplusage. The Resources Agency would have no need to implement Class 33 if those activities were already covered by Classes 7-8. But it did. As such, Class 33, the exemption specifically drafted by the legislature to deal with habitat restoration projects, must be given its intended meaning. If the size of the Ordinance kicks it out of the Class 33 exemption, then CEQA review must be conducted.

Another issue specified in the most recent staff report underlines the importance of CEQA review in this matter. The City lists a host of other jurisdictions that passed similar habitat restoration regulations, but fails to inform the public that most of those jurisdictions did in fact undergo CEQA review for their projects. (Staff Report, A-13.) The City instead focuses on the wildlife corridor ordinance passed in Ventura County (one of the few jurisdictions that used a CEQA Exemption to avoid environmental review), which covers mostly rural areas of the County that bear little resemblance to the densely populated urban areas that are the subject of the City's Ordinance. Also,

it should be noted that after receiving comments through the administrative process, the industries that were most effected by Ventura County's ordinance (*e.g.*, agriculture, mining) were granted significant exemptions that largely allowed them to continue operations. There is no real equivalent to those exemptions here (unless the Ordinance had a blanket exemption for all residential properties), because the Ordinance mainly impacts residential areas. Also, the Ventura County ordinance is currently being challenged on appeal, so it has no precedential value relating to its CEQA exemption.

In short, Class 33 is the only applicable exemption to the Ordinance, and the Ordinance plainly does not qualify for it. The City cannot try to squeeze itself into other more broad exemptions (Classes 7-8, common sense) when it is unable to comply with the applicable Class 33 exemption – namely because the Ordinance covers over 20,000 acres of land, which is orders of magnitude greater than five.

B. The Splitting of the "Pilot" Area from the Rest of the Ordinance Constitutes Improper Project Splitting in Violation of CEQA

The City admits that this Ordinance is a test case for other areas of the City that will eventually also be subject to similar restrictions. (Staff Report, A-15, Ex. F-7.) If this area is to be used as a pilot or test area, why then, would the City attempt to avoid CEQA review that would properly evaluate all of the environmental impacts of the regulations? If anything, the fact that this area is a test only further supports our view that a thorough environmental review is needed.

"Project splitting," "piecemealing," or "segmentation," occurs when a project description does not encompass the entire project. The duty to evaluate the environmental effects of a project cannot be avoided by limiting the description of the project. *Rural Land Owners Association v. Lodi City Council* (1983) 143 Cal.App.3d 1013, 1025. Rather, CEQA requires that a project description must include all relevant aspects of a project, including reasonably foreseeable future activities that are part of the project. *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 396. An agency abuses discretion by failing to proceed in the manner required by law if its action or decision does not substantially comply with the requirements of CEQA. PRC 21168, 21168.5.

A project description that fails to account for anticipated development activities is counter to CEQA's mandate "that environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." *Bozung v. Local Agency Formation Comm'n.* (1975) 13 Cal. 3d 263, 283-84. As the court in *Santiago County Water Dist. v. County of Orange*, 118 Cal.App.3d 818, 828-30 (1981), observed, piecemealed environmental review undermines CEQA's central purpose:

> "Because of th[e] omission [of a key part of the project from the County's environmental review], some important ramifications of the proposed project remained hidden from view at the time the project was being discussed and approved. This frustrates one of the core goals of CEQA. 'Only through an accurate view of the project

> may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance. An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.'" *Id*. (quoting *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 192-93 (1977)).

CEQA does not allow an agency to review one part of a larger project in isolation. Instead, CEQA mandates that environmental review focus on the "whole of the action," so the true effects of the project may be analyzed in a public process and environmental impacts avoided or reduced. *See* CEQA Guidelines 15060; *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal App.4th 1214, 1222. A "project" is "given a broad interpretation in order to maximize protection of the environment." *McQueen v. Bd. of Dirs.* (1988) 202 Cal.App.3d 1136, 1143. "This big picture approach to the definition of a project (*i.e.*, including 'the whole of an action') prevents a public agency from avoiding CEQA requirements by dividing a project into smaller components which, when considered separately, may not have a significant environmental effect." *Nelson v. County of Kern* (2010) 190 Cal.App.4th 252, 271 (reversing judgment denying writ of mandate; mining project improperly segmented). Thus, the broad scope of the term "project" prevents "the fallacy of division," which entails "overlooking [a project's] cumulative impact by separately focusing on isolated parts of the whole." *McQueen*, *supra*, 202 Cal.App.3d at 1144.

Case law would dictate a finding of project splitting in this case. In *Tuolumne,* the court held that the development of home improvement store and realignment of an adjacent road were part of single CEQA project given the close connection between the proposed activities, which were related in time, physical location and entity undertaking them. 155 Cal.App.4th at 1223. Here, the PAWs and WMPs have already been identified in the staff report (and its appendices) for all areas of greater Los Angeles, and the same regulations will be implemented in other areas of the City, depending on how this initial "pilot" area pans out. Yet, the claimed CEQA Exemptions only deal with this "pilot" area, without taking into account the full scope of the "project" as defined by CEQA.

In *Association for a Cleaner Environment v.Yosemite Community College Dist.*, the court determined that the closure, dismantling and transfer of a shooting range constituted a single project under CEQA because they were a "group of interrelated actions" and part of a "single, coordinated endeavor." 116 Cal.App.4th at 639. Here, the Ordinance's regulations throughout the entirety of the City (and not just the pilot area) are absolutely a "single, coordinated endeavor." *See also*, *Nelson*, *supra* 190 Cal.App.4th at 272 (mining reclamation plan and mining operations were part of a single CEQA project because they were "integrally related" to one another).

An EIR must analyze all relevant parts of a project, including future expansion or later phases of the project that will foreseeably result from project approval. *Laurel Heights, supra,* 47 Cal.3d at 394-98. In *Laurel Heights*, a University planned to move research units to a building in a residential neighborhood. The laboratories were to occupy 100,000 sf of a 354,000 sf building. The University

claimed it had not decided to occupy the entire building, but evidence in the record indicated that it intended to occupy the rest of the building once another lease of that space expired. The court concluded that occupancy of the entire building was a reasonably foreseeable consequence. 47 Cal.3d at 398. Similarly, the City has here claimed that the Ordinance is limited to only pilot area. However, the actual evidence in the record belies this artificial delineation between the pilot area, and the wildlife designations in the rest of the City, all of which work hand in hand.

This is not merely a technical argument. The failure to study the entirety of the project in this case can have serious ramifications, because the assumptions being made throughout the Ordinance may not be entirely accurate when zoomed out to the eventual scale of the full Ordinance. This is the exact type of scenario that the CEQA prohibition on project splitting was designed to prevent.

C. The Ordinance Violates CEQA Due to Failure to Analyze Cumulative Impacts

The Staff Report acknowledges that other nearby jurisdictions throughout Southern California have implemented similar regulations relating to wildlife and habitat preservation. (Staff Report, A-13.) However, the City has not acknowledged that its failure to analyze cumulative impacts is fatal to its claim that the Class 7-8 exemptions are applicable here.

CEQA Guidelines Section 15300.2 provides: "Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant."

In this case, there are multiple "successive projects of the same type in the same place over time," and the Staff Report specifically mentions that the Ordinance draws upon the "best practices" of other jurisdictions "in wildlife and natural resource protection." (Staff Report, A-13.) The Staff Report identifies the Counties of Los Angeles, San Diego, and Ventura, as well as the Cities of Malibu, Calabasas, Burbank, Glendale, Beverly Hills, and Pasadena as the nearby jurisdictions that have all undergone similar projects related to "wildlife and natural resource protection." However, the Staff Report is devoid of any analysis regarding why the cumulative impacts of the wildlife regulations in all of these jurisdictions (some of which have indeed undergone CEQA review, unlike the proposed Ordinance) do not trigger the cumulative impact exception to the City's claimed CEQA Exemptions. The City must analyze the cumulative impacts of these successive wildlife regulations in order for the Ordinance to qualify for the Class 7-8 exemptions, or the common sense exemption. Its failure to do so renders the claimed exemptions inapplicable under CEQA.

II. THE ORDINANCE VIOLATES THE HOUSING CRISIS ACT, WHICH PROHIBITS CITIES FROM SIGNIFICANTLY REDUCING HOUSING INTENSITY THOUGH ZONE CHANGES.

Beyond the concerns raised about CEQA, our August 22, 2022 letter also set forth in detail the reasons why the Ordinance violates the Housing Crisis Act. In short, the Ordinance seeks to significantly reduce the intensity of use for all parcels within the purposed Wildlife District. It does

this by creating substantial new regulations that reduce the possible building envelope through new restrictions on height, floor area ratio, lot size, setbacks, and lot coverage, all items specifically listed in SB 330, and all of which "would lessen the intensity of housing." Govt. Code 66300(b).

The unexpected development since the submittal of our last letter is the fact that the City has now openly admitted that the Ordinance indeed violates SB 330. Page A-37 of the staff report provides as follows:

> Plans that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing, and voter initiatives) are prohibited. This does not apply to zoning efforts that reduce intensity for certain parcels as long as density is increased on other parcels and therefore results in no net loss in zoned housing capacity or intensity. The proposed Ordinance has many objectives, which also include addressing safety of development in the hillsides with respect to wildfire, slope failure, and flood hazards. Furthermore, **while the proposed Wildlife Ordinance does not include upzones to parcels elsewhere in the city, the City is in the process of increasing zoning allowances in various locations throughout the city**, particularly in proximity to transit infrastructure, through its update to Community Plans, as well as the Regional Housing Needs Assessment/Housing Element implementation program, thereby assuring no net loss of zoned housing capacity or intensity across the city.

However, pointing to some future, unspecified, undefined, and vague upzoning of other properties close to transit infrastructure falls far short of what SB 330 actually requires. How many parcels are being upzoned? Where are those parcels located? When will this corresponding change of zoning take place? How will the City ensure that there is no net loss in residential capacity? The key language in SB 330 provides as follows:

> This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use ***if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.*** Govt. Code 66300(i).

The City is admitting that it is not "concurrently" changing the development standards for other parcels, but rather, openly states in its staff report that it will consider future changes of zoning around transit infrastructure. This obviously cannot be the intent of SB 330. By this logic, any local government entity could skirt the law by simply downzoning any number of parcels through a sweeping ordinance, as long as it contains a promise somewhere in a staff report (as the City has done here) to consider upzoning other unspecified parcels in other areas. The Housing Crisis Act does not allow the City to do this, and such an attempt will assuredly be overturned by the courts.

Beyond the plain legal violation, there is also a compelling a public-policy reason that the City should not allow this Ordinance to go forward without first complying with SB 330 and identifying

the precise parcels that will be upzoned elsewhere. The downzoning that is proposed through this Ordinance is taking place in the most exclusive part of the City which already enjoys among the lowest densities in the City. In contrast, the proposed upzoning briefly referenced in the staff report is in higher density sections of the City (closer to transit infrastructure). In other words, if the City actually implements this Ordinance, it will be making the public policy decision that it wants the already-high-density and highly congested areas of the City to take on even more of a population and development burden, so that decisionmakers can even further reduce the density in the hills, and the underlying reason for this is to allow more room for mountain lions, coyotes, and other wildlife? Beyond the likely failure of the Ordinance in the courts, such a decision will also not survive the court of public opinion.

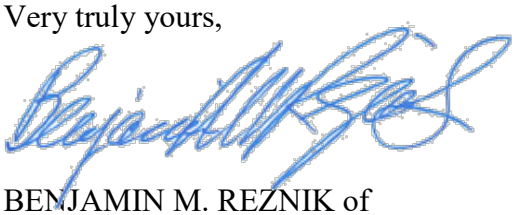
The Ordinance violates SB 330 and its provisions cannot be harmonized with either the spirit or the letter of the relevant provisions of the state law. For this reason alone, the Ordinance cannot be adopted until this issue is addressed, and it is expressly reconciled with SB 330.[2]

III. CONCLUSION.

For the foregoing reasons, the City should, at a minimum, conduct the mandated CEQA analysis prior to taking any further action on the Wildlife Ordinance. The City must also address the Ordinance's conflict with SB 330's provisions that prohibit the City from reducing the intensity of a use in a zone.

Note that we will soon be submitting another comment letter that focuses on the scientific and biological foundations of the Ordinance, and why the regulations proposed in the Ordinance will do little, if anything, to actually obtain its stated goals.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

[2] The Ordinance also fails to explain how lot splits permitted under SB 9 and Accessory Dwelling Unit ("ADU") permitted under state law will interface with the requirements provided by the Ordinance. Homeowners should be informed upfront as to whether or not this Ordinance will impact their ability to add an ADU on their lot or subdivide their lot pursuant to SB 9.

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November 14, 2022

VIA EMAIL
President Millman, and Honorable Members
of the City Planning Commission
Department of City Planning
City of Los Angeles
200 N Spring St.
Los Angeles, CA 90012
E-Mail: CPC@lacity.org

Re: **Comments on the Biology and Scientific Methodology of the Proposed Wildlife Pilot Study Zone Change Ordinance**
Case No(s). CPC-2022-3413-CA and CPC-2022-3712-ZC
Env. Case No. ENV-2022-3414-CE
City Council File No. 14-0518

Dear Honorable Members of the City Planning Commission:

This office represents *Neighbors for Hillside Safety*, an unincorporated association of homeowners, residents, and stakeholders, who live and work within the proposed Wildlife Ordinance District being considered as part of the City's Wildlife Pilot Study and the associated Wildlife Ordinance District (the "Ordinance").[1] We submit this letter to reiterate several serious concerns and objections our client(s) have with this Ordinance as proposed, and to again express our clients' frustration over the City's decision to "fast track" a sweeping new zone change that impacts tens-of-thousands of homes without performing any environmental analysis.

This follows our previous letters dated August 22, 2022 (providing comprehensive comments to the Ordinance), and November 10, 2022 (focusing on CEQA and Housing Crisis Act issues). The focus of this letter is the flawed foundational science, methodology, and biology upon which the Ordinance is based. In this regard, this office has hired ECORP Consulting, Inc, expert environmental consultants to conduct a detailed analysis of the Ordinance and the cited source materials, and ECORP's summary report is attached hereto as Exhibit 1. The issues raised by ECORP highlight the need for CEQA review, as such an analysis would actually evaluate the real problems impacting wildlife, and provide a scientific basis upon which a measured response can be taken to address those issues. Note that while ECORP's summary findings are attached as

[1] We also represent 9922 LLC, a resident and homeowner within the proposed district, and Ardie Tavangarian, who similarly owns property in the district and is an architect with over 40 years of experience building and remodeling homes in the affected communities.

Exhibit 1, ECORP is continuing to do a thorough analysis of the proposed Ordinance, and plans to provide a more detailed report later in the administrative process (prior to the City Council hearing).

In conjunction with ECORP's analysis, we would like to bring the following issues to the City Planning Commission's attention, as they specifically relate to the biological foundations and scientific methodology used in the creation of the Ordinance:

1. **The Ordinance Does Not Achieve its Stated Purpose**: The Staff Report explains that PAWs are not well connected, which is why Wildlife Movement Pathways ("WMP") are necessary. (Staff Report, Appendix 1-6.) However, a closer read reveals that the Ordinance will not actually do a good job of connecting different PAWs, but rather, the "greatest potential for regional movement within the City is within the PAWs themselves" (Staff Report, Appendix 2-109, 110, 111.) The staff report goes on to admit: "Unlike true wildlife corridors, which consist of pieces of habitat connecting larger extensive core habitat patches, the majority of wildlife movement opportunities throughout the City consist of smaller constrained movement pathways many of which contain limited marginal (i.e., low quality) habitat or even some developed areas (e.g., road crossings) connecting PAWs or fragments of PAWs. Thus, the term Wildlife Movement Pathways (WMPs) is used to characterize these likely pathways that are not traditional wildlife corridors, rather they are constrained urban wildlife passage opportunities." In other words, what the City is selling to the public as a wildlife corridor ordinance is actually (and admittedly) nothing of the sort. (Staff Report, Appendix 2-109, 110, 111, 115, 124.)
2. **Bringing More Wildlife to Residential Areas Causes Problems for Both Humans and Wildlife**: The question of whether it is wise in the first place to have a wildlife corridor placed over a densely populated urban area has not been appropriately debated and addressed. Is it a good idea to encourage bringing more wildlife to this residential area? That would lead to more mixing of humans and wildlife, which is advisable to avoid as much as possible. A wildlife corridor ordinance could potentially work and be effective in rural areas where agriculture and open space is prevalent (like in Ventura County). But in this area that is entirely surrounded by major roads and freeways, it is simply inviting more problems. In this regard, the ESA Report relies heavily on a 2008 study from Northern Arizona University.[2] The study states: "Unlike road barriers (which can be modified with fencing and crossing structures), urban and industrial developments create barriers to movement which cannot easily be removed, restored, or otherwise mitigated. …**Avoidance is the best way to manage urban impacts in a wildlife linkage.** Although some lizards and small mammals occupy residential areas, **most large carnivores, small mammals, and reptiles cannot occupy or even move through urban areas.** While mapped urban areas currently accounts for less than 1% of the land cover, residential development may increase rapidly in parts of the Linkage Design." Thus, the City's own science does not support the idea of turning existing developed urban areas into wildlife

[2] Paul Beier, Dan Majka, Shawn Newell, Emily Garding, Northern Arizona University January 2008, "Best Management Practices for Wildlife Corridors"; available at: https://www.cbd.int/doc/pa/tools/Best%20management%20practices%20for%20wildlife%20corridors.pdf

areas, since "most large carnivores, small mammals, and reptiles cannot occupy or even move through urban areas."

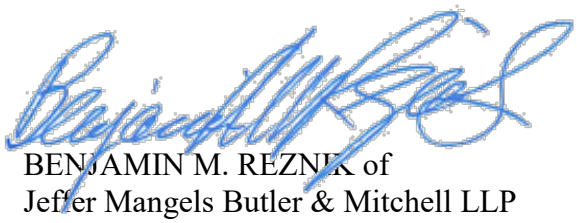
3. **The Ordinance Deviates Substantially from the Recommendations Listed in the ESA Report**: The ESA Report, and the source documents referenced therein, provide the scientific and biological foundation for all of the zoning regulations that were later incorporated into the Ordinance. This ESA Report contains a detailed analysis of all of the proposed PAW and WMP zones, and scientifically justifies their designation. Importantly, the ESA Report also includes an entire section devoted to guiding the City staff in its drafting of the ordinance, entitled "Recommendations to Inform Policy and Planning." (Staff Report, Appendix 2-176 to 2-196.) Notably, the policy recommendations include only the following nine categories (several of which, like poison/traffic, are not addressed in the Ordinance at all), and to the extent that the Ordinance regulates things outside of this list (such as building height and FAR), those are not grounded in scientific reality:
    - Setback and Buffers from open spaces and natural resource areas
    - Fencing and Physical Barriers
    - Vegetation, Landscaping (and Brush Management)
    - Lighting
    - Windows
    - Noise
    - Poison
    - Traffic
    - Education

4. **No Nexus Between Floor Area Restrictions and Wildlife Protection**: There has been no explanation for how or why calculating basements as part of the floor area will help wildlife. The footprint of the building and the lot coverage is what actually matters with respect to wildlife movement and corridors. If there is additional hidden square footage in a basement that does not impact the overall footprint of the building, there is no nexus to how or why wildlife would be impacted. Lot coverage is the more relevant measurement. (*See* Staff Report, A-16.)
5. **No Nexus Between Height and Wildlife Protection**: The only explanation provided in the staff report for why height is important for wildlife movement is impacts to birds. (*See* Staff Report, A-22.) However, no scientific data was provided to support the fact that building height actually makes any difference for birds (or any other wildlife, for that matter). The regulations related to glass are sufficient to protect birds.
6. **Disproportionate Impacts on Smaller Lots**: The staff report acknowledges that the Ordinance has a disproportionate impact on smaller lots. All lots under 6,000 SF should be exempted from all aspects of the Ordinance.
7. **Resource Maps Violate Due Process:** The Ordinance acknowledges that there are "unmapped Resources" that are subject to further regulations, that there is conflicting and flawed resource data. This is a violation of due process, as there are property owners within the Wildlife District who would not have been notified that their properties are subject to these regulations until they are already in the process of developing their properties. In order to avoid a violation of due process, the City must make clear from the outset all of the "Wildlife Resources" that are

covered by the Ordinance in advance, and all of the parcels that can be effected by them. This cannot be left to a future reviewer to determine whether such resources exist on site. This has to be done now, or it violates the due process rights of all property owners whose properties contain these features, but are not identified on the relevant maps at the time the Ordinance is adopted. Also, there is no express ability to appeal a resource determination on individual parcels. An administrative appeal right must be added. (*See* Staff Report, A-38-39, 43.)

8. **Director Ability to Modify Resource Maps Violates Due Process**: The proposed revision to LAMC Section 12.03 notes that the Ridgeline Map is "adopted and maintained by the Director of Planning." However, this implies that the Director of Planning has the ability to make modifications to the maps at any time, and without any notice or opportunity to be heard. In other words, properties that are not currently subject to certain restrictions within the Ordinance because they are not close to a Ridgeline, can be made subject to those restrictions on the whim of the Director of Planning, and the effected property owners would not have notice or an opportunity to be heard regarding those changes, as the Ordinance is currently written. Any changes to the maps must be made now, and the Ordinance must have final maps that are incorporated into the terms of the Ordinance. The Director of Planning cannot have the ability to unilaterally make changes to the maps without notice and a hearing for those properties being impacted by the changes. Otherwise, the Ordinance violates the due process rights of all property owners whose properties contain these features, but are not identified on the relevant maps at the time the Ordinance is adopted. (*See* Staff Report, A-38-39, 43.)
9. **More effective, and less impactful measures are readily available:** The real problems for wildlife are car collisions and rodenticide. The City could achieve its goals of protecting wildlife and promoting biodiversity more effectively if it just 1) banned rodenticide products, and 2) implemented road modifications (such as signage to warn drivers about wildlife, and striping and/or speed bumps to keep speed down) to keep drivers alert, and to keep their driving speeds lower, so as to promote the ability to evade wildlife collisions. Such measures would likely be substantially more effective in achieving the goal of protecting wildlife, and at the same time, would be much less impactful on homeowners and the environment. (*See* Staff Report, Appendix 1-10 [admission that freeway overpasses were not considered]). Ancillary zoning restrictions will not solve the problems that are actually caused by the Freeways. (*See* Staff Report, Appendix 2-19 [roadkill map].)

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

EXHIBIT 1

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

November 14, 2022
(2022-259)

Mr. Seena Max Samimi
Jeffer Mangels Butler & Mitchell LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

Subject: **Brief Biological Review of the City of Los Angeles' Proposed Revised Wildlife Ordinance**

Dear Mr. Samimi:

ECORP Consulting, Inc. (ECORP) is pleased to provide a brief biological review of the proposed City of Los Angeles (City) Revised Wildlife Ordinance (Ordinance). The focus of this review includes a brief analysis of how the proposed Ordinance, as currently written, is not likely to achieve its stated purpose and that wildlife may actually be harmed or killed more frequently because they would be drawn to using areas within and around areas of dense human population. The Protected Areas for Wildlife and Wildlife Movement Pathways (ESA 2021) and The Missing Linkages: Restoring Connectivity to the California Landscape (Penrod et. al 2001) reports both document that dense human population, urban development, high-trafficked roads/freeways, anthropogenic disturbances, and fragmented and limited amounts of wildlife habitat are present in the Wildlife District.

- The City has presented no scientific evidence or data supporting the idea that implementing the Ordinance and associated WMPs in such a restrictive area with little available wildlife habitat would have any direct benefit to wildlife or are even effective at achieving the goals of the Ordinance.
- The City has not provided any scientific evidence that micromanagement of wildlife movement in small, constrained, and fragmented habitat areas benefits the population of local native wildlife.
- There is no justification that Ordinance restrictions related to reductions in building height, grading, residential floor area, and lot coverage would improve wildlife habitat and connectivity.

The Ordinance would draw wildlife to residential areas, dramatically increasing wildlife collisions with vehicles and interactions between wildlife and humans and their domestic pets. The Ordinance's intent is to provide habitat for medium and large mammal species to support occupation and movement in and around residential areas. Conflicts between wildlife and humans and their domestic pets will increase if medium and large mammals are given an enhanced opportunity to occupy and travel through existing residential areas.

- The City has provided no justification that wildlife, especially medium and large mammal species, would be protected or buffered from vehicle collisions occurring on the major freeways and busy roads within the Wildlife District. There is no analysis in the Ordinance on the safety of humans in such wildlife-vehicle collisions.
- Native vegetation planted within and around residences supports prey-sized wildlife for medium and large sized predators and undesirable reptiles, such as rattlesnakes. The ultimate outcome from wildlife interactions with humans and domestic pets will be the removal, injury, or killing of nuisance wildlife, exactly the opposite of the goals of the Ordinance. The City provides no scientific research or data that support the idea that attracting wildlife in and through residential properties would not result in deleterious wildlife-human/domestic pet interactions.
- Interactions between wildlife and domesticated animals promote transmission of disease and parasites; some zoonotic diseases are communicable to humans. The City has provided no analysis regarding impacts resulting from the Ordinance related to disease and parasite transmission between and domestic animals or humans.

The Ordinance is unjustified in associating the regulations outlined in the Ordinance with improving wildlife movement and connectivity of wildlife habitat. Limiting the development envelope to encourage wildlife to move between homes, particularly for small lots or in areas where homes are relatively close together, will put wildlife in harm's way and will increase the probability of human/wildlife and domestic pet/wildlife interactions. In addition, requiring landscaping with native plants will most likely draw additional wildlife species into areas near homes that would not typically utilize yards landscaped with ornamental plants. If the population of small prey animals increases near or between homes, the number of predators will also increase, which will also raise the probability of undesirable interactions between humans and domestic pets with wildlife. The result will most likely be complaints about nuisance wildlife species and the ultimate removal or killing of wildlife species from residential areas, which is counter to the City's goal of preserving wildlife and increasing wildlife populations in the Wildlife District. If you have any questions regarding this summary letter, please contact me at mquillman@ecorpconsulting.com.

Sincerely,

ECORP Consulting, Inc.



Mari Quillman
Program Manager



Kristen (Mobraaten) Wasz
Biology Manager/Senior Biologist

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November 10, 2022

VIA EMAIL
President Millman, and Honorable Members
of the City Planning Commission
Department of City Planning
City of Los Angeles
200 N Spring St.
Los Angeles, CA 90012
E-Mail: CPC@lacity.org

Re: **Comments on Proposed Wildlife Pilot Study Zone Change Ordinance**
Case No(s). CPC-2022-3413-CA and CPC-2022-3712-ZC
Env. Case No. ENV-2022-3414-CE
City Council File No. 14-0518

Dear Honorable Members of the City Planning Commission:

This office represents *Neighbors for Hillside Safety*, an unincorporated association of homeowners, residents, and stakeholders, who live and work within the proposed Wildlife Ordinance District being considered as part of the City's Wildlife Pilot Study and the associated Wildlife Ordinance District (the "Ordinance").[1] We submit this letter to reiterate several serious concerns and objections our client(s) have with this Ordinance as proposed, and to again express our clients' frustration over the City's decision to "fast track" a sweeping new zone change that impacts tens-of-thousands of homes without performing any environmental analysis.

While we appreciate the City's effort to address some of our clients' concerns with the prior draft of the Ordinance, such as the elimination of the fencing requirements, two of the most important issues we have raised have yet to be addressed. First, the City continues to refuse to conduct any CEQA review for a project that spans over 20,000 acres and makes significant zoning changes that have the potential to impact the environment. Instead, the City has doubled-down on its view that the Ordinance qualifies for inapplicable CEQA exemptions. Second, the Ordinance violates the Housing Crisis Act (SB 330), and in its most recent staff report, the City has openly acknowledged this violation. As such, this letter incorporates the relevant CEQA and Housing Crisis Act comments from our prior August 22, 2022 letter , and urges the City to take these issues seriously,

[1] We also represent 9922 LLC, a resident and homeowner within the proposed district, and Ardie Tavangarian, who similarly owns property in the district and is an architect with over 40 years of experience building and remodeling homes in the affected communities.

because if they are not addressed here in the administrative phase of this Ordinance, they will need to be addressed by the Courts. Specifically, this letter addresses the following issues:

(i) **Violation of CEQA due to Failure to Conduct Environmental Review.** The City's claim that the ordinance qualifies under several exemptions to CEQA are flawed. The City's claimed exemptions (Classes 7-8, and the "common sense" exemption) are inapplicable, and moreover, the CEQA Guidelines do indeed include an exemption for habitat restoration projects (Class 33 exemption), but that exemption is limited to projects that are 5 acres or less. Because this project spans over 20,000 acres, it obviously cannot qualify for the Class 33 exemption, and the City's attempt to pigeonhole this ordinance into other inapplicable exemptions will fail. The Ordinance also violates CEQA's project-splitting prohibition, and fails to evaluate the cumulative impacts of the Ordinance. The City must conduct an EIR to properly analyze the environmental impacts of this ordinance.

(ii) **Violation of the Housing Crisis Act due to Reduction in Residential Capacity.** The Housing Crisis Act prohibits any reduction of density without ***concurrent*** changes in development standards in other areas to ensure that there is no net loss in residential capacity. The City has openly admitted that there is no "concurrent" City action to up-zone other areas of the City, and therefore, this ordinance cannot be passed until the City has done so.

We urge the City to reconsider moving forward with the Ordinance in its current form without first 1) preparing an EIR that considers the Ordinance's impacts on the environment, and 2) complying with the Housing Crisis Act by concurrently (*i.e.*, on the same timeline as this Ordinance) changing the development standards on parcels elsewhere in the City to ensure no loss of residential capacity.

Notably, although we have outlined two of our main concerns with the Ordinance here, we will be submitting a second comment letter that addresses, among other things, the issues with the science and biology of the Ordinance, which will be accompanied by a report from expert environmental consultants.

I. THE ORDINANCE DOES NOT COMPLY WITH CEQA

Our August 22, 2022 letter sets forth in detail the reasons why the City's claimed exemptions – Classes 7 and 8, and the common sense exemption – are inapplicable. There, we explained that 1) CEQA must be conducted at the earliest feasible point in the planning process, 2) that other similar projects in other jurisdictions (*e.g.*, Riverside County, San Diego County, Orange County, Los Angeles County) underwent CEQA review, 3) that the Class 7-8 exemptions claimed by the City are inapplicable on their own terms, because the Ordinance does not "assure the maintenance, restoration, or enhancement" of the environment or natural resources, 4) that the Class 7-8 exemptions are inapplicable because of "unusual circumstances" such as fire hazards, topography, seismicity, and grading, and 5) that a negative declaration would be inappropriate for the

Ordinance, as substantial evidence supports a fair argument that a significant environmental impact would occur.

This letter sets forth three additional reasons why the Ordinance violates CEQA: 1) the City has chosen the wrong CEQA Exemption, 2) the Ordinance violates CEQA's prohibition on project-splitting, and 3) the City has failed to analyze the cumulative impacts of similar wildlife-protection regulations throughout Southern California.

A. The City has Attempted to use Inapplicable Categorical Exemptions, While Ignoring the One Exemption that is On Point, but for which the Ordinance Does Not Qualify

There is a direct reason why the City's claimed categorical exemptions do not apply here: ***it has chosen the wrong categorical exemption for the Ordinance***. There is another exemption – Class 33 (CEQA Guidelines § 15333, Small Habitat Restoration Projects) – that is directly on point for wildlife corridors, but due to the massive geographic size of the Ordinance, it fails to qualify under Class 33, which limits the exemption to projects less than five acres in size.

"A categorical exemption can be relied on only if a factual evaluation of the agency's proposed activity reveals that it applies. The agency invoking the categorical exemption has the burden of demonstrating that substantial evidence supports its factual finding that the project fell within the exemption." (*Save Our Big Trees v. City of Santa Cruz* (2015) 241 Cal.App.4th 694, 705, *internal marks and cites removed; citing, Muzzy Ranch Co. v. Solano County Airport Land Use Com*. (2007) 41 Cal.4th 372, 386.) Entirely absent from the City's analysis of applicable CEQA exemptions is any discussion of the Class 33 exemption, which provides as follows:

> § 15333. Small Habitat Restoration Projects.
>
> Class 33 consists of projects **not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife**…
> (d) Examples of small restoration projects may include, but are not limited to:
> (1) revegetation of disturbed areas with native plant species;
> (2) wetland restoration, the primary purpose of which is to improve conditions for waterfowl or other species that rely on wetland habitat;
> (3) stream or river bank revegetation, the primary purpose of which is to improve habitat for amphibians or native fish;
> (4) projects to restore or enhance habitat that are carried out principally with hand labor and not mechanized equipment.
> (5) stream or river bank stabilization with native vegetation or other bioengineering techniques, the primary purpose of which is to reduce or eliminate erosion and sedimentation… (CEQA Guidelines § 15333.)

The Class 33 categorical exemption is thus directly on point for an Ordinance that purports to "maintain, restore, enhance, or protect" "habitats" for "wildlife." (*Id*.) The Ordinance's plain terms and main purpose fall most directly under the purview of Class 33, in the sense that the exemption itself directly discusses protection of wildlife habitats, and addresses issues that are dealt with head-on in the Ordinance, such as the promotion of native plant species over invasive species, and restoration of wetlands, streams, and rivers. Indeed, the word "restoration" (in its various forms) appears in the staff report no less than 130 times, the word "habitat" appears at least 740 times, and the word "wildlife" over 1650 times.

The City admits, time and again, that restoration of habitat is front and center in the Ordinance:

> Future development will continue to put pressure on these limited remaining natural resource areas within the City, and wildlife will be forced to survive on fewer habitat areas and resources, which will continue to threaten the biodiversity remaining within the City. One of the City's Conservation Element objectives is to "preserve, protect, restore and enhance natural plant and wildlife diversity, habitats, corridors and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern." The City is committed to conserving natural habitat areas and provide connectivity for wildlife. (Staff Report, 2-7.)

Also, the City does not even deny that the Ordinance is a project that is specifically designed to "***assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife***"—*i.e.,* the activity class that is the subject of the Class 33 exemption. (CEQA Guidelines Section 15333.) In fact, the City acknowledges that the purpose of the Ordinance is just that: "The proposed Wildlife District Ordinance has a critical goal of protecting habitat and wildlife connectivity in the hillsides and is supportive of related goals for open space management…and maintaining overall quality of life for both people and wildlife. The Ordinance aims to reduce cumulative development impacts on plants, animals and natural resources for supporting wildlife connectivity while providing co-benefits related to climate resilience and public health."

However, there is a reason that such an exemption was designed by the Resources Agency to be limited to projects of "five acres" or less. When the Resources Agency contemplated this exemption for wildlife corridors, it established a five acre limit, presumably because it cannot make similar assumptions regarding environmental impacts for larger projects. In *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, the court went to great lengths to explain that significant thought and consideration went into the identification of each of the categorical exemptions that are identified in the CEQA Guidelines. (*Davidon,* 54 Cal.App.4th at 116.) The term "categorical exemption" in CEQA Guidelines "means an exemption from CEQA for a class of projects based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment." (CEQA Guidelines § 15354.) Put differently, when the Resources Agency decided that this "class of projects" specifically relating to protection of wildlife was a class that is exempt from CEQA, it did so with the precise caveat that such projects must be limited to less than five acres. (CEQA Guidelines § 15333.) There is an implied finding

within the Class 33 exemption that similar, but larger, projects are not automatically categorically exempt from CEQA, precisely because the Secretary for Resources is unable make a finding that such projects do "not have a significant effect on the environment." (CEQA Guidelines § 15333, 15354.) In contrast to the Class 33 exemption, the Class 7-8 exemptions lack the specificity and direct applicability to wildlife corridors. Classes 7-8 cover regulatory actions to assure the maintenance, restoration, or enhancement of a natural resource (Class 7) and/or the maintenance, restoration, enhancement, or protection of the environment (Class 8). (CEQA Guidelines §§15307, 15308.)

