

June 13, 2023

Los Angeles City Council and Los Angeles City Planning
Attention: PLUM Committee c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

RE: THE PROPOSED DRAFT WILDLIFE ORDINANCE (CF 14-0518)

Dear Honorable Members and Los Angeles City Planning Staff,

Our offices are coming together to share our feedback in anticipation of the Draft Wildlife Ordinance being before the PLUM Committee on June 20, 2023. While this effort predates our time in office by many years, we are encouraged at the high level of engagement by community stakeholders, various city departments, and local and regional elected officials on this topic.

We are proud to represent districts that feature prevalent and unique hillside geographies, most notably along the Santa Monica Mountains range. However, we deal with numerous development challenges: projects that push for out-of-scale development resulting in excessive grading, mature and protected tree removals, and wildlife habitat disruption. This out-of-scale development not only negatively impacts our local ecology and wildlife, it also burdens our constituents with larger projects that require more time and complicated construction, with the resulting mansions affordable to only the super-wealthy.

This is why having robust hillside policies is a key priority for our offices. In the last two years, alongside our City Council colleagues, we successfully applied Hillside Construction Regulations to new neighborhoods; co-sponsored legislation directing city departments to develop a comprehensive regional wildlife habitat connectivity plan in partnership with neighboring jurisdictions; advocated for incorporating environmental justice values, metrics, and policy programs through updates to the General Plan and through the creation of a standalone Environmental Justice Element; and passed a resolution requiring city departments to consult with the Santa Monica Mountains Conservancy on any draft negative declarations and environmental impact reports under CEQA for projects within the Santa Monica Mountains Zone. We also supported directing growth away from sensitive hillside areas, especially in high risk fire, earthquake, and landslide prone areas in recently adopted Housing Element, Community Plan, and Safety Element updates.

The Draft Wildlife Ordinance presents a critical opportunity to create sensible land use and zoning regulations that can address hillside issues and climate resiliency goals on a more systemic level. The latest Draft Wildlife Ordinance does address key concerns from local stakeholders regarding small lots, site plan review, project definition and applicability, and development standards, and closes loopholes in existing hillside policies. Of note, the Ordinance includes rigorous grading standards, an overall height standard throughout the pilot area, calculates basements as part of the total residential floor area, and frontloads expectations for environmental assessments, all of which are important levers in controlling the size, scale, and impacts of development.

We would like to propose the following changes to the Draft Wildlife Ordinance for your review and consideration:

- Reverse the City Planning Commission's action that would have allowed up to 1,000 square feet of basement area to be exempted from Residential Floor Area (RFA) calculations.
- Add in additional details regarding what application materials are required as a starting point, but allow for flexibility in the future as well (i.e., a list of common application materials and other materials as determined by city or state agencies).

- Ensure that the definition of "Open Space" from Version 2 is restored to include current City-owned vacant land: *"Open Space shall also include City-owned vacant land that, while not zoned as Open Space, meets the criteria above."*
- Revert back to having a limitation on calculation of RFA for 60% slopes, which was in Version 2.
- Ensure that Biological Assessments must be conducted by a certified biologist.

Additionally, we respectfully request that the Committee take the following actions:

- For Biological Assessments, which, as proposed, are required for any Project within a Wildlife Resource or its buffer, direct Los Angeles City Planning to proactively create a vetted list of registered certified biologists that applicants may select from and that is maintained and updated by the Department.
- Support the creation of a Hillside Development Review Unit with dedicated funding that can support staff from across departments with case processing.
- Direct the City Attorney's Office to initiate the Form and Legality process.
- Direct Los Angeles City Planning, the Department of Building and Safety, the Bureau of Street Services, the Urban Forestry Division of the Public Works Department, and any other relevant departments and units, to report back on resources needed to implement the Ordinance upon its completion after the Form and Legality process.

This Ordinance, which represents the hard work and collaboration of numerous stakeholders, our offices (past and present), and city staff, will help Los Angeles prepare for continued climate change and ongoing aridification while bolstering biodiversity by fostering wildlife connectivity alongside responsible development patterns. We respectfully ask that you consider this feedback in your deliberative process.

Thank you for your attention to this matter.

Sincerely,



Nithya Raman
Councilmember, 4th Council District
City of Los Angeles



Katy Yaroslavsky
Councilmember, 5th Council District
City of Los Angeles