

### Preliminary Baseline Hillside Ordinance

The city of Los Angeles' department of city planning conducted a series of public meetings at 5 locations throughout the city. These meetings were held in Feb 2009 were held in order to hear public comments and discuss issues related to overdevelopment in hillside neighborhoods. The purpose was to obtain public input to allow city planning to identify those concerns and issues and prepare a baseline hillside ordinance to address hillside development. This is similar to the process and procedures that led to the creation and adoption of the baseline mansionization ordinance (BMO). This ordinance addressed the same concerns in the flat lands of Los Angeles in 2008. The procedures and processes and presentations were similar at all five locations. An introduction described the issues and power-point presentation illustrated and outlines the past and current state of development. Pictures corresponded to a questionnaire for those in attendance to respond to and provide feedback. There were over fifty images and questions with a place to indicate your answer agree or disagree. See figure BLANK. In four out of five meetings the turnout was extremely low with feedback as few as zero to ten. Only one area, the south valley had more than twenty responses in any one category. Even in the south valley, the responses varied from one question with a high of 97 responses to a low of 6. The average total number of responses to a question was 21. The total responses from all five districts were combined to determine if the question and response was conclusive. The cumulative responses from all 5 districts positive and negative, were only 50 per question. Only one question with 26 responses was determined to be not conclusive.

This survey and subsequent input is not valid and should not be considered meaningful or conclusive. The responses were far too limited in relation to a city of over 4 million people and still too small in relation to the hundreds of thousands of homes and people in the hillside area. Additionally, the meetings and questionnaires were open to everyone regardless of whether they lived in the hillsides or if they owned a home or not. An even bigger concern was the way

the pictures and questions were presented. The pictures showed the most egregious examples and the questions were worded to elicit a preferred response. This is reflected in that most questions had more than a 7 to 1 Agree over Disagree. Not ONE question had more disagrees than agrees. Often the "agrees" overwhelm the few brave souls who had the courage to disagree or shut them out completely. Even though these results should not be considered a reflection of the wishes of the community, it does not mean there is no merit to some of the ideas presented nor does it mean that nothing should be done—on the contrary. But presenting the results as a validation or a mandate of the people is inaccurate and wrong. City planning used these meetings and results to create a preliminary proposed baseline ordinance. SEE EXAMPLE. The following are reactions, suggestions, comments to the proposed ordinance.

The goal of the baseline hillside ordinance should be to prevent overbuilding and out of scale buildings in the hillsides, not to prevent buildings or development of single family homes.

#### Floor Area Ratio (FAR)

Size of allowable, buildable Sq. ft. based on the size of the lot and steepness is fundamentally sound. The following are comments and suggestions on the ratios and methods for calculating FAR.

1. Small lots, under 7000 sq ft, need to be allowed a larger minimum size house. The proposed minimums and calculated ratios are too restricted.
2. The existing overbuilding and out of scale homes are 4000 sq ft and above, on small lots. A 2850 sq ft homes are not the problem.
3. Hillside lots are built with a minimum of two stories and mostly often three stories. 1000 sq ft footprint is not excessive on a 5000 sq ft lot, thus a 20% lot coverage footprint.

4. Most of the existing vacant lots require extensive entitlement costs and small homes become financially prohibitive.
5. Hillside construction costs, due to new and upgraded codes and regulations i.e., fire sprinklers, foundation, seismic requirements etc, are higher and require larger homes to be economically feasible.
6. Reducing 4000+ sq ft homes to 3000 sq ft homes would discourage speculators yet still allow owner/users to build their homes. This would also improve the design and quality of the homes.
7. Larger homes are desirable because
  - a. More and more people are working at home and have the need for home offices.
  - b. Economic situation requires children to live at home longer.
  - c. More and more aging parents move back in with their children (the need for "granny units" is well understood)
8. Small homes and small budgets are often counter-productive to good design since people will not hire an architect for small projects.
9. Combining of existing lots is difficult if not impossible due to different ownership of lots. Additionally, many different owners means street improvements and other infrastructure requirements are not financially feasible due to lack of collective construction.
10. Public works and fire department requirements have rendered many legal lots not buildable thus ultimately reducing construction and density in existing hillside areas.

## FAR based on Slope

1. Slope density is good and appropriate when subdividing land but not as effective after lots have been created.
2. Proposed slope density ratios create too many exceptions, variations and/or contradictions when implementing.
  - a. A steep downhill lot often requires less grading and provides lower visibility (since it sits lower than a less steep lot) than a less steep lot, yet a larger house would be allowed on the less steep lot. SEE EXAMPLE:
  - b. A lot with a large flat front yard and a steep rear yard would be required to build a smaller house than the neighbor with a less steep rear yard, even though both homes might be built on the flat portion of the lot. SEE EXAMPLE.
  - c. A property with both flat and sloped portions would be allowed to build the same sized house regardless if it were built on the flat area or the slope. This is counterproductive to creating an ordinance in limiting mass and scale. SEE EXAMPLE.
3. A possible solution is to calculate slope-FAR determined by the footprint of where the house is being built before grading.

## Height and Story

1. How height is measured is as critical as the actual height limit. Utilizing envelope height standards is significant and will encourage and promote good design. The ability to step a house up or down the existing terrain will minimize grading, improve scale and massing, and further benefits and aesthetic goals.

### **Roof Pitch**

1. 25% roof pitch is common for developers since it is the lowest pitch allowed for tile and lightweight concrete roofing. All roof pitches reduce massing and should receive the same additional height benefits. Increasing the height for the overall height for sloped roofs, would encourage better and more innovative designs.

### **20% residential Floor Area Bonus**

1. The five residential bonus options are all beneficial. The goal is to incorporate as many good options as possible. A 5% bonus for each option would encourage more options to be incorporated into the design instead of a 20% for complying with just one.

### **Additional Comments**

1. Square footage of new homes should reflect the neighborhood. To require maximum FAR of, for example, 2000 sq ft and the neighbors with similarly sloped terrain, enjoying 3000 sq ft homes, isn't fair or justifiable.
2. Los Angeles' climate embraces outdoor living style. The best architectural designs feature large and prominent balconies, decks and patios. Speculators do not utilize these amenities because they do not get a price per sq ft return on those amenities as they would with enclosed space. Balconies, decks and patios add a tremendous visual improvement and break up mass and add scale to residences. These amenities should be encouraged, not penalized, by either adding to the square footage or factored into height limitations.
3. Most hillside homes have limited or no access to yards. The need for additional square footage along with balconies, decks and patios becomes even more critical.

An important current determinant is historic preservation, the awareness, need and desire to protect and maintain the architectural history of our buildings. It is interesting to note many of the buildings that are the most appreciated and passionately protected today are the ones most dismissed when first built. Many of the homes in the Hollywood Hills that make up the character and uniqueness of the area and are now protected as historical or architectural landmarks are homes that do not comply with the existing or proposed ordinances. These protected and cherished homes could not be built under current laws. The very desire to protect *what was*, prevents *what was* from ever being built again. Maybe historic preservation will become a thing of the past if there are to be no new homes or buildings designed worth saving.

The selection and point of view of good or bad design is subjective. Having a house which responds to and is integrated into the hillside terrain has been taught, written about, and most importantly articulated in different ways in the designed homes of important architects such as Frank Lloyd Wright, R.M. Schindler, John Lautner and others. Unfortunately it is bad design that the public has responded to, more than good design, and has lead their desire for codes and ordinances to control hillside development and the designs of homes. How these codes and ordinances will affect future designs is yet to be determined.

ARCHITECTURE PLANNING INTERIORS  
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6120.0001

JULY 20, 2010

VIA HAND-DELIVERY

Los Angeles City Planning and Land Use Management Committee  
c/o Ms. Patrice Lattimore, Legislative Assistant  
Los Angeles City Hall  
200 North Spring Street, Room 350  
Los Angeles, CA 90012

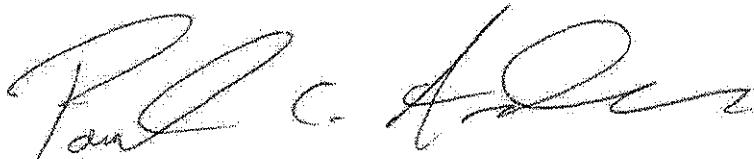
Re: **July 20, 2010 PLUM Meeting**  
**Council File No. 10-1001; Case No. CPC-2010-0581-CA**  
801 & 805 Nimes Place, 759 Nimes Road and 600 and 642 St. Cloud Road

Dear Honorable Councilmembers Reyes, Huizar and Krekorian

This letter incorporates by reference my letters and testimony at the Planning Commission meetings on the proposed Baseline Hillside Ordinance (BHO). This office represents the Bollenbach family who are underway with the largest residential landslide repair project in Council District 5. The Lower Modelo Formation Nimes Road Landslide Complex was activated by a series of Department of Water & Power water main breaks in 2005. The Bollenbach family is bearing the private expense of remediating this City problem as to their properties. All required grading permits from the City have been issued. Major grading, shoring, soldier pile and retaining wall installation is underway. The proposed BHO greatly interferes with this repair work by creating conflicts with the proposed floor area ratio, height, grading and other zoning aspects, as shown on the attachments. This project benefits the entire eastern Bel Air area of Council District 5.