In interpreting a statute, courts ascertain the underlying intent of the regulations "so as to effect the purpose of the law." (*City of Berkeley v. Cukierman* (1993) 14 Cal.App.4th 1331, 1338-39.) This includes various provisions within a comprehensive regulatory scheme. (*O'Brien v. Dudenhoeffer* (1993) 16 Cal.App.4th 327, 332 ["A statute must be construed in the context of the entire statutory scheme of which it is a part, in order to achieve harmony among its parts."] [*internal marks removed*].) "It is a settled axiom of statutory construction that significance should be attributed to every word and phrase of a statute, and a construction making some words surplusage should be avoided. (*People v. Woodhead* (1987) 43 Cal.3d 1002, 1010, *citing Moyer v. Workmen's Comp. Appeals Bd.* (1973) 10 Cal.3d 222, 230.) A statute is to be taken and considered as a whole, so that seeming inconsistencies are reconciled and that it is construed to give force and effect to all its provisions. (*Neuwald v. Brock* (1939) 12 Cal.2d 662, 668-69; Code of Civil Procedure § 1858.) In addition, "particular intent will control a general one." (Code of Civil Procedure § 1859; *In Re Haines* (1925) 195 Cal. 605, 613.)

In light of these canons of statutory interpretation, the three relevant CEQA exemptions (Classes 7, 8, and 33) should be interpreted in a way that gives effect to each of them, and the specific provisions should control over the general ones. If Classes 7 and 8 were meant to cover projects related to wildlife protection and habitat preservation, then there would be no need for the Class 33 exemption – it would be surplusage. Put differently, the Class 33 exemption would be rendered entirely meaningless and superfluous if any habitat enhancement project over five acres could be deemed exempt under Class 7 or 8. If that was a possibility, then why did the Resources Agency adopt Class 33 at all? Under the City's interpretation of the Class 7-8 exemptions, Class 33 exemptions would be mere surplusage. The Resources Agency would have no need to implement Class 33 if those activities were already covered by Classes 7-8. But it did. As such, Class 33, the exemption specifically drafted by the legislature to deal with habitat restoration projects, must be given its intended meaning. If the size of the Ordinance kicks it out of the Class 33 exemption, then CEQA review must be conducted.

Another issue specified in the most recent staff report underlines the importance of CEQA review in this matter. The City lists a host of other jurisdictions that passed similar habitat restoration regulations, but fails to inform the public that most of those jurisdictions did in fact undergo CEQA review for their projects. (Staff Report, A-13.) The City instead focuses on the wildlife corridor ordinance passed in Ventura County (one of the few jurisdictions that used a CEQA Exemption to avoid environmental review), which covers mostly rural areas of the County that bear little resemblance to the densely populated urban areas that are the subject of the City's Ordinance. Also,

it should be noted that after receiving comments through the administrative process, the industries that were most effected by Ventura County's ordinance (*e.g.*, agriculture, mining) were granted significant exemptions that largely allowed them to continue operations. There is no real equivalent to those exemptions here (unless the Ordinance had a blanket exemption for all residential properties), because the Ordinance mainly impacts residential areas. Also, the Ventura County ordinance is currently being challenged on appeal, so it has no precedential value relating to its CEQA exemption.

In short, Class 33 is the only applicable exemption to the Ordinance, and the Ordinance plainly does not qualify for it. The City cannot try to squeeze itself into other more broad exemptions (Classes 7-8, common sense) when it is unable to comply with the applicable Class 33 exemption – namely because the Ordinance covers over 20,000 acres of land, which is orders of magnitude greater than five.

B. The Splitting of the "Pilot" Area from the Rest of the Ordinance Constitutes Improper Project Splitting in Violation of CEQA

The City admits that this Ordinance is a test case for other areas of the City that will eventually also be subject to similar restrictions. (Staff Report, A-15, Ex. F-7.) If this area is to be used as a pilot or test area, why then, would the City attempt to avoid CEQA review that would properly evaluate all of the environmental impacts of the regulations? If anything, the fact that this area is a test only further supports our view that a thorough environmental review is needed.

"Project splitting," "piecemealing," or "segmentation," occurs when a project description does not encompass the entire project. The duty to evaluate the environmental effects of a project cannot be avoided by limiting the description of the project. *Rural Land Owners Association v. Lodi City Council* (1983) 143 Cal.App.3d 1013, 1025. Rather, CEQA requires that a project description must include all relevant aspects of a project, including reasonably foreseeable future activities that are part of the project. *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 396. An agency abuses discretion by failing to proceed in the manner required by law if its action or decision does not substantially comply with the requirements of CEQA. PRC 21168, 21168.5.

A project description that fails to account for anticipated development activities is counter to CEQA's mandate "that environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." *Bozung v. Local Agency Formation Comm'n.* (1975) 13 Cal. 3d 263, 283-84. As the court in *Santiago County Water Dist. v. County of Orange*, 118 Cal.App.3d 818, 828-30 (1981), observed, piecemealed environmental review undermines CEQA's central purpose:

> "Because of th[e] omission [of a key part of the project from the County's environmental review], some important ramifications of the proposed project remained hidden from view at the time the project was being discussed and approved. This frustrates one of the core goals of CEQA. 'Only through an accurate view of the project

> may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance. An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.'" *Id*. (quoting *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 192-93 (1977)).

CEQA does not allow an agency to review one part of a larger project in isolation. Instead, CEQA mandates that environmental review focus on the "whole of the action," so the true effects of the project may be analyzed in a public process and environmental impacts avoided or reduced. *See* CEQA Guidelines 15060; *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal App.4th 1214, 1222. A "project" is "given a broad interpretation in order to maximize protection of the environment." *McQueen v. Bd. of Dirs.* (1988) 202 Cal.App.3d 1136, 1143. "This big picture approach to the definition of a project (*i.e.*, including 'the whole of an action') prevents a public agency from avoiding CEQA requirements by dividing a project into smaller components which, when considered separately, may not have a significant environmental effect." *Nelson v. County of Kern* (2010) 190 Cal.App.4th 252, 271 (reversing judgment denying writ of mandate; mining project improperly segmented). Thus, the broad scope of the term "project" prevents "the fallacy of division," which entails "overlooking [a project's] cumulative impact by separately focusing on isolated parts of the whole." *McQueen*, *supra*, 202 Cal.App.3d at 1144.

Case law would dictate a finding of project splitting in this case. In *Tuolumne,* the court held that the development of home improvement store and realignment of an adjacent road were part of single CEQA project given the close connection between the proposed activities, which were related in time, physical location and entity undertaking them. 155 Cal.App.4th at 1223. Here, the PAWs and WMPs have already been identified in the staff report (and its appendices) for all areas of greater Los Angeles, and the same regulations will be implemented in other areas of the City, depending on how this initial "pilot" area pans out. Yet, the claimed CEQA Exemptions only deal with this "pilot" area, without taking into account the full scope of the "project" as defined by CEQA.

In *Association for a Cleaner Environment v.Yosemite Community College Dist.*, the court determined that the closure, dismantling and transfer of a shooting range constituted a single project under CEQA because they were a "group of interrelated actions" and part of a "single, coordinated endeavor." 116 Cal.App.4th at 639. Here, the Ordinance's regulations throughout the entirety of the City (and not just the pilot area) are absolutely a "single, coordinated endeavor." *See also*, *Nelson*, *supra* 190 Cal.App.4th at 272 (mining reclamation plan and mining operations were part of a single CEQA project because they were "integrally related" to one another).

An EIR must analyze all relevant parts of a project, including future expansion or later phases of the project that will foreseeably result from project approval. *Laurel Heights, supra,* 47 Cal.3d at 394-98. In *Laurel Heights*, a University planned to move research units to a building in a residential neighborhood. The laboratories were to occupy 100,000 sf of a 354,000 sf building. The University

claimed it had not decided to occupy the entire building, but evidence in the record indicated that it intended to occupy the rest of the building once another lease of that space expired. The court concluded that occupancy of the entire building was a reasonably foreseeable consequence. 47 Cal.3d at 398. Similarly, the City has here claimed that the Ordinance is limited to only pilot area. However, the actual evidence in the record belies this artificial delineation between the pilot area, and the wildlife designations in the rest of the City, all of which work hand in hand.

This is not merely a technical argument. The failure to study the entirety of the project in this case can have serious ramifications, because the assumptions being made throughout the Ordinance may not be entirely accurate when zoomed out to the eventual scale of the full Ordinance. This is the exact type of scenario that the CEQA prohibition on project splitting was designed to prevent.

C. The Ordinance Violates CEQA Due to Failure to Analyze Cumulative Impacts

The Staff Report acknowledges that other nearby jurisdictions throughout Southern California have implemented similar regulations relating to wildlife and habitat preservation. (Staff Report, A-13.) However, the City has not acknowledged that its failure to analyze cumulative impacts is fatal to its claim that the Class 7-8 exemptions are applicable here.

CEQA Guidelines Section 15300.2 provides: "Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant."

In this case, there are multiple "successive projects of the same type in the same place over time," and the Staff Report specifically mentions that the Ordinance draws upon the "best practices" of other jurisdictions "in wildlife and natural resource protection." (Staff Report, A-13.) The Staff Report identifies the Counties of Los Angeles, San Diego, and Ventura, as well as the Cities of Malibu, Calabasas, Burbank, Glendale, Beverly Hills, and Pasadena as the nearby jurisdictions that have all undergone similar projects related to "wildlife and natural resource protection." However, the Staff Report is devoid of any analysis regarding why the cumulative impacts of the wildlife regulations in all of these jurisdictions (some of which have indeed undergone CEQA review, unlike the proposed Ordinance) do not trigger the cumulative impact exception to the City's claimed CEQA Exemptions. The City must analyze the cumulative impacts of these successive wildlife regulations in order for the Ordinance to qualify for the Class 7-8 exemptions, or the common sense exemption. Its failure to do so renders the claimed exemptions inapplicable under CEQA.

II. THE ORDINANCE VIOLATES THE HOUSING CRISIS ACT, WHICH PROHIBITS CITIES FROM SIGNIFICANTLY REDUCING HOUSING INTENSITY THOUGH ZONE CHANGES.

Beyond the concerns raised about CEQA, our August 22, 2022 letter also set forth in detail the reasons why the Ordinance violates the Housing Crisis Act. In short, the Ordinance seeks to significantly reduce the intensity of use for all parcels within the purposed Wildlife District. It does

this by creating substantial new regulations that reduce the possible building envelope through new restrictions on height, floor area ratio, lot size, setbacks, and lot coverage, all items specifically listed in SB 330, and all of which "would lessen the intensity of housing." Govt. Code 66300(b).

The unexpected development since the submittal of our last letter is the fact that the City has now openly admitted that the Ordinance indeed violates SB 330. Page A-37 of the staff report provides as follows:

> Plans that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing, and voter initiatives) are prohibited. This does not apply to zoning efforts that reduce intensity for certain parcels as long as density is increased on other parcels and therefore results in no net loss in zoned housing capacity or intensity. The proposed Ordinance has many objectives, which also include addressing safety of development in the hillsides with respect to wildfire, slope failure, and flood hazards. Furthermore, **while the proposed Wildlife Ordinance does not include upzones to parcels elsewhere in the city, the City is in the process of increasing zoning allowances in various locations throughout the city**, particularly in proximity to transit infrastructure, through its update to Community Plans, as well as the Regional Housing Needs Assessment/Housing Element implementation program, thereby assuring no net loss of zoned housing capacity or intensity across the city.

However, pointing to some future, unspecified, undefined, and vague upzoning of other properties close to transit infrastructure falls far short of what SB 330 actually requires. How many parcels are being upzoned? Where are those parcels located? When will this corresponding change of zoning take place? How will the City ensure that there is no net loss in residential capacity? The key language in SB 330 provides as follows:

> This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use ***if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.*** Govt. Code 66300(i).

The City is admitting that it is not "concurrently" changing the development standards for other parcels, but rather, openly states in its staff report that it will consider future changes of zoning around transit infrastructure. This obviously cannot be the intent of SB 330. By this logic, any local government entity could skirt the law by simply downzoning any number of parcels through a sweeping ordinance, as long as it contains a promise somewhere in a staff report (as the City has done here) to consider upzoning other unspecified parcels in other areas. The Housing Crisis Act does not allow the City to do this, and such an attempt will assuredly be overturned by the courts.

Beyond the plain legal violation, there is also a compelling a public-policy reason that the City should not allow this Ordinance to go forward without first complying with SB 330 and identifying

the precise parcels that will be upzoned elsewhere. The downzoning that is proposed through this Ordinance is taking place in the most exclusive part of the City which already enjoys among the lowest densities in the City. In contrast, the proposed upzoning briefly referenced in the staff report is in higher density sections of the City (closer to transit infrastructure). In other words, if the City actually implements this Ordinance, it will be making the public policy decision that it wants the already-high-density and highly congested areas of the City to take on even more of a population and development burden, so that decisionmakers can even further reduce the density in the hills, and the underlying reason for this is to allow more room for mountain lions, coyotes, and other wildlife? Beyond the likely failure of the Ordinance in the courts, such a decision will also not survive the court of public opinion.

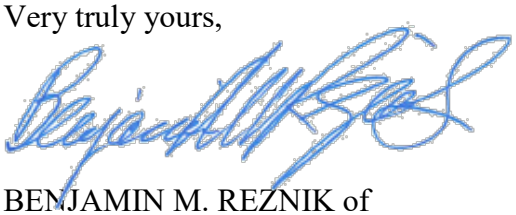
The Ordinance violates SB 330 and its provisions cannot be harmonized with either the spirit or the letter of the relevant provisions of the state law. For this reason alone, the Ordinance cannot be adopted until this issue is addressed, and it is expressly reconciled with SB 330.[2]

III. CONCLUSION.

For the foregoing reasons, the City should, at a minimum, conduct the mandated CEQA analysis prior to taking any further action on the Wildlife Ordinance. The City must also address the Ordinance's conflict with SB 330's provisions that prohibit the City from reducing the intensity of a use in a zone.

Note that we will soon be submitting another comment letter that focuses on the scientific and biological foundations of the Ordinance, and why the regulations proposed in the Ordinance will do little, if anything, to actually obtain its stated goals.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

[2] The Ordinance also fails to explain how lot splits permitted under SB 9 and Accessory Dwelling Unit ("ADU") permitted under state law will interface with the requirements provided by the Ordinance. Homeowners should be informed upfront as to whether or not this Ordinance will impact their ability to add an ADU on their lot or subdivide their lot pursuant to SB 9.

Planning CPC <cpc@lacity.org>

Yes to Wildlife Protection Ordinance

Karen Gilman <gilperson2@gmail.com> Sun, Nov 13, 2022 at 6:51 PM
To: cpc@lacity.org
Cc: Elizabeth Fuller <liz@larchmontbuzz.com>, Karen Gilman <Gilperson2@gmail.com>, Patty Lombard <patty@larchmontbuzz.com>

Dear City Planning commission,

In concert with the Los Angeles Times Editorial Board, I encourage you to pass the creation of special districts under the Wildlife Protection Ordinance. We need this to preserve corridors that our fragile ecosystem needs to keep our wildlife safe. Adoption and implementation of the Wildlife Protection Ordinance is a first step towards maintaining biodiversity during our climate crisis.

Thank you,

Sincerely,
Karen Gilman
4941 Elmwood Avenue
Los Ángeles, CA 90004
323-350-9225

Planning CPC <cpc@lacity.org>

Construction

Kathleen Goldstein <kathleengold@kw.com> Wed, Nov 9, 2022 at 9:44 PM
To: cpc@lacity.org

Hello Mr Gonzales
I have been a resident of the northeast my entire life. I live on Cross Ave in Mt Washington. I am writing you to plead with you regarding the blatant disregard for our bucolic hillsides.
At every turn there are trucks blocking roads, no flagmen, the inability to turn around. Flat tires all the time from debris ..so many loss of vistas and habitats and green space!
Emergency vehicles can not maneuver these streets!

Sent from my iPhone

Planning CPC <cpc@lacity.org>

Wildlife Ordinance - DELAY HEARING!

Karen Murphy <kmvfx@me.com> Wed, Nov 9, 2022 at 2:41 PM
To: "OurLA2040@lacity.org" <OurLA2040@lacity.org>, Patrick.wahlen@lacity.org, "CPC@lacity.org" <CPC@lacity.org>, "Lena.Mik@lacity.org" <Lena.Mik@lacity.org>, Vince.Bertoni@lacity.org, "Paul.Koretz@lacity.org" <Paul.Koretz@lacity.org>, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

Dear City Officials,
As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date.
By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance.

In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment".
Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance.
City Planning should take more time to complete their updated draft, and residents demand a proper due process.
Simply stated: THIS ORDINANCE IS NOT READY."
Lets take the time to do due diligence,
Thank you,

Sincerely,
Karen Murphy
Sherman Oaks affected homeowner

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Linda Anavim <lanavim@gmail.com> Mon, Nov 14, 2022 at 11:29 AM
To: CPC@lacity.org

Dear CPC Members,
I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.
When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.
In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:
A. Proper Due Process:
New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.
Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.
Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.
B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition
D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.
E. Regulations:
Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.
Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.
Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.
Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.
Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.
Thank you,

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

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Sincerely,

Larissa Basilio Souza Peressim

Planning CPC <cpc@lacity.org>

BASPOA Suggests 3 Revisions for Revised Wildlife Ordinance

Lois Becker/Mark Stratton <loismark@gmail.com> Mon, Nov 14, 2022 at 7:50 PM
To: Los Angeles City Planning Commission <cpc@lacity.org>, patrick.whalen@lacity.org
Cc: "Marian A. Dodge Hillside Federation" <chairman@hillsidefederation.org>

City Planning Commission
201 N. Figueroa St
L.A., CA 90012
cpc@lacity.org
patrick.whalen@lacity.org
via email

Re: November 17, 2022, Items 9 & 10
CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE
BASPOA SUPPORTS

Dear President Millman and Commissioners:

I write on behalf of Bel Air Skycrest Property Owners' Association (BASPOA) to thank Planning for valuable clarifications in this latest draft of the proposed Wildlife Ordinance and to reiterate our community's whole-hearted commitment to a truly protective Wildlife Ordinance.

To ensure that this is indeed a meaningful ordinance, we join the Hillside Federation (see its letter of November 14, 2022) in asking for:

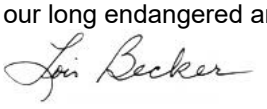
1) Addition of a new (fourth) trigger for Site Plan Review, a "Habitat Trigger." This trigger will require Site Plan Review of projects that propose removal of three or more protected trees. Protected tree loss is an excellent indicator of habitat loss, and since habitat loss is ***the*** major threat to endangered species, the addition of this language would provide a clear-cut way of flagging projects that are likely to result in significant negative impacts and that therefore need to be looked at more closely.

2) Revision of an existing trigger. As currently written, a home of 7,500 square feet or larger triggers a Site Plan Review. BASPOA agrees with the Federation that the City should cast a wider net and that Site Plan Review should kick in earlier, somewhere between 3,000 and 4,000 square feet.

3) Restoration of a deleted sentence stating that City-owned vacant land that meets the criteria of open space shall be subject to the same considerations triggering Site Plan Review as any land that is actually zoned open space.

BASPOA believes that these three simple changes will sharpen the ordinance's focus and close potential loopholes, resulting in a smarter, stronger and all-round better Wildlife Ordinance, without prolonging unnecessarily a drafting process that has already gone on too long.

We urge you to put this ordinance in the City's toolbox ASAP. With minor tweaking it will be a powerful tool for accurately identifying and effectively mitigating the negative impacts of hillside development. Please do this before it's too late for our long endangered and rapidly disappearing wildlife!



Lois Becker
BASPOA Community Liaison

Planning CPC <cpc@lacity.org>

Wildlife Ordidnance

LORRAINE BECKER <raine2067@gmail.com> Fri, Nov 11, 2022 at 10:51 AM

To whom it may concern:

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Thank you for your consideration.

Lorraine Becker

Planning CPC <cpc@lacity.org>

Wildlife Ordinance as currently drafted- THIS ORDINANCE IS NOT READY

Loling <lolingb@earthlink.net> Thu, Nov 10, 2022 at 10:15 AM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

Dear Sir,

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process.

THIS ORDINANCE IS NOT READY!

Thank you,

Loling Beckman

BAA Emergency Prep Captain for Sector #81

1265 Casiano Rd.

Bel Air, CA 90049

Lolingb@earthlink.net

Planning CPC <cpc@lacity.org>

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE POSTPONE HEARING

Leslie Gallin <missfashion@cs.com> Mon, Nov 14, 2022 at 9:22 AM
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

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B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

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Thank you,

Resident…

Leslie Gallin

E: missfashion@cs.com

C: +1-818-398-1336

Planning CPC <cpc@lacity.org>

Delay Vote on Wildlife Ridgeline

Leslie Gallin <missfashion@cs.com> Thu, Nov 10, 2022 at 11:09 AM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

"As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

Thank you

Leslie Gallin

E: missfashion@cs.com

C: +1-818-398-1336

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA and CPC-3712-ZC - DELAY HEARING

Larry Jenkins <jenkins@ljentertainment.com> Mon, Nov 14, 2022 at 9:03 AM
To: "CPC@LAcity.org" <CPC@lacity.org>
Cc: Christine Jenkins <christine@ljent.com>

We are asking for delay in the City Planning Commission's hearing on November 17, 2022, during which the Planning staff will present the latest draft of the Proposed Wildlife District Ordinance: **CPC-2022-3413-CA and CPC-3712-ZC.**

One of our main concerns is on page 4, having to do with the Wildlife Resource Definition and Map. With the map being subject to change annually (according to City Planning), no defined process has been revealed as to how this map will be updated. This leaves all homeowners in the affected areas subject to onerous restrictions in the future. We would like the updating procedure to be clarified and available for review before any further hearings take place.

We would recommend that no new Resource categories be added without written notification to all parcel owners in the WLD, with an unbiased description of the proposed new Resource, its buffer and the consequence of such a buffer on development rights. Before any such Resource category is added, there should be a public hearing, a hearing before the City Planning Commission, a vote in favor before the City Council Proposed Land Use Management committee, and then a vote in favor by the full City Council.

We are also concerned with elements of the proposed ordinance on page 10, and do not believe the ordinance should apply to additions and major remodels, nor to significant trees.

We are far from alone in desiring clarification and/or reconsideration in the above matters, and strongly urge the CPC to delay the November 17 hearing until it has done so.

Sincerely,

Lawrence & Christine Jenkins

Planning CPC <cpc@lacity.org>

Support for the Wildlife Ordinance

Lindsay Kerns <l.k.kerns@gmail.com> Sat, Nov 12, 2022 at 12:01 PM
To: cpc@lacity.org

To whom it may concern:

My name is Lindsay Kerns and I am a resident of the city of LA. I have been following the development of the Wildlife Ordinance and I simply wanted to reach out and express my enthusiasm, support, and gratitude that this project exists at all! I am so heartened to see our community take steps to live in better balance with other species, and to protect local biodiversity as we face mass extinctions and a climate emergency. I am hopeful that this ordinance will be successfully implemented, and that we will be able to expand it to other areas of the city -- particularly my neighborhood of Los Feliz and areas bordering Griffith Park.

Thank you for planning with biodiversity in mind!

With gratitude,

Lindsay Kerns
1529 N. Commonwealth Ave.
LA, CA 90027

Planning CPC <cpc@lacity.org>

In support of the Wildlife Ordinance

Leslie Monsour <metermade@hotmail.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Mon, Nov 14, 2022 at 3:09 PM

Dear Central Planning Commissioners,

As a member of Citizens for Los Angeles Wildlife and a longtime resident of Laurel Canyon, I have wholeheartedly endorsed the Wildlife Ordinance ever since it was first introduced in 2014. This is because, over the decades, I've witnessed the shrinking biodiversity of various local habitats. While I appreciate the need for some degree of compromise in order to pass this extremely important ordinance, I'm also constantly and increasingly aware that in the intervening years of delay, overdevelopment in the Hollywood Hills has continued to threaten ecosystems and wildlife populations.

In this era of increasing climate emergency, compromise seems like the wrong direction to be going in. Not only will the Wildlife Ordinance take Los Angeles in the right direction, but it will be in step with the State of California and the leadership role our state has taken towards mitigating the disasters caused by global warming. I want to emphasize that the proposed ordinance restrictions are reasonable and necessary.

The decision you have before you, it seems to me, is a choice between favoring shortsighted, materialistic so-called property rights and recognizing the existential rights of future generations to inhabit what has the potential to be uniquely clean and healthy metropolis. Preserving native habitats, protecting trees, preventing excessive and unnecessary threats to biodiversity, these should be on everyone's agenda in this perilous time of tipping points.

Very sincerely yours,
Leslie Monsour
on behalf of the Stanley Hills Community of Neighbors
2062 Stanley Hills Drive
Los Angeles, CA 90046

Concern	Page	Recommendations
Wildlife Resource Definition and Map	4	No new Resource categories may be added without: a) Written notification to all parcel owners in the WLD, said notification to be an unbiased description of the proposed new Resource, its buffer and the consequences of such a Buffer on development rights, and b) Public Hearing (with same notification), and c) Hearing before CPC, and d) Vote in favor before City Council PLUM, and e) Vote in favor by full City Council
Administrative Clearance application form	6	That the CPC, City PLUM and/or City Council not approve the WO until the Administrative Application form has been available to the public for 30 days prior to the Hearing and/or vote
Exemption of City from WO Regulation	8	That Development by the City NOT be exempt from the WO regulations
Open Space Definition	8	Clarify utility easements that they don't include regular utility easements
Applicability: Additions	10	Ordinance should not apply at all
Applicability: Major Remodels	10	Ordinance should not apply at all
Applicability: Significant Tree removal	10	Not apply to Significant trees
DW Regulations: Fencing	11	Clarify chainlink and livestock woven are OK
DW Regulations: Overall height of 45 feet?	11	45 feet to base of building, and apply per structure. This is to ensure thoughtful design, and proper land use and avoid everything being smashed together.

DW Regulations: Grading – prohibition against structures on slopes in excess of 45 degrees (100% slope)	12	That stairs and decks be exempt.
DW Regulations: Grading	12	Keep as in BH0
DW Regulations: Remedial Grading	12	Keep as in BHO
DW Regulations: RFA	13	Keep as in BHO
DW Regulations: Lot Coverage	13	Not for lots less than 1 acre and driveways don't count.
DW Regulations: Tree Removal	14	Don't include significant trees
DW Regulations: Trees - No grading or construction within the dripline of a Significant Tree	14	Not Significant trees. Protected tree okay.
DW Regulations: Trees – Emergency Removal	15	Provide Urban Forestry 72 hours before homeowner can remove tree.
DW Regulations: Native Plant requirement	16	Only new construction.
DW Regulations: Security and Outdoor Recreational Lighting	17	Outdoor Recreational Lighting must be defined
DW Regulations: Bird Safe Windows	17/18	Must be clarified that the 40sf refers to the size of the window pane, not the window.
DW Regulations: Trash Enclosures	18	Remove from Ordinance
DW Regulations: Site Plan Review required for 1000cy or more of Remedial Grading	19	OK with that
DW Regulations: Site Plan Review required for homes 7500sf or more	19	Stay with existing 17,500 trigger
Wildlife Resource Regulations – Map	20	Same issues as above, and need easy fix for homeowners that have non-existent Resources that are not properly mapped

WR Regulations – Biological Assessment	20	Details of the Biological Assessment requirements must be disclosed to the public with an opportunity to be heard at least 30 prior to Hearings/votes.
WR Regulations – Buffers	20/21	Are these Buffers reasonable? Need reasonable fix for homeowners when buffer zone is too burdensome and unnecessary
Site Plan Review –	21/22	a) Needs specific Site Plan Review criteria before CPC votes on this, eg Coastal Commission, city of Malibu, LA County b) Need a graduate degree biologist and licensed architect reviewing for Planning Dept like Malibu and County of LA c) Needs to ensure public safety of adjoining properties

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Luis Trujillo <luis.dela.trujillo@gmail.com> Tue, Nov 15, 2022 at 10:01 AM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Luis Trujillo
90031

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Lenny <lwohl@aol.com> Thu, Nov 10, 2022 at 9:38 AM
Reply-To: Lenny <lwohl@aol.com>
To: "OurLA2040@LAcity.org" <OurLA2040@lacity.org>, "Patrick.wahlen@lacity.org" <Patrick.wahlen@lacity.org>, "CPC@LACity.org" <CPC@lacity.org>, "Lena.Mik@LAcity.org" <Lena.Mik@lacity.org>, "Vince.Bertoni@lacity.org" <Vince.Bertoni@lacity.org>, "Paul.Koretz@LAcity.org" <Paul.Koretz@lacity.org>, "ContactCD4@lacity.org" <ContactCD4@lacity.org>, "Mayor.helpdesk@lacity.org" <Mayor.helpdesk@lacity.org>
Cc: "lisaricola@aol.com" <lisaricola@aol.com>

Dear All -

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process.

To reiterate our most significant concern, we must be permitted to repair or rebuild our existing homes that are damaged by involuntary acts, such as earthquakes, fires, and other acts of God, to their previous specifications without new compliance or waivers imposed by this ordinance.

THIS ORDINANCE IS NOT READY.

Sincerely,
Lenny & Lisa Wohl
3711 Beverly Ridge Dr.
Sherman Oaks, CA 91423

Planning CPC <cpc@lacity.org>

Wildlife Ordinance Delay

Laura Woolley <lwoolley@thecollectorslab.com> Wed, Nov 9, 2022 at 5:28 PM
To: "OurLA2040@lacity.org" <OurLA2040@lacity.org>, Patrick.wahlen@lacity.org, "CPC@lacity.org" <CPC@lacity.org>, "Lena.Mik@lacity.org" <Lena.Mik@lacity.org>, Vince.Bertoni@lacity.org, "Paul.Koretz@lacity.org" <Paul.Koretz@lacity.org>, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY. As written it would destroy a very active already established game trail that runs through the lower half of my property. How is disturbing and active and thriving pathway for coyotes, deer and other wildlife preserving anything?

-Laura Woolley

LAUREL CANYON ASSOCIATION

A Community Organization Dedicated to Improving and Preserving the Quality of Life in Laurel Canyon

November 14, 2022

VIA ELECTRONIC MAIL

City Planning Commission
201 N. Figueroa Street
Los Angeles, CA 90012
cpc@lacity.orgl; Patrick.whalen@lacity.org

Re: November 17, 2022, Items 9 &10; CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear President Millman and Commissioners:

Laurel Canyon Association ("LCA") is happy to provide comments on the draft Wildlife Ordinance ("Ordinance"). LCA offered comments on the draft Ordinance on August 22, 2022, LCA continues to strongly support the Ordinance. However, LCA believes that the current draft of the Ordinance has room for improvement and offers the following suggested revisions:

Addition of "Habitat Triggers" for Site Plan Review

The new draft has not successfully achieved ensuring that development projects most likely to result in substantial loss to wildlife habitat are subjected to Site Plan Review - where a more focused, site-specific analysis can be undertaken to ensure that landform alteration is minimized, impacts to biotic resources reduced and project modifications considered.[1] We are therefore requesting the addition of "habitat triggers" for Site Plan Review.

Currently, there are only three triggers for Site Plan Review in the Ordinance, which include the following: (1) 1,000 cubic yards or more of remedial grading, (2) homes of 7500 square feet or larger and (3) building within a Wildlife Resource or buffer. Unfortunately, Site Plan Review will not be

[1] See Site Plan Review Wildlife Findings at page 26 of Ordinance.

Tel: 310-380-0845
Email: jhall@laurelcanyon.org

triggered for many development projects that result in significant habitat loss. This is because the City has too narrowly defined "Wildlife Resource" to include only zoned or protected open space and water resources. See Table 7.2. Development can occur via this Ordinance that will result in significant habitat loss to protected species and native woodlands without ever triggering Site Plan Review. This is a problem. Substantial swaths of high-value habitat exist on large, undeveloped lots in the Pilot Study Area and we strongly contend that the development of these lots should be subject to Site Plan Review.

We are suggesting four potential "habitat triggers." They include:

- Placement of lot in a Santa Monica Mountains Conservancy[2] ("SMMC") mapped "habitat block"
- Presence of National Park Service (NPS") mapped native woodlands[3]
- Presence of "habitat for protected species" per Govt Code Section 65913.4(a)(6)(J)[4]
- Proposed removal of 3 or more protected or significant trees

The necessary mapping that would allow the application of these rules are already available and adding these triggers would ensure that the development on lots with high value habitat value be done with sensitivity towards the

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[2] The SMMC's Eastern Santa Monica Mountains Habitat Linkage Planning Map ("Habitat Map") is available at https://smmc.ca.gov/wp-content/uploads/2021/12/Eastern-Santa-Monica-Mountains-Habitat-Linkage-Planning-Map-Copy.pdf. Habitat blocks are mapped down to the parcel level.

[3] The NPS mapping of native woodlands took place in 2006. The data from the mapping is publicly available and can be accessed at https://gisucla.maps.arcgis.com/apps/instant/basic/index.html?appid=868b0af352f5426c8ecef8d31e0796f9. The mapping is down to the parcel level. The full NPS report can be accessed at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18243.

[4] This section of the Government Code provides for special protection for lots that provide

> "Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code)."

The City has already undertaken mapping of these resources in ZIMAS via the SB35 and SB9 "eligibility" tool. The Department of City Planning has published a rubric for determining habitat value (entitled Biologist's Statement of Habitat) which can be found at https://planning.lacity.org/odocument/f4ab32dc-5ed2-42a4-b4ee-2bd8442140db/Biologist's%20Statement%20of%20Habitat.pdf.

preservation of that habitat. Site Plan Review captured by this habitat trigger will be targeted to those types of development projects that truly warrant the site-specific analysis warranted by Site Plan Review.

Reduction in Size of Home Triggering Site Plan Review

The Ordinance proposes a threshold of 7,500 square feet of Residential Floor Area to trigger Site Plan Review. This is far too large for a home in Laurel Canyon. Houses of this size are rare and uncommon. We have many small, substandard lots in Laurel Canyon. Yet, even smaller homes can have a significant impact on wildlife and native woodlands. LCA suggests that the threshold be reduced to 3,500.

Revision to Definition of Open Space

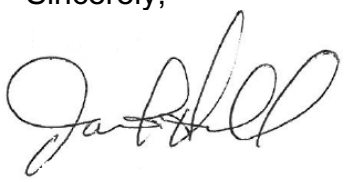
The City has proposed to delete the following sentence from the definition of “Open Space:” Open Space shall also include City-0owned vacant land that, while not zones as Open Space, meets the criteria above.” LCA strongly opposes this deletion. City-owned vacant land in the hillsides provide abundant habitat for wildlife. The deletion of this sentence would allow development *within* 25 feet of these City-owned lots without ever triggering Site Plan Review. The end result is significant habitat loss. There is no legitimate basis to exclude City-owned land that meets the criteria for being considered open space from being deemed “open space.” To the extent that the City is concerned that City-initiated developments could be subjected to Site Plan Review, the Ordinance could be amended to clarify that development initiated by the City is exempt from the ordinance altogether.

Additional Issues

LCA is in strong support of the provisions that require replacement of significant trees. Finally, this Ordinance requires replacement of such trees. LCA also strongly supports the provisions of the Ordinance that include basements in a home’s RFA calculation. For too long developers have been able to “supersize” a home (and displace habitat) by creating massive unnecessary basements. This loophole in the BHO (which is harmful to wildlife and flora) should be closed. For similar reasons, LCA also supports the removal of the exemption for cut and full underneath the footprint of a home. LCA also strongly supports the addition of the “overall height” limitation. Homes that cascade up or down hillsides with unlimited height are unnecessary and result in tremendous habitat loss.

