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June 16, 2023

VIA E-MAIL (clerk.plumcommittee@lacity.org)

Hon. Chair Marqueece Harris-Dawson and

Members of the Planning and Land Use Management Committee
Attention: Candy Rosales, Legislative Assistant
200 North Spring Street, Room 272
Los Angeles, CA 90012

Re: Wildlife Corridor / Santa Monica Mountains / Zone Change (ZC)
PLUM Hearing Date: June 20, 2023
Agenda Item: 19; Council File 14-0518

Hon. Chair Harris-Dawson and Hon. Members of the PLUM Committee:

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 (the "Ordinance")¹ We submit this letter to reiterate our clients' concerns and objections with this Ordinance, and to again express their frustration over the City's decision to "fast track" a sweeping new zone change that impacts tens-of-thousands of homes (i) without any environmental analysis, and (ii) without legally-adequate notice.

First, with respect to the environmental analysis, it should be shocking to everyone that the Department of City Planning ("Department") is asserting that this proposal - which seeks to rezone over 23,000 acres of the City - is exempt from review under the California Environmental Quality Act ("CEQA"). For some context, the entire City of Los Angeles is slightly larger than 300,000 acres, meaning, **this Ordinance will be rezoning almost 8 percent of the entire City, with a categorical exemption.** Accordingly, the Ordinance is being pushed forward without any analysis or consideration of its impacts on public services, utilities, housing, recreation, or any of the other environmental factors that would have otherwise been considered under CEQA.² Even more concerning is the fact that the exemptions being applied are totally inapplicable to this Ordinance. Both exemptions identified by the Department are intended to apply to actions taken by "regulatory agencies" to implement existing laws. Neither the Class 7 or Class 8 exemptions purport to say what the Department seems to want it to say, i.e., that any new law may be considered exempt 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 homebuilding experience.

² For context, the Hollywood Community Plan - which was adopted with an Environmental Impact Report - covered an area that is 7,000 acres *less* than this proposed district.

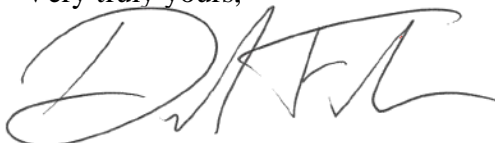
long as the law is intended to be good for the environment. These exemptions have absolutely no application to new laws adopted by a local legislative body, regardless of the law's motive.

Moreover, complying with CEQA can also help address another serious problem with this Ordinance – inadequate notice and a lack of due process. For this massive zone change, only one single mailer has been sent to affected residents, homeowners, and community members. Moreover, that single mailer was sent more than a year ago. The community was not provided notice of City Planning Commission's hearing (as required by LAMC 12.32(C)(4)), was not been provided notice of this coming City Council hearing, and has not been notified of recent changes proposed to the Ordinance just last week. The community has a right to be informed as to the impact of this Ordinance on their homes, development rights, and the environment, and this is precisely the purpose of the CEQA process the Department is attempting to circumvent.

Additionally, with respect to the one mailer that was sent, the substance of that mailer was so vague that no reasonable person could understand what the City was *actually* proposing. Of the four (4) pages included in the City's flyer, only one single line acknowledged that the ordinance would impact development standards, **and not once does it state that it will impact allowable floor area, basements, or otherwise create new restriction on existing single-family homes.** Homeowners are entitled to clear notice that their homes may become legally non-conforming, and that the amount of floor area permitted on their land will be cut in half.³ The notice was designed as a marketing piece and not an informational notice, which made it impossible for a reader to decipher the significance and applicability of the Ordinance based on the flyer itself. The reality is, the City has been using wildlife as a mascot for a stricter hillside regulation Ordinance, doing so by making it seem as if the Ordinance regulates wildlife, when it does not. This is both misleading to the public, and a clear due process violation.

Given these improprieties, we once again urge the City to change course and comply with CEQA. This will help inform the public while also allowing affected community members a substantive opportunity to comment. Nobody opposes protecting wildlife. The community is simply asking the City to treat this proposal like every other community plan, so the public can understand the burdens and benefits of this Ordinance before it is adopted. As you know, many people's life savings are invested in their homes. The financial impact of this Ordinance on many of these homeowners will be astronomical, and most have no idea this is happening. The very least the City can do for these impacted residents is to provide adequate notice, including a clear explanation of the Ordinance, and some assurance that the City is performing a thorough analysis.⁴

Very truly yours,



BENJAMIN M. REZNIK and
DANIEL F. FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

³ For instance, a typical 17,500 sq ft sloped lot can currently build approximately 4,250 sq ft. After this Ordinance that number will be reduced to approximately 2,000 sq ft if not less, making these small lots nearly unbuildable.

⁴ For reference, attached are copies of our prior correspondence concerning this Ordinance.

CC: Hydee Feldstein Soto, City Attorney, Office of the City Attorney
Vince Bertoni, Director, Department of City Planning
Kevin Keller, Deputy Mayor, Office of the Mayor
Terry Kaufmann-Macias; Deputy City Attorney, Office of the City Attorney
Paola Bassignana, Dir. of Planning and Econ. Development, Councilmember Rodriguez
Albizael Del Valle, Deputy District Director, Councilmember Harris-Dawson
Hannah Lee, Chief of Staff, Councilmember Lee
Kristen Torres Pawling, Deputy Chief of Staff, Councilmember Yaroslavsky
Hakeem Parke-Davis, Deputy for Planning, Councilmember Hutt.
Mashael Majid, Planning and Comm. Development Director, Councilmember Raman