We understand that Council District 5 has proposed language to exempt properties with active Remedial Grading permits from all provisions of the BHO for all residential development purposes. Please know the Bollenbach family supports this proposal so that they can continue with returning their properties to their originally intended residential use in keeping with Bel Air standards, scale and aesthetics. Without such an exemption, the completion of the remedial grading project would not be feasible and abandonment of this geologic stabilization project is a distinct possibility.

If you have any questions, please feel free to contact me.

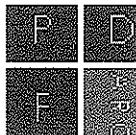


Paul C. Anderson  
of KENNERLY, LAMISHAW & ROSSI LLP

## BASELINE HILLSIDE ORDINANCE FINANCIAL IMPACT ANALYSIS

DATE: 7/19/10  
 REVISION: 6

PROPERTY	LOT AREA	DESIGNED SQ. FT.	ALLOWABLE SQ. FT.	VARIANCE	\$ PER SQ. FT.	RE- DESIGN COST	TOTAL LOSS
642 Saint Cloud Road	45,639	24,445	15,177	9,268	1,000	\$531,195	\$9,799,195
801 Nimes Place	82,363	29,840	26,420	3,420	1,000	924,700	4,344,700
805 Nimes Place	<u>54,419</u>	<u>27,066</u>	<u>17,348</u>	<u>9,718</u>	1,000	<u>607,180</u>	<u>10,325,180</u>
Total	182,421	81,351	58,945	22,406		2,063,075	24,469,075



## 801 NIMES PLACE

Lot Area: 82,363 s.f.

Allowable Lot Coverage (40%) = 32,945 s.f.

Designed Lot Coverage = 26,054 s.f. (31.5%)

Allowable square footage under current code: 3X Buildable Area (Lot area for residential).

Existing Allowable s.f.: 3 X 82,693 s.f. = 247,089 s.f.

Allowable s.f. under NEW ordinance: 26,420 s.f. (per preliminary slope band analysis)

Designed s.f.:

2<sup>nd</sup> Floor = 5300 s.f.

1<sup>st</sup> Floor = 5300 s.f.

Basement = 5300 s.f.

Subterranean Garage = 15,331 s.f. (6127 s.f. if garage size is reduced per 7-6-10 study)

Staff House = 2000 s.f. (estimate)

Conservatory = 3534 s.f.

Existing Tea House = 1279 s.f.

Total s.f. of buildings (new code includes basement and subterranean garage) = 38,044 s.f. (29,840 s.f. if garage size is reduced per 7-6-10)

## 805 NIMES PLACE

Lot Area: 54,419 s.f.

Allowable Lot Coverage (40%) = 21,767 s.f.

Designed Lot Coverage = 14,759 s.f. (27%)

Allowable square footage under current code: 3X Buildable Area (Lot area for residential).

Existing Allowable s.f.: 3 X 54,419 s.f. = 163,257 s.f.

Allowable s.f. under NEW ordinance: 17,348 s.f. (per preliminary slope band analysis)

Designed s.f.:

2<sup>nd</sup> Floor = 7246 s.f.

1<sup>st</sup> Floor = 6900 s.f.

Basement = 6905 s.f.

Subterranean Garage = 6378 s.f. (2843 s.f. if garage size is reduced per 7-6-10 study)

Staff House = 3000 s.f. (estimate)

Total s.f. of buildings (new code includes basement and subterranean garage) = 30,429 s.f. (27,066 s.f. if garage size is reduced per 7-6-10)

## 642 SAINT CLOUD DRIVE

Lot Area: 45,639 s.f.

Allowable Lot Coverage (40%) = 18,255 s.f.

Designed Lot Coverage = 12,828 s.f. (28%)

Allowable square footage under current code: 3X Buildable Area (Lot area for residential).

Existing Allowable s.f.: 3 X 45,639 s.f. = 136,917 s.f.

Allowable s.f. under NEW ordinance: 15,177 s.f. (per preliminary slope band analysis)

Designed s.f.:

2<sup>nd</sup> Floor = 6565 s.f.

1<sup>st</sup> Floor = 6988 s.f.

Basement = 4892 s.f.

Subterranean Garage = 3000 s.f.

Staff House = 3000 s.f. (estimate)

Total s.f. of buildings (new code includes basement and subterranean garage) = 24,445 s.f.

### **801 NIMES PLACE**

Lot area 82,363 s.f.

$$82,363 \text{ s.f.} \times .05 = 4118 \text{ cubic yards}$$

Allowable Grading: 500 cubic yards + 4118 cubic yards = 4618 cubic yards

Max. Allowable Grading per Table 6: 2000 cubic yards

Max. Allowable Grading for lots on Substandard Streets: 375 cubic yards of Import

750 cubic yards of Export

\*For lots on Substandard Streets, the Zoning Administrator may grant increased grading allowances.

Grading required:

Garage outside footprint of house (estimate): 2723 cubic yards of cut (per garage study on 7-6-10)

Additional grading (Estimate): 250 cubic yards of cut at 2:1 sloped area

Total: 2973 cubic yards of cut

### **805 NIMES PLACE**

Lot area 54,419 s.f.

$$54,419 \text{ s.f.} \times .05 = 2720 \text{ cubic yards}$$

Allowable Grading: 500 cubic yards + 2720 cubic yards = 3220 cubic yards

Max. Allowable Grading per Table 6: 2000 cubic yards

Max. Allowable Grading for lots on Substandard Streets: 375 cubic yards of Import

750 cubic yards of Export

\*For lots on Substandard Streets, the Zoning Administrator may grant increased grading allowances.

Grading required (Estimate): 134 cubic yards of cut at motor court

1618 cubic yards of cut at back yard 2:1 areas

854 cubic yards of cut at back yard flat areas

250 cubic yards of cut at lower driveway

Total: 2856 cubic yards of cut

### **642 SAINT CLOUD ROAD**

Lot area 45,639 s.f.

$$45,639 \text{ s.f.} \times .05 = 2281 \text{ cubic yards}$$

Allowable Grading: 500 cubic yards + 2281 cubic yards = 2781 cubic yards

Max. Allowable Grading per Table 6: 2000 cubic yards

Max. Allowable Grading for lots on Substandard Streets: 375 cubic yards of Import

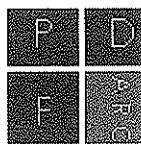
750 cubic yards of Export

\*For lots on Substandard Streets, the Zoning Administrator may grant increased grading allowances.

Grading required (Estimate): 1033 cubic yards of fill at back wall of house

1121 cubic yards of fill, fine grading across site

Total: 2154 cubic yards of Import



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### **801 NIMES PLACE**

**Lot Area: 82,363 s.f.**

Slope Bands (%)	Area (sq-ft.)		FAR	Residential Floor Area
0 - 14.99	64,310	x	0.35	22,508
15 - 29.99	2609		x	0.30
30 - 44.99	646		x	0.25
45 - 59.99	14,848		x	0.20
60 - 99.99	-			0.15
100 +	-			0.00
<b>Maximum Residential Floor Area =</b>				<b>26,420 s.f.</b>

### **805 NIMES PLACE**

**Lot Area: 54,419 s.f.**

Slope Bands (%)	Area (sq-ft.)		FAR	Residential Floor Area
0 - 14.99	41,896	x	0.35	14,663
15 - 29.99	1812		x	0.30
30 - 44.99	-			0.25
45 - 59.99	10,711		x	0.20
60 - 99.99	-			0.15
100 +	-			0.00
<b>Maximum Residential Floor Area =</b>				<b>17,348 s.f.</b>

### **642 SAINT CLOUD ROAD**

**Lot Area: 45,639 s.f.**

Slope Bands (%)	Area (sq-ft.)		FAR	Residential Floor Area
0 - 14.99	39,756	x	0.35	13,915
15 - 29.99	-			0.30
30 - 44.99	1718		x	0.25
45 - 59.99	4165		x	0.20
60 - 99.99	-			0.15
100 +	-			0.00
<b>Maximum Residential Floor Area =</b>				<b>15,177 s.f.</b>

## POTENTIAL FLOOR AREA BONUS

### **801 NIMES PLACE**

Allowable square footage = 26,420 s.f.

Total designed square footage = **38,044 s.f. (29,840 s.f. per 7-6-10 study)**

+10% bonus = 29,062 s.f.

+20% bonus = 31,704 s.f.

+30% bonus = 34,346 s.f.

### **805 NIMES PLACE**

Allowable square footage = 17,348 s.f.

Total designed square footage = **30,429 s.f. (27,066 s.f. per 7-6-10 study)**

+10% bonus = 19,082 s.f.

+20% bonus = 20,817 s.f.

+30% bonus = 22,552 s.f.

### **642 SAINT CLOUD ROAD**

Allowable square footage = 15,177 s.f.

Total designed square footage = **24,445 s.f.**

+10% bonus = 16,694 s.f.