I may be contacted at 310-380-0845 or at jhall@laurelcanyon.org if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall
Laurel Canyon Association
President

LAUREL CANYON
LAND TRUST

A Non-Profit Organization Dedicated to Preserving Open Space in Laurel Canyon

November 14, 2022

VIA ELECTRONIC MAIL

City Planning Commission
201 N. Figueroa Street
Los Angeles, CA 90012
cpc@lacity.orgl; Patrick.whalen@lacity.org

Re: November 17, 2022, Items 9 &10; CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear President Millman and Commissioners:

Laurel Canyon Land Trust ("LCLT") is happy to provide comments on the draft Wildlife Ordinance ("Ordinance"). LCLT is a non-profit organization founded for the purpose of preserving open space and native habitat in Laurel Canyon, a historic and environmental significant community located in the Santa Monica Mountains. Since 2017, LCLT was worked in partnership with other interested parties to acquire over 30 acres of open space to protect and preserve the natural environment. LCLT offered comments on the draft Ordinance on August 22, 2022, LCLT continues to strongly support the Ordinance. However, LCLT believes that the current draft of the Ordinance has room for improvement and offers the following suggested revisions:

Addition of "Habitat Triggers" for Site Plan Review

The new draft has not successfully achieved ensuring that development projects most likely to result in substantial loss to wildlife habitat are subjected to Site Plan Review - where a more focused, site-specific analysis can be undertaken to ensure that landform alteration is minimized, impacts to biotic resources reduced and project modifications considered.[1] We are therefore requesting the addition of "habitat triggers" for Site Plan Review.

[1] See Site Plan Review Wildlife Findings at page 26 of Ordinance.

Tel: 310-709-9600
Email: jamie@lclandtrust.org

Currently, there are only three triggers for Site Plan Review in the Ordinance, which include the following: (1) 1,000 cubic yards or more of remedial grading, (2) homes of 7500 square feet or larger and (3) building within a Wildlife Resource or buffer. Unfortunately, Site Plan Review will not be triggered for many development projects that result in significant habitat loss. This is because the City has too narrowly defined "Wildlife Resource" to include only zoned or protected open space and water resources. See Table 7.2. Development can occur via this Ordinance that will result in significant habitat loss to protected species and native woodlands without ever triggering Site Plan Review. This is a problem. Substantial swaths of high-value habitat exist on large, undeveloped lots in the Pilot Study Area and we strongly contend that the development of these lots should be subject to Site Plan Review.

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The necessary mapping that would allow the application of these rules are already available and adding these triggers would ensure that the development on lots with high value habitat value be done with sensitivity towards the preservation of that habitat. Site Plan Review captured by this habitat trigger will be targeted to those types of development projects that truly warrant the site-specific analysis warranted by Site Plan Review.

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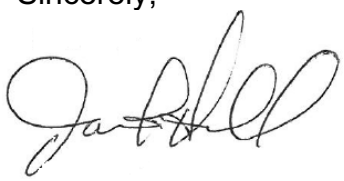
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Housing that cascade up or down hillsides with unlimited height are unnecessary and result in tremendous habitat loss.

I may be contacted at (323) 709-9600 or at jamie@lclandtrust.org if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall
Laurel Canyon Land Trust
President

Planning CPC <cpc@lacity.org>

Wildlife Ordinance Draft - Comments

Mariam Aslanyan <ms.mariam.aslanyan@gmail.com> Mon, Nov 14, 2022 at 3:30 PM
To: cpc@lacity.org

Dear Wildlife Team,

Thank you for sharing your revised ordinance draft, there are major improvements from the previous version. Below are questions and comments I have towards your current draft:

- Regarding the building height, how does the height limitation help with slope instability, soil erosion, improve storm water management, and maintain the hillside ecosystem?
  - How was the 45 foot height limit established?
- Regarding Grading why is remedial grading not exempt anymore? Remedial grading is required by the grading department and its outside of the owners control, its non-exempt classification could deem many lots unbuildable.
  - Remedial grading is grading that is being conducted to fix a bad soil condition at the owners expense, why would the city not encourage that work by making it non-exempt?
- Regarding basements, why are basements no longer exempt from the RFA? If they are now included in the RFA, there should be a reasonable increase to the RFA to include that area.
  - If the basement is completely below the house footprint how is the basement RFA posing an additional impact on the environment?
  - A better application of this thought would be that all area beyond the footprint of the first floor should count towards the RFA
- There should be a better map that clearly delineates all Wildlife and open space resources so the buffer zone can be accurately measured and applied.
  - As this map stands the public cannot make a clear determination if their property will be affected or not. The water and open space resources shown are vague highlights that will be left open to interpretation.

Thank you,

Mariam Aslanyan
Direct: (310) 740-6925

Sent from my iPhone

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Dear CPC Members,

We are a property owners and residents in the Hollywood Hills where the Wildlife Supplemental Use District ("WLD") is to be enacted. The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review
7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Thank you,



Michael Pellerin & Lisa Baytos
2029 Pinehurst Road,
Hollywood, CA 90068

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report I wish I had nothing but time to review this but I have a family to support and bills that need to be paid which includes property taxes which would need to be reduced should this ordinance pass due to its effect on property values. There is also all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals and any similar ordinance has greatly failed to the detriment of wildlife and increased death rate. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA. A perfect example is the Mountain Lion running thru West Los Angeles neighborhood 2 weeks ago the pandemonium easily could have easily result in it being shot to death fortunately it was able to be tranquilized with a dart and able to live another day, more encounters will result in increased in deaths.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Do not let a very small group push through a incomplete ordinance that if filled with inadequate and incomplete assumptions that disagree with many agency's and other studies that have dealt with this for years and there results have shown this over and over again this will not protect wildlife but increases there demise.

Thank you and have a good day,

Mike Burque

Planning CPC <cpc@lacity.org>

Fw: Opposition to Proposed Wildlife Ordinance

Monica Edgerton <vidaledge@yahoo.com> Fri, Nov 11, 2022 at 6:00 PM
To: "CPC@LACity.org" <CPC@lacity.org>

From: Monica Edgerton <vidaledge@yahoo.com>
To: Patrick.wahlen@lacity.org <patrick.wahlen@lacity.org>
Sent: Friday, November 11, 2022 at 05:59:15 PM PST
Subject: Fw: Opposition to Proposed Wildlife Ordinance

----- Forwarded Message -----
From: Monica Edgerton <vidaledge@yahoo.com
Sent: Friday, November 11, 2022 at 05:57:11 PM PST
Subject: Opposition to Proposed Wildlife Ordinance

As a 40-year residence on Linda Flora Drive, we strongly request that the scheduled CPC Hearing on November 17th or the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know when, or was unwilling to share, answer to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how the site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand proper due process.

THIS ORDINANCE IS NOT READY.

Thank you,
Dr. ad Mrs. Edgerton

Planning CPC <cpc@lacity.org>

Draft Wildlife Ordinance

Mason Flink <masonflink@gmail.com> Sat, Nov 12, 2022 at 4:47 AM
To: cpc@lacity.org

Hello there!

My name is Mason Flink, and I am a resident of the city of LA. I am so thrilled with the proposed Draft Wildlife Ordinance – the work our community is doing to help us live in better balance with other species is an inspiration in the face of staggering biodiversity loss. I hope that these plans can eventually be expanded to include more parts of the city – I live in Echo Park, and ever since I planted a regenerative, chemical-free garden behind my landlord's garage, I have been SHOCKED by the amount of wildlife that makes their way through my little oasis each day/night. I dream of the day when wildlife corridors and pollinator gardens fill the backyards of every residence, so our non-human friends can have a thriving network of safe, passable land across the city.

Thank you for adapting with compassion!

Best,

Mason Flink
2206 Reservoir St
LA, CA 90026

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Mohammad Guivatchian <give2@pacbell.net> Mon, Nov 14, 2022 at 8:07 PM
To: "cpc@lacity.org" <cpc@lacity.org>

11-14-22

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE -

To whom it may concern;

I am a property owner on Orum Rd within the effected areas of this ordinance.

In addition to that ;

I am a professional Architect and Civil and Structural Engineer combined with more than 40 years of experience in House designs in the hillside.
Please notice the combinations of degrees and licenses. I believe my views call for deeper attention from the decision maker, regarding this ordinance. which could be beneficial to all parties and differing views. I get paid well for my opinions in Building Designs, because of my unique combined degrees and experience that one might find one in hundred licensed professional.
here in this case it is only wise to have a special attention paid to what I bring about.
This is not boasting. It is just to direct the attention to where it is only wise and beneficial to the city.
I was given only 1 minute here and 1 minute there to express an opinion, similar to any other individual.
And that is not wise.

So please;

1- One of the most important items that needs a special attention is to keep the exemption for the basement intact as it is in the base line hillside ordinance.
But in a middle ground solution, to help both sides of the issue;
Ordinance could limit the exempted basement to within the footprint of its floor above.
This can add several thousand sq feet to the living area of the building without having any impact on the exterior of the building, nor on hillside grounds
The only effect is will be in the grading quantity. and that quantity is also dealt with in the grading quantity limitations specified in the pertinant section of the ordinance.
Loosing the basement exemption , will hurt both the homeowner as well as the future revenue for the city ,
without any gain for any one side. not even a gain for environmentalists , since in the absence of such revenues (for years and years to come) the public safety , fire dept , schools and others.

2- During the Beverly Hills/ Brentwood mini public hearing work , one of the participants was insisting on including the roof projections in the bldg height limitation of the 45'. That is not good. it hurts everyone. including the environmentalists. Please allow me to explain.
Any roof access structure (such as stair case) is limited to only 25 sq ft and its height projection above the bldg height limitation will be only 5'.
any skylight is allowed to be projecting a max. of 30" above the roof height limitation.
any open guard rail or glass guard rail is allowed to exceed that height. all these (except the sky light) encourage a roof top garden . with having a roof top garden , the roof heat gain reduces , since flooring used on such a roof such as wood planks are very positive . and also many roof garden are placed on the roof. these all make roofs more environmentally friendly and also aesthetically appealing. compare such a nice roof with a flat roof .
These people who are imposing limitations are either planers and or lawyers and in one case a simple civil engineer with law degree. They never have designed any building. Their stances in some cases are bad for the Environment , bad for Revenue , bad for Aesthetics.
instead one could impose additional requirements for encouraging and obligating roof top gardens of certain sizes, when one goes for roof structures exceeding the height limitations.
Roof access structures or guard rails are installed. in a roof that is a few thousand sq ft , a structure of 25 sq ft projecting only 5' above bldg height is not imposing at all. in some cases , there are already requirements for additional 3' set back

for balcony railing or roof top railing. solutions such as this allows the home owner utilize the roof top garden and deck and yard . and also addresses the concerns of people . it will be a win wind solution.

3- For staying away from the tree drip line. it is a good idea to allow at least two pads with 42" x 42" size , so that the engineer could lift the building within the drip line area and place a beam running from pad to pad , and completely avoid disturbing the ground for a continuous foundation within the drip line , while still having the building structure close to the tree trunk.
Otherwise the drip line issue will limit placing structures on a big part of the lot. This prohibition will cause people to fully remove a mature tree since they need the space to build. so as you see, it is a good intention in the beginning but with a negative environmental result.
but allowing such a single or couple pads (which must be hand dug, not machine dug m, to save tree) , will help people to keep the mature tree and still have a structure close to the tree. ,meaning a kind of raised first floor within the tree drip lines avoiding a need for continuous foundation and its disturbance, all building loads will be supported on that one or two pads that fall withing the drip line.

'

4- one of the gentlemen was consistently using a phrase " cascading over the hill , disturbing the environment and hill " as a matter of fact one of the positive results of the hillside ordinance some 10 years a go was the way the code started measuring the bldg height. It produced stepped type structures in slopes rather than prior structures that looked like a simple cube match box type. the stepping type is called organic architecture that follows the slopes . it is much more appealing for the city.
Stepping type structures in the city skyline is much more beautiful. just study the European cities in the hills.
These people with their limited imagination, **actually are going to hurt the city and its aesthetics**. with some of these impositions.

5- it will help if the planning involves people such as me to find ways to address their concerns while also produce beautiful and environmentally positive solutions.

Best of luck.

Mohammad Guivatchian
818 917 0025

B.S. Civil Engineer
License CE36510

M.S. Structural Engineering

M.A. Architecture

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Micah Haserjian <micahbh@gmail.com> Mon, Nov 14, 2022 at 2:02 PM
To: cpc@lacity.org, patrick.whalen@lacity.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Micah Haserjian
90032

Planning CPC <cpc@lacity.org>

Revised Proposed Wildlife Ordinance

Mindy Mann <msrmann@gmail.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Mon, Nov 14, 2022 at 2:30 PM

Mindy Rothstein Mann 9775 Oak Pass Road Beverly Hills, CA 90210

November 13, 2022

Dear President Millman and Commissioners:

My husband and I are long-time residents of Benedict Canyon. Both of us consider it a gift to be able to live among wildlife and have been actively involved in preserving our hillsides since we purchased our first home in the Canyon over 35 years ago.

My husband, Robert Mann, is the Vice President of Save Our Canyon. I am a past president of the Benedict Canyon Association and was the editor of their Newsletter for several years. I currently serve on the Board of TreePeople and am an “at-large” representative to the Bel Air Beverly Crest Neighborhood Council (BABCNC).

The opinions expressed in this letter, however, are my own personal views.

Although the latest Wildlife Ordinance draft has removed some important protections, I support the Wildlife Ordinance and have done so since the concept was first introduced by Councilperson Koretz and began as a pilot study. The Santa Monica Mountains are a natural resource and treasure for all of Los Angeles and not just those of us who reside here. There are thousands of species of plants and animals that make their home in the Santa Monica Mountains. Some can only be found in this area, and some are at risk of going extinct including our iconic population of mountain lions.

I am concerned that in an effort to appease a small but very vocal group of homeowners who opposes this ordinance, and who has spread half-truths about its regulations, the Planning Department has gone too far in weakening the original ordinance. The Bel Air Beverly Crest Neighborhood Council spent many hours carefully reviewing and discussing the ordinance. It has submitted a letter of support along with comments. I support the recommendations made in the BABCNC letter and hope you will give them your careful consideration. The recommendation for 4 habitat driven triggers for site reviews would resolve many of the changes that were made in this latest version and would help strengthen the protection of our hillsides.

It is imperative that we construct a set of building regulations that balances the rights of homeowners with the need to preserve a healthy environment for wildlife to thrive. **It is my belief that this ordinance is in keeping with the City’s**

and State's directive to preserve open space, critical habitat, and biodiversity. I urge you to pass this Wildlife Ordinance.

Sincerely,

Mindy Rothstein Mann

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Michael Pellerin <mpellerin@pmidvd.com> Mon, Nov 14, 2022 at 12:21 PM
To: "OurLA2040@LAcity.org" <OurLA2040@lacity.org>, "Patrick.wahlen@lacity.org" <Patrick.wahlen@lacity.org>, "CPC@LACity.org" <CPC@lacity.org>, "Lena.Mik@LAcity.org" <Lena.Mik@lacity.org>, "Vince.Bertoni@lacity.org" <Vince.Bertoni@lacity.org>, "Paul.Koretz@LAcity.org" <Paul.Koretz@lacity.org>, "ContactCD4@lacity.org" <ContactCD4@lacity.org>, "Mayor.helpdesk@lacity.org" <Mayor.helpdesk@lacity.org>

We are a property owners and residents in the Hollywood Hills where the Wildlife Supplemental Use District (“WLD”) is to be enacted.

As a concerned residents of the Hollywood Hills, we request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner’s own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the “Biological Assessment”. Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Thank you for your consideration,

Michael Pellerin & Lisa Baytos
2029 Pinehurst Road
Hollywood, CA 90068

Planning CPC <cpc@lacity.org>

Opposition to the Wildlife Ordinance

MIchael R. Sikov <mrmikeca@aol.com> Sat, Nov 12, 2022 at 11:11 AM
Reply-To: "MIchael R. Sikov" <mrmikeca@aol.com>
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org
Cc: jjenn18@aol.com

To whom it may concern,

"As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

I would hope that the city listens to its taxpaying residents. I am 100% about wildlife preservation but this is not what this is and would not help even one animal.

Thank you!

Michael R. Sikov
2327 Donella Circle
Los Angeles, California 90077
310-463-1853
www.michaelsikov.com

Planning CPC <cpc@lacity.org>

Re: Wildlife Protection Ordinance

michi90210@earthlink.net <michi90210@earthlink.net> Sun, Nov 13, 2022 at 6:55 PM
To: cpc@lacity.org

Dear Los Angeles City Planning,

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Mary Lou Simo
819 E. Tufts Ave.
Burbank, CA, 91504, USA
Landline/fax: 818 955-8681
Mobile: 818 317-5790
Michi90210@earthlink.net

Planning CPC <cpc@lacity.org>

CPC Hearing

Michael Workman <michaeljworkman@gmail.com> Thu, Nov 10, 2022 at 12:14 PM
To: CPC@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how the site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand proper due process. THIS ORDINANCE IS NOT READY.

Mike and Christa Workman

MOUNTAINS RECREATION & CONSERVATION AUTHORITY
King Gillette Ranch
26800 Mulholland Highway
Calabasas, California 91302
Phone (818) 878-0866 Fax (818) 878-0508

November 14, 2022

Los Angeles City Planning Commission
c/o Ms. Cecilia Lamas, Commission Executive Assistant
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 525
Los Angeles, California 90012

Full Support for Wildlife Supplemental Use District Ordinance,
Agenda Item No. 9, CPC-2022-3413-CA, ENV-2022-3414-CE, CPC-2022-3712-ZC

Dear President Millman and Commissioners:

The Mountains Recreation and Conservation Authority (MRCA) urges the City Planning Commission to adopt the proposed Ordinance for a Wildlife Supplemental Use District with no further weakening of its protections for wildlife and wildlife habitat. Only with the adoption of this Ordinance, with no further weakening, do the medium and large-sized mammal populations east of the 405 freeway, including Griffith Park, stand a chance of persisting beyond the next decade.

The Ordinance reflects a reasonable compromise between private property concerns and wildlife needs. The relief mechanisms included in Section H of the Draft Ordinance would ensure that property owners are not unfairly denied City approvals to improve and maintain existing homes, and that they are not denied the ability to rebuild following a natural disaster.

The effectiveness of the Ordinance in increasing the survival odds for key wildlife species would be significantly improved if the Commission took the following actions to amend the Ordinance, all of which are fully within the Commission's purview:

1) Adjust the present Residential Floor Area (RFA) benchmark for Site Plan Review in **Section F.1.(k).2** from the current 7,500 square-feet benchmark to a benchmark in the range of 3,000 - 4,000 square-feet. The current 7,500-square-foot threshold has no scientific justification, and is inadequate to achieve hillside habitat and wildlife corridor protection objectives. A 3,000-square-foot benchmark would exempt most hillside homes from Site Plan Review while capturing, large, otherwise exempt, projects that spatially have a greater potential for substantial permanent adverse habitat impacts.

2) Include a trigger mechanism to require Site Plan Review for any project that proposes the removal of four or more native trees under Protected Tree Ordinance (PTO) parameters. The onsite presence of trees protected under the PTO is a clear indication

of ecologically valuable habitat. Currently, even in combination with the PTO, the draft Ordinance provides no mechanism for requiring the consideration of native trees in a project's design. This deficiency is easily addressed by adding the above-mentioned trigger mechanism for Site Plan Review, which should directly reference the PTO.

3) Return the 2021 Draft Ordinance definition of Wildlife Resources to the current proposed Ordinance which defined all vacant hillside City-owned lots as Wildlife Resources, with the additional caveat that all City projects be exempted. The 2021 Draft Ordinance defined all vacant hillside City-owned lots as Wildlife Resources. The Department of Recreation and Parks and LADWP objected, and now only City parcels zoned as Open Space qualify as Wildlife Resources. Small, City-owned lots in hillside areas are critical wildlife habitat linkages and refuges. There is no need to exempt all City-owned lots and deny the ecological planning value of undeveloped public land when a much narrower exemption will suffice.

4) Restore the Wildlife Resource Buffer Requirement to a minimum of 50 feet across the spectrum of listed resources in order to adequately buffer the key biological resources identified in the Ordinance. The current proposed Ordinance reduction of the required Wildlife Resource Buffer distances **(Section 2, Table 4.1)** from prior drafts severely diminishes the ecological reach of the Ordinance provisions, particularly with common rear yard setbacks from structures being over 25 feet.

Regardless of whether the above recommendations are included, the MRCA urges the Commission to approve and recommend adoption of the proposed Ordinance. Thank you for your consideration.

Sincerely,

Garrett Weinstein

Garrett Weinstein
Project Analyst

CC: Patrick Whalen, City Planner

Planning CPC <cpc@lacity.org>

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - POSTPONE HEARING

Nancy Alder <nancyfurse@gmail.com> Mon, Nov 14, 2022 at 1:10 PM
To: "cpc@lacity.org" <cpc@lacity.org>

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - POSTPONE HEARING

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration *of Wildlife Ordinance,* ***as the CPC cannot make an informed decision*** *without having read and understood the full staff report and all public comments.*

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department **to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats**. It would seem that **the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.**

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:
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Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

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Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

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Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

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This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you for your careful review and consideration of this matter, your commitment to public service, and to following the established governing laws.

Very truly yours,

Nancy Furse Alder, 3 Beverly Park, Beverly Hills, CA

--
Nancy Furse Alder, Esq.
Law Offices of Nancy Furse Alder, P.C.
nancyfurse@gmail.com

Although this email address is private, this email and any attachments are intended to be confidential, and depending upon the recipient's identity, may be subject to the attorney-client privilege and work product privilege. If you are not the intended recipient, please reply with "WRONG ADDRESS" and delete this email and any attachments. Thanks in advance for your cooperation.

Planning CPC <cpc@lacity.org>

Reschedule CPC Wildlife Ordinance Hearing

Nathan Karimi <nathan.p.karimi1@gmail.com> Wed, Nov 9, 2022 at 2:58 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, ContactCD4@lacity.org, Mayor.helpdesk@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

--
Thank you.
Nathan Karimi

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Nicole Miner <nlbminer@aol.com> Mon, Nov 14, 2022 at 11:55 AM
To: cpc@lacity.org
Cc: Paul Koretz <paul.Koretz@lacity.org>, Joan Pelico <joan.pelico@lacity.org>, Jarrett Thompson <jarrett.thompson@lacity.org>

We who represent the majority beg you to pass the Wildlife Ordinance - we are at the point of no return, this must be passed and implemented despite the very vocal minority opposing Wildlife Ordinance, Ridgeline Ordinance and even Protected Trees! They do not want a compromise, their intent is to delay and ultimately kill each ordinance. They have a Go Fund Me Page and Website advocating for their motives. They have distributed scare tactic fliers to hillside residents to join and follow their position. Whatever their motives, you cannot allow your excellent work to be destroyed along with balance of nature and the natural ridges of the Santa Monica Mountains, the treasure of Los Angeles.

Sincerely,
Nicole Miner
Benedict Canyon Association
BABCNC
Commission on the Status of Women Pioneer Woman of the Year 2016, CD5

Sent from my iPhone

Planning CPC <cpc@lacity.org>

The Wildlife Protection Ordinance, very important!

Nina Port <ninaport429@hotmail.com> Sun, Nov 13, 2022 at 2:10 PM
To: "cpc@lacity.org" <cpc@lacity.org>

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Nina Port
3400 Ben Lomond Place #111
Los Angeles, CA 90027

Planning CPC <cpc@lacity.org>

Wildlife protection ordinance

Neara Russell <nearарussell@gmail.com>
To: cpc@lacity.org

Sun, Nov 13, 2022 at 12:53 PM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Neara Russell

6256 Strickland Ave

Los Angeles, CA 90042

--
Neara Russell (she/her)
Musician / Forest Fairy
(608)852-5623
www.nearарussell.com
nearарussell@gmail.com

Planning CPC <cpc@lacity.org>

Wildlife protection ordinance 🐺 🐻 🦅 🐿️ 🦜

Nicole Smith <nicoledsmith1@gmail.com>
To: cpc@lacity.org

Sun, Nov 13, 2022 at 12:53 PM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance.

Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Sincerely,

Nicole Smith

6235 Annan way

Los Angeles CA 90042

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Naoko Ward <nsusanward@gmail.com> Mon, Nov 14, 2022 at 2:56 PM
To: cpc@lacity.org, patrick.whalen@lacity.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Naoko Ward

90026

North East Trees

Bringing Nature Back

November 14, 2022

Dear City Planning Commissioners,

North East Trees supports the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of "habitat for protected species" per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,
Mark Kenyon

Executive Director
North East Trees

570 W. Ave. 26, Suite 200, Los Angeles, CA 90065 Phone: (323)441-8634 Fax: (323)441-8618

Planning CPC <cpc@lacity.org>

Support CPC-2022-3413-CA and ZC Draft Wildlife Ordinance

Patricia Bates <batesbird@gmail.com> Sun, Nov 13, 2022 at 10:09 PM
To: "cpc@lacity.org" <cpc@lacity.org>

This email is to register my strong support for the Draft Wildlife ordinance, CPC-2022-3413-CA and CPC-2022-3712-ZC. While this is not perfect it is a necessary start, and I thank the Planning Department for their hard work in getting the study completed despite many obstacles including threatened defunding.

Thanks,
Patricia Bates, PhD
Encino, CA

Tel 818-425-0962

VIA EMAIL (cpc@lacity.org, ourla2040@lacity.org)
November 14, 2022

City Planning Commission
City of Los Angeles

RE: November 17, 2022, Items 9 & 10CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Dear President Millman and Commissioners,

I would like to begin with certain important factors that the City Planning Commission (the "CPC") should take into account before consideration of the proposed Wildlife Ordinance:

1. If CPC members have not had sufficient time to 1) have read and understood the full Planning Department Staff report, including appendices; and 2) to have read all the comments submitted by the public both to the CPC and to the Planning Department, the CPC has an obligation to delay consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

2. The Planning Department mislead the public with respect to when submission of comments to the CPC for this meeting were due. In repeated written and verbal communications, the Planning Department stated that the deadline for submission of comments was November 14th at 4pm (see e.g. the email from ourla2040@lacity.org sent to the public on 10/21/2022, which I would attach if I were not precluded by the submission length restriction) . This statement by the Planning Department of a November 14th deadline was false. Per the CPC agenda, the deadline for submission of comments was a week earlier, on November 7th at 4pm. Although the CPC agenda states that it allows "secondary submissions" until 48 hours prior to the 8:30am meeting on 11/17/2022, those submissions are limited to 10 pages. Thus, would-be commenters who were deceived by the Planning Department's communications are limited as to the length of their submissions (my own letter would have contained additional information and exhibits, were it not for the false statements by the Planning Department), and some commenters who did not get their submissions in by 4pm on 11/14/2022 would have concluded that they were too late, and so did not submit comments. Therefore, in the interest of due process, the CPC has an obligation to delay its consideration of the Wildlife Ordinance until the members of the public who were denied the opportunity to freely submit comments to the CPC have had the opportunity to do so.

I. INTRODUCTION

I am a resident of, and a homeowner in, the proposed Wildlife Supplemental Use District ("WLD"). My home is a little over 2,000sf, was built neatly 70 years ago, and although my lot is

over 22,000sf, the accessible portion is only a little over 6,000sf. The vast majority of the homes in my neighborhood are similar.

I urge you to reject the proposed Wildlife Ordinance because it does a disservice to the inhabitants of the proposed Wildlife Supplemental Use District ("WLD"), both human and wildlife.

Quite simply, this Ordinance is badly conceived, lacks scientific support, is poorly written and contains numerous problematic regulations.

II. THE PLANNING DEPARTMENT'S REFUSAL TO PROMULGATE DIFFERENT REGULATIONS FOR UNDEVELOPED AND DEVELOPED PROPERTIES IS FATAL TO THIS ORDINANCE.

This decision leaves the ecologically important large undeveloped habitat areas, and true wildlife corridors, vastly under-protected; and it targets homeowners in long established neighborhoods with regulations that are either overly burdensome, have little wildlife benefit, or both. In an effort to slap together a Wildlife Ordinance whose main objective is to simplify administration with a one-size-fits-all approach and provide a PR win for the City, the Planning Department has produced a document unworthy of a city with the resources of City of Los Angeles. The City needs a comprehensive Wildlife Plan which is geared toward protecting undeveloped land of biological value, reducing harm to wildlife from poison, feline predation, and traffic, and reducing wildfires.

III. THE STAFF REPORT FAILS TO PROVIDE A SCIENTIFIC BASIS FOR MANY OF THE REGULATIONS.

I incorporate by reference the ECORP Consulting, Inc. (ECORP) Environmental Consultant's Brief Biological Review of the proposed Wildlife Ordinance which is attached as an Exhibit to the comment letter from Benjamin M. Reznik of Jeffer Mangels Butler & Mitchell LLP (emailed from bmr@jmbm.com), and offer the following additional observations.

Although the Staff Report claims that Staff spoke to a litany of experts, these experts are largely unnamed, and no reports or studies are included in the Staff Report other than the ESA/PAWs report, the recommendations of which the Wildlife Ordinance largely ignores.

a. Tree Regulations: There is no scientific basis provided in the staff report for the regulations pertaining to non-native Significant (i.e. large) Trees. Although the Staff report mentions other municipalities that have Significant Tree regulations, none of these includes any scientific support for the regulations in an area that already has significant vegetation. Notably, instead, the ESA/PAWs report specifically states:

> "The Los Angeles County Fire Code, which the City has adopted, requires the defensible space be separated into three zones, A, B, and C.221 Within each of these zones, the sources of ignition, typically combustible vegetation,

must be modified and/or partially or totally replaced with drought tolerant, fire resistant plants. The zone closest to the structure, Zone A, which extends 30 feet from any qualifying structure or the property line, is typically cleared of large shrubs and trees (including ornamental plants and trees known to be flammable), allowing only small herbaceous or succulent species to remain." Appendix 2-183.

To be clear, a recommendation for a 2 for 1 replacement for non-native Significant Trees is not found anywhere in the ESA/PAWs report.

b. Trash Enclosures - Although the ESA/PAWs report briefly mentions that "trash and recycling receptacles should be wildlife-proof and securely stored" at Appendix 2-195, it does so as a recommendation for education, not regulation. More importantly, the reference it cites for support, *Beier, P., D. Majka, S. Newell, and E. Garding. 2008. Best Management Practices for Wildlife Corridors. January*, recommends only that local government "install wildlife-proof trash and recycling receptacles, and encourage people to store their garbage securely" and makes this recommendation only for areas in, or adjacent to, linkage zones [aka wildlife corridors] with a minimum width of 1 to 2 kilometers. That is most definitely not a recommendation for requiring homeowners to build trash enclosures in their back yards in an urban environment nowhere near a linkage zone of a 1-2km width.

c. Bird Safe Windows – Although both the staff report and the ESA/PAWs report throw out numbers regarding the nationwide estimate of bird-window collisions, all of the studies cited were done in areas that are not representative of the WLD (e.g. they were done near bodies of water, or in bird migration routes, etc). No studies at all have been done on bird strikes in the WLD, consequently there is no scientific support for the notion that bird strikes are an endemic problem in the WLD, such that an ordinance that forces homeowners to obscure their windows could be justified.

IV. IMPORTANT ELEMENTS OF THE WILDLIFE ORDINANCE ARE MISSING, OR TOO VAGUE TO PROVIDE ADEQUATE NOTICE

A. I incorporate by reference the comment letter from Benjamin M. Reznik of Jeffer Mangels Butler & Mitchell LLP (emailed from bmr@jmbm.com),(the "Reznick Letter"), and offer the following additional observations. Specifically, I call attention to the sections regarding the following:

1. Paragraph 7 of the Reznick letter – Unmapped Resources and Flawed Maps violate due process, and cause confusion, uncertainty, and unknowable potential financial loss for property owners. As an example, the maps contain non-existent water Resources that

traverse homes, pools and roads. I would include screenshots of examples but am precluded from doing so because of 10 page limit, as a result of the Planning Department's dissemination of false information, as discussed above.

2. Paragraph 8 of the Reznick letter - Director Ability to Modify Resource Maps Violates Due Process, both with respect to newly identified Open Space and Water resources, and with respect to new Resource Categories. Any new Resource category would clearly be an amendment to the Wildlife Ordinance and must be treated as such. Any new Open Space or Water Resource is also likely an amendment of the Wildlife Ordinance, despite the Ordinance's efforts to blunt that determination.

B. In its "office hours" representatives of the Planning Department stated that they intended various elements of the Protected Tree Ordinance to be applied to the Tree regulations when the regulations would create a hardship or increased fire danger, and that they would "work with" property owners in those cases. However, because that is not in the Wildlife Ordinance, and because the more restrictive regulations of the Wildlife Ordinance would control, the Planning Department's "fix" would not legally be permitted.

V. PROBLEMATIC REGULATIONS

Note: Although this portion of my letter is similar in format to that submitted by the Bel Air Hills Association ("BAHA"), and some of my comments are the same, there are several comments that are quite different. Please do not disregard this section of my letter under the mistaken impression you have seen it before in BAHA's letter.

A. Applicability – Project Type - Rebuilding After Loss. P.10, Section E.1

1) Exemption from the Wildlife Ordinance regulations for reconstruction of a building or structure damaged or destroyed as a result of all casualties must be included in the exemptions, not just reconstruction from natural disasters.

2) Remedial Grading – it is unclear if Remedial Grading is included in the Grading project trigger. It should not be included – many homes in the proposed WLD were lawfully built on lots with site conditions that do not meet current code, and may be required by law to engage in remedial grading

B. Applicability: Additions – p.10, Section E(1)(b)

The 500sf Addition threshold unreasonably burdens smaller homes built significantly under RFA, as is the case of many older homes. The threshold should be additions which create or result in square footage greater than the property's minimum guaranteed RFA.

C. Applicability: Major Remodels – p. 10, Section E(1)(c)

Older homes will be unduly burdened by the major remodel applicability, as bringing these homes up to current code is far more likely to result in meeting the major remodel threshold, especially when the homes were built on soils or foundations that no longer meet current code requirements, as is the case with many older homes in the hills. Smaller older homes will be especially burdened, due to the Planning Department's determination that cost of additions be included in a major remodel 50% replacement cost threshold when a project involves both a remodel and addition, regardless of the size of the addition. At a minimum, for buildings constructed more than 50 years ago, the threshold should be 75% of replacement cost, or foundations cost upgrades should be exempt for lots on fill that is no longer certified.

D. Applicability: Significant Tree removal – p.10, Section E(1)(e)

This regulation should not apply to non-native Significant trees (the term Significant, as used in the Wildlife Ordinance, only refers to a tree's size, and not to any particular ecological or biodiversity importance. The natural vegetation of this area is chaparral; non-native trees are a human-introduced phenomenon and not necessary for the biodiversity or ecological health of the WLD. We note that the Planning Department's own ESA/PAWS report does not provide any justification, or even recommendation, for this regulation, and as such the inclusion of non-native Significant trees is unjustified and overly intrusive.

E. Regulations: Fencing – p. 11, Section F.1(a)1.c

The Planning Department has stated to the public in its "office hours", that it did not intend to prohibit chain-link fencing under this regulation. However, chain-link fencing is a type of woven wire fencing, and as such is prohibited under this section of the proposed Wildlife Ordinance. This must be corrected. Additionally, although not a concern in the current proposed WLD but a concern for future WLDs, woven wire ("ranch fencing") is used for livestock enclosures to prevent predator intrusion (See, e.g. https://www.redbrand.com/horse-fence/), and such must also be allowed.

F. Regulations – 45 Foot Height Limit – p. 11, Section F.1(b)(2)

Although I support this regulation, it has nothing to do with Wildlife and should not be in a Wildlife Ordinance. The assertion in the Staff Report that "reducing the height of building to reduce the prevalence of inadvertent bird strikes" is patently absurd.

G. Regulations: Grading – prohibition against structures on slopes in excess of 45 degree (100%) slope – p.12, Section F.1(c)(2)(i)(a)

1) Stairs should be exempted from this regulation. Prohibiting stairs on these slopes would render it difficult/dangerous for property owners to reach areas of their property for a) property maintenance, including brush clearance, and b) the enjoyment of their own property, and as such constitutes a taking.

2) Decks should be exempted from this regulation. Many, if not most, homes in the hills are located on streets with no sidewalks and are on building pads that take up only a small portion of the lot. As such, these homes have limited usable outdoor space

relative to the size of their lots, and limited opportunity for safe outdoor recreation and enjoyment. This is another instance of this Ordinance prioritizing a small wildlife benefit over the well-being of the human inhabitants.

