

## LAND USE FINDINGS

In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it supports Section 12 of the General Plan Conservation Element, which discusses habitat conservation. This section concludes that “the City has an important role in preserving, protecting, enhancing, creating, and monitoring habitats to ensure the maintenance of the rich local bio-diversity.” The proposed ordinance also supports the objective of this section of the Conservation Element of the General Plan, which is to “preserve, protect, restore, and enhance natural plant and wildlife diversity, habitats, corridors, and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened, or species of special concern”, as well as Policy 4 from this section, which is to “continue to support legislation that encourages and facilitates protection of local native plant and animal habitats.” This ordinance substantially advances a legitimate public interest in that it extends protection to two additional native plant species and updates regulations, which helps to ensure the maintenance of local bio-diversity by preserving and protecting native plants.

In accordance with the Charter Section 558 (b)(2), the proposed ordinance will be in conformance with public necessity, convenience, general welfare, and good zoning practice because this ordinance modifies regulations in the Zoning Code by protecting two additional species of native plants and updates regulations. Given that these regulations are necessary to preserve and improve the health and bio-diversity of local ecosystems and preserve Los Angeles’ urban forest, which has an effect on the health and aesthetics of neighborhoods around the City, this Code amendment provides for the general welfare of the community, and implements good zoning practice.

## ENVIRONMENTAL FINDINGS

In accordance with the California Environmental Quality Act (CEQA), this proposed project is exempt pursuant to General Exemption Article 19, Section:

Article 19, Section 15308, Class 8 of the State’s Guidelines applies when a project consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The proposed project is a Code amendment that will extend the same protection that is applied to a list of four Southern California indigenous trees currently protected, Oak, including Valley Oak (*Quercus lobota*) and California Live Oak (*Quercus agrifolia*), Southern California Black Walnut (*Juglans californica*), Western Sycamore (*Platanus racemosa*), and California Bay (*Umbellularia californica*), to two Southern California indigenous shrubs, the Mexican Elderberry (*Sambucus Mexicana*) and Toyon (*Heteromeles arbutifolia*). The proposed Code amendment establishes qualifying criteria for the protected shrubs, however qualifying criteria for protected trees will remain unchanged. In addition to extending protection to two additional plant species, the proposed project will also increase the number of specimens required for replacement when any species on the list is removed, from two replacements for every one removed to four replacements for every one removed to ensure restoration of the environment. Finally, the proposed project refines the qualifying criteria for tree experts, who prepare required reports when trees or shrubs are proposed to be removed, by requiring that experts individually meet the criteria, and that any landscape architect

also be a certified arborist. The refinement of tree expert criteria will ensure higher quality, more comprehensive tree reports.

The indigenous tree species have been granted protected status due to their importance in sustaining local ecosystems, including providing habitat for native animal species and providing shade through their tree canopies. While the Mexican Elderberry and Toyon are not trees, they serve equally important roles in sustaining local ecosystems by providing habitat for native animal species such as pheasants and small mammals.

Protecting a greater number of plant species, and increasing the replacement requirements for protected trees, is not anticipated to have a significant impact on water usage, as both the Toyon and Mexican Elderberry shrubs are drought tolerant and require little water, and increasing the replacement requirements for protected trees simply serves to codify current Department of Public Works practice. For the reasons stated, the proposed project will provide for the maintenance, restoration, and protection of the environment, and is, therefore, categorically exempt under Class 8.