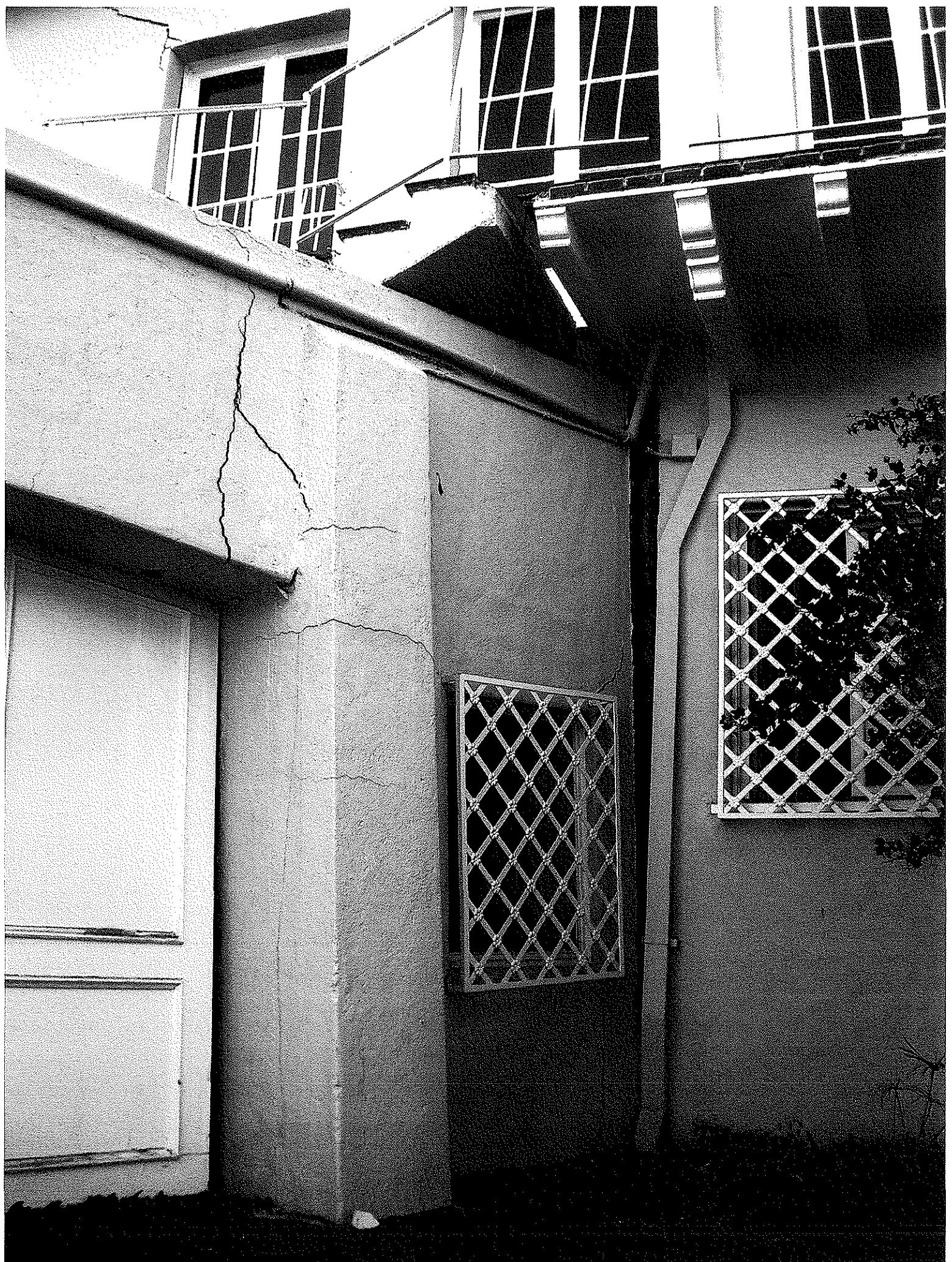
+20% bonus = 18,212 s.f.

+30% bonus = 19,730 s.f.

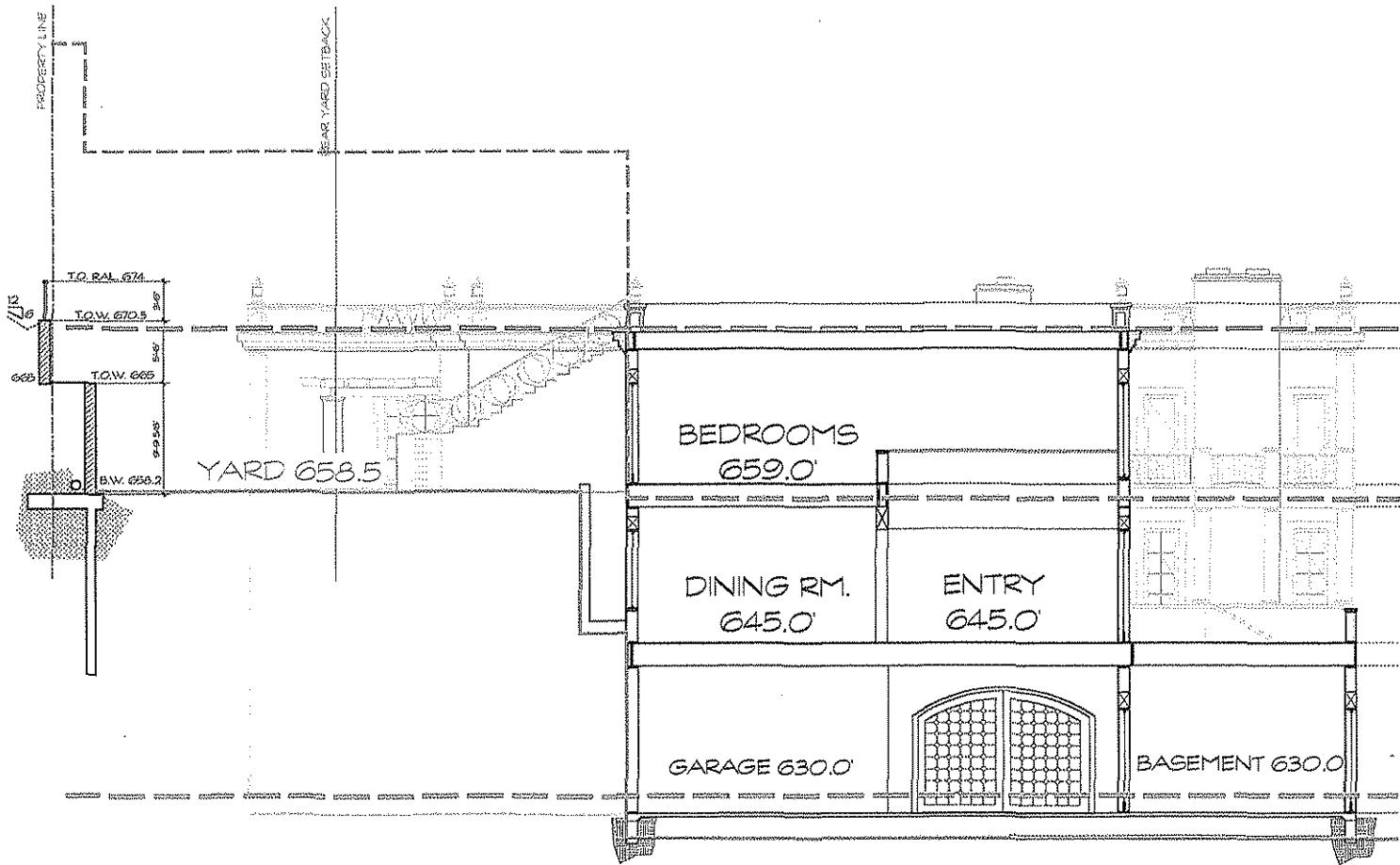












642 ST. CLOUD  
SITE SECTION  
SCALE: 1/16" = 1'-0"

#4

## City Planning Meeting July 20<sup>th</sup> 2010

I am here to support the passing of the proposed Hillside Ordinance: City Plan Case No. 2010-581-CA. It is urgently needed and must pass.

My husband and I have lived in Laurel Canyon for 42 years. We have seen very many negative changes caused by the over development of our neighborhood.

Our area was developed in the 1920s. The average homes are small (700 to 1200 sq ft.) and the roads are very narrow. Our roads cannot support more traffic, whether it is from construction vehicles or new residents and staff who service the mega homes being built today. Traffic is horrible as it is. The noise level has become as high as if we were living in the middle of a large urban center.

As for fire hazard, as you know, we live within an extremely high fire danger zone. (Please keep in mind the Bel Air fire of 1961) Our roads are often blocked by construction trucks and during summer months when fire danger is highest, it is sometimes hard to get out of our area quickly which is vital for our survival.

As of this morning, I witnessed a large fire truck having to back down Stanley Hills drive to let a cement truck drive by. The fire truck was accompanying an ambulance that had been called by one of our neighbors. (See photo attached). This is often the case when large trucks and emergency vehicles meet.

Because of damage caused by heavy truck traffic, our roads are in deplorable condition and are not being fixed by the city. Our electrical grid is old and has never been upgraded. As a result, we suffer from frequent power outages. All this new construction adds more stress to our infrastructure, but L.A. City is not fixing anything around here, and we feel we abandoned by our city. Where is the service we deserve?