3) It is notable that the Staff Report states that "development on portions of lots with slopes in excess of 100% grade - *which would require large amounts of grading* - is proposed to be prohibited" at Exhibit E-3, [emphasis added] . Stairs and Decks to not require large amounts of grading, and consequently do not fall into the category of construction contemplated by the Staff Report in promulgating this regulation.

H. Regulations: Grading – BHO grading exemptions revoked- p.12, Section F.1(c)(2)(i)(a)

BHO grading exemptions should be restored. Cut and Fill exemptions minimize hauling with its attendant disturbance to residents and have minimal impact on wildlife.

I. Regulations: Remedial Grading on slopes greater than 33 degrees (45%) counts toward Maximum By-Right Grading Quantity – p. 12, Section F.1(c)(2)(i)(b)

This regulation should be removed from the Wildlife Ordinance. Many homes in the WLD were lawfully built on pads that no longer meet current safety standards, and may require remedial grading for even small structural changes or to repair foundation problems. At a minimum, remedial grading as a result of remodels or additions for homes or other structures located on pads that were lawfully constructed at the time that they were created, but no longer satisfy safety regulations, should be exempt.

J. Regulations: Lot Coverage exemptions – p. 13, Section F.1(e)(2)

Many RE zoned homes in the WLD are on lots that are smaller than R1 lots. My neighborhood, although zoned primarily RE-15, has several such lots (e.g. lots of 6 or 7 thousand square feet on Donella Circle and Nalin Place, for example). These homeowners would be greatly burdened by the application of this regulation to their properties. Lots less than 10,000sf should be exempt from this regulation. Additionally, the 100,000sf maximum lot coverage limit is too high – it should be reduced to 50,000sf.

K. Regulations: Tree removal, replacement and dripline prohibitions – p.14, Section F.1(f)

Non-native Significant Trees should be removed from this Section entirely. Regulating homeowners' removal of non-indigenous, human-introduced trees is not only overly intrusive but the 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own ESA/PAWs Report. Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. We note also that both the increased fire danger and the increased bird strikes disallow a CEQA exemption. As to the other trees,

1) Urban Forestry should be the Agency responsible for determining the health of a tree

2) Emergency Removal - By definition, time is of the essence in an emergency tree removal situation. Therefore, homeowners should be permitted to remove a tree if they have not received a determination from LAFD or Urban Forestry within 72 hours of the request.

3) Tree removal should be exempt from the regulation where homeowner's insurance companies are requiring the removal of the tree as a condition of coverage, or where the trees continued existence would increase home insurance costs by more than 10%.

4) Tree dripline regulations should only be applicable to New Construction. Where a tree overhangs an existing home, these regulations would interfere with a homeowner's ability to remodel their home.

L. Regulations: Native Plant requirement – p.15, Section F.1(g)

These regulations should require that no highly flammable plants be planted in Zone A. Other than that, no required plants should be mandated – it is overly intrusive for the City to choose the plants next to a person's home. I have no objection to the preferred plant requirement in Zone B, provided that all preferred plants are slow burning. A regulation that all previously undisturbed vegetation beyond Zone A (not including brush cleared vegetation) which is disturbed by grading be planted entirely with preferred native plants would also be advisable. Additionally, a regulation that would ban artificial turf, which is reported to increase ambient heat and to leach micro plastics into the environment would be advisable.

M. Regulations: Bird Safe Windows – p. 17, Section F.1(i)

1) These regulations should be removed. Although both the staff report and the ESA/PAWs report throw out numbers regarding the nationwide estimate of bird-window collisions, all of the studies cited are in areas that are not representative of the WLD (eg they were done near bodies of water, or in bird migration routes, etc). No studies at all have been done on bird strikes in the WLD, consequently there is no scientific support for the notion that bird strikes are an endemic problem in the WLD, such that an ordinance that forces homeowners to obscure their windows could be justified. And, in fact, homeowners who do not have trees or other tall vegetation reflected in their windows report that bird strikes are rare to non-existent.

2) There is a typo, which the Planning Department admitted was an error in their "office hours", on page 18, in the section entitled Architectural Features. The number there should be 40sf, not 24sf. Also, the section letter should be "e", not "a".

N. Regulations: Trash Enclosures – p. 18, Section F.1(j)

This section appears to be a holdover from previous iterations of the Wildlife Ordinance that irresponsibly invited wildlife into homeowners' yards, and it must be removed in its entirety. Note that

1) There is no evidence whatsoever that wildlife is accessing the existing Bureau of Sanitation supplied trash cans on homeowners' properties, and homeowners report that it simply does not happen.

2) Consequently, this regulation is entirely unnecessary and extremely burdensome for homeowners, as the Planning Department confirms these mandated structures would not be permitted in the front or side setbacks.

3) many homes have small rear yards and requiring the trash cans to be housed in these back yards is unsightly, smelly, and unreasonably interferes with homeowners' use of their property, all for no purpose.

4) Many homes in the WLD have back yards that accessed by steps, or back yards that are inaccessible. Forcing these homeowners to undergo an expensive and time-consuming WLD Exception is unreasonable.

5) For future areas where the Wildlife Ordinance may be implemented that do have a wildlife-trash problem, wildlife resistant straps are readily available on Amazon for around $20, and are a far more reasonable solution than trash can houses in back yards. Certified bear-resistant trash cans are also available that are less expensive and less intrusive than trash can enclosures in back yards, for areas that have bears (there are no bears in the proposed WLD).

O. Regulations: Site Plan Review required for homes 7500sf or more – p. 19, Section F.1(j)

7,500sf is too small – the threshold should be 12,000sf

P. Regulations – Biological Assessment – p.20, Section F.2(b)(1)

Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

Q. Site Plan Review – p.21, Section F.2(b)(3)

1) Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise, the amorphous and subjective guidelines are ripe for unequal application and potential graft.

2) Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task.

3) Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines

R. Relief – p. 23, Section H.3

It is imperative that an express, de minimus review procedure be included in the Wildlife Ordinance for relief when a mapped Resource does not exist in real life, or does not exist where indicated on the Map, or where a Project would clearly have little or no impact on a biologically important Resource.

VI. COMMENTS ON THE BEL AIR BEVERLY CREST NEIGHBORHOOD COUNCIL RECOMMENDATIONS

The Bel Air Beverly Crest Neighborhood Council ("BABCNC") has submitted a comment letter which contains recommendations for modifications to the Wildlife Ordinance. I support some of these modifications as suggested by BABCNC, support others with modifications, and oppose others. Below are those BABCNC suggested modifications with which I agree, provided they are modified, and those which I oppose. I note also that these BABCNC recommendations were opposed by nearly all stakeholders attending the meetings, but stakeholder views were ignored by the BABCNC. Minutes and audio/video recordings of these meeting are available from the BABCNC, so the CPC has the ability to verify my assertion. I would suggest the CPC choose the BABCNC Wildlife Subcommittee meetings/recordings to access, as stakeholder became increasingly discouraged by the lack of interest on the part of committee members in stakeholders' concerns, and most stakeholders did not return for subsequent meetings of the BABCNC PLU Committee or full Board.

A. I support the following BABCNC suggested modifications, provided there are changes

1. **Habitat Triggers for undeveloped land**
   a. I oppose any habitat trigger for the removal of non-native Significant Trees, for the reasons described earlier under our Section II, Paragraph L.
   b. I propose that the habitat trigger for Protected Trees be the removal of 6 protected trees, not 3.
   c. I would support the other Habitat Triggers for undeveloped land only, provided these Habitat Triggers are significantly narrowed with a buffer zone. The mere "presence" of native woodlands or protected habitat, or "placement" of an SMMC habitat block is entirely too broad and over-inclusive and creates the same kind of problem that led the Planning Department to narrow the trigger of Resource Buffers to only those Projects within the actual Buffer.

2. **BABCNC – if side yard Trash enclosures interfere with firefighters they must be in back yard**

   Trash Can Enclosures should not be required at all for the current proposed WLD. If there is a demonstrated need in future WLD areas, I fully agree these enclosures should be allowed in the side yard, but if they interfere with firefighters then wildlife

resistant latches or bear-resistant latches should be an option, as discussed in Section N.

3. **BABCNC – permeable perimeter fencing for undeveloped lots of ½ acre or more.** There has been vociferous and widespread opposition to permeable fencing for safety reasons, and the Planning Department was wise to largely remove permeable fencing from this version of the proposed Wildlife Ordinance. Permeable fencing should only be mandated on a case-by-case basis, and only for lots larger than 3 acres, with considerable attention to the safety of residents and the potential for trespassers to initiate fires.

B. I <u>oppose</u> the following BABCNC recommendations

However, due to the Planning Department's false statements regarding the submission deadline, I do not have room to discuss my reasons without going over the 10 page limit.

1. BABCNC – roof structures (e.g. chimneys, etc.) to count toward 45ft height limit
2. BABCNC – basement to be included in RFA for Additions as well
3. BABCNC - Lot Coverage – reduce 100,000sf maximum lot coverage to 25,000sf
4. BABCNC – Tree regulations should apply to all Projects
5. BABCNC – Curfew on landscape lighting
6. BABCNC – threshold for Site Plan Review for remedial grading should be reduced from 1,000cy to 500cy
7. BABCNC – proposed structures must be sited on lot to minimize grading
8. BABCNC – more stringent requirement for Bird Safe Windows

Thank you for your serious consideration of my comments.

Sincerely,

Patricia Templeton
Resident of the Proposed Wildlife District

Planning CPC <cpc@lacity.org>

Fwd: Request a delay the CPC Hearing scheduled for November 17 for Wildlife Ordinance

Paula Trattner <paulaftrattner@yahoo.com> Thu, Nov 10, 2022 at 8:19 PM
To: CPC@lacity.org, lena.mik@lacity.org, vince.bertoni@lacity.org, Paula Trattner <paulaftrattner@yahoo.com>, paul.koretz@lacity.org

Sent from my iPad
Paula

Begin forwarded message:

From: Paula Trattner <paulaftrattner@yahoo.com>
Date: November 10, 2022 at 8:07:20 PM PST
To: Patrick.wahlen@lacity.org
Subject: Request a delay the CPC Hearing scheduled for November 17 for Wildlife Ordinance

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

Paula Trattner
2185 Summitridge Drive
Beverly Hills
CA, 90210,
Sent from my iPhone

Planning CPC <cpc@lacity.org>

Comments on Wildlife Ordinance - our family is in support of the Wildlife Ordinance

jennifer van zyl <jenvanzyl@me.com> Mon, Nov 14, 2022 at 9:57 PM
To: cpc@lacity.org

Hello.

Our family lives on La PUNTA DRIVE 90068 and have lived in the canyons in this zip code for over 20 years. We know the area well. We have been renters and now own several homes in the hills of 90068. We live next to open lands, near Lake Hollywood.

This note is to say that this land and home-owning family is in support of as strict regulations building regulations as possible to help area wildlife thrive and therefore the local ecosystem thrive. We have to learn to share our planet with other living things and to be better stewards. This starts at home, in our neighborhood. Everyone who bought property in these areas knows that the nice open spaces and wildlife were here first and they are the reason they have higher property values. If someone wants to big big fences and structures and concrete then there are many other places they can go for that. The Hollywood Hills need to stay wild, please.

I'm disappointed that much of the current regulation has been gutted (influenced by the developers who don't even live in our neighborhoods!) but we are in support of what ever can be passed.

Thank you.

The Parker van Zyl Family
Voters, Residents of the Hollywood Hills 90068, Taxpayers
6426 La Punta Dr
323-893-3584 cell

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Paula Trattner <paulaftrattner@yahoo.com> Mon, Nov 14, 2022 at 7:05 PM
To: CPC@lacity.org, Paula Trattner <paulaftrattner@yahoo.com>

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE
If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**
That Development by the City NOT be exempt from the WO regulations
C. **Open Space Definition**
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners'use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Resident Paula Trattner
2185 Summitridge Drive
Beverly Hills , CA, 90218

Sent from my iPad
Paula

Planning CPC <cpc@lacity.org>

Proposed Wildlife Ordinance, #CPC-2022-3413-CA, CPC-2022-3712-ZC NOV. 17 HEARING

Renee Becnel <reneebecnel@gmail.com> Mon, Nov 14, 2022 at 8:24 AM
To: ourla2040@lacity.org, patrick.whalen@lacity.org, cpc@lacity.org, lena.mik@lacity.org, vince.bertoni@lacity.org, paul.koretz@lacity.org, contactCD4@lacity.org, "mayor.helpdesk@lacity.org" <mayor.helpdesk@lacity.org>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Renee E. Becnel
reneebecnel@gmail.com

CPC-2022 3413-CA, CPC-2022 3712-ZC and ENV-2022 3414-CE November 17, 2022, items 9 & 10

The choice my husband and I made 52 years ago to live in the woodlands of the Roscomare Valley in the Santa Monica Mountains has been a good one; I just saw two deer cross the road below Roscomare Road on my way to work two days ago (Chalon) and I see and hear blue birds and hawks all day long when I am at home.

In studying the Proposed Wildlife District Ordinance, mostly with the Bel Air Beverly Crest Neighborhood Council, for which I was President for the five years (2016-2021), I again appreciated the value of the neighborhood council; in the 20-30 meetings that we had on the subject, so many people came over and over again and said the same thing over and over again. People like to be heard.

I find myself in favor of "habitat triggers" for site plan review, limited to undeveloped lots, with a de minimus review process of Habitat Site Plan Review triggers.

City owned vacant land that meets the criteria of open space should be included as open space.

Lot coverage percent should be adjusted according to lot size.

Multi-colored LED lights illuminating structures should not be permitted. The limits on lighting should be per unit of area not per fixture.

Grading permits shall not be issued prior to building permit issuance for a structure and proposed structures must be sited on the lot such that grading is minimized.

The Urban Forestry Division should be responsible for determining the health of a tree. Tree regulations should not apply where homeowner's insurance companies are requiring the removal of trees as a condition of coverage.

The ordinance should allow rebuilding for non-disaster related complete losses (e.g.,house fire) by stating that "reconstruction of a building or structure damaged or destroyed in a natural disaster or casualty loss shall not be considered new construction nor major remodel".

Windows shall conform to the standards set forth in California Code of Regulations, Title 24 and treatments should not have a threat factor exceeding 30 in the American Bird Conservancy Products and Solutions database for Glass Collisions.

The work of your commission is appreciated and what the stakeholders seem to want is to be heard. Thank you for hearing them.

Robin Greenberg

Robin Greenberg

15549 Hamner Drive

Los Angeles, California 90077

Planning CPC <cpc@lacity.org>

Support for Draft Wildlife Ordinance

Rebecca LeVine <rebecca@garbaty.com>
To: cpc@lacity.org

Sun, Nov 13, 2022 at 10:33 PM

To whom it may concern:

This e-mail is to register my strong support for the Draft Wildlife ordinance, CPC-2022-3413-CA and CPC-2022-3712-ZC (Agenda items 9 and 10). We need to protect wildlife corridors in the Santa Monica Mountains.

Thank you,

Rebecca LeVine

Planning CPC <cpc@lacity.org>

Support for Draft Wildlife ordinance, CPC-2022-3413-CA and CPC-2022-3712-ZC

Rebecca Fenning Marschall <rfenning@mac.com> Mon, Nov 14, 2022 at 10:23 AM
To: cpc@lacity.org

Good morning,

This email is to register my strong support for the Draft Wildlife ordinance, CPC-2022-3413-CA and CPC-2022-3712-ZC (Agenda items 9 and 10). While this is not perfect it is a necessary start, and I thank the Planning Department for their hard work in getting the study completed despite many obstacles including threatened defunding.

Thank you,
Rebecca Fenning Marschall
Valley Village, CA

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing and affected citizen comments

Robert Meyers <mcp1dad@gmail.com> Tue, Nov 15, 2022 at 8:25 AM
To: "cpc@lacity.org" <cpc@lacity.org>

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing and some comments

I do not believe the public or the CPC members have been provided reasonably sufficient time to read and understand the latest ordinance as amended and full, 600-pagePlanning Department Staff report, including appendices, and to read all the comments submitted by the public, and the CPC should therefore postpone consideration of Wildlife Ordinance for a reasonable time, as I know I haven't had sufficient time for thoughtful consideration of and comment about it nor do I believe the CPC has, and that the CPC cannot make an informed decision without having read the full staff report and all public comments from a public that has had sufficient time to intelligently formulate such opinion and comments.

Dear CPC Members,

I am an affected citizen within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. The proposed Wildlife Ordinance, doesn't accomplish those goals. Instead it burdens property owners & wildlife with unnecessary, unwise, confiscatory and unlawful development rules, restrictions and regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to fire safety issues, public and wildlife safety issues, and violations of County, State and federal law. Given the massive area this ordinance will be applied to, and regulations which are likely to result in increased animal deaths, habitat destruction, and safety this ordinance is not exempt from CEQA.**

To make the proposed Wildlife Ordinance better, and to provide due process to the property owners affected and all other legitimate stakeholders, Postpone and I suggest the following as a rushed minimum:

A. Proper Due Process:
ALLOW ADEQUATE TIME FOR CITIZEN AND LAWMAKER REVIEW - more than 2 weeks for 600+ pages
New Resource Buffer Categories - City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance.The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.
Administrative Clearance application form - The CPC should not voteon the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.
Biological Assessment – Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to

a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots or lots within already significantly developed areas. The ordinance needs to be crafted so that smaller, older homes, like many of those in our neighborhood, will not be unduly burdened due to the expansive WO coverage area (still not clearly understood as the maps have not yet been, I believe, updated and available for public review).

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed.There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly,unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft.Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Robert Meyers
Citizen and Resident of affected area

Planning CPC <cpc@lacity.org>

Wildlife Ordinance CPC-2022-3413-CA, CPC-2022-3712-ZC

bobm2@roadrunner.com <bobm2@roadrunner.com> Sat, Nov 12, 2022 at 6:23 PM
To: CPC@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY."

Robert Morgan

2201 Roscomare Rd.

Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

Montecito Heights Improvement Association Endorses the Wildlife Corridor Ordinance and supports the efforts of CLAW

repayan4197@gmail.com <repayan4197@gmail.com> Mon, Nov 14, 2022 at 2:44 PM
To: CPC@lacity.org, Eunisses@eunissesforthepeople.org, Helene@eunissesforthepeople.org
Cc: Martha Benedict <martha@marthabenedict.com>, jtristandryden@icloud.com

Dear Sirs,

As a hillside community that interacts and lives with wildlife on a daily basis, we have witnessed the devastation that hillside developments have caused on our wildlife and eco systems. The Montecito Heights Improvement Association, a community organization dating back to the 1920's, endorses The City of Los Angeles Wildlife Ordinance and supports the efforts of CLAW to preserve the wildlife corridors in our community.

However, we feel that the ordinance in its current iteration has been diluted from its original stance and would like to see a return to include R1 / R2 properties ~~be included~~ in lot coverage standards.

Furthermore, with the proposed Hillside Construction Regulations Ordinance still being formulated, we would like to insert the following language:

"When considering the application of the Hillside Construction Regulation Ordinance, the more restrictive prevailing Wildlife Corridor Ordinance should supersede all other considerations."

Hillside housing does little to attenuate the housing shortage in the City of Los Angeles and even less to ameliorate the homeless crises afflicting our city. For these reasons, we as a community completely support the efforts of Citizens for Los Angeles Wildlife's efforts to preserve and maintain our natural wildlife corridors before we cause irreparable harm to our existing wildlife and eco systems and environment.

Respectfully,

Roy Payan, President

Montecito Heights Improvement Association

Masters in Public Policy

Sol Price School of Public Policy

University of Southern California

650 Childs Way

Los Angeles, CA 90017

rpayan@usc.edu

Repayan4197@gmail.com

T: (323) 319-8129

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Richard Redfield <richardredfield@gmail.com> Mon, Nov 14, 2022 at 8:43 PM
To: CPC@lacity.org

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
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Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations
C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review
7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Richard Redfield, Resident

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Rick Schuller <hrslaw@gmail.com> Thu, Nov 10, 2022 at 12:07 AM
To: OurLA2040@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

H.R. Schuller,

Studio City

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Robert Shontell <robertshontell@earthlink.net> Mon, Nov 14, 2022 at 12:43 PM
To: CPC@lacity.org

To whom it may concern:

You are trying to move way too fast on this Wildlife Ordinance. I have only just begun to understand some of the ramifications of this proposed Ordinance and the very recent changes that were made to it. To be fair I need more time to digest this and discuss it with other Stakeholders in the the Sherman Oaks area. I am still currently opposed to this for many reasons. It will put our finances in jeopardy so that you can test out a theory on improving conditions for wildlife within the city limits. There might be other reasons for doing this which are not apparent . It does not look good for the City Planning Dept. to be acting in a way that goes against the wishes of those most affected .

Robert Shontell
robertshontell@earthlink.net
(213) 910-7418

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations. I have worked hard to buy my home and live the American dream.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

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Thank you,
Resident…

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Shirin Javid <sjavid@aeongroupllc.com> Mon, Nov 14, 2022 at 2:22 PM
To: CPC@lacity.org

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

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Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations, security risks for families and their pets and unrealistic restrictions for existing well populated city area neighborhoods.

Further, there are many residents like me who are questioning why such a large and populous area was selected for the pilot? The success of a pilot depends on the selection of a small manageable area which is not highly populous with residents who are mostly if not fully supportive of the ordinance. In the current case none of the critical success factors exist for a successful pilot implementation. The pilot area is very large, and highly populous with many/most residents not supportive of the ordinance. Furthermore, in most of the meetings discussing the ordinance a large number of participants and speakers who strongly advocate the ordinance are not residents of the pilot area. For the pilot to succeed, the advocates should be part of the pilot to help it succeed. It is easy to be an ideological advocate if you are not impacted by the outcome of an ordinance. The majority of wildlife in Bel Air consists of coyotes, bobcats', snakes, rats, etc.. We have a few deer that are coexisting well within the neighborhood.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public and personal safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories - The City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form - The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment - Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Key Implementation Critical Success Factors

1. Consideration given to the selection of a smaller pilot implementation.
2. Emphasis placed on residents in the affected pilot areas for advocacy and vote counting. While conceptual/ideological ordinance advocacy will always exist, committee members should prioritize the input from the residents and exclude non residents from final voting.
3. Emphasis placed only on the content that directly impacts the ordinance objectives.

C. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

D. Open Space Definition

Clarification is needed for “utility easements”. The land under distribution lines on residential streets, for example, must not be included in this definition

E. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

F. Regulations:

Overall height, Grading, RFA and Lot Coverage - Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of “development capacity” in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions - Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department’s own PAWs Report.

Additionally, the Planning Department’s own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures - This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. The Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners’ use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review - 7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Shirin Javid

1700 Bel Air Road

--
Shirin Javid
President & CEO
AEON Group, LLC
5777 West Century Blvd., Suite 1648
Los Angeles, CA 90045
Phone: (310) 365-9635

Planning CPC <cpc@lacity.org>

Wild Life Ordinance

Steve Kirchmeier <steve.kirchmeier@gmail.com> Mon, Nov 14, 2022 at 3:07 PM
To: CPC@lacity.org

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead, it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations – if it's truly a good ordinance, everyone should comply. The fact that the city wants exemption, makes it seem like a fairly onerous ordinance that even the city does not want to deal with.

C. **Open Space Definition**

Clarification is needed for “utility easements”. The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of “development capacity” in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement, and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department’s own PAWs Report.

Additionally, the Planning Department’s own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners’ use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise, the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Steve Kirchmeier

Bel-Air Resident

Planning CPC <cpc@lacity.org>

Wild Life Ordinance - Must be Delayed and Corrected

Steve Kirchmeier <steve.kirchmeier@gmail.com> Wed, Nov 9, 2022 at 7:00 PM
To: CPC@lacity.org

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Thank you,

Steve Kirchmeier

Bel-Air Resident

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Shawn Kormondy <skor@skorreg.com> Mon, Nov 14, 2022 at 8:27 PM
To: "CPC@lacity.org" <CPC@lacity.org>

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Resident…

Planning CPC <cpc@lacity.org>

Wildlife protection ordinance

jawalee@gmail.com <jawalee@gmail.com> Mon, Nov 14, 2022 at 3:01 AM
To: cpc@lacity.org

Dear Los Angeles City Planning:

I live in Highland Park one block away from Poppy Peak, a natural space. One of the last bastions of wild where the domestic pets still become victim to nature.

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis.

Thank you for your considertion

Sincerely
Sara Lee
6218 burwood ave 90042

Sent from my iPhone

Planning CPC <cpc@lacity.org>

Delay Wildlife Ordinance Hearing

Shawn Lin <slinuw@gmail.com>
Reply-To: slinuw@gmail.com
Bcc: CPC@lacity.org

Fri, Nov 11, 2022 at 12:45 PM

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Shawn Lin

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

sylvia palomera <sylviapalomera@gmail.com> Mon, Nov 14, 2022 at 8:04 PM
To: cpc@lacity.org
Cc: patrick.whalen@lacity.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

1. Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion.
2. Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized by redlining in the recent past and now the exemptions will deprive our communities of the ability to preserve wildlife. NELA's average home and parcel size is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilize equity and the environmental sustainability of Los Angeles.
3. The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitats:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - The proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens for generations to come.

Sincerely,

Sylvia

Sylvia Palomera
90023

Please excuse grammatical errors. This email has been sent from my iPhone

Planning CPC <cpc@lacity.org>

Wild Life Ordinance

Saul Ruvalcaba <saul@hollandgroupla.com> Wed, Nov 9, 2022 at 9:37 PM
To: CPC@lacity.org
Cc: Holland Ashrafnia <holland@hollandgroupla.com>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Best Regards,

Saul Mateo Ruvalcaba
Executive Assistant to Holland Ashrafnia
M.818.256.5220
HGroupLA.com

COMPASS
9454 Wilshire Blvd. Suite 710
Beverly Hills, CA 90212

The Holland Group

Planning CPC <cpc@lacity.org>

Comments on proposed Wildlife Ordinance #CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Sue Taylor <sueataylor@gmail.com> Mon, Nov 14, 2022 at 2:26 PM
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD").

As stated in my prior letters of opposition, this is too broadly applied and is affecting properties (such as mine) that are on streets with flat lots, not adjacent to or abutting any hillsides nor with any wildlife resources on the properties. While I acknowledge that it is likely much simpler to draw the line at a major cross street such as Valley Vista, it places unnecessary restrictions on properties that really should not have been included in the map area. There should be a mechanism for identifying streets and properties such as what I've described and have a process for them to be exempted from these burdensome regulations that in our case would provide no advantage to the wildlife.

I would also make a case that it should not apply to lots that have already been developed and should only apply to any new construction. Property owners of smaller, older homes would be unfairly affected by these regulations and should be exempt. I do believe that new construction and undeveloped lots should be subject to the ordinance with some practical modifications for the safety of our community:

1. Remove the section related to trash enclosures. It provides no demonstrable benefit and appears to be trying to solve a problem that simply does not exist. The proposed solution is simply unworkable for homes on smaller lots.
2. Any recommendations that have a negative impact on safety – including fire safety and our community's ability to protect itself from fires. This includes fencing issues that might prevent properly securing properties or create areas that might attract the unhoused populations and thus increase risk of fires. It also affects any tree removal, replacement and dripline recommendations that conflict with CalFire recommendations.

I remain opposed to this ordinance due to existing fire safety issues, public safety issues, and violations of State law.

Thank you,

Sue Taylor
4018 Mary Ellen Avenue
Studio City, CA 91604

Save Elephant Hill

November 14, 2022

Los Angeles City Planning Commission
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Honorable City Planning Commissioners,

Save Elephant Hill urges the City Planning Commission to SUPPORT the proposed Los Angeles Wildlife District Ordinance (hereafter Wildlife Ordinance) with the following amended provisions. These revised provisions will ensure that when the Wildlife Ordinance is expanded beyond its current boundaries, its provisions will be relevant to other hillside communities in Los Angeles currently excluded from the policy.

Save Elephant Hill is a community-based organization that has been in the forefront of protecting and preserving Elephant Hill in El Sereno since 2004. Please note that Elephant Hill is part of the Repetto Hills which are *outside* of the District's boundaries. A key objective of our work is to ensure habitat and wildlife protections for Elephant Hill, including connectivity among the iconic hillsides of Northeast Los Angeles (NELA) and beyond. An expanded and enhanced Wildlife Ordinance would ensure equitable land use policy for residents of El Sereno, NELA and the City as a whole.

Proposed changes:

- The ordinance should be expanded to all of LA's wildlife rich areas as a matter of climate urgency and good government. Northeast LA communities deserve the same protections the proposed District offers more affluent neighborhoods. An expanded district is a matter of fairness, justice and ensuring equitable environmental protections. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur. The City Planning Commission has the opportunity to act now and save taxpayers the time and expense of repeating labor intensive policy development and community engagement processes.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. Because the average home and parcel size in NELA is much smaller than in the more affluent pilot district, these exemptions would deny NELA communities the Wildlife Ordinance's environmental protections when the pilot is expanded. It is unconscionable that historically marginalized communities like El Sereno must continually demand equal environmental protections and access to the same land use tools afforded to more affluent communities.

- The narrowly defined "Wildlife Resource" trigger is weak and exclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5.
    - Proposed removal of 3 or more protected or significant trees.

Thank you for the opportunity to submit additional comments regarding the Wildlife Ordinance. Save Elephant Hill urges the City Planning Commission to approve this historic ordinance with the above amendments. A strong, equitable Wildlife Ordinance is essential for Los Angeles to achieve its environmental goals and protect the unique natural environment and abundant wildlife found in ***all*** of its communities.

Sincerely,

Elva Yanez
Save Elephant Hill

NEIGHBORHOOD COUNCIL SUSTAINABILITY ALLIANCE®

November 14, 2022

Dear City Planning Commissioners and city leadership:

The representatives to the Neighborhood Council Sustainability Alliance voted without opposition to express our concerns about the significant weakening of the proposed wildlife ordinance.

Many of the proposed changes were offered without a provided rationale, and seem arbitrary. We do not understand on what basis City Planning tried to balance the goals of wildlife and biodiversity with the concerns of some property owners (which often seem short-sighted). We appreciate that the challenge has been difficult, and that this is a work in progress that can evolve as our knowledge grows. However, the value of a pilot project such as this rests in taking aggressive actions that can then be studied and adapted for a larger policy. The recent revisions do not seem consistent with this approach. Based on our current (and evolving) understanding of the revised draft ordinance, our largest concerns and suggestions are listed below.

Lot size
We think that by excluding all R1 and R2 lots from lot coverage standards, City Planning has done more than address the concerns about smaller lots, so exemptions based on smaller lots rather than all R1 or R2 would seem to make more sense.

Fencing
Permeable fencing strikes us as one of the easiest and most important ways to ensure connectivity so that wildlife can travel. We understand that security is a concern of some property owners, but we think this version is too drastic. Perhaps applying the permeable fencing requirement to undeveloped lots would help (although this is obviously not a long-term solution), or limiting impermeable fencing to only the front (which we understand to be the primary concern of some property owners). We like the Bel Air-Beverly Crest Neighborhood Council's recommendation that on lots greater than ½ an acre (if undeveloped or with a demolished house), perimeter fencing must be permeable to allow wildlife to pass through. Interior fencing may be impermeable.

Ridgeline protections
We are very concerned about the removal of the ridgeline setbacks. We understand that they met with resistance from some property owners, but we would like to remind you that City Planning was asked by city council to develop a ridgeline protection ordinance, which we now do not have.

Site plan review process
We are concerned about the reliance on the site plan review process, since we do not understand it very well.

Additionally, we agree with the Bel Air-Beverly Crest Neighborhood Council's observation that none of the triggers for a site plan review are habitat-driven and that this can be corrected with the following "habitat triggers" for site plan review on undeveloped lots in addition to those that were proposed:

- presence of woodland resources
- presence of habitat for protected species
- placement of lot in a mapped habitat block
- proposed removal of 3 or more protected or significant trees

Woodlands as a wildlife resource
Lastly, we recommend that woodlands be considered as a wildlife resource, in part because we are unclear about how the site plan review process will work.

Thank you,



Lisa Hart
Board Member

Planning CPC <cpc@lacity.org>

WPO

Tracy Cook <byjove2@gmail.com>
To: cpc@lacity.org

Mon, Nov 14, 2022 at 11:23 AM

Dear Los Angeles City Planning:

In alignment with the Los Angeles Times Editorial Board, I support the creation of a special use district to implement the Wildlife Protection Ordinance. Adoption and implementation of the Wildlife Protection Ordinance is a critical first step toward maintaining biodiversity during our unprecedented climate crisis. Sincerely,

Tracy Cook
109 N. Sycamore #301
Los Angeles, CA 90036

Planning CPC <cpc@lacity.org>

FW: Wildlife Ordinance

Anthony De Los Reyes <tony@pocrass.com> Wed, Nov 9, 2022 at 3:50 PM
To: "CPC@LAcity.org" <CPC@lacity.org>, "Lena.Mik@LAcity.org" <Lena.Mik@lacity.org>, "Vince.Bertoni@LACity.org" <Vince.Bertoni@lacity.org>, "ContactCD4@LACity.org" <ContactCD4@lacity.org>, "Mayor.helpdesk@L:City.org" <Mayor.helpdesk@l>

Tony De Los Reyes

Pocrass & De Los Reyes LLP

1875 Century Park East Suite 2200

Los Angeles, California 90067

Telephone: (310) 550-9050

Facsimile: (310) 550-9051

tony@pocrass.com

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From: Anthony De Los Reyes
Sent: Wednesday, November 9, 2022 3:20 PM
To: 'Patrick.wahlen@lacity.org' <Patrick.wahlen@lacity.org>
Cc: 'paul.koretz@lacity.org' <paul.koretz@lacity.org>; 'alison@maccracken.com' <alison@maccracken.com>
Subject: Wildlife Ordinance

Hello Mr. Whelan

I have lived on Stradella Road for more than 48 years, and would be negatively affected by the Ordinance as written.

My ability to improve my property or obtain a reasonable sale price would be destroyed.

It became quite clear in the November 3 meeting that the proposed Ordinance was not at all ready for adoption, and needs more work.

Many significant questions were not answered, including a proper site plan review, resource map, and biological assessment.

I strongly urge you to postpone the scheduled November 14 meeting.

Tony De Los Reyes

Pocrass & De Los Reyes LLP

1875 Century Park East Suite 2200

Los Angeles, California 90067

Telephone: (310) 550-9050

Facsimile: (310) 550-9051

tony@pocrass.com

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this message that do not relate to the official business of my firm shall be understood as neither given nor endorsed by it.

Planning CPC <cpc@lacity.org>

Support for the Wildlife Ordinance (CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE)

Edgarian, Tristan K <tedgarian@usgs.gov> Mon, Nov 14, 2022 at 12:25 PM
To: "cpc@lacity.org" <cpc@lacity.org>

To whom it may concern:

I am writing as a Wildlife Biologist with the United States Geological Survey - Western Ecological Research Center, and Los Angeles native in support of the Wildlife Ordinance up for consideration by the City Planning Commission (CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE). These reasonable guidelines will help us protect sensitive habitat for wildlife and preserve biodiversity unique to Southern California. The proposed ordinance would better allow wildlife to live in Southern California without endangering our communities and without us endangering them.

I request the following changes be considered to the current draft. Some changes that weaken the ordinance include:

- Wildlife Resource Buffers have been significantly reduced
- Severe Slope calculations are now included in Floor Area Ratios
- R1 and R2 Zones have been removed from Lot Coverage Requirements

Thank you for considering my comments.

Best,

Tristan

--

Tristan Edgarian (he/him), Biologist

USGS Western Ecological Research Center

4165 Spruance Road #200, San Diego, CA 92101

Cell: 619-838-0695 | tedgarian@usgs.gov

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

Teri Fournier <terifournier@gmail.com> Sat, Nov 12, 2022 at 4:47 PM
To: OurLA2040@lacity.org, patrick.whalen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, paul.koretz@lacity.org, contactCD4@lacity.org, "mayor.helpdesk@lacity.org" <mayor.helpdesk@lacity.org>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. There are a number of important concepts that are not clearly defined in the ordinance leaving residents and other stakeholders without the ability to fully understand the impact and ramifications of important provisions contained in the ordinance.

