

THE CITY OF LA'S DRAFT

# Wildlife Ordinance

The Wildlife Ordinance will help limit the environmental impact of new development and protect the City's residents, and the natural resources, ecosystems, and wildlife connectivity that make our mountains so special.

Years of out-of-scale development has resulted in excessive grading, mature and protected tree removals, and wildlife habitat disruption in the hillsides. This out-of-scale development not only negatively impacts our local ecology and wildlife, it also puts the safety of residents at risk, as incidents of landslides, flooding, and wildfires have grown exponentially as a result.

This Ordinance has been the result of more than nine years of robust community engagement and was informed by a comprehensive scientific study conducted in 2021. There have been five public workshops and three public hearings, and over 62,000 notices were mailed to affected property owners and occupants. The neighborhood councils and many resident associations overlapping with the impacted area (in particular the Bel Air - Beverly Crest Neighborhood Council) have also hosted many

public dialogues and spent countless hours reviewing and providing feedback through this process. As a result of these processes and in response to concerns raised, the Planning Department revised and released three separate draft ordinances, each making iterative changes based on concerns raised.

The proposed regulations advance several goals: minimizing the footprint of new development on our hillsides, protecting native biodiversity, facilitating wildlife movement and minimizing injury to wildlife, and preserving and protecting property rights around reasonable development.



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# Minimizing Development Footprints and Land Disturbances

## Allowed Residential Floor Area

### ***What the Draft Ordinance Does***

To limit extreme mansionization of properties in the hills, existing zoning regulations from the Baseline Mansionization Ordinance of 2008 and the Baseline Hillside Ordinance implemented a limit on total Residential Floor Area (RFA) for developments. Unfortunately, there was a loophole in the ordinance that exempted basements from being counted toward total residential floor area. The Draft Wildlife Ordinance closes that loophole to ensure all livable space in a home is counted towards residential floor area. Additionally, the ordinance would place limitations on adding square footage to portions of properties located on slopes of more than 60%. This means that on these steeper hillside lots, structures should ideally be located on the flatter portions.

### ***Why It's Important***

The basement loophole has encouraged developers to skirt square footage limits by building out excessively large basements in their projects. This is a problem because one of the biggest dangers in our hillsides stems from the removal of soil. It compromises the structural integrity of the entire hillside, and puts the whole neighborhood at risk for landslides and flooding. Construction-related impacts from hauling trucks are also a nuisance and are unsafe on many narrow roads. By ensuring that basements are counted as liveable space in the total residential floor area, we can stop the dangerous practice of excessive grading and soil removal in the hills.

### ***You Should Know***

The main change relates to what counts as residential floor area. For example, if you own a single story home with a basement and you want to build a second story, you will still be allowed to do so as long as the square footage does not exceed the existing limit allowed on the property pursuant to the Baseline Hillside Ordinance.

**“One of the biggest dangers in our hillsides stems from the removal of soil.”**

## Lot Coverage

### ***What the Draft Ordinance Does***

All R1 and R2 zoned lots are exempt from the new lot coverage regulations. To ensure there remains a reasonable amount of open space on larger lots, the ordinance includes a 50% lot coverage limitation on Residential Estate (RE) zoned parcels. That means 50% of these properties can be used by buildings, tennis courts, and more. The other 50% must be kept open for general landscaping and open space.

### ***Why It's Important***

The more land that is covered by buildings and other hardscapes, the harder it is for rainfall to be absorbed into the ground. This leads to increased flooding and risk of landslides in the area. Furthermore, it limits natural habitats for local wildlife, which have diminished greatly in recent years.

### ***You Should Know***

Lot coverage is different from allowed residential floor area. Lot coverage is defined by the total amount of a lot that is covered by buildings or hardscape, whereas residential floor area refers to the total square footage of a residence. That means that square footage from basements, and second or third stories does not impact total lot coverage. To find out if you live in an RE or R1/R2 zoned parcel, go to: [zimas.lacity.org](https://zimas.lacity.org)

## Grading

### ***What the Draft Ordinance Does***

Soil grading is the practice of removing, cutting into, or moving soil. Grading in excess of 500 cubic yards on slopes that exceed a 45 degree angle (known as 100% natural grade) will be prohibited unless necessary to reach the guaranteed minimum RFA.