We moved to this area because of the charm and peaceful environment. Our neighborhood's residents are passionate about where they live and feel that most new constructions are totally out of character with the area. Huge homes are being erected which do not fit in this small scale neighborhood. These new homes are not well designed and are not energy efficient. In fact, it is the contrary they are energy gobblers. Because hillside parcels are generally smaller and irregular, developers cut down all the trees in order to maximize their investment of the land, as it was done right next to us. These homes are not green houses.

The mega metropolis that is Los Angeles needs to change course and needs to start now with this new ordinance. We have to stop this nonsense and become leaders in the green housing movement. People can build new homes but these new homes need to be well planned and approved by city planning, according to the rules and regulations of the new ordinance. City officials will have to be vigilant about enforcing the rules. It is very important that land owners planning to build a new home respect the environment and the safety of existing residents.

Further more, Laurel Canyon has an historic past and developers should not be allowed to destroy old homes without City approval. Our neighborhood should be declared a historic site so that we can preserve the historic aspect of this area, and save old homes from extinction.

I can assure you that large scale homes do not mean happiness. My husband and I have lived in the same tiny house for over 42 years, where we raised our two very tall sons! We are a close family. Our house was small and at times I wished for my own bathroom! However, our sons grew up surrounded by nature. They remember this best from their childhood and the freedom they experienced here was priceless. Now because of all the heavy traffic, it is very dangerous for children to walk to school. Remember, we have no sidewalks!

A handwritten signature in black ink, appearing to read "K Gordon".

Katherine Gordon  
2026 Diane Way  
Los Angeles, Ca 90046

P.S. My husband, Lawrence David Gordon Jr., could not be here today but is also in support of the ordinance and approved this statement in its entirety.

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Tarzana Property Owners Association, Inc.

July 20, 2010

Los Angeles City Council  
Planning and Land Use Management Committee  
Los Angeles City Hall, Room 350  
200 North Spring Street  
Los Angeles, CA 90012

**Reference: Proposed Baseline Hillside Ordinance, File 10-1001**

It is almost exactly four years since Council Member Tom La Bonge introduced his motion initiating efforts to curb mansionization within the City of Los Angeles. During that time the City has passed a Baseline Mansionization Ordinance (BMO) to protect non-hillside communities from oversize homes that loom over neighbors, invading their privacy, and to preserve the look and feel of our communities. In addition, the City also passed the ordinance rationalizing the boundary between the hillside and flatlands, based on topography, rather than the arbitrary boundary formed by City streets. The third phase, the Baseline Hillside Ordinance (BHO), approved by the City Planning Commission, will complete the four plus year effort by limiting mansionization in the hillside areas.

The Tarzana Property Owners Association (TPOA) urges the Planning and Land Use Management Committee to pass the proposed ordinance, with certain amendments, and forward it to the full City Council.

During the recent City Planning Commission hearings, the public was overwhelmingly in favor of the proposed ordinance but expressed considerable concern about changes the City Planning Commission had made with respect to grading and the discretionary actions allowed by a zoning administrator. Our sister organization, the Sherman Oaks Homeowners Association has provided a detailed letter addressing those concerns. We fully agree with their points and endorse their suggestions.

TPOA has some additional concerns with several of the provisions allowing 20% bonuses above the basic permitted maximum Residential Floor Area (RFA). Referring to the options noted in the latest version of the BMO (from the June 8<sup>th</sup> City Planning Commission report) we have no objection to the Proportional Stories Option, Front Façade Setback Option, Minimum Grading Option, or Green Building Option 1. We do have the following objections to the remaining proposed options:

- **Cumulative Side Yard Setback Option.** The option would provide a bonus for side yards of at least 10 feet. Ten foot side yards are the **basic side yards** required in the RA and RE20 zones and should not provide an RFA bonus, at least for those zones.
- **18 Foot Envelope Height Option.** This option, in essence, would allow the bonus for any single story home in the hillside.

- **Multiple Stories Option.** The option would provide a bonus for structures that cover no more than 20% of the lot area. All RA lots governed by the proposed ordinance are limited to a maximum of 20% of lot coverage by the basic ordinance provisions. Other zones also limit the coverage to less than 20% for specified slopes. The bonus should certainly not apply to structures in the RA zone or to those where the basic BHO provisions limit the structure coverage to 20% or less.
- **Green Building Option 2.** As we understand the provisions of the proposed option, the 20% bonus could be granted simply by using Energy Star appliances. That makes little sense as most appliances in new or remodeled homes are Energy Star, as are essentially all replacement appliances in existing homes.

In summary, the Tarzana Property Owners urges the Planning and Land Use Management Committee to modify the proposed Baseline Hillside Ordinance as noted above and pass it on to the full City Council. Four years is a long time to ensure the protection of our communities from oversized homes; **we urge you not too unduly extend that time.**

Thank you,



David Garfinkle  
President, Tarzana Property Owners Association

Los Angeles City Council  
Planning and Land Use Management (PLUM) Committee  
Baseline Hillside Ordinance - PLUM - 10-1001-CPC-2010-581-CA

July 20, 2010

Good afternoon. My name is Wendy-Sue Rosen. I appear before you today representing Upper Mandeville Canyon Association located in the Santa Monica Mountains, which has and continues to strongly support the Baseline Hillside Ordinance.

Community Plans gave us hope for character and scale consistency in hillside development. But as technological advances have made it easier to build into the natural hillsides, we have seen the wholesale destruction of our hillsides -- without limits -- by right. This has harmed the environment, created safety hazards and degraded the quality of life for hillside dwellers.

The Baseline Hillside Ordinance was drafted in response to concerns expressed by the citizenry. These problems have become so pronounced that this local ordinance has drawn the unusual attention and strong support not just from our own Councilmember, Bill Rosendahl, but also from State Senator Fran Pavley, Assemblymembers Brownley and Feuer, the Santa Monica Mountains Conservancy, and County Supervisor Zev Yaroslavsky.

We ask you to adopt the Baseline Hillside Ordinance. But in doing so, we ask that you reinstate the more-protective grading requirements that were removed from the initial draft of the ordinance. This change, and others, have eroded protections essential to achieving the goals that inspired the Ordinance. We ask that you approve the Ordinance with the more protective limitations as outlined in the letter submitted to you by the Sherman Oaks Homeowners Association.

Thank you,

Wendy-Sue Rosen  
Upper Mandeville Canyon Association



# BILL ROSENDAHL

**City of Los Angeles  
Councilmember, Eleventh District**

**Committees**  
Chair, Transportation  
Vice Chair, Trade, Commerce & Tourism  
Member, Budget & Finance  
Member, Ad Hoc on Economic Recovery &  
Reinvestment  
Member, Board of Referred Powers

May 22, 2010

City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012

RE: CPC-2010-0581-CA

Dear City Planning Commissioners,

The Baseline Mansionization Hillside Ordinance is extremely important to my constituents. Therefore, I write in support of this proposed law. I have received numerous calls and letters from Council District 11 residents who live in both hillside and flat areas. They are all interested in the success of this ordinance as am I.

For the Hillside areas, this ordinance adds a layer of environmental protection and for the flat areas, its passage is vital to maintain the Baseline Mansionization Ordinance. If the Hillside Mansionization Ordinance is not approved by the end of June, the Baseline Mansionization Ordinance will be subject to its sunset clause and will be terminated. We cannot let that happen.

By limiting overdevelopment, restricting grading in hillside areas, and changing the height limits to better fit the topography, this ordinance will conserve the ecological and aesthetic values of our hillsides while upholding private property development rights.

I applaud the Planning Department's efforts to reduce the intensity of new development on hillsides, preserve the character of existing neighborhoods, and protect the integrity of Los Angeles' beautiful mountains.

Regards,

**BILL ROSENDAHL**  
*Councilmember, 11<sup>th</sup> District*

BR: wb

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(310) 575-8305 Fax



STATE CAPITOL, ROOM 4035  
SACRAMENTO, CA 95814  
TEL (916) 651-4023  
FAX (916) 324-4823

DISTRICT OFFICE  
2716 OCEAN PARK BLVD., STE. 308B  
SANTA MONICA, CA 90405  
TEL (310) 314-5214  
FAX (310) 314-5263

# California State Senate

SENATOR  
**FRAN PAVLEY**

TWENTY-THIRD SENATE DISTRICT



COMMITTEES  
NATURAL RESOURCES & WATER  
CHAIR  
TRANSPORTATION & HOUSING  
FOOD & AGRICULTURE  
ENVIRONMENTAL QUALITY  
BUDGET  
HEALTH

May 10, 2010

Mr. Erick Lopez and Ms. Jennifer Driver  
Department of City Planning  
City of Los Angeles  
6262 Van Nuys Boulevard, Room 351  
Van Nuys, California 91401

## Support for the Proposed Baseline Hillside Ordinance in the City of Los Angeles

Dear Mr. Lopez and Ms. Driver:

As the State Senator and Assemblymember representing portions of the Santa Monica Mountains that are within the Baseline Hillside Ordinance area, we are writing to express our support for this ordinance. We believe it provides reasonable limits on excessive development while enhancing our ability to protect our natural resources and public safety.