I am particularly concerned about the designation of "Wildlife Resources." A small isolated parcel consisting of 2 or 3 lots apparently owned by the city is adjacent to a portion of my small lot and thereby creates a buffer on my lot. However, I have read the "Protected Areas for Wildlife and Wildlife Movement Pathways Report (2021) (ESA Report) which, according to the staff report, forms the basis for the designation of "Wildlife Resources" in the ordinance. The parcel in question is not included in the definition of any "Protected Area for Wildlife" (PAW) or any Wildlife Movement Pathway (WMP) in the ESA Report. Moreover, in the ordinance the term "Wildlife Resource" is defined to include (i) water features, such as lakes, reservoirs, ponds, wetlands etc. (ii) open space, including zoned Open Space, conservation easements, and protected areas, (iii) open channels. The lot in question is none of these. Therefore, I question why this parcel is shown on the map as a Wildlife Resource.

The consequences that flow from this designation are numerous and onerous and would result in significant costs and unnecessary bureaucracy for even a relatively minor addition to my existing house. This is because my property would become subject to requirements in addition to the numerous new requirements that will become applicable to all properties in the Wildlife District. These additional regulations apply to and are appropriate for major new construction (i.e., any Project that proposes 1,000 cubic yards or more of Remedial Grading or any Project that results in 7,500 square feet or more of Residential Floor Area) but are not appropriate for a small lot and a modest addition on such lot simply because it is adjacent to a small vacant parcel that has been designated as a Wildlife Resource but, in fact, likely has no wildlife resource of any value.

Among these additional requirements are a Site Plan Review and a Biological Assessment neither of which is defined or explained in the Ordinance. After reading LAMC Section 16.05 "Site Plan Review", I find it even more bizarre that a Site Plan would be required for even a 501 sq. ft. addition to my house. Under LAMC, Site Plan Reviews are currently required for massive projects, e.g. a development project that

results in 50,000 gross square feet or more of nonresidential floor area or 50 or more dwelling units or guest rooms, certain changes to Drive-Through Fast Food Establishments and any single family residential development with a floor area of 17,500 square feet or more. It makes no sense to subject a modest home addition to the same requirements as are applied to large commercial projects and residential projects of massive proportions. What a Biological Assessment entails is not dealt with at all in the proposed ordinance.

It is simply not reasonable or fair to impose these potentially burdensome requirements on a property owner unless an actual wildlife resource habitat or connectivity has been identified. Even where Wildlife Resources are present there must be some common sense standard. And this ordinance must clearly spell out the requirements for a Biological Assessment so that the people responsible for doing these assessments and property owners are on the same page as to what is expected. This ordinance is not ready. We will have to live with every word in this ordinance once it is enacted. More time should be taken to ensure that it is clear and complete on its face and does not leave CPC members, residents and other stakeholders with questions or differing interpretations of its many provisions. This ordinance and its many protections for our valuable wildlife is too important to rush through.
Thank you.

Teri Fournier
1632 Bel Air Road
Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

OPPOSITION TO Wildlife Ordinance #CPC-2022-3413-CA and #CPC-2022-3712-ZC

Tala Toufanian <ttoufanian@gmail.com> Wed, Nov 9, 2022 at 2:40 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, TeamCD4 <ContactCD4@lacity.org>, Los Angeles Mayor's Office <Mayor.helpdesk@lacity.org>

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

Tala Toufanian Jayadevan
2108 Linda Flora Drive, Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Thomas Materna <thomas.e.materna@gmail.com> Mon, Nov 14, 2022 at 1:01 PM
To: CPC@lacity.org

November 14, 2022

RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead, it burdens homeowners with unnecessary development regulations. I have attended all the meetings and asked many questions and often have been told that those making the presentations and tasked with answering the questions and informing the public said did not have the answers. The public deserves true accurate information!

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WO, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote. The answer I was given at the latest 11/9 “office hours” was it’s someone else’s pilot program and its not finished. Planning would not disclose whose pilot program it was! This open unexplained assessment should not be required as nobody can say or comment on what is in it!

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for “utility easements”. The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of “development capacity” in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department’s own PAWs Report.

Additionally, the Planning Department’s own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners’ use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in

unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Tom Materna

Sherman Oaks resident

Planning CPC <cpc@lacity.org>

wild life ordinance

Tom CAC <tomsocalcac@gmail.com> Wed, Nov 9, 2022 at 2:56 PM
To: OurLA2040@lacity.org, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Mayor.helpdesk@lacity.org, ContactCD4@lacity.org

Dear Planning and CPC.

As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand proper due process. THIS ORDINANCE IS NOT READY. We need answers on how this is going to work before you approve it. It is absolutely ridiculous that this would be the 4th special ordinance for the area I live in with no coordination with the other 3. All these hillside ordinances need to be combined into one clear understandable ordinance that is not administered by a committee that can change their mind and apply it differently to different homes and properties. It should also have the name changed as it is a building ordinance. It does not state any animals it helps or how it would help any species. A good true Wildlife ordinance would protect undeveloped natural land obtain it legally and keep it undisturbed. Restricting already developed lands does not help wildlife, they prosper in natural lands. A good Wildlife ordinance would stop the use of poisons! We do need good clear building ordinances that owners can understand without having to hire 4 special consultants just to fix up their family homes. Please respond to me that you will pull this from the 11/17/22 agenda and send it back to City Planning for clarification then hold true public outreach.

Thank you Tom Materna Sherman Oaks resident

Planning CPC <cpc@lacity.org>

Email Subject Line: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

Darkhorse Digital <darkhorsedigital@gmail.com> Mon, Nov 14, 2022 at 10:12 PM
To: "CPC@lacity.org" <CPC@lacity.org>

I would like to protect wildlife, but also small home owners, living on small long s, that will be harmed by the buffer zone restrictions.

This ordinance allows big developers to build up to 100,000 square feet on pristine wild habitat but people whose homes were built in the 1920s, and whose family has lived in these small houses - will be unable to convert their garage into an ADU? While developers at 8148 Gould Ave. built a giant 4 story $4Million “ADU’ ??!! Wasn’t the ADU law meant to help single family homeowners convert garages into single family housing?!

These ‘buffer’ restrictions will hurt lower income people living on small lots!

Please grandfather in the old timers and remove buffer restrictions from existing homes.

Thank you.

Teresa Stone

TreePeople

November 14, 2022

City Planning Commission
City of Los Angeles

Re: Proposed Wildlife Ordinance for November 17th Meeting

Dear President Millman and Commissioners:

I am writing to voice TreePeople's support for amending the proposed Wildlife Ordinance to expand opportunities for appropriate Site Plan Review as it relates to wildlands and trees. While the new draft of the Wildlife Ordinance greatly reduces undesirable consequences resulting from the ordinance, critical measures still need to be taken to ensure habitat protection.

Unfortunately, the City has too narrowly defined "Wildlife Resource" to include only zoned or protected open space and water resources. Consequently, development can occur through this Ordinance that could result in significant habitat loss to protected species and native woodlands without ever triggering Site Plan Review.

For this reason, we support the addition of four "habitat triggers" proposed by numerous community partners and councils, including The Bel Air-Beverly Crest Neighborhood Council, as follows:

- Placement of lot in a Santa Monica Mountains Conservancy mapped "habitat block."
- Presence of National Park Service (NPS") mapped native woodlands.
- Presence of "habitat for protected species" per Govt Code. Section 65913.4(a)(6)(J)
- Proposed removal of 3 or more protected or significant trees.

The necessary mapping that would allow the application of these rules is already available and Adding these triggers would ensure that the development on lots with high value habitat value be done with sensitivity towards the preservation of that habitat.

TreePeople is committed to expanding our community forest and preserving the natural habitats of the Santa Monica Mountain. These reasonable additions to the Wildlife Ordinance would help ensure appropriate Site Plan Review is applied in a very specific and tailored way to support our urban and rural natural resources.

We urge the Planning Department and the City Planning Commission to carefully consider these habitat triggers and appreciate your attention to this critical issue.

Sincerely,



Manny Gonez
Director of Policy Initiatives

Planning CPC <cpc@lacity.org>

RE: Wildlife Ordinance. Must Delay CPC Members meeting Nov 17

Valerie Henderson <thevhen@gmail.com> Wed, Nov 9, 2022 at 5:27 PM
To: CPC@lacity.org

CPC Members,
I am extremely concerned and my property will be grievously affected by the present Wildlife Ordinance. The CPC Hearing on November 17th for the proposed Wildlife Ordinance needs to be delayed so Members and we residents can have time for a full understanding.
The most recent draft is still very restrictive, filled with open-ended issues and undefined processes. The Lead City Planner admitted in his office Nov 3 that City Planning does not know nor are they PREPARED to answer important questions concerning many issues and their repercussions on owners affected in the Wildlife Ordinance!
It seems City Planning does not know what will be included in "Biological Assessment" among many many other definitions and processes which remain open, leaving too many questions unanswered.
Meaning no disrespect, but during the one Planning meeting (stacked with pro-wildlife groups who didn't live within the affected area) City Planning representative stated the reason the Ordinance was needed is because of excessive building on the ridgelines and in hills. It was City Planning who PERMITTED the overbuilding! Now Planning wants the residents in the area to be subject to property devaluation, extreme restrictions, costly processes, lengthy permitting processes, and more to correct their past mistakes.

With significant concerns still remaining, the timing of the proposed CPC Hearing must be postponed.
Nov 17th is days before Thanksgiving when many are either busy or on vacation; this timing smacks of bulldozing the Ordinance through with as little interaction with those affected as possible, and even pushing it through before CPC Members can have a true understanding, leaving them to rely on Planning's assessments which seems disingenuous at best.
The CPC Members yourselves will not have time to go through the 100s of pages of the Ordinance to properly assess its effect on the area's residents, let alone allowing the residents to assess the newest updated Ordinance's full impact. And please don't rely on the LA Times article which totally misunderstood the issues.
Recently, City Planning gave residents such a generalized 1 page "facts" about what was supposedly updated in the Ordinance as to be either laughable or perhaps misleading. There aren't any real specifics included.
Simply stated the effects of the Ordinance are not really understood and Planning admits it cannot answer many resident concerns, issues contained in the Ordinance, while Planning is also not allowing time for the CPC Members to do proper due diligence nor the residents time to research the full impact of the provisions, some of which are still so general it is impossible to know what they will mean. THE ORDINANCE NEEDS MORE WORK AND THE CPC HEARING NEEDS TO BE DELAYED.
Sincerely, Valerie Henderson, Charles Henderson

Planning CPC <cpc@lacity.org>

Delay consideration of the Wildlife Ordinance

william grundfest <billg@hollywoodcorporate.com> Thu, Nov 10, 2022 at 6:44 PM
To: OurLA 2040 <OurLA2040@lacity.org>, Patrick.wahlen@lacity.org, CPC@lacity.org, Lena.Mik@lacity.org, Vince.Bertoni@lacity.org, Paul.Koretz@lacity.org, Councilmember Nithya Raman <ContactCD4@lacity.org>, Los Angeles Mayor's Office <Mayor.helpdesk@lacity.org>

All,

1. As a concerned and affected resident, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date.

2. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance.

3. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment".

4. Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance.

5. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

William Grundfest
Affected homeowner

Planning CPC <cpc@lacity.org>

Proposed Wildlife District Ordinance SUPPORT

Wendy Minovitz <wendymmino@gmail.com> Mon, Nov 14, 2022 at 4:11 PM
To: "cpc@lacity.org" <cpc@lacity.org>, "patrick.whalen@lacity.org" <patrick.whalen@lacity.org>

CPC-2022-3413-CA

CPC-2022-3712-ZC

ENV-2022-3414-CE

To the Los Angeles City Planning Commission,

My name is Wendy Marcus Minovitz and I am a citizen of Los Angeles. I am writing in support of the proposed Wildlife District Ordinance. It is essential that we all help to restore and preserve wild ecosystems and biodiversity. Thank you for taking a step in that direction.

Wendy Marcus Minovitz

Planning CPC <cpc@lacity.org>

Case numbers CPC-2022-3413-CA and CPC-2022-3712-ZC

WIN <win4sports@aol.com>
Reply-To: WIN <win4sports@aol.com>
To: WIN <win4sports@aol.com>

Fri, Nov 11, 2022 at 10:04 AM

Case numbers CPC-2022-3413-CA and CPC-2022-3712-ZC

We own a 3-acre unimproved parcel of land located at 1740 Summitridge Drive, a little north of Ferrari Drive. The lot has been in the family for more than 50 years. Unfortunately, our property is located barely within the parameters of the proposed ordinance. We wholeheartedly oppose the ordinance inasmuch as it will restrict development of our property and greatly reduce the value of our lot, and make it more accessible to dangerous animals and criminals. The ordinance will achieve little worthwhile, but will significantly adversely affect our property. Use your time and efforts to solve more important problems.

As a concerned and affected property owner, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. By the lead city planner's own admission in recent office hours held on November 3rd, city planning does not know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. In addition, city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance. City Planning should take more time to complete their updated draft, and residents demand a proper due process. THIS ORDINANCE IS NOT READY.

DAY OF HEARING SUBMISSIONS

Dina Goldstein

6433 W Sunset Blvd

Los Angeles Ca 90028

City Planning Commission

City of Los Angeles

200 N Spring St

Los Angeles Ca 90012

Via email cpc@lacity.org

Day of Hearing Submission

Public Comment

11/16/2022

Re:CPC-2020-5407-VZC-HD-CUB-RDP-SPR-ZAA-RDP-SPR

Initial Study and negative declaration for Hotel Project at 6437,6443,6445 and 6439 W Sunset Blvd

Honorable Commissioners,

I submit the following comments concerning the Hotel Sunset Project and the Initial Study and Negative Declaration the City has prepared in connection with it.

> At the last meeting October 13, 2022 for the above study for property at 6445 W Sunset Sunset HotelProject Commissioner Dake Wilson made a comment that I would like to respond to. Commissioner Wilson stated that she and her parents liked walking and frequenting some of the hotels in the Vinyl District in the area of Selma, Wilcox and Cahuenga. She mentioned she wanted to see a new shiny hotel at 6445 W Sunset and that the overhead sign at 6445 W Sunset would be removed to make way for the Sunset Hotel Project. As these meetings are on zoom and the commissioners don't often get to walk around the area, they rely on renderings and plans provided by the developer. I would like to note that the rendering for the property 6445 (Sunset Hotel) completely obscures my property 6433 W Sunset Los Angeles ca 90028. The renderings do not even reference my property which is next to it, instead they have covered it with two tree which don't even exist in front of my property (6433). My property (6433) has a double-faced overhead sign which is not shown in the rendering provided by the developer at 6433. I would like to note that Commissioner Wilson was mistaken when she referenced the overhead sign belonged to 6445 w Sunset the Sunset Hotel project and she said it would be removed in order to build the Sunset Hotel Project. The overhead sign belongs to my property which is next door at 6433 W Sunset and would not be removed because it is not part of the Sunset Hotel Project. I have provided some photos and developer rendering for your review
>
> Thanks for taking note of the matter and looking at the renderings provided by the Sunset hotel developer which are misleading. Thank you for your consideration of these comments the Commission to require a fuller more accurate examination of the project.

Sincerely Dina Goldstein



Rendering of Hotel Sunset Project at 6445 Sunset. 6433 Sunset is obscured behind the trees and removed from rendering.Its as if the property at 6445 Sunset has enveloped 6433 Sunset.

The overhead sign on 6433 W Sunset is not even illustrated in this rendering

The private alley next to 6433 is not illustrated and only 1501 N Cahuenga property at corner of Cahuenga and Sunset is illustrated to make the Sunset Hotel project appear larger



Property 6445 Sunset on the left and 6433 W Sunset on the right. There is a private alley adjacent to 6433 Sunset.



Private alley adjacent to 6433 w Sunset and 1501 Wilcox.

5546	13 SHEET	P. A. 5546-13	TRA 200	REVISED 680313 700226401	700526512 700609 720810201	750721505 821227205 861112812-86L	861204-87 87081008002001 2010071602010001-25	20180910190020001-25	SEARCH NO		OFFICE OF THE ASSESSOR COUNTY OF LOS ANGELES COPYRIGHT © 2002

MAPPING AND GIS SERVICES
SCALE 1" = 60'

2019

PG 12

78 CAHUENGA BLVD 80

AVE 60

SELMA 60

BLVD 100

SUNSET 100

WILCOX 60

AVE 60

COLE PL

PG 7

PG 14

BK 5547

DM 2426-88

HOLLYWOOD

M R 28 - 59 - 60

P M 28 - 59 - 60

TRACT NO 1754

M B 20

M R 28

M R 60 - 92

CSB 1859

OR 12605-264

OR 17018-346

OR 15654-318

OR 19092-14

CS 7396

DM 1126-176

VAC

EAST

NORTH

Date Printed: 8/29/2018 2:03:36 PM
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TANYA A. GULESSERIAN
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

November 16, 2022

VIA EMAIL
Commission President Samantha Millman and Commission Members
City Planning Commission
City of Los Angeles
Email: cpc@lacity.org

Mr. Oliver Netburn, City Planner
City of Los Angeles
Department of City Planning
Email: oliver.netburn@lacity.org

Re: 9201 Winnetka Avenue Project (CPC-2021-10278-CUP; AA-2021-10279-PMEX; ENV-2021-10280-MND)

Dear President Millman, Commission Members, and Mr. Netburn:

This firm represents the Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA") with regard to the above-referenced 9201 Winnetka Avenue Project ("Project"). On August 10, 2022, we submitted comments on behalf of CREED LA stating objections and concerns regarding the Initial Study and Mitigated Negative Declaration ("MND") prepared for the Project.

We are pleased to report that, as a result of direct discussions with the Applicant, the Applicant has agreed to implement additional environmental measures above and beyond what was identified as necessary by the City of Los Angeles in the MND. These measures provide additional benefits to the community regarding air quality, greenhouse gas, and energy as part of a legally enforceable settlement agreement. These measures also resolve any issues and concerns raised in our comments.

With the adoption of the additional environmental measures, CREED LA's objections to the Project and the MND are fully resolved, and we respectfully request that the City adopt the MND and approve the Project.

6240-011acp

printed on recycled paper

Please let me know if you have any questions.

Sincerely,



Aidan P. Marshall

cc: Jeff Modrzejewski, CREED LA

APM:acp

6240-011acp

printed on recycled paper

P: (626) 381-9248
F: (626) 389-5414
E: info@mitchtsailaw.com

Mitchell M. Tsai
Attorney At Law

139 South Hudson Avenue
Suite 200
Pasadena, California 91101

VIA E-MAIL

November 16, 2022

Oliver Netburn, City Planner
City of Los Angeles
200 North Spring Street, Room 763
Los Angeles, CA 90012
Em: oliver.netburn@lacity.org

RE: City of Los Angeles 9201 Winnetka Avenue Project (ENV-2021-10280-MND) (CPC-2021-10278-CU) (SCH No. 2022070387)

Dear Oliver Netburn,

On behalf of the Southwest Regional Council of Carpenters ("**Southwest Carpenters**" or "**SWRCC**"), my Office is submitting these comments for the City of Los Angeles's ("**City**") November 17, 2022 City Planning Commission meeting for the 9201 Winnetka Avenue Project (ENV-2021-10280-MND) (CPC-2021-10278-CU) (SCH #: 2022070387) ("**Project**").

SWRCC would like to express its support for this Project. After further review of the Project, SWRCC believes that the Project will benefit the environmental and local economy by practicing protocols that will protect worker health and safety and will incorporate adequate environmental mitigation.

Should the City have any questions or concerns, it should feel free to contact my office.

Sincerely,

Stephanie Papayanis

Stephanie Papayanis, Esq.
Attorneys for Southwest Regional
Council of Carpenters

LOZEAU DRURY LLP
T 510.836.4200
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1939 Harrison Street, Ste. 150
Oakland, CA 94612
www.lozeaudrury.com
victoria@lozeaudrury.com

VIA EMAIL

November 16, 2022

Cecilia Lamas
City Planning Commission
Commission Executive Assistant
201 N. Figueroa Street, 4th Floor
Los Angeles, CA 90012
cpc@lacity.org

Oliver Netburn, City Planner
Department of City Planning
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012
oliver.netburn@lacity.org

Re: Withdrawal of Comments, 9201 Winnetka Avenue Project (ENV-2021-10280-MND)

Dear Ms. Lamas and Mr. Netburn:

On August 10, 2022, Supporters Alliance for Environmental Responsibility ("SAFER") submitted comments to the City of Los Angeles Planning Commission opposing the Initial Study and Mitigated Declaration prepared for the 9201 Winnetka Avenue Project (ENV-2021-10280-MND) ("Project") proposed by Wincal, LLC ("Developer").

SAFER is pleased to announce that they have reached an agreement with the Developer to address the issues raised in SAFER's comments. Pursuant to our agreement, the Developer has agreed to additional measures to address the issues raised in SAFER's comments and to render Project environmental impacts less than significant.

In consideration of these additional measures, SAFER hereby withdraws its August 10, 2022 comments opposing the Project approval. Thank you for your attention to this matter.

Sincerely,

Victoria Yundt
LOZEAU | DRURY LLP

Planning CPC <cpc@lacity.org>

Dinah's Project at 6501-6521 South Sepulveda Blvd

Adella Curry <adella@forwardapproachmarketing.com> Thu, Nov 17, 2022 at 8:26 AM
To: cpc@lacity.org

To whom it may concern,

I am requesting my aversion to this project and all comments be made public record.

There are a myriad of reasons I am completely against the proposed development.

With the Howard Hughes Center and Fox Hills Mall on top of LAX traffic - this corner is already impossible. Building up will only make it worse for residents, not to mention the businesses which exist are staples to the community.

Please leave it alone.

Sincerely,

Adella Curry
She / Her
Forward Approach Marketing
CELL: (310) 804-0514
SKYPE: AdellaBella0506

Planning CPC <cpc@lacity.org>

Fwd: Westchester resident support for Dinah's project

Andy Sywak <asywak@gmail.com> Wed, Nov 16, 2022 at 10:15 AM
To: cpc@lacity.org

FYI.

---------- Forwarded message ---------
From: **Andy Sywak** <asywak@gmail.com>
Date: Mon, Nov 14, 2022 at 8:53 PM
Subject: Westchester resident support for Dinah's project
To: <More.Song@lacity.org>

Hi,

My name is Andy Sywak and I am a resident of Westchester. You will be receiving many emails from the neighborhood expressing disapproval for the Dinah's project. They will tell you that it will lead to too much traffic, that we don't need this housing, etc.. Many, if not most of these emails will come from people who have owned their single-family homes for many years and who have seen the value of their homes increase many times over while having their property taxes largely frozen. They want to delay and block housing in the neighborhood for others in the name of "preservation," but what they are really doing is protecting their own investments at the expense of everything else. Housing is the biggest problem in LA, and we need more housing of all kinds and this development is a step in that direction for LA to meet its RHNA commitments.

I wanted to chime in with a note of support for the project. Westchester is largely, but not exclusively a neighborhood of single-family neighborhoods and the building would be a much "higher-and-best use" than the outdated mall that currently occupies the high-profile intersection of Centinela/Sepulveda. This is a statement building at this intersection that will provide badly needed housing in the area.

LA needs more housing of all kinds as has been well documented by numerous studies and this project is being built close to major roadways and employment centers.

My main concern is for the small businesses that occupy the mall. As part of the development agreement crafted between the city and the developer, I would like to make the following suggestions:

- As part of its impact fees, have the developer make a contribution to a non-profit that is dedicated to improving park access in the neighborhood. Westchester has a dire lack of park space and we need developers to pitch in to increase this.

- But most importantly, many of the businesses should have their moving expenses and a number of months on their leases paid for as part of the move. It's tough being a small business wherever you are but the developer should do what they can to make sure they are made whole.

It is fine with me if this is part of the public record.

Sincerely,

Andy Sywak

November 16, 2022

More Song, City Planner

more.song@lacity.org

(213) 978-1319

Dear City Planning Commission,

We are writing to you in support of the proposed 362-unit mixed use development, including 41 affordable units, at 6501 – 6521 South Sepulveda Boulevard/6502 – 6520 South Arizona Avenue, case numbers CPC-2021-4937-CU-DBSPR-WDI-HCA/CEQA No.: ENV-2021-4938-SCEA. We urge the city to approve the project with the Density Bonus and incentives.

The greater Los Angeles region is facing a severe housing shortage, and particularly affordable housing. By creating new affordable senior housing in this neighborhood, it will help to reduce issues of gentrification and displacement in other parts of the region. Abundant Housing LA believes that these housing challenges can only be addressed if everyone in the region does their part.

This project has a bus stop at its corner and close to Fox Hills Park as well as elementary schools, and less than one mile from Westfield Culver City and grocery stores. It is great to see the developer using the Density Bonus program to bring new homes, including badly needed affordable housing to the city. Affordable housing programs that depend on a percentage of new construction being affordable need a lot of new construction to have an impact, and the city should work to increase the number of developers using the Density Bonus. This project is a good project for Los Angeles and for the region and we urge the city to approve the Density Bonus and incentives.

Best Regards,

Leonora Camner
Leonora Camner
AHLA Executive Director

Jaime Del Rio
Jaime Del Rio
AHLA Field Organizer

Tami Kagan-Abrams
Tami Kagan-Abrams
AHLA Project Director

Planning CPC <cpc@lacity.org>

Dinah’s Project 650-6521 S. Sepulveda Blvd

ccommans13@gmail.com <ccommans13@gmail.com> Wed, Nov 16, 2022 at 6:53 PM
To: cpc@lacity.org

Good afternoon,

I am writing to express my concerns about the proposed development project at 6501-6521 S. Sepulveda Blvd., Los Angeles 90045 (Dinah’s Project).

The impact of ongoing construction, as well as the completed housing project, will worsen traffic at the northwest corner of Centinela Ave. and Sepulveda Blvd. Always a congested intersection, the traffic was recently made worse with the addition of traffic lights on Centinela Ave. to accommodate nearby revamped hotels, and the addition of a third left-turn lane when traveling north on Sepulveda has not alleviated major congestion.

In addition to general traffic at the NW corner, the project will also likely also put undue stress on streets within the Kentwood and Westport Heights neighborhoods of Westchester for local commuting residents.

There has already been significant development in this area with some buildings not yet even occupied. We don’t need more.

I kindly ask that my comments concerns be made a matter of public record. Thank you!

Signed,
Corinne Gladstone
Local Resident

Sent from my iPhone

Memo

To: Steve Cohen, Managing Partner Sepulveda/Centinela Shopping Center

From: Mario Ernst, Managing Partner Dinah's Family Restaurant

CC: Legal

Dear Steve,

This is to memorialize our many conversations over the past few years regarding the proposed mixed-use project Proposed for 6501 Sepulveda Blvd., Los Angeles, CA 90045, of which, Dinah's Family Restaurant is one of the tenants located on that property.

Since 1959 Our Families have basically been partners at this location. I don't think there are any other Restaurants in Los Angeles that can say the Landlord and Tenant have worked together for over 60 years and have as good working relationship as we have achieved. We are grateful that you have included us from the beginning in the future development of the property. We are extremely excited about the proposed development, and grateful that the Dinah's Legacy will be able to continue forward, in the same building, preserving the unique Googie Style Architecture from the 1950's. Personally, this project represents what is GOOD about Angelenos, working together to move Los Angeles thru the 21st Century by providing additional housing, yet maintaining our history and Architectural beauty.

We realize that at some point, we most likely will have to close temporarily for a short period of time during the construction process. Yet, it looks like we may have a temporary space, not to far from our current location, where we will be able to service our Loyal Customers during the construction process, then move back to our old/new location.

Thank you again for including us in such an amazing project and look forward to being part of the future success in reshaping Los Angeles.

6521 S. Sepulveda Blvd., Los Angeles, CA 90045
T: 310-645-0456 Web: www.Dinahsrestaurant.com

WOODBINE
DEVELOPMENT CORPORATION

September 19, 2022

VIA EMAIL
Mr. More Song
City Planning Associate
Los Angeles City Planning
200 North Spring Street, Room 763
Los Angeles, California 90012
more.song@lacity.org

Re: Sepulveda & Centinela Project:
CPC-2021-4937-CU-DB-SPR-WDI-HCA
ENV-2021-4938-SCEA

Dear Mr. Song:

We are writing this letter on behalf of Woodbine/Legacy Playa Owner, LLC, who is the owner of the Hilton Hotel at 6161 West Centinela Avenue in Culver City. Our ownership not only includes the hotel, but also a surface parking lot and landscaping on land parcels adjacent to the proposed project.

We have reviewed the proposed plan for Sepulveda & Centinela and provide this letter of support. We believe the proposed redevelopment will be positive for the area.

Very truly yours,

Kristopher L. Harman
Senior Vice President

1845 WOODALL RODGERS, SUITE 1700, DALLAS, TX 75201-2300 *phone*: 214.855.6000 *fax*: 214.855.6029 WOODBINEDEVELOPMENT.COM

LAX COASTAL
Chamber of Commerce

9100 S. Sepulveda Blvd., Ste. 210
Los Angeles, CA 90045
tel 310.645.5151
info@laxcoastal.com

November 14, 2022

Mr. More Song
City Planning
Los Angeles Department of City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
More.song@lacity.org

RE: 6501 S. Sepulveda Boulevard
CPC 2021-4937-CU-DB-SPR-WDI-HCA

Mr. Song,

At our November 18, 2021, meeting, the LAX Coastal Chamber of Commerce Board of Directors voted to **support** the mixed-use project proposed for 6501 S. Sepulveda Boulevard by Fairfield Residential.

Fairfield is seeking a Density Bonus to allow for 362 units including 41 very low-income units at the corner of Sepulveda and Centinela. In addition, Fairfield is preserving the Dinah's restaurant building and working with the restaurant use to continue their presence in the community. This is an important entrance to Westchester and the proposed building is well designed and creates a real presence when entering our community.

The LAX Coastal Chamber of Commerce works to enhance the overall vitality of the neighborhoods within our network, including Westchester. Our Public Policy Committee has long identified that adding housing to our major boulevards is a critical need within our community, especially those projects including affordable housing options.

Given the serious need for increasing housing in our City, combined with an effort to save an historic building and business in our community, we strongly support Fairfield's request and encourage the Planning Commission to approve this project.

Thank you,

Chad Maender
President/CEO

Planning CPC <cpc@lacity.org>

Archer Pilates

Michael Koss <mkossnyc@yahoo.com> Thu, Nov 17, 2022 at 8:25 AM
Reply-To: Michael Koss <mkossnyc@yahoo.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Mr Song

Do not destroy the shopping area by Dinah's fried Chicken please.
A lot of businesses there have long time loyal customers. I am a huge fan of that shopping area, in particular the Pilates studio which has been able to keep me healthy as well as many other people.

Do not let big money be making all the decisions. People need places to eat and work out and that's all there is in the immediate area over there.

Listen to what the people want instead of what the big spenders want to do!

Thank you for your attention and consideration.

Michael Koss

RAND|PASTER|NELSON

633 West Fifth Street
64th Floor
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213.557.7222
www.rpnllp.com

Dave Rand
213.557.7224
Dave@rpnllp.com

November 16, 2022

VIA EMAIL

President Samantha Millman and Honorable Commissioners
City Planning Commission
City of Los Angeles
200 N. Spring Street, Room 272
Los Angeles, CA 90012

Re: November 17, 2022 City Planning Commission Meeting Item No. 7
Case No. CPC-2021-4937-CU-DB-SPR-WDI-HCA
Response to Southwest Regional Council of Carpenters Letter

Dear President Millman and Honorable Commissioners:

We are writing on behalf of our client FRH Realty, LLC ("Applicant") in connection with its proposed mixed-use development ("Project") located at 6501-6521 South Sepulveda Boulevard ("Site") in the City of Los Angeles ("City"). The Project would construct a new eight-story mixed-use building containing 362 residential units and approximately 3,700 square feet of new commercial space on the ground floor; 41 residential units will be reserved for Very Low Income households. The Project would also preserve the existing historic Dinah's Restaurant building that is located at the Site.

On October 4, 2022, the City Council adopted the Project's sustainable communities environmental assessment ("SCEA") prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"). During the City Council's consideration of the Project's SCEA, the Southwest Regional Council of Carpenters ("SWRCC") submitted, no less than four times, the exact same letter objecting to the SCEA and claiming, without basis, that the City had failed to implement various mitigation measures contained in the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy ("2020 RTP/SCS") Program Environmental Impact Report ("PEIR") prepared by the Southern California Association of Governments ("SCAG"). The City and the Applicant each provided substantial evidence to the City Council demonstrating that the SWRCC's objections were invalid and the SCEA had been properly prepared pursuant to CEQA's requirements.

At its November 17, 2022 meeting, the City Planning Commission ("CPC") will consider the Project's requested entitlement approvals. Yesterday, SWRCC submitted a five-page letter to the CPC, claiming once again that the Project's SCEA was improperly prepared. Specifically, SWRCC claims that the development of the Project in proximity to the historic Dinah's Restaurant building may result in potentially significant historic impacts and that the SCEA should have included additional cultural resources mitigation measures from SCAG's 2020 RTP/SCS PEIR. In regards to historic resources, these

SCAG mitigation measures require a qualified architectural historian to analyze a proposed project to determine if any historic impacts may result.

As a threshold matter, SWRCC's five-page letter was submitted less than 48 hours before the CPC's meeting, and therefore violated the CPC's written submission policy. It is therefore a non-compliant submission and is not to be included in the Project's administrative record. Furthermore, as noted above, the SCEA has already been adopted by the City Council, and is not subject to review and consideration by the CPC. Notwithstanding these fundamental deficiencies, SWRCC's demand that the SCEA include SCAG's cultural resource mitigation measure is entirely moot, as the SCEA includes an expert report, prepared by a qualified architectural historian, that analyzes the Project's potential impacts to the Dinah's Restaurant building and concludes that no such impacts would result. This report was also reviewed and approved by the City's Office of Historic Resources, which concurred that no impacts would result and no mitigation measures were required. We should also note that the SWRCC's historic objections are not supported by any expert opinion or analysis and therefore do not constitute substantial evidence.

In sum, these latest objections by SWRCC were untimely and improperly made, and would lack merit even if they were properly before the CPC. We respectfully request that you grant approval of the Project's entitlements. Thank you for your consideration.

Sincerely,

Dave Rand

Dave Rand
Partner
of RAND PASTER & NELSON, LLP

Westchester

Streetscape Improvement Association

Beautify and improve local streetscapes, resulting in a better environment
for both the commercial and residential areas of Westchester

November 15, 2022

Mr. More Song
City Planning
200 N. Spring St., Rm. 763
Los Angeles, CA 90012
More.song@lacity.org

RE: 6501 S. SEPULVEDA BOULEVARD / CPC 2021-4937-CU-DB-SPR-WDI-HCA

Dear Mr. Song,

Since 1990, the Westchester Streetscape Improvement Association (WSIA) has provided leadership and sponsorship for meaningful community improvements. Our accomplishments include the beautification of Sepulveda Boulevard, by replacing crumbling streetscape with new trees, meandering sidewalk, and new landscape. WSIA also provides on-going maintenance of this area. WSIA has planted over 600 new street trees throughout Westchester. Today, our ambitious goals continue with efforts to improve Manchester Avenue and La Tiera Boulevard.

With these goals in mind, we were presented with Fairfield's plans for a proposed mixed-use project at 6501 Sepulveda, near Centinela. This location is an entrance to Westchester and a corner that we find essential to the continued beautification of our community. This proposal lends itself well to WSIA's goals of facilitating a vibrant community with walkable streets and revitalizing underutilized sites such as this one. In addition, Fairfield has agreed to support WSIA's on-going Sepulveda Boulevard Entry Landscaping maintenance costs.

At its November 10, 2021, meeting, the WSIA Board of Directors voted to support Citywide Planning Commission approval of the application submitted by Fairfield Residential for a density bonus case.