### ***Why It's Important***

Similar to basement construction, excessive alteration of the natural slope of the hillsides is incredibly dangerous to the surrounding neighborhood. It can – and does – lead to landslides, increased flooding, and the destruction of local habitat. This piece of the ordinance is important to maintain the structural integrity and existing habitat areas of our hillsides.



## *Facilitate Wildlife Movement and Minimize Injury to Wildlife*

### **Fencing**

#### ***What the Draft Ordinance Does***

The ordinance prohibits design features and materials like razor wire, sharp glass, or metal spikes that pose threats to wildlife.

#### ***Why It's Important***

Fencing is an important security feature for a lot of our hillside residents. However, some materials used in fencing can cause serious harm or death to local wildlife.

#### ***You Should Know***

This ordinance would not ban fencing. It simply places restrictions on the kind of fencing materials that can be used. There are no changes in regulations regarding fence height or location.

### **Windows**

#### ***What the Draft Ordinance Does***

The Ordinance requires bird-safe treatments for large expanses of glass to help reduce the prevalence of inadvertent bird strikes on windows. Bird-safe treatments will only be required for new construction, major remodels, and additions (not on existing homes).

#### ***Why it's important***

This measure will help birds more clearly see windows as obstacles to avoid in-flight death.

### **Building Height**

#### ***What the Draft Ordinance Does***

Places a maximum allowable overall height of structures across a slope, from the lowest floor to the highest ceiling.

#### ***Why It's Important***

In recent years, there have been a proliferation of multi-story residences that cascade up the side of a hill. Generally speaking, these types of residences require significant grading, retaining walls, and other landform alterations. In addition, taller buildings have been shown to be unsafe for birds.

#### ***You Should Know***

The maximum allowable overall height is 45 feet, which is well above the standard 33 foot average height for a two story home.

### **Site Plan Review**

The Wildlife Ordinance would require projects over a certain size, as well as those in proximity to identified natural resources, to apply for Site Plan Review. Site Plan Review allows for City Planning to work with applicants to ensure projects are oriented and designed in a way that helps to ensure the goals of the ordinance are met.



## *Frequently Asked Questions*

### ***Q: Will the Draft Wildlife Ordinance prevent me from building an Accessory Dwelling Unit (ADU) on my property?***

A: No. The Wildlife Ordinance does not interfere with the State requirements regarding permitting Accessory Dwelling Units. State legislation supersedes the City's rules so ADUs will continue to be allowed.

### ***Q: Will I be able to rebuild my home if it is damaged or destroyed in a natural disaster?***

A: Yes. The Wildlife Ordinance would not change the regulations regarding rebuilding a home after a natural disaster. In fact, the definition of a project in the Wildlife Ordinance specifically exempts rebuilding in these instances from its regulations.

### ***Q: Can I remodel my home and add additional rooms?***

A: Yes. Remodeling your home and adding an addition to your home is permitted. If your remodel or addition adds square footage over a certain threshold, some minor regulations might apply.

### ***Q: How will this affect my home value?***

A: While we cannot predict what the future housing market will look like, we do not believe that this Ordinance will have an impact on home values. Over the past 20 years, the City has taken several steps to preserve hillside communities from overdevelopment by focusing new housing growth away from environmentally sensitive, hillside, and high fire hazard severity areas. During this same period there have been unprecedented increases in home values in the hillsides. This is also true in other communities that have protected their hillsides.

### ***Q: Who supports the Draft Wildlife Ordinance?***

A: The Draft Wildlife Ordinance has received overwhelming support from the Hillside Federation, Laurel Canyon Association, Laurel Canyon Land Trust, Sierra Club California, Santa Monica Mountains Task Force, Natural Resources Defense Council, Heal the Bay, Citizens for Los Angeles Wildlife, In Defense of Animals, Friends of Griffith Park, and other neighborhood groups.

### ***Q: What is the next step?***

A: The Draft Wildlife Ordinance was unanimously adopted by the Planning and Land Use Committee (PLUM) with recommendations. It is now being worked on by the City Attorney's Office before it comes back to City Council.