Increasingly, our hillsides are dominated by large houses that exceed the capacity of the lot and destroy our iconic landscape. By limiting overdevelopment of substandard lots, restricting both the total amount and form of grading in hillside areas, and changing the height limits to better fit the topography, this ordinance will conserve the ecological and aesthetic values of our hillsides while up-holding private property development rights. Moreover, the participation of the community in the development of this ordinance ensures the support of the people we serve.

We applaud the City's efforts to reduce the intensity of new development on hillsides, preserve the character of existing neighborhoods, and protect the integrity of Los Angeles' beautiful mountains. We urge you to adopt the Baseline Hillside Ordinance.

Sincerely,

*Fran Pavley*  
Senator Fran Pavley  
District 23

*Julia Brownley*  
Assemblymember Julia Brownley  
District 41

CAPITOL OFFICE  
STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0042  
(916) 319-2042  
FAX (916) 319-2142

DISTRICT OFFICE  
9200 W. SUNSET BLVD., P.H. #15  
WEST HOLLYWOOD, CA 90069  
(310) 285-5490  
(818) 902-0521  
FAX (310) 285-5499

# Assembly California Legislature



MIKE FEUER  
ASSEMBLYMEMBER, FORTY-SECOND DISTRICT

CHAIR  
JUDICIARY COMMITTEE  
COMMITTEES  
BUDGET  
BUDGET SUBCOMMITTEE #5  
INFORMATION TECHNOLOGY/  
TRANSPORTATION  
ENVIRONMENTAL SAFETY AND  
TOXIC MATERIALS  
INSURANCE

April 30, 2010

Mr. Erick Lopez and Ms. Jennifer Driver  
Department of City Planning  
City of Los Angeles  
6262 Van Nuys Blvd., Rm. 351  
Van Nuys, California 91401

## Support for the Proposed Baseline Hillside Ordinance in the City of Los Angeles

Dear Mr. Lopez and Ms. Driver,

I write to support the City's efforts to preserve the character and scale of existing neighborhoods in hillside areas, reduce overdevelopment, and protect the integrity of our natural terrain. The proposed Baseline Hillside Ordinance places reasonable limits on excessive development on hillside lots without unduly restricting owners' use of their properties.

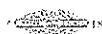
My district spans the area from Los Feliz to and including much of Brentwood, through the Sepulveda Pass to Sherman Oaks and east to Universal City. As such it includes large areas which would be subject to the proposed ordinance. Over the last decade, existing neighborhoods in my district have witnessed the degradation of esthetics and destruction of habitat, watercourses and geologic features due to hillside construction of huge houses that often exceed lot dimensions.

Under the proposed FAR guidelines, the lot size, zone and steepness of slopes on a property would dictate the size of the house while taking into account differences in hillside conditions. In addition, height calculations would follow the slope of a lot and an overall height to prevent massive buildings from being built. Grading limitations and incentives would help maintain natural features. Finally, the Hillside Standards Overlay would allow neighborhoods to tailor the size limits of new construction. All of these regulations would reduce outsized development in sensitive areas of our City.

The proposed Baseline Hillside Ordinance protects the community and the iconic hillsides that define our City landscape. I appreciate the outreach efforts conducted by your department to get the input of both developers and residents who are most impacted by hillside development, and thank you for your hard work in creating this Ordinance.

Sincerely,

Mike Feuer  
Assemblymember, 42<sup>nd</sup> District



**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207



March 15, 2010

SMMC Attachment  
04/26/2010  
Agenda Item 9(a)

Mr. Erick Lopez and Ms. Jennifer Driver  
Department of City Planning  
City of Los Angeles  
6262 Van Nuys Boulevard, Room 351  
Van Nuys, California 91401

**Support for the Proposed Baseline Hillside Ordinance in the City of Los Angeles**

Dear Mr. Lopez and Ms. Driver:

The Santa Monica Mountains Conservancy (Conservancy) supports the City's efforts to reduce the intensity of new development in hillside areas, preserving the character of existing neighborhoods and the integrity of the natural terrain. Too many projects have been permitted to dramatically alter native landforms, with severe geological, hydrological, biological, and aesthetic consequences. The proposed Baseline Hillside Ordinance provides reasonable limits on excessive development and enhances the Conservancy's ability to protect our natural resources.

Throughout the eastern Santa Monica Mountains in recent years, large houses have been squeezed into ever-smaller lots in existing neighborhoods. Prior to development, vacant lots serve as safe passages for wildlife movement between large habitat blocks. Increasing the intensity of development compromises this wildlife movement, which is essential to maintaining genetic diversity in large public parks, such as Griffith Park. Oversized houses consume a large percentage of the lot and leave side yards that are too narrow to facilitate wildlife movement. As new houses tear the web of passageways, the cumulative impact on wildlife populations is significant.

The proposed FAR guidelines would properly restrict the scale of new houses on small lots. Under the old rules, a house can be substantially larger than the size of the lot it sits on. For example, currently a 5,000 square foot lot can support a 7,000 square foot house, no matter the terrain. On a steep hillside lot, that requires excavating a large cut of earth and exporting thousands of cubic yards of dirt off the mountain. Hauling so much soil impedes access to hillside areas during emergencies and accelerates deterioration of narrow roads. The resulting overbuilt structure is often an unsightly tall block utilizing every buildable inch of the lot. Under the proposed ordinance, the maximum FAR would vary according

**Mr. Erick Lopez and Ms. Jennifer Driver**  
**Baseline Hillside Ordinance Comments**  
**March 15, 2010**  
**Page 2**

to the suitability of the lot for building, with steeper lots supporting smaller structures. This common-sense approach will limit development to a level appropriate for the lot, without restricting the economic use of private property.

Additionally, the proposed ordinance would restrict the total amount of grading allowed without a variance. Currently there is no limit to the amount of earth a developer can import or export from the project site. This oversight results in mega-projects that transform the natural terrain instead of working with it. People living in the hills generally value their natural setting, but individual projects are allowed to destroy the landscape for everyone through excessive grading. Grading affects natural drainage patterns and soil composition, which inhibits growth of native plants. Large projects generally also include complex retaining wall configurations that leave the site unpassable to wildlife. By decreasing the quality and quantity of wildlife passages, the present rules fail to protect public resources. The proposed rules provide enough leeway for developers to create a feasible building pad that compliments the terrain without removing the very hillside that attracts residents in the first place.

Overall, this ordinance proposes reasonable limits on hillside development. The City would be wise to adopt the new rules to preserve one of its defining features. The Santa Monica Mountains Comprehensive Plan calls for letting the land dictate the use instead of imposing human uses on the land. The proposed ordinance follows the spirit of the Plan by encouraging houses to fit the terrain. The Conservancy supports the City in its efforts to protect the character and integrity of its hills.

Please accept this staff letter until the Conservancy's Board approves its full comments. Please direct all future materials regarding this proposed ordinance to me at the letterhead address or contact me by phone at (310) 589-3200 ext. 128.

Sincerely,



PAUL EDELMAN  
Deputy Director  
Natural Resources and Planning



## BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

821 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET / LOS ANGELES, CALIFORNIA 90012  
PHONE (213) 974-3333 / FAX (213) 625-7360  
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**ZEV YAROSLAVSKY**  
SUPERVISOR, THIRD DISTRICT

Mr. Erick Lopez  
Ms. Jennifer Driver  
Department of City Planning  
City of Los Angeles  
6262 Van Nuys Boulevard, Room 351  
Van Nuys, California 91401

Dear Mr. Lopez and Ms. Driver:

**RE: Support for the Baseline Hillside Ordinance in the City of Los Angeles**

The Third Supervisorial District spans the length of the Santa Monica Mountains within the City of Los Angeles—from Los Feliz and Griffith Park on the east to the Pacific Palisades on the west. As such, the protection of this sensitive natural resource and the preservation of the unique neighborhoods that call this area home are of the utmost personal importance to me. The proposed Baseline Hillside Management ordinance will go a long way toward accomplishing both of these critical goals.

While some may quibble with certain provisions of the proposed ordinance, the total package represents a wise balance between preservation of property rights and preservation of the environment. In sum, this ordinance will help reduce grading, encourage building of split-level foundations that will follow the topography of the land, reduce the intrusion of looming mansions that could destroy the character and privacy of neighborhoods, and implement important fire safety measures for hillside neighborhoods.

In the unincorporated Santa Monica Mountains, which I also represent, the County passed the Santa Monica Mountains North Area Plan that instituted the guiding principle: "let the land dictate the type and intensity of its use." That principle should be followed throughout the Santa Monica Mountains and with this ordinance the City of Los Angeles will be taking an important step in the same vital direction.

I therefore strongly urge the passage of the Baseline Hillside Ordinance without delay.