We welcome the benefits provided by 362 new residential units – including 41 affordable units – to our community. We are also pleased that Fairfield has been able to work with Dinah's to preserve that important icon. We look forward to the timely approval of this project.

Sincerely,

John Ruhlen
President

Westchester Streetcape Improvement Association
8726 S. Sepulveda Blvd. Suite D, #1621 - Westchester, CA 90045 - Phone: (310) 225-7630 - Fax: (310) 645-9820
info@WestchesterStreetscape.org - www.WestchesterStreetscape.org - EIN 90-0080493

Karen Dial
Drollinger Properties
President

John Ruhlen
Ruhlen & Associates
Secretary

Miki Payne
Drollinger Properties
Treasurer

Jack Davis
RE/MAX Estate Properties

Marla Eisenberg
HHLA

Heather Lemmon
Westbluff Realty
and Property Management

Christopher H. Locke
HFH Ltd.

Lara Saab
CBRE, Inc.

Elizabeth Salazar
Equity Office Properties

Donald R. Duckworth
Executive Director

November 14, 2022

Mr. More Song
City Planner
Los Angeles City Planning
200 N. Spring St., Rm. 763
More.song@lacity.org

Re: **6501 S. SEPULVEDA BOULEVARD**
CPC 2021-4937-CU-DB-SPR-WDI-HCA

Dear Mr. Song,

On behalf of the Westchester Town Center Business Improvement District (Westchester Town Center BID), this letter is written to express our organization's support for Fairfield's proposed mixed-use project located at Sepulveda and Centinela, which we understand will be before the Citywide Planning Commission later this week.

The WTC BID represents all of the commercial properties located along Sepulveda Boulevard from LAX to City Center Drive and was formed by a coalition of property and business owners to provide improvements that revitalize and enhance the Westchester area, an essential commercial core in the City of Los Angeles and one of its major gateways to the world. Fairfield's project will provide investment in our community on a major corridor and entrance to Westchester. WTC BID values such major improvements and welcomes its very much needed new housing units as well as the investment in new and historic commercial establishments.

WTC BID urges you to support this project and to move it forward as quickly as possible. As we may assist further in any way, please contact me.

Sincerely,

Donald R. Duckworth
Executive Director

C: Board of Directors, WTC BID

8929 S. Sepulveda Blvd., #130
Westchester, CA 90045
310.417-9030 ph • 310.417-9031 fx
www.WestchesterTownCenter.com

CURREN D. PRICE, Jr.

November 16, 2022

City Planning Commission
Samantha Millman, President
Caroline Choe, Vice President
Commissioners Helen Campbell, Jenna Hornstock, Helen Leung, Yvette López-Ledesma, Karen Mack, Dana Perlman, Renee Dake Wilson

Cecilia Lamas, Commission Executive Assistant
Via e-mail: cpc@lacity.org

RE: CPC 2022-5432-ZC-CPIO CEQA: ENV-2008-1781-EIR-ADD2

Plan Area: South Los Angeles

Honorable Commissioners:

Councilmember Curren D. Price Jr. of the Ninth City Council District (CD9) would like to thank you for this opportunity to respond to the proposed amendments of the South Los Angeles Community Plan Implementation Overlay (CPIO) District. We are pleased that the Planning Department has taken the initiative to analyze the current land use policies presently affecting development in South Los Angeles. As you are aware, this amendment to the South LA CPIO was an initiative to address issues with the Neighborhood Stabilization Ordinance (NSO) and create policies that would result in the creation of more affordable housing, while providing protections to existing affordable housing units.

The proposed South LA CPIO will provide supplemental development regulations, tailored to the community plan area and will promote better urban design while ensuring that new developments enhance the esthetic character of the community. The expansion of the Legacy Single-Family and Character Residential subareas will help to maintain appropriate development scale, intensities, and densities to preserve the character of our low-density neighborhoods.

In March 2020, the City adopted the Housing Element in accordance with the Southern California Association of Governments (SCAG) Regional Housing Needs Assessment (RHNA) Allocation Plan, which established that we must accommodate 456,643 units by 2029 to address the unmet needs and projected household growth at all income levels within the City of Los

Angeles. With over 41,000 people currently unhoused in the City, we intend to address the housing shortfall crisis we are currently experiencing by making forwarding-thinking amendments to the proposed South LA CPIO.

After conducting several stakeholder discussions with members of our community we have come to the understanding that the original expansion of the NSO did not take into consideration the varying housing typologies that exist south of Martin Luther King Jr. Boulevard, which are unique to that of the neighboring community north of the corridor.

It is our office's position, corroborated by several in-depth conversations with the City Planning Department, as well as, several groups within CD9 that are advocating for more affordable housing, that the proposed provisions regarding floor area replacement would negatively impact the development of affordable housing and comprehensive economic analysis has not been conducted to assess the feasibility of these replacement requirements in this area. Therefore, CD9 would like to exclude the following language from areas south of Martin Luther King Jr. Boulevard:

- Remove references to "containing at least the same floor area," and "bathrooms" and "floor area shall default to at least the average unit size of comparable CPIO Protected Units" of Section V-1 Applicability, subsection C. Los Angeles Housing Department (LAHD) Determinations, subsection 2. Replacement of CPIO Protected Units, and subsection (a); for areas south of Martin Luther King Jr. Blvd. Relief from these standards will allow for the production of affordable housing units that meet the needs of our community.

- Remove "Transitional Housing" as an exempt housing type from the 30% two-bedroom unit requirement within the TOD Regional Subareas. CD9 currently has an over-saturation of transitional housing throughout the district. This overconcentration of transitional housing projects has adverted the development of our greater need for homeless housing and affordable housing projects within our community. As one of the poorest districts within the City of Los Angeles, the proposed exemption will exacerbate an existing problem throughout our District.

It is our hope that the proposed amendments will encourage a diversified range of affordable housing and retail services that meet the needs of the community for generations to come. This modified language clarifies CD9's intent in approving these proposed amendments, and our

CURREN D. PRICE, Jr.

office, therefore, requests that they be incorporated into the final Plan adoption. I thank you for your time and attention. If you have any questions or concerns please contact my Director of Planning and Economic Development, Sherilyn Correa via email at Sherilyn.Correa@lacity.org or by phone at (213) 978-7009.

Sincerely,

CURREN D. PRICE, JR.

Councilmember, 9th District

GK LAW
LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Direct: (951) 542-2735
Fax: (213) 623-7755
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

VIA EMAIL: City Planning Commission (cpc@lacity.org), Zuriel Espinosa (zuriel.espinosa@lacity.org)

RE: Item 8, CPC Hearing (11/17/22); South LA CPIO Amendment

Dear City Planning Commission ("**CPC**"), Ms. Espinosa, and Department of City Planning ("**DCP**"):

On behalf of SEIU Local 721 and the USC Forward Coalition (collectively "**Commenters**"), this office submits the following comments in response to the "**Staff Report**"[1] for the proposed amendment to the South Los Angeles Community Plan Implementation Overlay ("**CPIO**"). We thank staff for their time and extensive efforts working with Commenters on the CPIO; however, several key issues have not been addressed, including the critical issue of closing planning loopholes that are exploited by dormitory-style co-living facilities operating near the University of Southern California ("**USC**") campus. For example, just last month, the Planning Land Use Management ("**PLUM**") committee recommended granting a CEQA appeal against a Tripalink project that would build 96-bed, 96-bath project that the applicant claimed was just 10 dwelling units (DCP Case No. VTT-83081). Noting the project was a "classic dormitory-style housing" despite applicant's portrayal of the project as a homeownership opportunity, PLUM held "[t]his dormitory ought to be, but was not, studied and analyzed as a student housing dormitory with over 90 units."[2] It has been over two years since the City Council asked DCP to revise the Neighborhood Stabilization Overly ("**NSO**") and close these types of loopholes that benefit well-connect commercial developers at the expense of neighboring communities of color. (Staff Report, PDF pp. 4, 383.) We therefore wish to identify the following three issues and proposed fixes to the CPIO:

First, the CPIO amendment does not address the issue of co-living facilities that primarily serve as student housing. (Staff Report, PDF pp. 12-13.) Experience has shown that these type of projects (while on paper applications may propose a series of 3- and 4-room dwelling units serving families) typically may have individual bathrooms for each bedroom, rented by the room, and marketed and operated almost exclusively to USC students. This has been the result of loopholes in the NSO regulations. This loophole improperly usurps needed community housing opportunities. The CPIO amendment can address this problem by adding additional protections under the proposed Section V-2 Land Use Regulations, including:

1. Adding the definition of a co-living facility and providing a rebuttable presumption that it serves as student housing akin to Dormitory, Fraternity, or Sorority uses in the CPIO area.
2. Restricting co-living facilities to the R4 and less restrictive zones. This is consistent with existing regulation on similar uses like Dormitory, Fraternity, or Sorority uses allowed in the R4 zone under the Code. (See LAMC § 12.11.A.5.) This is also consistent with SB 330 because it merely clarifies and applies existing zoning regulations in effect on January 1, 2018 to these similar uses. (See Gov. Code § 66300(b)(1)(A).) This restriction would be limited to only the CPIO area acutely impacted by the nearby USC's campus.
3. Absent specific findings of hardship, nonconforming co-living facilities should cease operating as single-room student housing within one-year and should ensure that dwelling units are made available to the public at large. A one-year amortization period should be sufficient to allow students to finish an entire school year. There should be minimal hardship given little to no tenant improvements normally are needed. Nor should there be a significant loss of investment expectations given co-living facilities remain permitted as multi-room dwelling units. Furthermore, this would further fair housing to ensure the general public, including all community members, have equal access to housing opportunities that are currently not available to non-USC students.

[1] https://planning.lacity.org/plndoc/Staff_Reports/2022/11-08-2022/CPC_2022_5432.pdf.
[2] https://clkrep.lacity.org/onlinedocs/2022/22-1055_misc_10-12-22.pdf.

Second, the City should amend the NSO ordinance to close loopholes and increase transparency in the Building & Safety permitting process. Also, the NSO can be an effective tool that can go beyond only the CPIO boundaries to include other areas where the adverse impacts of USC acutely impact communities, such as areas east of the 110 and near the USC Medical Campus. To this end, meaningful amendments to the NSO should include:

1. Adding co-living definitions, location requirements, and amortization periods consistent with proposed additions to the CPIO discussed above.
2. The current NSO threshold for a conditional use permit (i.e., 5 habitable rooms in a single dwelling unit) should be revised to be five or more habitable rooms in any single structure – regardless if part of a single or multiple dwelling units.
3. In Building & Safety applications, require applicants to clearly identify the total number of bathrooms and habitable rooms on the entire site and all structures.
4. Consider expanding the existing NSO boundary to the maximum 1-mile distance, including to the east bounded by San Pedro Street and to the north bounded by Venice Boulevard.

Third, we are very concerned about the amount of upzoning proposed under the CPIO amendment. While premised on comporting with the Housing Crises Act (i.e., SB 8 and SB 330) and ensure "housing development capacity" is not lost (Staff Report, p. 53-58), staff proposes upzoning TOD subareas to significantly upzone the base and bonus zoning in these areas, which would amount to a windfall for commercial development. For example, an upzone from TOD Medium to TOD Regional would amount to tripling base height (i.e., 4 to 12 stories), doubling base FAR (i.e., 1.5 to 3.0), with bonus allowing up to 13 stories and an FAR of 4. (Staff Report, PDF p. 58.) This commercial upzoning cannot be justified by the Housing Crises Act, which is premised on protecting housing capacity—not commercial capacity. This commercial upzoning raises several issues:

1. We question whether setbacks protections amount to significant loss to housing development capacity that justify an approximate 8 million square foot upzone. This needs to be better substantiated with substantial evidence. For example, if (for argument's sake) the CPIO setback amendment result in a 2% total loss of developable square footage in the CPIO area, is that the same amount of square footage being added by the proposed upzoning – or is 4%, 10%, 20%, or even greater?
2. Consistent with state housing laws, limit any upzoning to only residential dwelling projects by simply adding a Q-Condition on affected properties. For example, instead of a wholesale upzoning from TOD Medium to TOD Regional (i.e., parcels near Jefferson/Vermont intersection) as proposed by staff (see Staff Report, PDF p. 53), the City could simply place a Q-Condition that states: "For all projects that include residential dwelling units, the density, FAR, & height shall correspond to TOD Regional Center as reflected in table III-2. Whether as a standalone development or as part of a mixed-use development, *this increase in development standards shall not apply to commercial developments (including hotels), dormitory style co-living facilities, student housing facilities, similar facilities that operate as "Group Quarters Type 501", or similar non-residential dwelling uses.* This provision shall be applied in a manner consistent with the California Housing & Community Development Department guidelines.[3]"

Thank you for your consideration.

Sincerely,

_____

Jordan R. Sisson, Esq.

[3] (See e.g., HCD 2020 Inventory Guidebook. PDF p. 259, http://www.pilpca.org/wpcontent/uploads/2020/08/PILP-California-Housing-Element-Manual-August-2020-Appendices-B-S-2020-08-11.pdf; Census 2020 Census and FERPA Q&A, PDF p. 2-3, https://www.aacrao.org/docs/defaultsource/Statements-and-letters/2020-census-and-ferpaquestions-and-responses.pdf?sfvrsn=d55726f7_3; HCD Housing Element APR Instructions, PDF p. 5, https://www.novato.org/Home/ShowDocument?id=305 20; Census Definitions & Explanations, PDF p. 5, https://www.census.gov/housing/hvs/definitions.pdf; Census Commentary on 2020 Census Group Quarters, https://www.census.gov/newsroom/blogs/randomsamplings/2021/03/2020-census-group-quarters.html.); See PDF p. 2, https://www.aacrao.org/docs/defaultsource/statements-and-letters/2020-census-and-ferpaquestions-and-responses.pdf?sfvrsn=d55726f7_3).

UNITE HERE! LOCAL 11

November 16, 2022

Dear Chair Millman and Honorable City Planning Commission,

We write you to express our concerns regarding the proposed CPIO amendments. We support efforts to preserve affordable and rent stabilized housing in South Los Angeles, and appropriately regulate co-living and dormitory uses to ensure the existing community is respected. However, by upzoning wide swathes of the plan area, the amendments increase capacity not just for housing, but for commercial uses like offices and hotels. *Upzoning must be reserved for housing, not commercial uses. We ask that you direct the Planning Department to revise the plan to remove commercial upzoning.*

STATE LAW REQUIRES UPZONING FOR HOUSING, NOT COMMERCIAL USES

According to the Planning Department's "Staff Report",[1] the Housing Crisis Act prevents zoning actions that reduce the capacity of housing (Staff Report, PDF pp. 414-415 [Exh. F.5]). Based on this, any zone changes or CPIO amendments that result in a net downzoning or otherwise "reduces housing capacity" are prohibited (id). However, this applies only to residential housing. By increasing commercial capacity on parcels that allow both housing and commercial, while reducing housing capacity on residential parcels that do not allow commercial, the proposed CPIO amendment could result in less housing because *commercial uses will be in competition with housing uses on the upzoned parcels*.

UPZONING MASSIVELY INCREASES COMMERCIAL CAPACITY IN AFFECTED AREAS

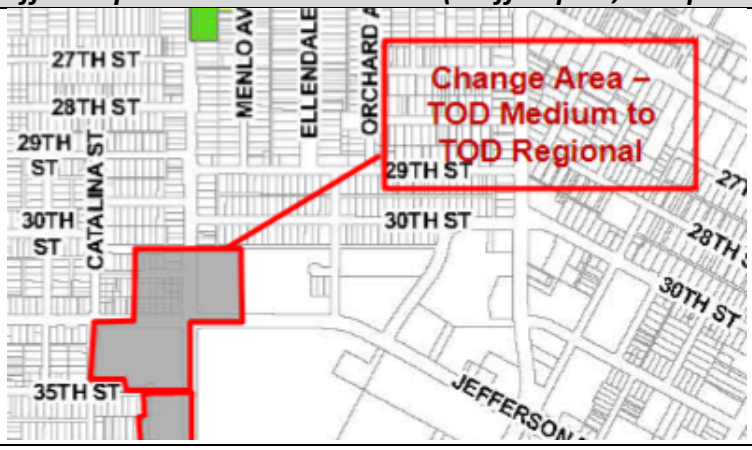
Commercial capacity is increased substantially in the proposed CPIO amendment. For example, parcels along Vermont Avenue between 35th Street and Leighton Avenue are changed from TOD High to TOD Regional (Staff Report, PDF pp. 53-54)—which doubles base FAR from 1.5 to 3 and increases base height from 7 stories to 13 stories (id., at PDF pp. 57-58). Also instructive, other parcels along Vermont Avenue (roughly between 30th Place and 35th Street, and between Leighton Avenue to 40th Place), as well as parcels at the intersection of Figueroa Street and Martin Luther King Jr. Boulevard, are changed from TOD Medium to TOD Regional—which doubles base FAR from 1.5 to 3, and increases base height from 4 stories to 13 stories (id.). The below table outlines the significant upzoning under the CPIO amendment for commercial uses (i.e., Table III-3).

Type of Upzone	**Base Height (Old v. New)**	**Base FAR (Old v. New)**	**Bonus Height (Old v. New)**	**Bonus FAR (Old v. New)**
Low TOD → Medium TOD	3 stories (45') v. 4 stories (60')	1.5 FAR v. No Change	4 stories (60') v. 5 stories (75')	3 FAR v. 3.5 FAR
Medium TOD → High TOD	4 stories (60') v. 7 stories (105')	1.5 FAR v. No Change	5 stories (75') v. 8 stories (120')	3.5 FAR v. 4 FAR (some exclusions)
Medium TOD → Regional TOD	4 stories (60') v. 12 stories (180')	1.5 FAR v. 3 FAR	5 stories (75') v. 13 stories (195')	3.5 FAR v. 4 FAR
High TOD → Regional TOD	7 stories (105') v. 12 stories (180')	1.5 FAR v. 3 FAR	8 stories (120') v. 13 stories (195')	3 FAR v. 4 FAR

[1] https://planning.lacity.org/plndoc/Staff_Reports/2022/11-08-2022/CPC_2022_5432.pdf.

SIMPLER SOLUTION: CREATE SPECIAL Q-CONDITION LIMITED TO HOUSING BONUSES, NOT COMMERCIAL

Upzoning all of these parcels would serve as a windfall to commercial developments that would not necessarily translate to a single added housing unit. A much simpler fix would be to keep the current zoning designation as is and simply add a Q-Condition to the affected properties that indicates greater base and bonus height and FAR (i.e., upzoning) apply to residential dwelling unit projects—which shall not apply to commercial projects or any non-residential dwelling unit component of a mixed-use project. For example, for parcels near the Jefferson Boulevard and Vermont Avenue intersection that is currently designated Subarea F (TOD Medium) but proposed to be upzoned (TOD Regional) under staff's CPIO amendment (see figures below), the city could simply add the following Q-Condition: "For all projects that include residential dwelling units, the density, FAR, & height shall correspond to TOD Regional Center as reflected in table III-2. This increase shall not apply to commercial projects (including hotels) or any commercial component of a mixed-use project." Similar Q-conditions could be attached to other affected parcels under the proposed CPIO amendment. This simpler fix will ensure the proposed upzoning will offset the potential loss of housing capacity, consistent with state law, and without the unintended consequence of massive increases to commercial development capacity.

Example: Parcels near Jefferson/Vermont Intersection	
Sub-Area F (Current CPIO)[2]	***Staff's Proposed CPIO Amendment (Staff Report, PDF p. 53)***
	

AMOUNT OF UPZONING NOT SUBSTANTIATED

According to Exhibit F-5 of the Staff Report (PDF pp. 414-415), the CPIO amendments would result in approximately 8.4 million square feet of reduced "residential development capacity" (i.e., Tbl. A), which is why staff is recommending upzoning TOD areas by slightly more than 8.4 million square feet (i.e., Tbl. B). However, beyond simple summaries of purported reductions in various zones, there is no spreadsheet or substantiation how the Planning Department reached these calculations, unlike for example, the substantial evidence presented by the Planning Department as part of its work on the Housing Element.

We urge you to direct staff to adopt our suggested changes, or approve the CPIO with a direction to staff to ensure changes are presented to City Council that focus on housing as intended and not a massive, unstudied *additional commercial capacity* upzone as part of the proposed CPIO amendment.

Regards,

Charlie Carnow, UNITE HERE Local 11

[2] https://planning.lacity.org/odocument/61fde696-98e5-4080-80dd-198b100b4b35/SLA_CPIO4.pdf.

WAHA
West Adams Heritage Association

November 16, 2022

City Planning Commission
Public Meeting – after 8:30 am
Case No: CPC-2022-5432-ZC-CPIO
CEAQ No: ENV-2022-1781-EIR-ADD2 / ENV-2008-1780-EIR-ADD2
Certified NC: South Los Angeles Empowerment Congress North Area (NANDC)
Voices

Honorable Commissioners,

The West Adams Heritage Association support the proposed SLA Community Plan Implementation Overlay (CPIO) Amendment Project but asks for some changes to the Plan which we believe will achieve the goals of the original council motion and the community more successfully.

First, there is no justification for the R1R3 zone change. It does not reflect the goals of the community to incentivize retention of existing residents and preserve intact craftsman historic housing.

Second, Historic resources should be defined with clarity. We urge that the CPC adopt the language that all structures, 60-years old or older within the Project's boundaries ought to be considered an eligible historical resource for the purposes of CEQA and require review prior to any potential demolition. These criteria should be adopted for all character residential CPIOs.

This change is important because without such language the goals of retention of existing affordable housing and existing residents will not be encouraged. It is a fair and realistic step, not an absolute ban of any demolition. This language will allow for further evaluation. Resources such as the Paul Revere Williams Residence and the Korean Youth Academy (Hung Sah Dan) will have a chance to have their history and cultural importance continue to nurture our understanding.

SurveyLA is not a definitive resource and the CPC recognized this when it adopted the South Community Plan. For the Staff Report to so state is revisionist history. The Planning Commission (which at the time included quite a few of the current Commissioners) adopted modified language, namely: "SurveyLA or other Historic Resource Survey." That language was also adopted by City Council in November 2017.

The numerous flaws in SurveyLA are not the main subject of this hearing but clearly it was a "windshield survey" that used National Register criteria. It did not consider standards such as "contributor altered" which is found in the HPOZ Ordinance. It did not include cultural heritage resources (e.g., resources associated with underrepresented communities, such as sites related to African Americans in South Los Angeles.)

We support the prospect of a new survey. The area is rich in history but is not adequately codified by any existing survey. Within the study area the Expo Park West/Old University District is part of the Normandie area researched by Patricia Adler in her "History of the Normandie Area." Adler divided the area into 15 quadrants, our subject area being quadrants 9,10,11,12, and 13. The 1990 historic Resources survey for the South Community Plan identified clusters

of significant buildings and can provide a baseline for a current conditions' analysis. In addition, the Survey LA research needs to be reviewed and enhanced. The area contains many yet unidentified resources and research needs to define both architectural and cultural themes.

The City needs to go further than the notation that "There is community interest in conducting an updated survey of the Proposed Project area and staff is supportive of such an effort. At this time, funding has not yet been identified to complete a survey of the entire area." Funding has been found by three sources and the City has yet to commit to real participation and then acceptance of the survey results. The City needs to be a partner and participant financially and in the survey process.

That "staff find that the request to change the definition of Eligible Historic Resource is unnecessary. The proposed CPIO amendments as recommended by staff address the majority of concerns raised by the community on how to protect historic resources and existing affordable housing." This is simply not supported by the facts.

The impetus for this CPIO process and the Council motion was created by a survey of the demolitions in the Expo Park West/Old University District Area. Below are links to the demolition data study:

- The demolition PPT
  - https://docs.google.com/presentation/d/153T9HwAfr958MvFSJVMSRB9HLOcxgCW0fg3TO5ty7EU/edit?usp=sharing
- The demolition Map
  - https://www.google.com/maps/d/u/0/edit?mid=1u63_PEllSR3Kx37B0e84Os4kCM2k7kbm&usp=sharing
- Source: https://data.lacity.org/City-Infrastructure-Service-Requests/Total-Permits-Issued-LADBS-2013-2017-Demolitions/8tb2-jn5y

Please approve the CPIO Amendment with the suggested amendments. In addition:

1. We also ask that the protections and historic resources definition be applied to all character residential and legacy CPIOs;
2. See Map, page 50: Delete Subarea A designation for the area on Washington boulevard south of the 10 and east of 110; delete the subarea designation on Union Avenue from the 10 Freeway to Adams. These areas are already within an HPOZ overlay and were never proposed in any of the South Community Plan outreach process;
3. Delete: H. *The LAMC shall prevail when there are any conflicts between the provisions of the South Los Angeles CPIO and the provisions of Redevelopment Project Areas.* This language is unclear; it conflicts with the Ordinance that transferred administration of CRA to Planning. The least permissive rule should apply.

Thank you for the opportunity to comment on this important effort and please make the amendments suggested.

Roland Souza

Roland Souza, President
West Adams Heritage Association (WAHA)
c/o 1724 Westmoreland Blvd., LA, CA 90006

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Aiden Archie (aidenarchie15@gmail.com) Sent You a Personal Message Thu, Nov 17, 2022 at 1:06 AM
<kwautomail@phone2action.com>
Reply-To: Aiden Archie <aidenarchie15@gmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Aiden Archie
7722 Capistrano avenue
west hills, CA 91304
aidenarchie15@gmail.com
(818) 912-9599
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Abbie Bernstein <hedgebeast@aol.com> Wed, Nov 16, 2022 at 11:36 PM
To: "cpc@lacity.org" <cpc@lacity.org>

Dear Planning Commission Members,

As a lifelong resident of Los Angeles County, I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14. Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process. Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos. Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature. The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas. I urge you to lead on biodiversity and community health by supporting these policies.

Thank you very much for your consideration of this matter.

Sincerely,
Abbie Bernstein

Planning CPC <cpc@lacity.org>

In support of LA Wildlife Ordinance

Armaiti May <veganvet@gmail.com>
To: cpc@lacity.org

Wed, Nov 16, 2022 at 11:15 PM

To Whom It May Concern:

As a lifelong Angeleno and practicing veterinarian for over 17 years, protecting our natural resources and wildlife habitats is priority that needs to be addressed in our city.

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on November 14th. Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process. Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to ensure we protect our remaining natural resources. This not only helps wildlife, like the imperiled mountain lions, but it is essential to building a healthy, climate-resilient future for all Angelenos.

Native landscapes help us regulate our climate, purify our air and water, pollinate our crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature. The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas. Please be a leader on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of our wildlife and natural areas.

Thank you in advance for your careful attention to this matter as it affects the future of biodiversity. Please include my comments in the virtual meeting taking place tomorrow moring.

Respectfully,
Armaiti May, DVM

Armaiti May, DVM, CVA
www.veganvet.net

Now I can look at you in peace; I don't eat you anymore.
—Franz Kafka, while admiring fish in an aquarium

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Allisyn Ashley Snyder (AllisynSnyder@Gmail.com) Sent You a Personal Message Wed, Nov 16, 2022 at 10:39 PM
<kwautomail@phone2action.com>
Reply-To: Allisyn Ashley Snyder <AllisynSnyder@gmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Allisyn Ashley Snyder
7300 LENNOX AVE UNIT K1
Van Nuys, CA 91405
AllisynSnyder@Gmail.com
(818) 632-9450
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Amy wolfberg <amyd1968@hotmail.com> Wed, Nov 16, 2022 at 11:39 PM
To: "cpc@lacity.org" <cpc@lacity.org>

To whom it may concern,

As a lifelong Angeleno, I know the special relationship our great city has with its wildlife inhabitants, a relationship that is unique, precious, and treasured by our city's human residents.

To that end,

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Thank you so much for considering my comments and supporting this wildlife ordinance. It is the correct, moral and right thing to do.

Sincerely,

Amy Wolfberg
1817 N. Fuller Avenue
Los Angeles, CA 90046
213-280-6269
amyd1968@hotmail.com

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Barbara Broide (bbroide@hotmail.com) Sent You a Personal Message Thu, Nov 17, 2022 at 3:38 AM
<kwautomail@phone2action.com>
Reply-To: Barbara Broide <bbroide@hotmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

The proposed Wildlife Ordinance is extremely important for the future health and sustainability of the wildlife in and the ecology of our Santa Monica Mountains. Development in the Santa Monica Mountains and in the geographic area that is to fall under the Wildlife Ordinance must be regulated in a manner that allows for the co-existence of man and the wildlife that has long called these mountains their home.

The Wildlife Ordinance has already been weakened in some respects and must go forward without additional changes that compromise its intent as developed as a result of significant public engagement. It can and should be strengthened in the future but for now its adoption as proposed is critical.

Our wildlife with whom we share the land cannot wait any longer for action. They already face the impacts of climate change and many developments that have robbed them of safe passage through their homeland.

I urge adoption of the Wildlife Ordinance Ord with Sierra Club amendments.

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Barbara Broide
2001 Malcolm Ave.
Los Angeles, CA 90025
bbroide@hotmail.com
(310) 429-8134
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Bruce McBirney <jmcbirney@att.net> Wed, Nov 16, 2022 at 5:35 PM
To: "cpc@lacity.org" <cpc@lacity.org>

Please see my comments:

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Sincerely, Joanne S. McBirney

Sent from Mail for Windows

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

BRENDA RODRIGUEZ (brenda_1174@yahoo.com) Sent You a Personal Message Wed, Nov 16, 2022 at 8:03 PM
<kwautomail@phone2action.com>
Reply-To: BRENDA RODRIGUEZ <brenda_1174@yahoo.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

BRENDA RODRIGUEZ
10109 WISNER AVENUE
MISSION HILLS, CA 91345
brenda_1174@yahoo.com
(818) 624-2709
[Quoted text hidden]

November 16, 2022

VIA EMAIL

City of Los Angeles Planning Commission
200 N. Spring St, Room 525,
Los Angeles, CA 90012

RE: Comments to Proposed Wildlife Protection Ordinance

Dear President Millman & Commissioners:

The Building Industry Association of Southern California, Inc. ("BIASC") is a non-profit trade association focused on building housing for all. We appreciate this opportunity to provide preliminary comments to the Draft Wildlife Protection Ordinance.

First and foremost, BIASC appreciates the City of Los Angeles' efforts to protect our wildlife while building homes to combat our homeless crisis. Like the City, the BIASC concerns itself with safety related to our wildlife, BIASC works together with the California Building Industry and other stakeholders at the State level to promote legislation that carefully balances California's robust building standards, design, siting techniques, and other strategies to provide robust protection for new communities and its inhabitants. We look forward to working with the Department of City Planning to bring about an ordinance that will protect our wildlife and at the same time encourage development and limit barriers to the production of housing. In its current draft form, the proposed ordinance appears to simply be focused on limiting the production of housing without providing meaningful protections to wildlife.

Please see our high-level overview of concerns within the proposed draft:

1. Basements are no longer exempt from RFA.
2. A new Overall Height limit of 45' measured from the high point of the building to the low point within 5' will apply to all projects in the affected area.
3. No grading or structures on natural slopes in excess of 100% is allowed.
4. Removal of the following Grading Exemptions:
    a. 500 cy for driveways
    b. Fill resulting from up to 50% of the Cut underneath the footprint of the building.
    c. Remedial Grading on slopes steeper than 60%
5. Site Plan Review discretionary entitlement is required for any project with > 1,000 cy of Remedial Grading or > 7,500 sf of RFA.

Please see the specific regulations and limitations that impact development:

- Page 11, Height, 13.21.F.1(b)
    - Overall height of 45' measured from the high point of the building to the low point within 5' - this is actually very restrictive when building on sloping parcels. The current regulation allows for a 30' height envelope for flat roofs or 36' for sloped roofs. The height envelope allows buildings to "step" down the slope, but this Overall Height regulation would not allow that.
- Page 13, Grading, 13.21.F.1(c)(2)
    - No grading or structures on natural slopes in excess of 100% - this regulation could significantly limit ability to develop certain parcels, and would deny certain projects the right to remediate geotechnical instability issues for slopes in excess of 100%.
    - Removal of Grading Exemptions - these grading exemptions are critical to development on hillside properties, as grading allowances were already significantly reduced in the 2017 BHO update. The exemption for Fill resulting from Cut underneath the footprint of the main Building enables projects to keep more dirt on site and therefore limit export (aka trucks on the road), which has always been a major concern of the community.
    - Remedial Grading on slopes > 60% is non-exempt: This is extremely punitive to projects which are required by the Building Code to remediate these slopes as part of their project. By simply following the law with their required remedial grading, these projects would lose the ability to do other on-site Grading that nearby projects would be allowed to do.
- Page 14, Residential Floor Area, 13.21.F.1.d
    - Basements are no longer exempt. This is one of the biggest remaining issues, and results in a significant reduction in allowable floor area for hillside properties. Exempted basements often make up roughly 1/3rd of what is built for hillside homes.
- Page 15, Significant Tree and Protected Tree or Shrub Dripline, 13.21.F.1(f)(2)(iii)
    - This code states that no grading or other construction shall occur within the dripline of a Significant Tree or Protected Tree. This conflicts with the code section immediately before, which provides allowances for the removal and replacement of these trees.
- Page 19, Site Plan Review, 13.21.F.1.k
    - SPR is required for any project with > 1,000 cy of Remedial Grading or > 7,500 sf of RFA. This requires an additional discretionary entitlement for projects above 7,500 sf, which I expect is not in line with SB-8. The SPR process is extremely cumbersome and lengthy, without guarantee of approval. There should be no need for an SPR entitlement as long as a project follows the rest of the regulations in the ordinance.
- Page 20, Wildlife Resources, 13.21.F.2
    - These regulations remain problematic given that there is simply no way to know whether or not a property has a Wildlife Resource present without going through an expensive and lengthy review process, including engaging a biologist and possibly other consultants, and these determinations will be contestable, resulting in an unclear, vague set of regulations that will make it hard for homeowners to proceed with development of their sites in confidence.

We thank you for the opportunity to provide these preliminary comments. As everyone knows, the City is in the midst of a housing supply crisis. California ranks top in the United States for both poverty and homelessness - largely attributable to our housing supply shortage and the consequent sky-high housing prices; and the City, one of the most populous cities in the State, is ground zero of the housing crises.

For the abovementioned concerns, the BIA-LAV recommends that the City Planning Commission refrain from voting on the proposed ordinance and create a professional working group, to include members of

BIASC, AIA (architects), soils, geological, and civil engineers, to review and provide a workable solution for housing and more importantly, wildlife.

For any further questions or future outreach please feel free to reach out to De'Andre Valencia via email at dvalencia@bialav.org.

Sincerely,



Bill McRenyolds, President
BIASC/ LA Ventura Chapter



De'Andre Valencia, Senior VP
BIASC/ LA Ventura Chapter

Planning CPC <cpc@lacity.org>

Re: Item #9 (CPC -2022-3413-CA)

Claudia Dikinis <cddstarcats@yahoo.com> Wed, Nov 16, 2022 at 5:16 PM
Reply-To: Claudia Dikinis <cddstarcats@yahoo.com>
To: "cpc@lacity.org" <cpc@lacity.org>

To: cpc@lacity.org
Re: “Item #9 (CPC-2022-3413-CA)”
Specifically https://ballona.org/

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on November 14th.

Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to ensure we protect our remaining natural resources. This not only helps wildlife, like the imperiled mountain lions, but it is essential to building a healthy, climate-resilient future for all Angelenos.

Please be a leader on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of our wildlife and natural areas.

Thank you for considering my letter.

Most Sincerely,

Claudia D. Dikinis

Santa Monica, CA

310-260-2219

<^..^>

****

"By words the mind is winged." - Aristophanes

November 16, 2022

City Planning Commission
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: Proposed Wildlife Ordinance
November 17 CPC Agenda, Item #9
CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE
Support ONLY If Amended

Members of the City Planning Commission,

While I supported the original draft of the proposed Wildlife Ordinance, I was disturbed to see that it has been revised to **reduce** protections for habitat and wildlife connectivity.

Habitat in the Santa Monica Mountains has already been severely degraded by development. The current version of the Ordinance is so week it amounts to nothing more than greenwashing.

