

July 28, 2022

Dear Councilmembers, City Planning Department Personnel and Other Members of City Government,

Introduction

We are the Bel Air Hills Association (“BAHA”) and we represent the approximately 950 housing units in Bel Air Hills 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 within the proposed Wildlife Supplemental Use District, and its homeowners and residents would be negatively impacted should the Wildlife Ordinance, in its current form, be applied to its well-established and developed neighborhood.

Discussion

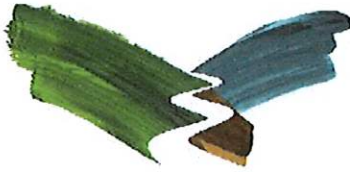
BAHA strongly opposes inclusion of Bel Air Hills in the proposed Wildlife Supplemental Use District (“WSUD”) for the following reasons:

1. **Bel Air Hills is not an Existing Wildlife Corridor or Open Space**

Wildlife Habitat. 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. By including Bel Air Hills in the proposed WSUD, the Planning Department has failed to follow the mandate set forth in the City Council motion.

2. **Independent Environmental Studies Not Concerned with Fully**

Developed Areas. For their scientific research supporting the regulations in the proposed Wildlife Ordinance, the Planning Department released a report entitled *Protected Areas for Wildlife and Wildlife Movement Pathways Report* (“PAWS”). Although this report cannot be considered independent since it was commissioned and paid for by the Planning Department, it is telling to note that the majority of the independent studies cited in the PAWS report do not even consider the developed areas of the proposed WSUD to be important wildlife habitat, or even wildlife habitat at all. For example:



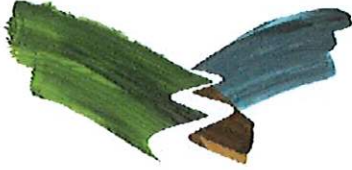
- a. The *California Essential Habitat Connectivity Project* which was prepared for Caltrans and the California Department of Fish and Game, excludes the entire WSUD. It gave a habitat score of zero to those areas with more than one house per five acres.
- b. The Santa Monica Mountains Conservancy excluded the developed portions of the WSUD from its wildlife habitat maps; the same maps the City Council may have intended the Planning Department to use in developing its ordinance.
- c. The South Coast Wildlands Missing Linkages Project, which lists almost twenty collaborating agencies, excluded the entire proposed WSUD.

3. **Attempting to Apply the Wildlife Ordinance Equally to Developed and Undeveloped Areas in WSUD Creates Extreme Hardship and Monetary Burdens to the Developed Areas.** Applying the Wildlife Ordinance, as currently proposed, equally to developed and established neighborhoods, like Bel Air Hills, and the undeveloped areas, creates extreme burdens and costly consequences to property owners in the developed areas—but with very limited, if any, benefit to wildlife. Additionally, these developed areas are already highly regulated by the Baseline Hillside Ordinance, Hillside Construction Regulation District Regulations, Mulholland Scenic Corridor, basic zoning laws, Building and Safety regulations, and Very High Fire Hazard Severity Zone restrictions, etc.

2

Following are just a few examples of how the proposed regulations would have a significant negative effect on Bel Air Hills and its residents by applying such regulations to both undeveloped areas (i.e., existing wildlife corridors and remaining open space wildlife habitats) and developed and established neighborhoods (i.e. such as Bel Air Hills), without regard to the very substantial differences in their impact and effect:

- a. **Fencing.** The open fencing regulations are dangerous and have little or no benefit to wildlife. The Planning Department has ignored the recommendations of its commissioned PAWS report and instead has created its own open fencing scheme which will not protect wildlife, but will instead create increased opportunity for crime and wildfire, dangerous conditions for young children and pets, elimination of privacy rights, and



potentially increased danger to some types of wildlife. The Planning Department has admitted that it had failed to consult with LAPD and LAFD on the dangers of the proposed open fencing scheme.

- b. **Residential Floor Area.** The residential floor area reduction for homes on steeper slopes is arbitrary, will prevent legitimate increases in home size to accommodate growing families, aging parents, home offices, etc, and will render many existing homes nonconforming. The vast majority of homes in Bel Air Hills are on lots with slopes greater than 60 percent (31 degrees), and all of these would be significantly affected. Detailed examples of the drastic consequences of this regulation have been submitted to the Planning Department and need not be repeated here. Clearly, the size of the home (which is currently regulated by existing zoning and building laws) is not related to protection of wildlife.
- c. **Height Limitations.** The proposed ridgeline buffer rules would effectively prevent legitimate height increase in homes, which height increases would otherwise comply with existing zoning and building laws, but with no added protection to wildlife. The dominant architecture style in Bel Air Hills is traditional, and this regulation would change the neighborhood character which has existed for 70 years. Again, detailed examples have been provided to the Planning Department and are not repeated here.
- d. **Lot Coverage.** The failure of the regulations to distinguish between larger and smaller lots in choosing a one-size-fits-all fifty percent lot coverage maximum, with the inclusion of additional elements counting towards coverage, will severely impact homes in Bel Air Hills that are on smaller lots.

There are many other significant problems created by applying the proposed regulations equally to both the developed and undeveloped areas, which have previously been submitted to the Planning Department by various concerned citizens.



Conclusion

As long as the proposed Wildlife Ordinance continues to treat fully developed and well-established neighborhoods the same as actual open space wildlife habitats and existing wildlife corridors, BAHA respectfully requests that the Bel Air Hills be excluded from the proposed WSUD for reasons including, but not limited to, those stated above.

The mandate to the Planning Department was to develop an ordinance that would preserve and protect existing wildlife corridors and remaining open space wildlife habitats. This has not been done. Because the Planning Department seeks to extend their mandate to fully developed and well-established neighborhoods, they should have struck a balance between the detriment to property owners and the scientifically supported benefit to the protection of wildlife. This clearly was not done.

On behalf of the residents of Bel Air Hills, we thank you for your serious consideration of our position as set forth in this letter.

Sincerely,

The Board of Directors of the Bel Air Hills Association