Sincerely,

ZEV YAROSLAVSKY  
Supervisor, Third District

Officers  
*President*  
Richard H. Close  
*Vice President*  
Matt Epstein  
*Vice President*  
Jules Feir  
*Treasurer*  
Chuck Betz  
*Secretary*  
John Isen  
  
Founded in  
1964



## SHERMAN OAKS HOMEOWNERS ASSOCIATION

P.O. Box 5223  
Sherman Oaks, California 91423  
Information: (818) 377-4590  
[www.shermanoaks914.com](http://www.shermanoaks914.com)

Board of Directors  
Chuck Betz  
Richard H. Close  
Matt Epstein  
Jules Feir  
John Isen  
Marshall Long  
Ellen Vukovich

To: Los Angeles City Council  
Planning and Land Use Management (PLUM) Committee  
Room 350  
200 North Spring Street  
Los Angeles CA 09912

Date: July 20<sup>th</sup>, 2010

### **Sherman Oaks Homeowners Association Comments and Recommendations on Proposed Municipal Code Amendment Establishing New Single-Family Dwelling Development Regulations in Designated Hillside Areas (Baseline Hillside Ordinance)**

**File Number: 10-1001**

The Sherman Oaks Homeowners Association (SOHA) represents more than 3,000 hillside homes and lots in Los Angeles to which the Baseline Hillside Ordinance (BHO) will apply. We have worked with and supported the Planning Department for more than two years in their development of the BHO. We concur with the basic purpose of the BHO – to preserve the look and feel of communities and reduce the detrimental impacts of overly large homes. We further feel that the BHO must achieve a reasonable compromise and present a well-balanced set of “baseline” provisions that protect neighborhood character and scale, including limitations on floor area, height, and grading. Unfortunately, the most recent version of the BHO does not include certain important protections that appeared in earlier BHO versions, as these were removed during reviews by the City Planning Commission. SOHA has worked with other homeowner groups and has developed the following recommendations for reinstating specific critical protections in the BHO. We thank the Planning and Land Use Management (PLUM) Committee for their consideration of our recommendations.

**BASELINE HILLSIDE ORDINANCE REFERENCES** – In our recommendations, the BHO paragraph and page references are to the latest version of the BHO from Exhibit A of the City Planning Commission June 8<sup>th</sup> 2010 report (CPC-2010-581-CA). Because this latest version does not include some language deleted from earlier versions, we have included that language in this memo, where necessary.

**1. COUNT 75% OF EXEMPTED CUT/FILL AGAINST GRADING LIMITS** – Modify the Hillside Development Standards paragraph 6.c (Grading Exceptions on pages 16-17) such that 75% of exempted cut and/or fill as defined in sub-paragraphs 6.c(1) and 6.c(2) is counted toward the maximum grading quantities in paragraph 6.a (on pages 15-16) and the import/expert limits in paragraph 6.b (on page 16). The current BHO version essentially exempts all cut and fill from the maximum grading quantity limits. Prior BHO versions exempted little cut and fill from these limits. The current provisions will allow massive grading, much to the detriment of neighbors, neighborhoods, stability, and safety. We strongly recommend that 75% of the cut and fill be reinstated against the maximum grading quantities and limits. This is a reasonable portion that would continue to encourage some “notching” into hillsides while not allowing massive grading in our limited hillside areas.

**2. BUILDING PERMIT ISSUANCE BEFORE GRADING PERMIT ISSUANCE** – Change

paragraph 6 (Grading on page 15) to replace the word “approved” with “issued” and read: “No grading permits shall be issued until a building permit is issued.” Using “issued” rather than “approved” protects against the situation where the permit is approved but never paid for and issued. We understand that issuance of the building permit would require developers to pre-pay the required fees, but this is not a significant financial burden. Without the wording change, a property can be graded and the discarded or even sold. Having the building permit fees pre-paid at least forces builders and developers to demonstrate their commitment to an approved project.

**3. ADD 10% LIMIT TO ZONING ADMINISTRATOR DETERMINATION** – Modify the Zoning Administrator Determinations (12.24.x) paragraph 28.a(5) (Grading Zoning Administrator Authorities on page 23) and paragraph 28.b(5) (Grading Findings on page 25) such that the Zoning Administrator:

(1) can only increase the maximum grading quantities [sub-paragraphs 28.a(5)(i) and 28.b.(5)(i)] by a maximum of 10% above the limits provided in Hillside Development Standards paragraph 6.a; and

(2) can only increase the import/export quantities [sub-paragraphs 28.a(5)(ii) and 28.b(5)(ii)] by a maximum of 10% above the limits provided in Hillside Development Standards paragraph 6.b. The current provisions allow the Zoning Administrator (ZA) to increase the maximum grading quantities much too significantly and will lead to over grading. The key question here is why bother to have any limits at all in the ordinance if they can be totally overturned by the ZA. This makes no sense and gives too much authority to the ZA for critical grading issues.

**4. REINSTATE PROHIBITION AGAINST GRADING ON EXTREME SLOPES** – The paragraph prohibiting grading on extreme slopes (shown in the box below) appeared in an earlier version of the BHO (April 22<sup>nd</sup>) but was eliminated from the current version (and no longer appears at all in Exhibit A to the CPC report). Eliminating this prohibition will have drastic impacts on the City of Los Angeles (possibility of lawsuits when failures on steep slopes eventually occur) and on local homeowners (possibility of damage and personal injury when failures on steep slopes eventually occur). We strongly recommend that the “Grading on Extreme Slopes” requirement be fully reinstated. The rationale for eliminating the requirement was that such slopes represent only 0.14% of the hillside area. However, this 0.14% still equates to 62 acres of what used to be called “junk lots” and which continue to be essentially unbuildable. In addition, because of the instability and difficulty of building on such junk lots, we recommend that Building and Safety (LADBS) increase the geotechnical analysis and reporting requirements to the most stringent level possible where slopes are greater than or equal to 100%.

d. **Grading on Extreme Slopes.** Grading, excepted as otherwise noted in this Paragraph, on slopes greater than or equal to 100% shall be done only when recommended by a full site Geotechnical Investigation Report and approved by the Department of Building & Safety Grading Division in order to mitigate previously existing unsafe conditions.

Except that grading activity exempted by Subparagraphs (1) and (2) of Paragraph g of this Subdivision shall not be prohibited as a result of this provision when the portions of a slope that are greater than or equal to 100% is no more than 100 square feet.

Furthermore, if PLUM does not consider it possible to reinstate the grading prohibition on slopes equal to or greater than 100%, then we alternately recommend implementation of all the following requirements:

- Require Building and Safety (LADBS) to increase the geotechnical analysis and reporting requirements to the most stringent level possible where slopes are greater than or equal to 100%; AND
- Require inspection by a Deputy Grading Inspector, paid by the applicant per LADBS P/BC 2002-34 which states that section 91.1701.1 of the Los Angeles Municipal Code requires the use of a Registered (Licensed) Deputy Inspector ... for certain grading or foundation earthwork in hillside areas; AND
- Require that LADBS not give Categorical Exemptions (CEs) to properties with slopes equal to or greater than 100%, since the issuance of a CE without some other form of mitigation eliminates the notification process to stakeholders, including neighbors, and this is an unfair situation.

**5. INTRODUCE SELF-POLICING NEIGHBORHOOD NOTIFICATION** – At the current time, it is difficult for the average Los Angeles homeowner to learn what a builder or developer might be building on a neighboring lot, and impossible to ensure that what is being built meets the Building Code. Now, with the inclusion of the Baseline Mansionization Ordinance (BMO for the flatlands) and the Baseline Hillside Ordinance (BHO for the hillsides), neighbors must also be concerned that any new building or remodeling meet and continue to meet the applicable BMO and BHO limits. The citizens of Los Angeles deserve the simple consideration of being reasonably notified when a neighboring or nearby property is being built or modified, and understanding that the building or modification meets the important requirements that PLUM has helped put in place.

One simple way to do this is giving neighboring homeowners and relevant homeowner associations (HOAs) the information they need to self-police any adjacent or nearby construction. This can be accomplished by requiring builders to provide (by certified letter) to the 12 nearest neighbors and the relevant HOAs a document summarizing what the property will look like (a rendering) and how the property meets the Code and the BMO or BHO, whichever is applicable. Neighboring homeowners and the HOAs can then self-monitor the construction and report any concerns to LADBS, e.g., where the construction seems to deviate from the approved building requirements as presented in the summary.

**6. PREVENT CUMULATIVE SLIGHT MODIFICATIONS** – We are concerned that builders and developers may attempt to circumvent the requirements in the Baseline Mansionization Ordinance (BMO) and Baseline Hillside Ordinance (BHO) by requesting multiple small modifications which cumulatively result in significant changes that exceed BMO and BHO requirements. We recommend that the impact of slight modifications be eliminated by providing Building and Safety (LADBS) the authority to grant modifications only when the cumulative impact of any and all modifications does not increase the total residential floor area by more than 5% or 1,000 square feet, whichever is less. All further modifications would then require re-application for, re-approval of, and re-issuance of the building permit.

In addition, should the self-policing neighborhood enforcement method (noted in the prior recommendation) be used, the following would also apply. When the cumulative impact of any and all modifications increases the total residential floor area by more than 5% or 1,000 square feet, whichever is less, require builders to provide (by certified letter) to the 12 nearest neighbors and the HOA an updated document summarizing the modifications, what the modified property will look like (rendering), how the property will continue to meet the Code and the BMO or BHO, and if the builder will be seeking re-approval and re-issuance of the building permit.