I urge you to adopt the revisions contained in the November 14, 2022 letter from Center for Biological Diversity, CLAW, The Sierra Club, et. al.. An excerpt of the pertinent text is below. Without these revisions, the Ordinance will do nothing meaningful to protect habitat in the Santa Monica Mountains.

I would like to support legislation which will truly protect wildlife, but without the revisions contained in the attached letter, the Ordinance is just another one of LA's meaningless exercises in greenwashing.

Sincerely,
Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068

dd R R r
r r r D

First, the Site Plan Review process must be expanded to encompass projects that meet any of the following thresholds:

> Any Project that creates or results in 3,000 square feet or more of Residential Floor Area (RFA). The October 2022 Draft establishes a threshold of 7,500 square feet or more of RFA for Site Plan Review to be required (See Page 19). This would likely exempt many extremely large homes (e.g., 7,000 square feet) from Site Plan Review despite potentially significant impacts on wildlife and wildlife habitat. The approval of more massive homes ranging from 4,000-7,000 square feet with no Site Plan Review appears antithetical to the purpose of the ordinance and will not ensure protection of the sensitive resources or wildlife connectivity in the District.

Any Project that results in the removal or destruction of a total of three or more Significant Trees or Protected Trees or Shrubs as those terms are defined in the October 2022 Draft (See page 9.). As currently written, some projects that destroy multiple large or protected trees could still be exempt from Site Plan Review. Projects that destroy these irreplaceable and rare resources should undergo a Site Plan Review process.

Any Project within 100 feet of water features (lakes, reservoirs, ponds, wetlands, rivers, streams, creeks, riparian areas), open channels, or Open Space (zoned open space, conservation easements, protected areas). The October 2022 Draft only requires Site Plan Review for certain projects within much smaller buffers (See Table 4.1 on page 20). As outlined in the August 2021 Letter, buffers of a minimum of 100 feet are supported by multiple scientific studies, including the Sustainable LA Grand Challenge Sustainability Report Card for Los Angeles County. Moreover, the definition of Open Space must include Santa Monica Mountains Conservancy1 (SMMC) mapped habitat blocks , National Park Service mapped native woodlands2 and habitat for protected species per Government Code Section 5913.4(a)( )(J). This proposal would not preclude all development within this buffer it would simply require a review process to ensure protection of sensitive resources and wildlife connectivity.

Any Project that cannot meet its Guaranteed Minimum Residential Floor Area calculations because of grading, lot coverage, slope, or height limitations.

Second, in addition to existing requirements, the Site Plan Review process should require (1) a public hearing (and adequate notice thereof) and (2) an opportunity for the public to provide written and oral comments on the project and any proposed modifications/mitigation measures. Moreover, for a project to be approved pursuant to the Site Plan Review process, the Planning Department and/or Hearing Officer must make discretionary findings based on the record that the project with the inclusion of project modifications and/or mitigation measures meets each of the criteria set forth on pages 21-22. These goals set forth in the October 2022 Draft include that the project is highly compatible with and will have minimal impact on any natural features or resources, will avoid substantial landform alternation, and is highly compatible with biotic resources, among other criteria. As currently stated in the October 2022 Draft, it is ambiguous whether the decisionmaker is required to make these findings, or whether an applicant can simply submit materials that merely support such findings. Those are profoundly different thresholds. A strong ordinance requires a public process where the decisionmaker must affirmatively make the required findings prior to approving a development proposal.

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Carol Ng <carolng38@yahoo.com> Wed, Nov 16, 2022 at 11:05 PM
To: "cpc@lacity.org" <cpc@lacity.org>

City Planning Commission
Re: City Wildlife Ordinance Comment

Dear Commissioners:

I am writing to express my support for the approval of a wildlife ordinance that includes the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14, 2022. Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.

We are facing a sixth mass extinction driven primarily by habitat loss and fragmentation. To combat this crisis will require bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions (P-22 and friends), but is essential to building a healthy, climate-resilient future for all Angelenos.

Promoting native landscaping will help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation with increased access will help ensure all Angelenos experience the physical and mental health benefits of nature. The ordinance will help tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.

I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Thank you,
Carol Ng
carolng38@yahoo.com
960 Edgecliffe Drive
Los Angeles, CA 90026

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

claramsolis@earthlink.net <claramsolis@earthlink.net> Wed, Nov 16, 2022 at 3:43 PM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: Coyotl Macehualli <info@coyotlmacehualli.org>

Dear City Planning Commissioners,

I strongly support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

I have two sons, both who love nature and wildlife. What future will we leave to them and to our grandchildren? We are currently said to be facing a 6th mass extinction. It falls upon us to do all that we can to help our remaining wildlife survive. What this ordinance is asking is not that much. Can’t we give a little bit of space for wildlife to survive? Biodiversity is necessary for all of us.

Sincerely,

Clara Solis

Highland Park, CA 90042 (22 years – lifelong Angeleno)

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Cathy Thornburn <cthornburn69@gmail.com> Wed, Nov 16, 2022 at 9:18 PM
To: cpc@lacity.org

To the Los Angeles Planning Commission members:

I am very concerned about the continued human driven loss of wildlife in the Los Angeles area. I have been a long time supporter of The Center for Biological Diversity and I hope you will act on this plan. We must everything possible to stop this tragic loss of wildlife and necessary habitat. Please consider these points, below. Thank you for your attention and consideration in support of our natural world.

Cathy Thornburn

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dana jane <josieboxer@gmail.com> Wed, Nov 16, 2022 at 9:44 PM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Dana Anderson
90042

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Dan Silver (dsilverla@me.com) Sent You a Personal Message Tue, Nov 15, 2022 at 4:06 PM
<kwautomail@phone2action.com>
Reply-To: Dan Silver <dsilverla@me.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

We must co-exist with nature.

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Dan Silver
222 S Figueroa St Apt 1611
Los Angeles, CA 90012
dsilverla@me.com
(213) 804-2750

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club Angeles Chapter. If you need more information, please contact Wendy-Sue Rosen at Sierra Club Angeles Chapter at rosenfree@aol.com or (213) 387-4287.

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Diane Tuchmayer <dianetuchmayer@hotmail.com> Wed, Nov 16, 2022 at 2:40 PM
To: "cpc@lacity.org" <cpc@lacity.org>

I strongly urge you to pass the Wildlife Ordinance in its existing form without putting the monetary desires of developers above the urgent needs of the wildlife that is being squeezed out of their habitat.

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Elizabeth Barcohana <ebarcohana@gmail.com> Tue, Nov 15, 2022 at 12:30 PM
To: CPC@lacity.org

November 14, 2022
RE: CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.
Dear CPC Members,
I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.
When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, it simply does not work. I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.
In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:
A. Proper Due Process:
New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.
Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.
Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.
B. Exemption of City from WO Regulation
That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition
D. Applicability: New Construction, Major Remodels, Additions
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.
E. Regulations:
Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.
Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.
Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. Note: Both the increased fire danger and the increased bird strikes disallow a CEQA

exemption.

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Planning CPC <cpc@lacity.org>

In support of the Wildlife Ordinance

Eileen Cooley <emcooley@earthlink.net> Wed, Nov 16, 2022 at 1:08 PM
Reply-To: emcooley@earthlink.net
To: CPC@lacity.org

Greetings,

After living in Laurel Canyon for thirty-six years I have developed a strong sense of what it means to be responsible for a rare and important wildlife interface environment. I live on a large property in an old house and feel the threat of developers keenly. The Wildlife Ordinance is the first instance I am aware of that would help me protect the place I have devoted a great deal of my life and most of my money to....the first time I do not feel alone and rather hopeless. I cannot attend the hearing tomorrow so I send this email instead. Please do not let those with money and power preempt the needs of those who have only a voice like myself and that which lives in grandeur but has no voice at all. Please count my vote in favor of the Wildlife Ordinance.

Eileen Cooley
8421 Lookout Mountain Ave.
Los Angeles, CA 90046

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Eric Hiss (eric@erichiss.com) Sent You a Personal Message Wed, Nov 16, 2022 at 4:46 PM
<kwautomail@phone2action.com>
Reply-To: Eric Hiss <eric@erichiss.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

As a third-generation Angeleno and life-long resident of Nuestra Se?ora La Reina de los Angeles Sobre el Rio de Porc? uncula (aka LA) I want to throw my wholehearted support behind the Sierra Club and this worthy effort to protect wildlife and open spaces. These are both invaluable treasures that benefit locals and our visitors who I know from firsthand experience working in travel and tourism are anxious to experience these natural elements of our city.

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Eric Hiss
3997 Clayton ave
Los Angeles, CA 90027
eric@erichiss.com
(323) 804-7793
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Item #9 "(CPC-2022-3413-CA)" City of Los Angeles' wildlife ordinance

Ellen Little <ellen@thelittlefilmcompany.com> Wed, Nov 16, 2022 at 4:28 PM
To: "cpc@lacity.org" <cpc@lacity.org>

Item#9 "(CPC-2022-3413-CA)"

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.

I am hoping that the LA City Council will eventually expand the wildlife ordinance to the entire L.A. region. This would not only help wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.

Thank you.

ELLEN LITTLE

12309 VIEWCREST ROAD

STUDIO CITY, CA 91604

Tel. (818) 760-6624

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Gaby Douek <gabydouek@me.com> Thu, Nov 17, 2022 at 6:45 AM
To: CPC@lacity.org

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. Proper Due Process:

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. Exemption of City from WO Regulation

That Development by the City NOT be exempt from the WO regulations

C. Open Space Definition

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. Applicability: New Construction, Major Remodels, Additions

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. Regulations:

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Gaby Douek

gabydouek@me.com

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

G D <gilliandoyle@hotmail.com> Wed, Nov 16, 2022 at 12:38 PM
To: "cpc@lacity.org" <cpc@lacity.org>

I strongly support the Wildlife Ordinance. It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage the swift adoption of this district ordinance so that it can be expanded to sensitive habitat throughout the entire City of Los Angeles.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Please do not listen to millionaires who are trying to bury this wonderful chance to save our beautiful wildlife especially the poor mountain lions. These innocent animals continue to be slaughtered on our freeways by idiot drivers going too fast or texting on their phones in an effort to appear important. Nature was here first and is far more important than nitwit humans.
Thank you,

Gillian Doyle
4675 Willis Ave, Unit 301
Sherman Oaks CA 91403
818 784 8221

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Georgia Goldfarb <georgia.goldfarb@healthequality.net> Thu, Nov 17, 2022 at 12:56 AM
To: cpc@lacity.org

Dear Planning Commissioners,

In our hubris, we have managed to destroy not only much of the wildland habitat in the LA Basin and throughout the planet, but the natural evolution of the climate. It is time to stop and reverse the damage. As is now well-known, biodiversity, meaning the abundance and variation in plant and animal life, is dramatically less than even 100 years ago. This loss is often couched in its effect on human life, but we are just one species. Given our causal responsibility, it is our duty, obligation to restore what we have taken. This is a start.

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil.

There is much support for halting further development into wildland and wisdom in not placing human life in jeopardy in the WUI (wildland urban interface) where it will be both subject to wildfire and a causal factor. In fact, I support government purchasing properties to restore wildland to its natural state.

Georgia Goldfarb, MD

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

heidi buech <buech.heidi@gmail.com> Wed, Nov 16, 2022 at 1:46 PM
To: cpc@lacity.org

To Whom it May Concern:

I am writing with strong support of the Wildlife Ordinance. It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage the QUICK adoption of this district ordinance so that it can be expanded to sensitive habitats throughout the entire City of Los Angeles. We Angelenos LOVE our wildlife, our wild spaces, our hiking trails, and we need to protect our open spaces for ALL SPECIES, not just us humans.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Thank you for your time.

Heidi Buech
12940 Walsh Ave
Los Angeles, CA 90066

Planning CPC <cpc@lacity.org>

Wildlife Protection Ordinance HHPNC Community Impact Statement

John Collinson <john.collinson@highlandparknc.com> Wed, Nov 16, 2022 at 2:06 PM
To: "cpc@lacity.org" <cpc@lacity.org>
Cc: Charles Blumsack <harry.blumsack@highlandparknc.com>, camille demano <camille.demano@highlandparknc.com>, Samantha Mcbride <samantha.mcbride@highlandparknc.com>, Steve Crouch <spcrch@gmail.com>, Emma Howard <emma.howard@lacity.org>

Dear City Planning Commission,

On behalf of the Land Use Committee of the Historic Highland Park Neighborhood Council, I am submitting the attached formal community impact statement regarding recent amendments made to the Wildlife Protection Ordinance that will be considered at tomorrow's (11/17/22) public hearing.

While the HHPNC supports the Wildlife Protection Ordinance, we hope that the City Planning Commission will reconsider recent amendments, and requests that:

- exemptions for lot coverages for R1 and R2 parcels be removed.
- residential floor area restrictions for homes and structures built on slope grades of 60% and greater be reinstated.
- development 50 feet away from open spaces must go to Site Plan Review.

Thank you for your consideration.

Sincerely,

John Collinson
Co-Chair, Land Use Committee
Historic Highland Park Neighborhood Counsel

HHPNC LUC WPO Community Impact Statement 111622.pdf
309K

HISTORIC HIGHLAND PARK NEIGHBORHOOD COUNCIL
Post Office Box 50791 Los Angeles, CA 90050
http://www.highlandparknc.com
Certified as NC #33 May 28, 2002

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First Vice President Emily Spokes
Second Vice President Jens Jonasson
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Executive Vacant
Land Use Co-Chairs Camille Demano, John Collinson
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CITY OF LOS ANGELES
CALIFORNIA



DIRECTORS AT-LARGE
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DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT
200 N. Spring St. Ste.2005 Los Angeles, CA 90012
Telephone: (213) 978-1551

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HISTORIC HIGHLAND PARK NEIGHBORHOOD COUNCIL

Community Impact Statement

November 16, 2022

Los Angeles City Planning Commission (cpc@lacity.org)
200 N. Spring St., Suite 525
Los Angeles, CA 90012

Re: Wildlife Protection Ordinance

Dear City Planning Commissioners:

At its November 15, 2022 meeting, the Land Use Committee of the Historic Highland Neighborhood Council considered recent amendments made to the Wildlife Protection Ordinance and is writing to request:

- exemptions for lot coverages for R1 and R2 parcels be removed.
- residential floor area restrictions for homes and structures built on slope grades of 60% and greater be reinstated.
- development 50 feet away from open spaces must go to Site Plan Review.

The timing of the announced ordinance amendments prior to the November 17, 2022 public hearing precluded these changes being considered by the full board of the Historic Highland Park Neighborhood Council. This statement will be presented to the full board for approval at the next general board meeting on December 1, 2022.

The Historic Highland Park Neighborhood Council has issued two previous community impact statements supporting the Wildlife Protection Ordinance and creation of a special use district, 1) acknowledging the importance of maintaining biodiversity, wildlife habitats and other natural assets to the long-term sustainability and health of our communities during an unprecedented climate crisis; and 2) anticipating the expansion of the Wildlife Protection Ordinance to other Los Angeles neighborhoods.

The exemption of R1 and R2 zones from the Wildlife Protection Ordinance is counter-intuitive and contradictory to the intent of the WPO to allow wildlife to move between houses and structures disconnecting wildlife habitats and corridors. Allowing houses to be built out to property lines will create choke points where wildlife cannot move freely among their habitats. For healthy ecosystems to remain, there needs to be functioning connective habitat. Habitat connectivity will also benefit from reinstating the Site Plan Review requirement for any development within 50 feet from open space.

R1 parcels represent the largest number of and easiest properties to develop within the proposed special use district. Combined, the R1 and R2 exemptions will have an outsized negative impact on efforts to preserve wildlife habitats and corridors citywide with future expansion of the WPO. Curiously, there are no R2 zones within the proposed special use district, which reflects the city's interest in easing development restrictions in hillside areas in other parts of the city that may be part of future WPO special use districts, which is inconsistent and inequitable to residents in other communities where parcels are smaller with higher density.

The exemption of Residential Floor Area restrictions for properties with slope bands equaling or exceeding 60% facilitates development of prime hillside wildlife habitats and encourages oversized homes and structures where they do not belong. The current WPO draft ordinance has increasing RFA restrictions for slope bands between 0-14.99%, 15-29.99%, 30-44.99%, and 45-59.99%. Removing the .30 RFA restriction for slope bands 60% and greater makes no sense based on the logic of RFA restrictions for lesser slopes and will encourage the wealthiest developers to use the latest engineering technologies to build in very steep areas that were widely considered unbuildable in the past. Development in these areas will threaten community sightlines of scenic ridgelines for communities and even encourage development on ridgelines that represent prime wildlife habitats.

Highland Park residents are highly sensitive to perceived inequities in City Planning ordinances and initiatives that are typically afforded to more affluent areas. Over the last 10 years, a broad coalition of east and northeast Los Angeles residents have been lobbying for protection of hillside habitats that define their neighborhoods and present opportunities to cool temperatures and mitigate pollution in the face of dramatic climate change. Some of these areas include Onteora Hillside in Eagle Rock, Poppy Peak in the northeast corner of Highland Park, Arroyo Seco-adjacent areas along the Pasadena and South Pasadena border south to Flat Top in Montecito Heights, Paradise Hill in Lincoln Heights, Rose Hill in Rose Hills, Elephant Hill and Ascot Hills in El Sereno and other areas comprising the Repetto Hills that are home to a broad diversity of flora and fauna. Protection of these habitats and others citywide are essential to maintaining Los Angeles' status as one of the most biodiverse urban areas in the world.

The Land Use Committee of the Historic Highland Park Neighborhood Council urges the Los Angeles City Planning Commission to reconsider the aforementioned exemptions that will significantly weaken the impact of the Wildlife Protection Ordinance and resident hopes for more thoughtful, sustainable land use and management of existing natural resources.

Thank you for your consideration.

Sincerely,

John Collinson

John Collinson
Co-Chair, Land Use Committee
Historic Highland Park Neighborhood Council

cc: Council District 14

Planning CPC <cpc@lacity.org>

Comment re revised draft wildlife ordinance

Joanne DAntonio <montaggiojoanne@yahoo.com> Tue, Nov 15, 2022 at 9:40 PM
To: cpc@lacity.org, Council Member Krekorian <councilmember.krekorian@lacity.org>, Councilmember Blumenfield <councilmember.blumenfield@lacity.org>, Councilmember Nithya Raman <contactcd4@lacity.org>, "paul.koretz@lacity.org" <paul.koretz@lacity.org>, Councilmember Rodriguez <councilmember.rodriguez@lacity.org>, Councilmember Harris-Dawson <councilmember.harris-dawson@lacity.org>, "councilmember.price@lacity.org" <councilmember.price@lacity.org>, "heather.hutt@lacity.org" <heather.hutt@lacity.org>, Councilmember Mike Bonin <councilmember.bonin@lacity.org>, "councilmember.lee@lacity.org" <councilmember.lee@lacity.org>, Mitch O'Farrell <councilmember.ofarrell@lacity.org>, "councilmember.buscaino@lacity.org" <councilmember.buscaino@lacity.org>, "mayor.helpdesk@lacity.org" <mayor.helpdesk@lacity.org>
Cc: conni.pallini-tipton@lacity.org, Kat Superfisky <kat.superfisky@lacity.org>, Patrick Whalen <patrick.whalen@lacity.org>, Jamie Hwang <jamie.hwang@lacity.org>

To the City Planning Commission, City Council, and Mayor,

I express my support for the proposed Wildlife Ordinance, but *non-support* of revisions to the previously released proposed Wildlife Ordinance that run counter to the original purpose of the Wildlife Pilot Study, which is to preserve wildlife connectivity as properties get developed.

Stewardship. Owning property in the hills requires people to respect biodiversity, which is necessary for the health of the entire City. Landowners should do their part to be stewards for the native flora and fauna, and their building projects need to respect this co-existence. Weaking the ordinance loses the years of effort that went into finding a plan for the wildlife to survive and still allow development or rebuilding.

Lot Size. This ordinance needs to be revised to include R1 and R2 Zones and only exempt smaller lots.

Fencing. Apply the locational and opacity standards of the original ordinance to perimeter fencing on undeveloped lots greater than one half acre to allow passage of wildlife. We need permeable fencing in these situations or the whole connectivity effort was in vain.

Site plan review process. None of the triggers for a site plan review are habitat-driven and that this can be corrected with the following "habitat triggers" for site plan review on undeveloped lots in addition to those that were proposed:

- Presence of woodland resources
- Presence of habitat for protected species
- Placement of lot in a mapped habitat block
- Proposed removal of 3 or more protected or significant trees

Open space definition. Restore the following sentence that City Planning deleted from the definition of open space: "Open Space shall also include City owned vacant land that, while not zoned as Open Space, meets the criteria above."

Lighting. Multi-colored LED lights illuminating structures should be prohibited and limits on lighting should be based on per unit of area to achieve a lighting level that is protective of wildlife.

With these important amendments I am in support of support of Council File 14-0518, CPC-2022-3413-CA, CPC-2022-3712-ZC, and Environmental Case Number ENV-2022-3413-CE.

Joanne D'Antonio (individual comment)

Board member, Planning and Land Use Committee Member and Past Chair, Greater Valley Glen neighborhood council (GVGC)
Sustainability Representative, Greater Valley Glen neighborhood council (GVGC)
Neighborhood Council Sustainability Alliance (NCSA) - Trees Committee Chair
Community Forest Advisory Committee Representative (CFAC) for CD 2, and CFAC Enforcement Subcommittee Chair
montaggiojoanne@yahoo.com

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA

Janine Davis <janineldavis@yahoo.com> Thu, Nov 17, 2022 at 7:22 AM
To: "cpc@lacity.org" <cpc@lacity.org>

Re: Item #9 (CPC-2022-3413-CA)

Hello. I'm writing to voice my support for the approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 1. Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process. Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos. Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.

I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Thank you,
Janine

Janine Davis janineldavis@yahoo.com

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Judith Levine <judithdiane@earthlink.net> Wed, Nov 16, 2022 at 10:51 AM
To: cpc@lacity.org

I support the wildlife ordinance because it's the right thing to do.
We must live in harmony with wildlife and protect its very existence.

Judy Levine-Matthews

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Janine Milne <janinemilnestudio@gmail.com>
To: cpc@lacity.org

To: L.A. City Planning Commission,

I am unable to attend this weeks meeting, but want to share that I deeply support the Wildlife Ordinance! We have a tremendous opportunity to provide the city with a blueprint and action tov the wildlife diversity that we are blessed to have in this great metropolis. We know that wildlife, properly cared for, does co-exist with urban development and enhances the physical and emo wildlife alike. I urge the Planning Commission to gift our children and grandchildren with a city that creates more connectivity, that honors the natural environment, and the wildlife we are priv

4304 Goodland Ave.
Studio City 91604
Janine Milne

** Please don't forget to update your records **

NEW EMAIL:
janinemilnestudio@gmail.com



Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Oppose Draft Ordinance and Postpone Hearing

Jay Schuster <officebeachrentals@gmail.com> Wed, Nov 16, 2022 at 4:21 PM
To: CPC@lacity.org

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories
City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form
The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**
That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**
Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**
The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage
Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions
Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures
This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review
7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,
Jay R. Schuster
Affected Resident
1541 Bel Air Road, Los Angeles
officebeachrentals@gmail.com

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Judith Vogelsang (judyvg@aol.com) Sent You a Personal Message Wed, Nov 16, 2022 at 8:45 PM
<kwautomail@phone2action.com>
Reply-To: Judith Vogelsang <judyvg@aol.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

A big part of the attraction to living in Los Angeles is being close to nature and wildlife, unlike in other cities. We must protect and conserve habitats and wildlife in LA.

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Judith Vogelsang
5034 Willowcrest Ave
North Hollywood, CA 91601
judyvg@aol.com
(818) 802-8179
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Wildlife Ordinance

kat kidd <katkdd@yahoo.com> Wed, Nov 16, 2022 at 3:22 PM
To: "CPC@lacity.org" <cpc@lacity.org>

Dear City Planning Commission,

I can not make it to the Zoom meeting on Thursday Nov 17th but I strongly support the Wildlife Ordinance!! It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage **the swift adoption** of this district ordinance so that it can be expanded to sensitive habitat throughout the entire City of Los Angeles.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Thank you!!
Kathryn Kidd

"The greatness of a nation and its moral progress can be judged by the way its animals are treated." -Mahadma Gandhi

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing

Llyswen Franks <llyswenfranks@gmail.com> Wed, Nov 16, 2022 at 11:08 AM
To: "CPC@lacity.org" <CPC@lacity.org>

Dear Planning and CPC.

As a resident who lives in the area that would be affected by the Proposed Wildlife Ordinance, I request the scheduled CPC Hearing on November 17th for the proposed Wildlife Ordinance be rescheduled to a later date. There are two many vague and unanswered questions that still need answers before allowing this to proceed any further. By the lead city planner's own admission in recent office hours held on November 3rd, city planning doesn't know, or was unwilling to share, answers to extremely important questions and issues within the ordinance. Additionally city planning has not created the process by which the resource map will be updated, how site plan review will be conducted, nor do they know what will be in the "Biological Assessment". Without these key components defined, there is no way residents, or CPC Members, can properly assess this ordinance.

City Planning needs to take more time to complete their updated draft, and residents demand proper due process. THIS ORDINANCE IS NOT READY and it will potentially affect thousands of homeowners. Residents absolutely need answers on how this is going to work before you approve it. It is mind-boggling that this would be the fourth special ordinance for this area, yet it has no coordination with the other three. All these hillside ordinances need to be combined into one clear understandable ordinance that is not administered by a committee that can apply it differently to different homes and properties based on vague and undefined parameters. The name should also be changed as it is misleading as it is clearly a building ordinance. It does not state any animals it helps or how it would help any species. A good true wildlife ordinance would protect undeveloped natural land, obtain it legally and keep it undisturbed. At the very least, it should restrict rat poison which is known to cause sickness and death for bobcats and mountain lions.

We do need good clear building ordinances that owners can understand without having to hire expensive special consultants just to fix up their family homes. Please send it back to City Planning for clarification then hold true public outreach.

Thank you,

Llyswen Franks
Sherman Oaks

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Linda Howie (lhowie890@gmail.com) Sent You a Personal Message Wed, Nov 16, 2022 at 4:02 PM
<kwautomail@phone2action.com>
Reply-To: Linda Howie <lhowie890@gmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Linda Howie
5636 Faust Ave
Woodland Hills, CA 91367
lhowie890@gmail.com
(559) 905-5555

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club Angeles Chapter. If you need more information, please contact Wendy-Sue Rosen at Sierra Club Angeles Chapter at rosenfree@aol.com or (213) 387-4287.

Planning CPC <cpc@lacity.org>

PUBLIC COMMENT: SUPPORT for the Wildlife Ordinance

LionelM85@outlook.com <LionelM85@outlook.com> Wed, Nov 16, 2022 at 10:51 PM
To: "cpc@lacity.org" <cpc@lacity.org>, "ourla2040@lacity.org" <ourla2040@lacity.org>
Cc: "lena.mik@lacity.org" <lena.mik@lacity.org>, "alexander.linz@lacity.org" <alexander.linz@lacity.org>, "kat.superfisky@lacity.org" <kat.superfisky@lacity.org>, "conni.pallini-tipton@lacity.org" <conni.pallini-tipton@lacity.org>, Councilmember Blumenfield <councilmember.blumenfield@lacity.org>, "nithya.raman@lacity.org" <nithya.raman@lacity.org>, "councilmember.krekorian@lacity.org" <councilmember.krekorian@lacity.org>, "councilmember.bonin@lacity.org" <councilmember.bonin@lacity.org>, Councilmember Rodriguez <councilmember.rodriguez@lacity.org>, Council District 6 <councildistrict6@lacity.org>

November 14, 2022

Los Angeles City Planning Commission
200 N. Spring Street, Suite 525
Los Angeles, CA 90012
Via: cpc@lacity.org

Re: **SUPPORT** for Wildlife District Ordinance (CPC-2022-3413-CA and CPC-2022-3712-ZC) WITH AMENDMENTS

Dear City Planning Commissioners:

I **SUPPORT** the Wildlife Ordinance. I have strongly advocated for the protection of wildlife and habitat in Los Angeles City and County. I have reached out to various Neighborhood Councils to rally support for the Wildlife District Ordinance. I am concerned about the negative impact that land development and habitat destruction will have on wildlife and the fragile ecosystem.

I go hiking, and I enjoy being around Nature. I don't want to see any more destruction.

I urge you to please do the right thing and protect our wildlife and the environment from further destruction.

Many of the protections from the previous DRAFT were removed, and I urge you to reinstate those protections for wildlife and for habitat.

Please, fix the DRAFT to include the protections. In addition, please listen to the concerns of Wildlife and Environmental Advocates.

Thank you so much for your consideration.

Best Regards,

LIONEL MARES
Sun Valley, CA 91352

CITY OF LOS ANGELES
CALIFORNIA

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HYPERION EXECUTIVE PLANT MANAGER

1149 SOUTH BROADWAY, 9TH FLOOR
LOS ANGELES, CA 90015
TEL: (213) 485-2210
FAX: (213) 485-2979

November 16, 2022

RE: LA Sanitation & Environment's Biodiversity Team Supports the Wildlife Ordinance

LA Sanitation and Environment (LASAN) is proud to lead the City's biodiversity efforts to protect and enhance the diverse array of native plants and animals that call Los Angeles home. Unfortunately, our biodiversity is under threat from habitat loss, climate change, and pollution. It is our responsibility as Angelenos to address these threats and ensure that ecosystems are protected, enhanced and restored. The LASAN Biodiversity team has created a special tool, the LA City Biodiversity Index, that monitors 25 metrics that collectively assess progress toward the no-net loss of native biodiversity target presented in Mayor Garcetti's Green New Deal. The first measurement of the index yielded an abysmal score of 37 out of a possible 110 points, suggesting that a huge amount of work remains to be done to prevent biodiversity collapse in Los Angeles. This low score should serve as a call to action to appointed and elected officials, the City family, and all Angelenos that we must all engage to protect biodiversity and ensure that future projects and development allow residents to co-exist with wildlife.

The proposed Wildlife Ordinance is a crucial step in ensuring that future developments in our hillsides are wildlife-friendly and preserve wildlife connectivity. LASAN's Biodiversity Team strongly supports adoption of the Wildlife Ordinance. We urge the City Planning Commission to consider reincorporating elements present in previous iterations, particularly those related to setbacks, walls, and wildlife-friendly/permeable fencing, to ensure that this ordinance will preserve and enhance permeability and wildlife movement as it was intended to do.

Sincerely,

Mas Dojiri

Mas Dojiri, PhD, BCES
Assistant General Manager
LA Sanitation and Environment

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

MARY ELLEN BRADEN <bradenplus@aol.com> Thu, Nov 17, 2022 at 2:46 AM
Reply-To: MARY ELLEN BRADEN <bradenplus@aol.com>
To: "cpc@lacity.org" <cpc@lacity.org>

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.

Please help to insure that future generations can enjoy & benefit from the preservation of wildlife & precious lands.

Sent from the all new AOL app for Android

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

meggeorg@gmail.com <meggeorg@gmail.com> Tue, Nov 15, 2022 at 10:44 PM
To: cpc@lacity.org

To: Honorable Members of the CPC

From: Meg George

I strongly recommend that you adopt the Wildlife Ordinance with tha amendments put forth by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Sincerely,

Meg George

Fair winds and following seas, Meg

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Mandi <sallystardust@gmail.com> Wed, Nov 16, 2022 at 5:04 PM
To: patrick.whalen@lacity.org, cpc@lacity.org
Cc: +info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Mandi Moss Holmes - 90042

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA / Wildlife Ord.

Marianne King <making@socal.rr.com> Wed, Nov 16, 2022 at 7:54 PM
To: cpc@lacity.org

Dear Planning Commissioners,

I wish I could support this Ordinance, but I can't. The original draft was far better than the revised. It's seems we are acquiescing to confused and concerned property owners over the goals and objectives of the Wildlife Ordinance. It's unfortunate this didn't start with the mostly undeveloped hillsides like here in Chatsworth. It should be made clear this isn't just about the pilot communities, this is about any WLD that comes in after. So if we have a WLD Supplemental Use District TEMPLATE that is weak from the get go, other different or more sensitive areas will be adversely impacted.

The most important things that stood out to me was the entire removal of ridgeline protection; how wildlife can safely navigate hillside communities/roads; and that we continue with the mindset that significant trees can be "replaced." I have seen within two weeks and my guess today, that 400 significant trees can be wiped out on two proposed projects without the blink the of eye from a city planner or higher level decision makers.

I strongly believe there should be a 5-foot "unobstructed" front yard setback without fences to facilitate the safe movement of wildlife on hillside roads. I strongly believe that development on predominately undeveloped ridgelines is unacceptable. Lastly, I strongly believe that healthy mature significant trees should have the same status as "protected trees".

Without power and internet out today, I only got thru 150 pages of comments. I will say, the comments that spoke to me the most was from the Bel Air /Beverly Crest NC, CLAWS, CFAC (3 or more significant trees should equal site plan review) and CNPS (yes, why is a planted native plant or tree not worthy of protection?) – like wildlife knows the distinction?

I hope you will take your take time with this very important decision.

Sincerely,

Marianne King

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Marsha Novak <mnovak@ucla.edu>
Reply-To: mnovak@ucla.edu
To: CPC@lacity.org

Wed, Nov 16, 2022 at 3:07 PM

November16,2022

Los Angeles City Planning Commission

200 N. Spring Street, Ste 525

Los Angeles, CA 90012

Dear City Planning Commissioners:

I highly support the Wildlife District Ordnance (CPC-2022-3413-CA and CPC-2022-3712-ZC) WITH AMENDMENTS. I have lived in the area that the ordinance covers since 1986 and each year I see less and less wildlife as more and more mega mansions are built in the area. These mega mansions not only affect the wildlife but also the quality of life of the people that live in this area. For over 10 years, we have been barraged by the noise and traffic created by constant knocking down of houses which are replaced by huge houses. How can wild animals live with the noise, increased traffic and they getting their access blocked off? They can't.

I just wish that it would have passed before a developer bought the house across the street from us and also the house next to us. I purposely bought my house due to the view I have of Santa Monica Bay, Palos Verdes and Catalina Island and the privacy I had in my backyard. I also decided to buy in this area because of the wild animals that I would see in my backyard and around the neighborhood. Currently, wildlife are able to go into my unfenced upper backyard due to the fact that others have left a corridor behind their houses for animals to use. I am concerned that the developer will fence up to the property line of the houses above us and animals will no longer be able to use my backyard. As for my view and privacy, I will have a month or so more to enjoy that.

I don't think that developers should have any say on this ordinance and somehow, only comments made by residents who actually live in the area should be counted. Unfortunately, some of those property owners believe the lies that the developers tell. No matter what property owners say, so many of the houses on Roscomare, Linda Flora and Stradella are not homeowners who need to have more room for children or having Grandma and Grandpa move in but are developers who don't care about wildlife and only care about making a huge profit.

Thank you.

Marsha Novak

2162 Roscomare Rd

Los Angeles, CA 90077

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Nina Beckhardt <nbeckhardt@gmail.com> Wed, Nov 16, 2022 at 6:52 PM
To: patrick.whalen@lacity.org, "cpc@lacity.org" <cpc@lacity.org>
Cc: info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Nina Beckhardt

Zip code: 90065

--
nina beckhardt



781.424.9290

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Nora Doyle (noramdoyle@gmail.com) Sent You a Personal Message Wed, Nov 16, 2022 at 10:35 PM
<kwautomail@phone2action.com>
Reply-To: Nora Doyle <noramdoyle@gmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

This is a good compromise that will benefit wildlife and angelenos. Please support!