**7. REINSTATE LANDFORM GRADING REQUIREMENT** – The following paragraph on landform grading appeared in an earlier version of the BHO (April 22nd) but was eliminated from the latest version (and no longer appears as deleted in Exhibit A of the CPC report). We recommend that the landform grading requirement be reinstated. However, if that cannot be accomplished, we recommend that Zoning Administrator Determinations paragraph 28.a(5) (grading on page 23) be modified to require grading in conformance with the Department of City Planning – Planning Guidelines Landform Grading Manual whenever the Zoning Authority approves increased maximum grading quantities [per sub-paragraph 28.a(5)(i) on page 23] or approves increased import and/or export quantities [per sub-paragraph 28.a(5)(ii) on page 23]. Note that Landform Grading is already provided in sub-paragraph 28.b(5)(i) on Zoning Administrator Findings.

- e. **Landform Grading Requirement.** For any project, including remedial grading, involving 1,000 cubic yards or more of grading, landform grading, as outlined in the Department of City Planning – Planning Guidelines Landform Grading Manual, shall be used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.

**SOHA Comments to PLUM on Baseline Hillside Ordinance – 20 July 2010**

**8. ADD “FREESTANDING RETAINING WALL” DEFINITION** – Add a definition for “freestanding retaining wall” (into BHO definitions section 12.03) as the term is used in the Hillside Development Standards paragraph 6.c(1) (grading exceptions on pages 16-17). The definition of this term is somewhat, but not fully clarified in LADBS P/ZC 2002-016. We are therefore concerned that the term could be misconstrued by various parties and this could lead to implementations problems for the BHO.

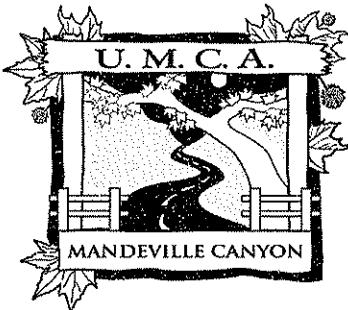
**9. ADD “NOTCHING” DEFINITION** – Add a definition for “notching” homes into hillsides (into BHO definitions section 12.03) to carefully clarify the exact meaning of this term. The Planning Department and Building and Safety Department (LADBS) have constructed many of the BHO provisions to encourage notching into hillsides, but have not clarified the meaning of this concept. Again, such lack of clarification could lead to later confusion to the detriment of the ordinance.

Thank you very much for your consideration.

Sherman Oaks Homeowners Association

By Marshall Long  
Member, Board of Directors

By Bob Anderson  
Chairman, Hillside Committee

**UMCA**

Upper Mandeville Canyon Property Owners' Association  
P. O. BOX 49845  
Los Angeles, California 90049  
[www.uppermandeville.org](http://www.uppermandeville.org)

**Board of Directors**

Eric Badener  
John Binder  
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Wendy-Sue Rosen  
JoAnn Schoemann

Jamie Schwartzman  
Mary Spain  
Julia Weinstein  
Jim Wright

May 4, 2010

Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012-3242  
Sent Via E-mail:  
[cpc@lacity.org](mailto:cpc@lacity.org) and [james.k.williams@lacity.org](mailto:james.k.williams@lacity.org)

**Re: City Planning Case No. CPC-2010-0581-CA  
UMCA Support for Proposed Baseline Hillside Ordinance**

Dear Planning Commissioners:

The Upper Mandeville Canyon Property Owners' Association ("UMCA"), formed in 1956, represents the approximately 300 families residing in the upper section of Mandeville Canyon. The UMCA strongly supports the proposed Baseline Hillside Ordinance ("BHO"), which would implement an essential layer of protection for hillside areas. Through the imposition of modest and reasonable review protocols and limitations, the BHO can significantly aid in preserving the natural beauty of hillside environments, prevent erosion and other predicates of hillside instability, and aid emergency response to remote hillside residential areas like Mandeville Canyon.

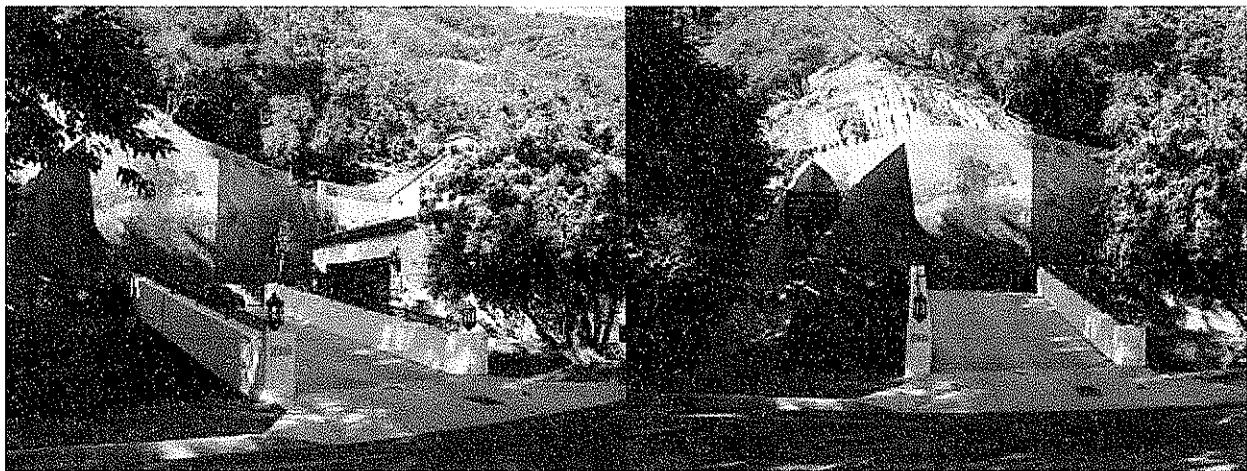
The Upper Mandeville Canyon area has a long history of floods, mudslides, hillside instability, fires, property damage and death. Several years ago, at the height of the development boon, several hillside lots previously considered undevelopable were purchased by spec developers who constructed large mansions cut into the side of the canyon, requiring massive retaining walls and caissons, with septic systems located in Mandeville Canyon Creek.

These over-sized structures are grossly out of character with our hillside community, with massive, out-of-scale retaining walls towering over the natural hillside environment. They also destabilized the hillsides during construction, and have created environmental hazards, including water pollution, erosion, risk of flooding, and loss of wildlife corridors. In an unprecedented action, the Los Angeles Regional Water Quality Control Board stepped in to

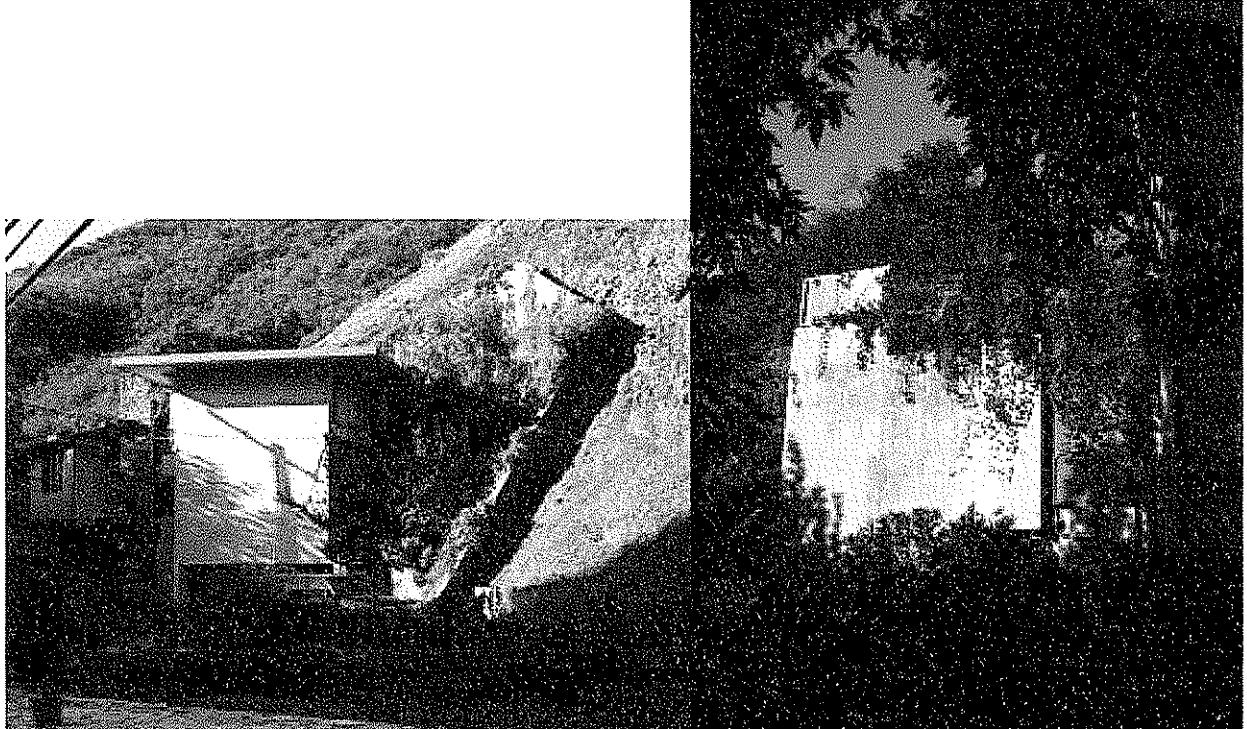
address the environmental water-quality hazards and require that the City implement the necessary best management practices.