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Nora Doyle
3838 Vantage Avenue
Studio City, CA 91604
noramdoyle@gmail.com
(818) 508-6963
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Sohan Noah Youngelson <sohanmonk@gmail.com> Wed, Nov 16, 2022 at 6:23 PM
To: cpc@lacity.org

Dear planning committee,

As a long time LA resident:

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Knowing that life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation, we must combat this crisis through bold action. We need to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Thank you,

Noah Youngelson

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Pat Dunay (Jerseypat@att.net) Sent You a Personal Message Wed, Nov 16, 2022 at 4:27 PM
<kwautomail@phone2action.com>
Reply-To: Pat Dunay <Jerseypat@att.net>
To: cpc@lacity.org

Dear LA City Planning Commission,

In this crazy world, nature is satisfying to the soul. I feel replenished when I spend time outside. We need to protect the earth. It is calming to see seasons change.....it is exciting toobserve wildlife.

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Pat Dunay
15454 Deerhorn Road
Sherman Oaks, CA 91403
Jerseypat@att.net
(818) 995-3258
[Quoted text hidden]

Planning CPC <cpc@lacity.org>

11-17-22 Planning Commission Meeting Item #9 CPC-2022-3413-CA SUPPORT

healypatt@aol.com <healypatt@aol.com>
Reply-To: healypatt@aol.com
To: "cpc@lacity.org" <cpc@lacity.org>

Wed, Nov 16, 2022 at 6:45 PM

Honorable Commissioners, I fully support this Ordinance. But could easily be made more beneficial to wildlife if two existing parts of the Ordinance were amended. First the square footage of a development project to trigger site plan review must be reduced from the current 7,500 sf to closer to 3,000 sf. Second, development proposed next to any vacant City-owned property (excepting out DWP and Recreation and Parks) should require site plan review even if that parcel is not currently zoned as open space.

Transparency in its execution is important.

Include the recommendations of the Center of Biological Diversity.

It is important to preserve wildlife and our wildlands for the sake of current and future residents of Los Angeles.

Thank you for considering my comments.

Respectfully.

Patt Healy

To: cpc@lacity.org, Patrick.whalen@lacity.org

Subject: SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

· Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.

· Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.

· The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:

o Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5

o Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Patricia Moncada

Patricia Moncada

90032

Planning CPC <cpc@lacity.org>

“Item #9 (CPC-2022-3413-CA)- Wildlife Corridor

Patty Shenker <pattyshenker@gmail.com> Thu, Nov 17, 2022 at 7:43 AM
To: cpc@lacity.org

Dear Planning Commissioners,

Our City of Angels has a great opportunity now to do right for the fragile biodiversity who live here. Most Los Angelenos, including my family and me, want our city’s diverse population of wildlife, which includes raccoons, bobcats, cougars, coyotes, deer, hawks and owls, to not only survive but thrive.

This ordinance, with the amendments proposed by the Center for Biological Diversity and other environmental groups, would establish sensible development standards in the eastern Santa Monica Mountains for all new construction and protect the remaining natural areas of the city and help build a climate-resilient future for not just wildlife but all Angelenos.

The greatest threats to all these endemic species are habitat destruction, degradation, and fragmentation due to residential and recreational development. We know that we cannot possibly protect & save species if their environment is not secured. Most of us feel as was stated before- that it is time for people to understand that what is left of dwindling open space is more valuable than a bigger and bigger home. Unless we secure the environment that our indigenous species live in, we can’t possibly protect the species.

I believe that we who live here & you who represent our city have an environmental & moral duty to protect them & pass this wildlife ordinance. As Elizabeth Kolbert, Pulitzer Prize-winning author of The Sixth Extinction, writes- “The current extinction has its own novel cause: not an astroid or a massive volcanic eruption but ‘one weedy species.’”
Let’s not be that weedy species here.
Please pass this ordinance!

Thank you for your time and attention.
Patty Shenker and Doug & Julia Stoll
5441 Dubois Ave.
Woodland Hills, Ca. 91367

Planning CPC <cpc@lacity.org>

CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE - Postpone Hearing and Oppose Ordinance

sz@schuster-zingheim.com <sz@schuster-zingheim.com> Wed, Nov 16, 2022 at 4:19 PM
To: CPC@lacity.org

If CPC members have not had sufficient time to read and understand the full, 600-page Planning Department Staff report, including appendices, and to read all the comments submitted by the public, the CPC should postpone consideration of Wildlife Ordinance, as the CPC cannot make an informed decision without having read and understood the full staff report and all public comments.

Dear CPC Members,

I am an affected property owner within the proposed Wildlife Supplemental Use District ("WLD"). The original City Council motion directed the Planning Department to develop an ordinance that would preserve and protect existing wildlife corridors and remaining undeveloped wildlife habitats. It would seem that the proposed Wildlife Ordinance, does not accomplish those goals. Instead it burdens homeowners with unnecessary development regulations.

When the revised proposed Wildlife Ordinance is applied to fully developed and well-established neighborhoods such as those found in the WLD, **it simply does not work**. **I oppose this ordinance due to existing fire safety issues, public safety issues, and violations of State law. Given the massive area this ordinance will be applied to, and regulations possibly resulting in increased animal deaths, this ordinance is not exempt from CEQA.**

In order to make the proposed Wildlife Ordinance better, and provide due process to the stakeholders, I suggest the following:

A. **Proper Due Process:**

New Resource Buffer Categories

City Planning Department should not be given the ability to add new Wildlife Resource Categories and new Resource Buffer Categories without treating them as amendments to the Wildlife Ordinance, requiring the same procedures as were followed with the Wildlife Ordinance. The CPC should not vote on the Wildlife Ordinance until details of the procedure have been available to the public for 30 days prior to the CPC consideration and vote.

Administrative Clearance application form

The CPC should not vote on the Wildlife Ordinance until the Administrative Application form has been available to the public for 30 days prior to the CPC consideration and vote.

Biological Assessment –Details of the Biological Assessment requirements have not yet been formulated by the Planning Department - these must be disclosed to the public at least 30 days prior to a CPC vote.

B. **Exemption of City from WO Regulation**

That Development by the City NOT be exempt from the WO regulations

C. **Open Space Definition**

Clarification is needed for "utility easements". The land under distribution lines on residential streets, for example, must not be included in this definition

D. **Applicability: New Construction, Major Remodels, Additions**

The Wildlife Ordinance should not apply to already developed lots. Smaller, older homes, like many of those in our neighborhood, will be unduly burdened.

E. **Regulations:**

Overall height, Grading, RFA and Lot Coverage

Altering existing building code will result in a violation of State Law. The City needs to properly analyze loss of "development capacity" in the proposed WLD and concurrently up-zones elsewhere. This has not been done.

Tree removal, replacement and dripline prohibitions

Non-native Significant Trees should be removed from this Section. A 2-for-1 replacement scheme is a potential fire hazard and runs counter to CalFire recommendations and the Planning Department's own PAWs Report.

Additionally, the Planning Department's own staff report admits that trees contribute to bird/window collisions. **Note: Both the increased fire danger and the increased bird strikes disallow a CEQA exemption.**

Trash Enclosures

This section must be removed. There is no evidence that wildlife is accessing the existing Bureau of Sanitation supplied trash cans. Planning Department confirms these mandated structures would not be permitted in the front or side setbacks. Many homes have small rear yards and requiring the trash cans to be housed in these back yard is unsightly, smelly, unreasonably interferes with homeowners' use of their property, and can be extremely difficult for people to navigate side yard steps.

Site Plan Review

7,500sf is too small to trigger this process. Specific Site Plan Review criteria should be substituted for, or added to, the subjective ones in the Wildlife Ordinance. Otherwise the amorphous and subjective guidelines may result in unequal application and potential graft. Site Plan Reviewers should include a biologist with graduate degree, and a licensed architect, so as to ensure that reviewers have the requisite expertise for the task. Public Safety and minimization of wildlife-human interactions should be included in criteria/guidelines.

Thank you,

Patricia K. Zingheim

Affected Resident

1541 Bel Air Road, Los Angeles

sz@schuster-zingheim.com

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Riyaana Hartley <bgirldvine@gmail.com> Wed, Nov 16, 2022 at 6:06 PM
To: cpc@lacity.org

To whom it may concern ,

I'm writing as an active member of my local community, advocate for the environment and the well being of my neighbors here in LA. It's come to my understanding that developers are pushing back on measures that would serve to protect wildlife in the area and I want my voice to be heard in opposition to those special interest, big money groups!

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Please be a champion for preserving what is left of our natural world here in LA!!!

Sincerely & With Gratitude,

--
Riyaana Hartley
Co-Founder | Director | Producer
Love Entertainment

This transmission is intended solely for the person or organization to whom it is addressed and it may contain privileged and confidential information. If you are not the intended recipient you should not copy, distribute or take any action in reliance on it. If you believe you received this transmission in error please notify the sender.

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Rachel Jones <jones.rachelelizabeth@gmail.com> Wed, Nov 16, 2022 at 11:39 AM
To: "cpc@lacity.org" <cpc@lacity.org>, "patrick.whalen@lacity.org" <patrick.whalen@lacity.org>
Cc: Coyotl Macehualli <info@coyotlmacehualli.org>

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

•Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.

•Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.

•The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:

- Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
- Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,
Rachel Jones
90032

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Rose Serna <highlandparklifer@gmail.com> Wed, Nov 16, 2022 at 5:53 PM
To: patrick.whalen@lacity.org, Planning Cpc <cpc@lacity.org>
Cc: Coyotl Macehualli <info@coyotlmacehualli.org>

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
  - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
  - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

Rosemary Serna

90042

Sent from my iPhone

Planning CPC <cpc@lacity.org>

SUPPORT for the wildlife ordinance

Steve Dildarian <sdildarian@gmail.com> Thu, Nov 17, 2022 at 5:31 AM
To: CPC@lacity.org

Hello,

I want to add my name to the list of people who strongly support the wildlife ordinance, WITH the amendments being proposed by the Center for Biological Diversity.

Thank you,

Steve Dildarian
2481 N. Edgemont Street
Los Angeles, CA 90027

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Susan Drake <susan.drake@aol.com>
To: cpc@lacity.org

Wed, Nov 16, 2022 at 2:07 PM

We MUST protect our wildlife.

I strongly support the Wildlife Ordinance. It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage the swift adoption of this district ordinance so that it can be expanded to sensitive habitat throughout the entire City of Los Angeles.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park. PLEASE!!!

Sincerely,
Susan Wilson Drake

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Sue Iri <sirigrafx@gmail.com> Wed, Nov 16, 2022 at 9:54 PM
To: cpc@lacity.org

November 16, 2022

Re: Item #9 (Wildlife District Ordinance; case numbers CPC-2022-3413-CA, CPC-2022-3712-ZC, ENV-2022-3414-CE) – ***Support if Amended***

Los Angeles City Planning Commission
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012
cpc@lacity.org
ourla2040@lacity.org

Dear Los Angeles City Planning Commission:

I am a 44 year resident of Los Angeles in the Silver Lake district and have a great attachment to Griffith Park and the wild places that still exist in and around Los Angeles.

I am a frequent hiker in Griffith Park and see huge changes in the natural aspect of the Park, and not for the better. The environment shows great stress due to climate change, and the birds and wildlife are also diminishing in numbers and probably in species strength. This is all without the addition of additional human intervention in the form of building, grading, tree removal, traffic, congestion, noise, pollution, fires and everything that goes into construction and intrusion into otherwise wild areas.

I strongly approve of the Wildlife Ordinance, with the Amendments proposed by the Center for Biological Diversity, the Citizens for Los Angeles Wildlife, the Sierra Club, Brentwood Alliance of Canyons & Hillsides and the Friends of Griffith Park. We have a precious and unique collection of wildlife and wild places for a major city, and we must NOT squander them to make way for profit-driven planning.

Please protect our biodiversity and open spaces for both people and wildlife.
Sincerely,



Sue Iri
2755 Angus Street
Los Angeles, CA 90039
sirigrafx@gmail.com

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance

Stella Oganesyan <stellaoganesyan00@gmail.com> Wed, Nov 16, 2022 at 2:25 PM
To: cpc@lacity.org

Dear City Planning Commission,

My name is Stella Oganesyan. I live at 8608 Foothill Blvd in Sunland-Tujunga, but I work in 404 Westwood Plaza at UCLA.

I strongly support the Wildlife Ordinance. It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage the swift adoption of this district ordinance so that it can be expanded to sensitive habitats throughout the entire City of Los Angeles.

It will prevent close encounters between potentially dangerous wildlife and humans in two ways: 1. This will reduce development that encroaches on the limited available habitat for these animals, and 2. This will provide more habitat for these animals so they are not forced to roam in our cities.

Native plants are imperative to our environmental well being. They are all adapted to low water intake. In fact, there are native species that expect no water at all during our summer months, and thrive using only the limited rainfall from the rest of the year. Encouraging native plant landscaping means less water is wasted on watering.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Thank you,
Stella Oganesyan, a concerned citizen

Stella Oganesyan | LinkedIn
UCLA 2022
Anthropology B.A.
Linguistics, Conservation Biology Minors

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Susan Suntree <sfsuntree@gmail.com> Wed, Nov 16, 2022 at 9:00 PM
To: cpc@lacity.org

Please take action to protect what little we have:

- I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.
- Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.
- Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.
- Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. Continued preservation and increased access will help ensure all Angelenos experience the physical and mental health benefits of nature.
- The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.
- I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Sincerely, Susan Suntree

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Suzanne S <suzysurtees@gmail.com> Wed, Nov 16, 2022 at 4:30 PM
To: cpc@lacity.org

I strongly support the approval of a wildlife ordinance with the amendments proposed by the Center for Biological Diversity on Nov.14th.
We need to expand the number of properties for the site plan.
We need to preserve biodiversity and community wildlife through our natural areas.
This will help our local mountain lions.
Thanks,
Suzanne Surtees
10501 Wilshire Blvd, 2306, Los Angeles, CA 90024.
Suzysurtees@gmail.com

San Pascual Arroyo Seco Wildlife Preservation

Historicgarvanza.com@gmail.com

November 16, 2022

Los Angeles City Planning Commission

cpc@lacity.org, patrick.whalen@lacity.org

Re: SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

Dear City Planning Commissioners,

The San Pascual Arroyo Seco Wildlife Preservation organization strongly supports **the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:**

It is crucial that due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.

Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles. In our neighborhood of Highland Park, we have ridgelines, hillsides, green belts, and the Arroyo Seco that support wildlife and provide

connectivity to different areas throughout NELA, the San Rafael, Repetto Hillsides and the San Gabriel Mountains. The concern of owners was they would not be allowed to build back the same size as their current residence. A better solution would be to allow R1 owners to build back to the same size as their current residence if their house is lost due to wildfire. But in no event should R1 and R2 lots be excluded entirely. Excluding R1 and R2 would largely make the Wildlife Ordinance ineffective as these are needed for connectivity.

The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:

- o Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
- o Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

San Pascual Arroyo Seco Wildlife Preservation

Highland Park, CA

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Silver Lake Wildlife Sanctuary <silverlakewildlifesanctuary@gmail.com> Thu, Nov 17, 2022 at 7:35 AM
To: CPC@lacity.org
Cc: nithya.raman@lacity.org, Helene Rotolo <helene.rotolo@lacity.org>, mitch.ofarrell@lacity.org

To the LA City Planning Commission:

Our organization, Silver Lake Wildlife Sanctuary and its over 800 members, strongly supports approval of the Wildlife Ordinance with the amendments proposed in the coalition letter of Nov. 14.

We also strongly support significantly expanding the number of properties for which the Site Plan Review applies and strengthening the Site Plan Review to ensure it is a public and transparent process.

Our Silver Lake Reservoir is a designated national birding hotspot by the Cornell Lab of Ornithology, with the greatest number of cumulative high counts of waterbirds in comparison to other reservoir/wetland habitats in the Los Angeles area. In addition, we are all part of Los Angeles' designation as an international bio-diversity hotspot within the California Floristic Province by Conservation International.

For these reasons, Silver Lake Reservoir is a Protected Area for Wildlife (PAW) under the Wildlife Ordinance. We are an urban wildland increasingly in danger of becoming more urban than wild. The expansion of this Ordinance to the entire City of Los Angeles cannot come soon enough for the wildlife and birds that need its protection.

We urge the swift adoption of the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Thank you,

Jane Cook
1302 Westerly Terrace
LA CA 90026

Mike Krose
2166 Moreno Dr.
LA CA 90039

Freda Shen
2658 Griffith Pk Blvd #136
LA CA 90039

on behalf of Silver Lake Wildlife Sanctuary

Planning CPC <cpc@lacity.org>

SUPPORT City of Los Angeles Wildlife Ordinance with Amendments

Theresa Brady (terriebrady@gmail.com) Sent You a Personal Message Wed, Nov 16, 2022 at 6:27 PM
<kwautomail@phone2action.com>
Reply-To: Theresa Brady <terriebrady@gmail.com>
To: cpc@lacity.org

Dear LA City Planning Commission,

I strongly support the City?s Wildlife Ordinance with amendments and ask that you vote to recommend this ordinance to the Los Angeles City Council without delay. This Ordinance will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests.

Please adopt the Wildlife Ordinance with the amendments requested by Sierra Club California, Santa Monica Mountains Conservancy, Citizens for Los Angeles Wildlife, and Center for Biological Diversity.

Thank you for your support.

Sincerely,

Theresa Brady
15750 arroyo dr
Moorpark, CA 93021
terriebrady@gmail.com
(818) 349-8889

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club Angeles Chapter. If you need more information, please contact Wendy-Sue Rosen at Sierra Club Angeles Chapter at rosenfree@aol.com or (213) 387-4287.

Planning CPC <cpc@lacity.org>

SUPPORT for the Wildlife Ordinance - suggested amendments to your most recent draft

Toochis r <zimorrific@gmail.com> Wed, Nov 16, 2022 at 11:21 PM
To: cpc@lacity.org

Los Angeles City Planning Commission 200 N. Spring St

RE: SUPPORT for Wildlife District Ordinance (CPC-2022-3413-CA and CPC-2022-3712-ZC) WITH AMENDMENTS

Dear City Planning Commissioners:

Wildlife and their ability to thrive is crucial for us as a species and the health and character of Los Angeles.

I support Citizens for Los Angeles Wildlife (CLAW) a non-profit environmental organization concerned with the wellbeing of wildlife and wildlife habitat for the City of Los Angeles and beyond. I join a citizenry of more than 5,000 individuals support our organization's multiple calls for practices and policy to benefit biodiversity in LA City, County, California and the globe. CLAW, therefore, joins the Los Angeles Times (editorial attached), LA Hillside Councilmembers, and thousands of hillside stakeholders who have been following and supporting the carefully crafted regulations of the Wildlife Ordinance through the years. We recognize that the ordinance supports the State's efforts to enhance biodiversity, and also helps to achieve goals and targets related to staving biodiversity loss as outlined in LA's Green New Deal.
CLAW urges the Planning Commission to support the proposed regulations of the latest draft of the Wildlife Ordinance (WO), and also make amendments to strengthen its effectiveness.

Please support the following (justifications are on the next page):

1. Wildlife Resources – Revert to regulations in the WO draft 2; development 50 feet from open space resources must go to Site Plan Review. The current draft's reduction to a 25 foot buffer does not suffice. Further, non-contiguous buffers divided by a road should trigger Site Plan Review, as well.

2. Lot Coverage – Revert to regulations in the WO draft 2; make no exemptions for R1 and R2 lots. Lot coverage is an essential spatial consideration especially for narrow habitat linkages and chokepoints and the proposed exemptions are inconsistent and inequitable to neighborhoods with average-size residential lots.

3. Residential Floor Area – Revert to regulations in the WO draft 2; the current draft's change will allow Severe Slopes in floor area calculations; however, Severe Slopes need to be removed to reduce the impact for projects of all sizes, especially near ridgelines.

1. Wildlife Resources Buffer
Why this matters to wildlife: Resource buffers identified in the ordinance contribute to the existing habitat and wildlife corridors that run through the Santa Monica Mountains. Every time those areas are reduced or narrowed, the risk increases for bottlenecking and chokepoints. For healthy ecosystems to remain, there needs to be functioning connective habitat. In addition, nearby development needs to be regulated as an "area of Inclusion," meaning that all nearby projects to open space should have limitations in mass, lighting, fencing, height, and impervious surfaces. Much of this can be achieved in Site Plan Review, but the reduced open space buffer from 50 feet to 25 feet will remove many projects from oversight and threaten wildlife resources. Moreover, while a 25 foot buffer will send projects on both sides of open space resources to Site Plan Review, an equally important project across the street from open space will not trigger Site Plan Review. To allow an undeveloped lot directly across the street from parkland to be exempted from Site Plan Review would be unacceptable. CLAW proposes to reinstate the 50 foot open space buffer or to make the 25 foot buffer a non-contiguous measurement, i.e. a distance that omits improved and paper roads from its measurement.

2. Lot Coverage
Why this matters to wildlife: Lot coverage in the ordinance includes hardscape and other obstacles inside the lot area aside from the home. If a lot is exempted from lot coverage and permitted to fill the entire area with built environment from lot line to lot line without allowing for wildlife thoroughfare, then the property will contribute to wildlife blockages or

drastically narrow passageways. These are outcomes in direct opposition to the intent of the ordinance. Lots, no matter the size, especially the last open lot on a block, and especially if abutted by developed and fenced properties, have the potential to block animal pathways unless regulated against doing so. Since the latest draft has removed setbacks, fencing, and other spatial elements from the ordinance, the R1 and R2 exemption must not be allowed. Moreover, R1 and R2 lots vary a great deal in size and using this standard is an unfair standard for neighborhoods trying to preserve wildlife connectivity.

3. Residential Floor Area
Why this matters to wildlife: Historically, steep slopes (like other biological resources including water and trees) created natural thoroughfares for wildlife to cross terrain. However, with engineering advancements, building has crept up the steepest terrain of the Santa Monica Mountains and created larger homes that are contributing to blockages where wildlife used to cross. Excluding Steep Slope (60% and above) from floor area calculations would help reduce mass on all projects within the pilot district and has been included in all previous iterations of the ordinance. Given that ALL ridgeline regulations have been remove from the current ordinance draft, excluding Severe Slope becomes a necessary tool to manage mass near ridgelines and should be reinstated.

Thank you for receiving CLAW's comments. CLAW urges the LA City Planning Commission to adopt the pilot Wildlife Ordinance. We also thank the Planning Department for making wildlife habitat and connectivity a priority through the creation of the Wildlife Ordinance.

Sincerely,

Toochis Rose
Hillside dweller in NELA

NOTE:

CLAW is a public benefit non-profit 501(c)(3) environmental organization that works to protect and restore the environments of wildlife of Los Angeles and California from dwindling open spaces.

Please also note:

Editorial: If we want wildlife to thrive in L.A., we have to share our neighborhoods with them
latimes.com/opinion/story/2022-11-07/los-angeles-wildlife-district-ordinance By The Times Editorial Board Nov. 7, 2022 5 AM PT November 7, 2022

Los Angeles abounds with wildlife, and now the city is creating its first wildlife ordinance that would regulate development to protect wildlife and biodiversity unique to Southern California. Above, a deer stands on the edge of a field near a row of residences. (Citizens for Los Angeles Wildlife)
No one knows exactly how the young male mountain lion found resting near a country club on a busy street in Brentwood last month got there. But he probably left a hillside perch, made his way through a residential neighborhood, then crossed San Vicente Boulevard. Had

he never been spotted (and tranquilized and returned to the Santa Monica Mountains without incident) he would have probably hunkered down under cover of trees, waited for night and then returned to the hills.
Although a daytime sighting of a mountain lion in an urban neighborhood is rare, Los Angeles abounds with wildlife. For decades, development has encroached upon open space and hillside habitats, endangering the existence of Southern California mountain lions and other animals and species of plants. Now, the city is creating its first wildlife ordinance that would comprehensively regulate development to protect the biodiversity of Los Angeles.
Eight years ago, City Councilman Paul Koretz introduced a motion calling upon the planning department to craft a wildlife ordinance. When the necessary funding for this effort was finally allocated to the department three years ago, it began working with ecologists, the Santa Monica Mountains Conservancy and community wildlife advocates, including Citizens for Los Angeles Wildlife, to strike a balance between allowing new construction while ensuring the survival of the wild animals that are living on this land.
On Nov. 17, the ordinance goes to the Planning Commission, which can recommend approval to the L.A. City Council or ask for changes before doing so. The City Council has to vote it into law.
The proposed ordinance would create a wildlife district in the Santa Monica Mountains, between the 405 and 101 freeways that includes neighborhoods in Studio City, the Hollywood Hills and Bel-Air. Within that district, the city would dictate how much of the lot can be covered by structures, the height of homes, the type of outdoor lighting and the landscaping required. The ordinance also addresses the kinds of fencing materials allowed, so animals won't get injured, and the treatments of glass windows over a certain size to discourage animals from running into them.
The goal is to maintain and enhance habitat so that animals can travel through these areas easily without getting blocked or hurt, and to have plantings that are fire-resistant and native to the environment as well as provide food for animals.

The ordinancewould apply only to new construction, extensive remodeling of the existing structures or an addition 500 square feet or more. The wildlife district could be expanded in the future to include other areas of the city with wildlife and plant populations that should be protected.

The proposal has faced opposition from some hillside residents who say they love wildlife — “I have 10 bird feeders on my property,” said one homeowner — but saw the ordinance as a violation of property rights.

It’s not. The proposed ordinance places reasonable restrictions on private land located in sensitive habitat to protect the wildlife and biodiversity that are unique to Southern California. In fact, some wildlife experts argue the current proposed ordinance isn’t as strong as it should be.

The planning department initially proposed restricting all houses and other structures on parcels in the wildlife zone to 50% of the lot. Owners of smaller single-family lots, however,

complained vociferously that it was too onerous to comply with. So, in the current draft, the department exempted smaller single-family lots, which make up about 6% of 23,000 acres within the proposed district.

Experts who have spent years studying wildlife connectivity paths through this area say it is the smaller parcels that, once they are built up, could close off a last remaining cut-through or pathway for wildlife. That would undermine what the city should be trying to do, which is to help the movement of animals across this entire district.

A wildlife ordinance is a necessary tool for maintaining the biodiversity in hillsides where it’s dwindling. The only way to do that is to make sure these habitats don’t get overbuilt. That means some restrictions on land use. Los Angeles is not the first region to create a wildlife ordinance. Ventura County passed one in the last few years that protects a chunk of the county.

If there are no corridors for wildlife movement and if excessive excavation of dirt to build bigger, taller houses erodes the slope of a hillside, then we are slowly destroying wildlife habitat. For those people fretting about what this will do to their property values — isn’t open space, trees, and wildlife an amenity in these communities?

Animals need to be able to live among us and cross through our neighborhoods and spaces, without them endangering us and without us endangering them.

The Times Editorial Board

The Los Angeles Times’ editorial board determines the positions of The Times as an institution. It operates separately from the newsroom. You can read more about the board’s mission and its members at About The Times Editorial Board.

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Tania Roa <roatania09@gmail.com> Wed, Nov 16, 2022 at 4:27 PM
To: cpc@lacity.org

Good evening,

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.

Specifically, I support significantly expanding the number of properties for which Site Plan Review applies and strengthening Site Plan Review to ensure it is a public and transparent process.

Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Combating this crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.

The ordinance also helps tackle the issue of wildfires. Most recent fires have been started by human ignition and spread quickly through heavily disturbed and developed areas.

I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Thank you,
Tania Roa
--

Tania Roa (she/her/ella)
Environmental writer & speaker
Co-founder and Co-host, *Closing the Gap podcast*
MSc Animals and Public Policy, Tufts University

Planning CPC <cpc@lacity.org>

SUPPORT for the LA Wildlife Ordinance, AMENDED. CPC-2022-3413-CA, CPC-2022-3712-ZC, and ENV-2022-3414-CE

William Hourigan <williamhourigan@gmail.com> Wed, Nov 16, 2022 at 10:54 AM
To: cpc@lacity.org, patrick.whalen@lacity.org
Cc: info@coyotl.macehualli.org

Dear City Planning Commissioners,

I support the proposed LA Wildlife Ordinance, please amend with the following to create a more equitable ordinance:

- Due to the urgency of climate change and the assault on our environmental resources, the ordinance should be expanded to all areas of Los Angeles as a matter of urgency. The City Council has already passed a motion that provides the funds and staff positions needed for the expansion to occur.
- Remove the exemption for lot coverage on R1 and R2 zoned parcels. This exemption is an environmental and land use injustice. Communities of color in Northeast Los Angeles (NELA) have been marginalized with redlining in the recent past and now the exemptions will deprive our communities the ability to preserve wildlife. The average home and parcel size in NELA is much smaller than the more affluent West LA pilot district. Exempting parcels based on zoning destabilizes equity and the environmentally sustainability of Los Angeles.
- The narrowly defined "Wildlife Resource" trigger is weak and not inclusive. Site Plan Review will NOT be triggered for a substantial amount of development projects resulting in significant habitat loss. The following additional "habitat triggers" will strengthen and include the protection of more habitat:
    - Presence of “habitat for protected species” per Govt Code Section 65913.4(a)(6)(J) 5
    - Proposed removal of 3 or more protected or significant trees

Please approve this historic ordinance with the above amendments. This approval will be crucial in order for the city and state to achieve its environmental goals and protect its natural life, ecology, and citizens alike for generations to come.

Sincerely,

William Hourigan
90032

Planning CPC <cpc@lacity.org>

SUPPORT the Wildlife Ordinance

WARREN TENHOUTEN <wtenhout@ucla.edu>
To: "cpc@lacity.org" <cpc@lacity.org>

Wed, Nov 16, 2022 at 8:18 AM

Dear CPC City of Los Angeles,

I strongly support the Wildlife Ordinance. It will help wildlife survive in our Santa Monica Mountains through carefully crafted development standards that protect both wildlife and property interests. I encourage the swift adoption of this district ordinance so that it can be expanded to sensitive habitat throughout the entire City of Los Angeles.

Please adopt the Wildlife Ordinance with the amendments requested by Citizens for Los Angeles Wildlife, Center for Biological Diversity, Sierra Club, BACH, and Friends of Griffith Park.

Thank you in advance.

Warren D. TenHouten

8854 Lookout Mountain Ave
Los Angeles, CA 90046

Karen Dial
Drollinger Properties
President

John Ruhlen
Ruhlen & Associates
Secretary

Miki Payne
Drollinger Properties
Treasurer

Jack Davis
RE/MAX Estate Properties

Marla Eisenberg
HHLA

Heather Lemmon
Westbluff Realty
and Property Management

Christopher H. Locke
HFH Ltd.

Lara Saab
CBRE, Inc.

Elizabeth Salazar
Equity Office Properties

Donald R. Duckworth
Executive Director

November 14, 2022

Mr. More Song
City Planner
Los Angeles City Planning
200 N. Spring St., Rm. 763
More.song@lacity.org

Re: **6501 S. SEPULVEDA BOULEVARD**
CPC 2021-4937-CU-DB-SPR-WDI-HCA

Dear Mr. Song,

On behalf of the Westchester Town Center Business Improvement District (Westchester Town Center BID), this letter is written to express our organization's support for Fairfield's proposed mixed-use project located at Sepulveda and Centinela, which we understand will be before the Citywide Planning Commission later this week.

The WTC BID represents all of the commercial properties located along Sepulveda Boulevard from LAX to City Center Drive and was formed by a coalition of property and business owners to provide improvements that revitalize and enhance the Westchester area, an essential commercial core in the City of Los Angeles and one of its major gateways to the world. Fairfield's project will provide investment in our community on a major corridor and entrance to Westchester. WTC BID values such major improvements and welcomes its very much needed new housing units as well as the investment in new and historic commercial establishments.

WTC BID urges you to support this project and to move it forward as quickly as possible. As we may assist further in any way, please contact me.

Sincerely,

Donald R. Duckworth
Executive Director

C: Board of Directors, WTC BID

8929 S. Sepulveda Blvd., #130
Westchester, CA 90045
310.417-9030 ph • 310.417-9031 fx
www.WestchesterTownCenter.com

WSSM
Westwood South of Santa Monica Blvd Homeowners' Association
P.O. Box 64213, Los Angeles, CA 90064
wssmhoa.org • info@wssmhoa.org
Est. 1971

November 16, 2022

LA City Planning Commission
Department of City Planning
Via Email: cpc@lacity.org

RE: CPC Meeting November 17, 2022 - CPC Agenda Items 9 and 10
CPC-2022-3413-CA / ENV-2022-3712-ZC
CPC-2022-3712-ZC / ENV-2022-3414-CE

Dear Commissioners:

The Westwood Santa Monica Blvd. Homeowners Association supports the creation of a new "Wildlife District," or "WLD" Supplemental Use District and the measures necessary to do so. This measure is of critical importance to all Angelenos – not just those who own property or plan to develop in the hillsides of the Santa Monica Mountains. As such, the comments of property owners who oppose the measure should not carry special weight in the consideration of the measure. All Angelenos look to the Santa Monica Mountains as an important and critical element of Los Angeles ecology. They help to define our City's geology and natural environment. They do not exist merely as a foundation for man-made developments; they are the home and habitat for Los Angeles' wildlife. We must speak for their long-term health, survival and sustainability.

The Planning Department initiated an extensive outreach and engagement process in the development of the proposed Ordinance that will create the new Wildlife District, the need for which has been long acknowledged. We support the proposed Code Amendment to Section 12.04 of the LAMC to amend the Zone Map to apply the Wildlife Ordinance SUD to properties in the Wildlife District boundaries.

While we fully support adoption of the measure, we note that there have been changes made that weaken some of the previously recommended features. We urge the consideration and approval of the amendments suggested by the Sierra Club, Center for Biological Diversity, SM Mountains Conservancy, CLAW and other experts in the field.

We question the exemption of all R1 and R2 lots from lot coverage standards and suggest that exemptions based on smaller lots rather than all R1 or R2 lots would be more appropriate.

The NC Sustainability Alliance's recommendations related to permeable fencing requirements acknowledges the importance of providing such fencing (limiting impermeable fencing to only the front of a property), the application of the permeable fencing requirement to undeveloped lots initially is also a midway point from which to further explore more permanent solutions. The Bel Air Beverly Crest NC

recommendation that on lots greater than a half-acre, if undeveloped or with a demolished house, perimeter fencing must be permeable to allow wildlife to pass through.

The restoration of the ridgeline setbacks that were originally part of a separate ridgeline protection ordinance which was merged into the Wildlife Ordinance is needed.

As proposed, the Ordinance will rely upon a site plan review process. If so, it is important that the recommendations of the Bel Air Beverly Crest Neighborhood Council be considered for inclusion in the Wildlife Ordinance to address the fact that none of the triggers for a site plan review are habitat-driven. Addition of "habitat triggers" for site plan review on undeveloped lots should be considered for adoption:

--presence of woodland resources
--presence of habitat for protected species
--placement of lot in a mapped habitat block
--proposed removal of three or more protected or significant trees

Additionally, we support the recommendations being made that woodlands be considered as a wildlife resource.

It is important that the measure be adopted now and that additional improvements necessary be incorporated over time rather than delay the adoption and implementation of this measure. Our wildlife cannot wait any longer. They are already challenged by the impacts of global warming and insensitive development that has severely impacted their survival in their homeland. Our species cannot survive without our wildlife so, in essence, this measure is not only a measure to protect wildlife, it is a measure that helps to ensure the survival of the habitat which we share and in which we all live.

Thank you for your consideration.

Sincerely,

Barbara Broide

Barbara Broide
President

Planning CPC <cpc@lacity.org>

Item #9 (CPC-2022-3413-CA)

Yazmin Gonzalez <y.gon@verizon.net> Wed, Nov 16, 2022 at 7:22 PM
To: cpc@lacity.org

Dear Los Angeles Planning Commission,

I urge you to lead on biodiversity and community health by supporting these policies so that future generations can benefit from the preservation of wildlife and natural areas.

Life on Earth is experiencing a sixth mass extinction driven primarily by habitat loss and fragmentation. Native landscapes help regulate the climate, purify air and water, pollinate crops and create healthy soil. This crisis requires bold action to protect our remaining natural resources. This not only helps wildlife like imperiled mountain lions, but is essential to building a healthy, climate-resilient future for all Angelenos.

I strongly support approval of a wildlife ordinance with the amendments proposed in the coalition letter submitted by the Center for Biological Diversity on Nov. 14.

Sincerely,
Yazmin Gonzalez
9627 Maple St.
Bellflower, CA 90706