Mandeville Canyon Road is a narrow, substandard street, with inherent emergency-response delays. Construction with unlimited grading activity and over-development of the hillsides have greatly strained the roadway, caused delays, and, through the storm drains, carried pollution and construction debris into the Santa Monica Bay.

Unfortunately, Upper Mandeville Canyon now has several over-developed lots that illustrate the need for the BHO:



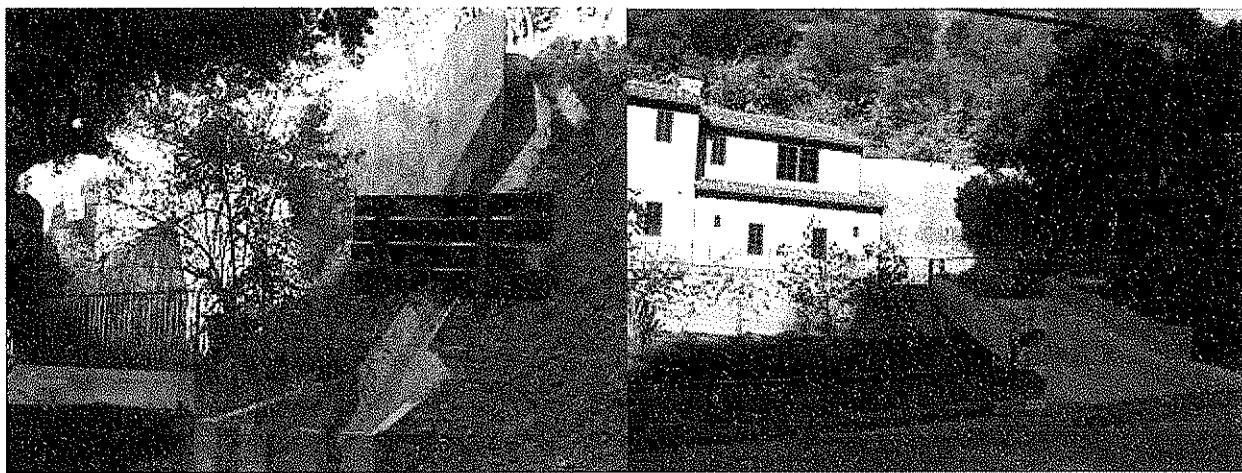
*3565 Mandeville Canyon Road*



*3685 Mandeville Canyon Road*



*3715 Mandeville Canyon Road*



*3715 Mandeville Canyon Road*

The proposed BHO is a necessary *first step* to implement a comprehensive set of reasonable hillside safety and environmental regulations to protect hillside areas. While the BHO does not directly regulate the use of retaining and structural walls, the FAR and other baseline development limitations would have triggered a public review process that might have prevented the type of over-built structures depicted in these photographs.

Similarly, the placement of septic systems too close to the stream is a result of over-development on the lots. The baseline development limitations would require spec developers, like those who built the pictured structures, to participate in a public process instead of unilaterally taking up entire hillside properties with out-of-scale buildings, thereby leaving inadequate space for proper placement of septic systems at a safe distance from streams and

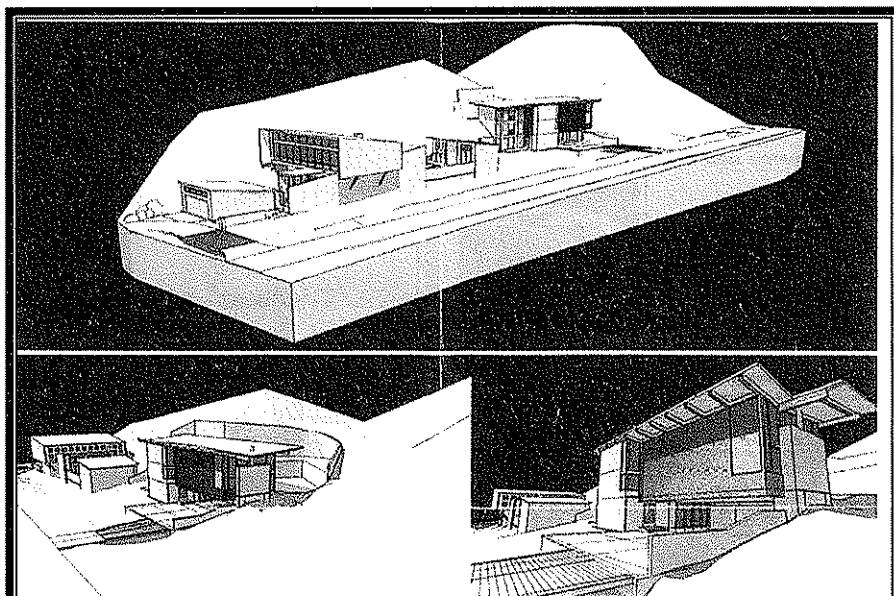
other tributaries. The BHO will thereby provide significant protection against over-development of hillside properties by requiring meaningful public scrutiny. In sum, the BHO will preserve more of the hillsides, promote development and grading consistent with the hillsides' natural contours, and serve to limit the traffic-producing and emergency-response delaying impacts of hauling through grading and fill limitations.

The BHO will prevent the transformation of steep, open space hillside properties *from this:*



*3663 Mandeville Canyon Road*

*To this:*



**3663 Mandeville Canyon Road, Brentwood**  
*Potentially Sub Dividable Lush Mandeville Canyon Site!*

Approximately 3/4 on an acre with broad frontage on the West side of Mandeville bordering the Santa Monica Conservancy. Includes plans and renderings for two exciting architectural homes. South house, a "Green Module" design, is approximately 3400 square feet in design development and the North house a Steve Earlich and Jim Schmidt design ,is approximately 4500 square feet, permit ready!

The UMCA strongly supports prompt passage of the BHO as presently drafted. We also support the adoption of further protective ordinances including stream protection, viewshed protection, and limits on retaining walls. The BHO, however, must be passed now, to prevent the types of excessive development that continues to plague the hillside areas and to protect the quality of our hillside neighborhoods.

Very Truly Yours,



Tom Freeman, President  
Upper Mandeville Canyon Association

# AIA Los Angeles

A Chapter of the American Institute of Architects



July 20, 2010

Honorable Ed Reyes  
*and Members of the Planning and Land Use Committee*  
 City of Los Angeles  
 200 North Spring Street  
 Los Angeles, California 90012-2601

**Re:** Baseline Hillside Ordinance (CPC-2010-581-CA)

Dear Councilmember Ed Reyes:

On behalf of the Los Angeles Chapter of the American Institute of Architects (AIA/LA), I want to express our appreciation to the Planning Commission and the Department of City Planning (DCP) for listening to our concerns and integrating several of our recommendations into the draft of the Baseline Hillside Ordinance (BHO). Additionally, we would like to suggest several further recommendations, which we believe will improve the BHO and enable it to serve as a more effective planning tool. AIA/LA recommends the following:

**Sections To Remove From Ordinance:**

- Prevailing front yard setback (section 1.a)
- LEED-based FAR bonus (section 2.c.(7))
- Perimeter setback requirement for solar energy systems (section 4.g chart <BHO>-5)
- Exempted grading limited to within 5' of exterior walls (section 6.c)
- Garage door air flow requirement (section 7.e)

**Recommended Revisions To The Ordinance:**

- Remove requirement for ZA process for 5' front yard for substandard street and make it an entitlement instead (section 1.b and l)
- The requirement for a licensed architect or engineer for all work over 1,000 square feet should be revised to an architect only. (section 3)
- FAR should be based on lot size not lot zone, and the last category should be 60 – 100% (delete the 100% category) (section 2 and table <BHO>-2).
- The slope band method should be removed and replaced with an average site slope calculation (section 2.a).
- The Guaranteed Minimum Residential Floor Area should be increased to 2,000 sf (section 2.b), should be based on lot size not lot zone, and the adopted zone change paragraph could be deleted (section 2.b)
- Height restrictions should be uniform for all structures and not differentiate between low and high-sloped options (section 4, table <BHO>-4).
- Grading limits should be based on lot size not lot zone (section 5, table <BHO>-6).

The AIA/LA believes that a refined Baseline Hillside Ordinance will serve as an effective planning tool to help regulate the negative impacts of inappropriate development. Yet, for the BHO to work effectively, it needs to be as simple and clear as possible and focus on regulating FAR and height.. We appreciate all of the Planning Department's work on this difficult issue and look to be a resource to the Department as the final shape of the ordinance is defined.

Very truly yours,  
 Paul Danna  
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