

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.04, 12.32, 13.00, 13.21, 13.22 and 16.05 of Chapter 1 of the Los Angeles Municipal Code (LAMC) in order to create a “WLD” Wildlife Supplemental Use District that establishes regulations to maintain and protect existing wildlife, connectivity and ecosystems and to provide additional benefits including climate resilience, resource management, and public health.

WHEREAS, on April 22, 2016, the City Council adopted a motion instructing the Department of City Planning, in conjunction with the City Attorney and with natural resource agencies such as the Santa Monica Mountains Conservancy, to prepare an ordinance amending the Los Angeles Municipal Code (LAMC) to “create a Wildlife Corridor in the eastern area of the Santa Monica Mountains” with the goal of protecting wildlife and maintaining wildlife connectivity within the Santa Monica Mountains;

WHEREAS, the City Council motion instructed the Department to prepare an ordinance to: (1) ensure that hillside development accommodates wildlife habitat connectivity; (2) require that easements and deed restrictions be applied to achieve connectivity; (3) designate a zone in the LAMC for wildlife connectivity; and (4) require a biological constraints checklist for every project in the Wildlife Corridor zone, and in response the Department has prepared this ordinance, which is a code amendment ordinance (Ordinance), along with a companion zone change ordinance, for presentation to the City Council;

WHEREAS, on December 13, 2021, the Santa Monica Mountains Conservancy (SMMC), after studying wildlife habitat and corridors within its territories, with the goal of preventing further injuries and deaths to wildlife and protecting the remaining open spaces and wildlife linkages that exist, adopted the Eastern Santa Monica Mountains Natural Resource Protection Plan;

WHEREAS, California Government Code Section 65302(g) requires cities to prepare a safety element, which establishes policies for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards, geologic hazards, and flooding; and wildland and urban fires, and to implement such policies through local ordinances and regulations, which the City has prepared in the Ordinance;

WHEREAS, there is a global climate crisis and municipalities are being called upon to develop strategies to combat climate change, build in resiliency and protect biodiversity as evidenced by several California legislative actions and initiatives, including but not limited to, Senate Bill (SB) 1425 (Stern, 2022), SB 379 (Wiener, 2022) and Governor Newsom’s 30x30 initiative;

WHEREAS, Los Angeles has a multitude of plans and initiatives that highlight the importance of addressing ecological health and resilience in the Los Angeles region, such as: LA's Green New Deal/Sustainability pLAn (pLAn); Resilient Los Angeles Plan (Resilient LA); Biodiversity and Healthy Soils initiatives; One Water LA 2040 Plan; Protected Tree Ordinance (PTO); and the first steps towards an Urban Forest Management Plan;

WHEREAS, the Baseline Hillside Ordinance (BHO), Hillside Construction Regulations (HCR), and Mulholland Scenic Parkway Specific Plan (Mulholland Specific Plan) created development standards to ensure that new development matches the scale and character of existing buildings in the hillsides, cumulative grading activities are minimized, and scenic and natural resources in a portion of the Santa Monica Mountains are preserved, but those regulations do not explicitly address wildlife and connectivity;

WHEREAS, this Ordinance is consistent with the goals and objectives of the General Plan's Framework, Land Use, Conservation, Safety, and Housing elements to protect the City's natural resources and biodiversity and implements those policies by establishing new development standards, removing exemptions, and imposing regulations for wildlife connectivity, lot coverage, floor area, grading and height, native landscaping/trees, fences, solid waste enclosures, windows and lighting, land and vegetation disturbance, impervious development, preventing injury to wildlife, maintaining wildlife movement corridors, and discretionary review of projects in or near wildlife resources;

WHEREAS, an initial draft of this Ordinance was released for public review and comment in Spring 2021, a revised draft was released in Spring 2022, members of the public had between April 22, 2022, and August 22, 2022, to provide additional comments on the revised draft, and the feedback was incorporated into the Ordinance for City Planning Commission consideration;

WHEREAS, the City received comments on the draft Wildlife Ordinance from SMMC and LA County Fire along with other City departments such as: the Bureau of Engineering (BOE), the Department of Building and Safety (DBS), the Department of Recreation and Parks (RAP), the Department of Water and Power (DWP), the Los Angeles Fire Department (LAFD), the Los Angeles Police Department (LAPD), the Department of Animal Services, Los Angeles Sanitation and Environment (LASAN, including the Biodiversity Expert Council), and the Urban Forestry Division of the Public Works Department (UFD) and incorporated recommendations into the Ordinance presented to the City Planning Commission;

WHEREAS, beginning in 2018, public workshops, presentations, informational sessions, and a public hearing were held. Additionally, a project website was developed to share information about the Ordinance, process, and timeline. Regular electronic communications and e-blasts were sent throughout the Ordinance development process;

WHEREAS, on June 30, 2022, a notice of public hearing was published in the "Daily Journal" legal newspaper in accordance with LAMC Section 12.32 C.4;

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission, held a public hearing on the proposed Ordinance on July 13, 2022, and 62,500 hearing notices were mailed to owners and occupants in the proposed Wildlife District;

WHEREAS, on December 8, 2022, the City Planning Commission conducted a public hearing;

WHEREAS, the proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), 15307 (Class 7), and 15308 (Class 8), and no exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies; and

WHEREAS, this Ordinance is urgently needed to prevent the further alteration or irreversible loss of biodiversity and wildlife habitat, and to minimize future obstacles to wildlife connectivity in the Santa Monica Mountains of Los Angeles; and delaying the implementation of this Ordinance would allow development in this area to continue trending upward, which is inconsistent with the objectives of the General Plan, incompatible with the existing neighborhoods, irreversible, and will also impact the quality of life in these communities within the City of Los Angeles.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The following definitions are added to Section 12.03 of Article 2 of Chapter 1 of the Los Angeles Municipal Code in alphabetical order:

Significant Tree. Any tree that measures 12 inches or more in diameter at four and one-half feet above the average natural grade at the base of the tree or is more than 35 feet in height.

Stream. Any perennial, ephemeral, or intermittent watercourse having a surface or subsurface flow that supports or has supported riparian vegetation.

Tree Expert. A person with at least four years of experience in the business of transplanting, moving, caring for and maintaining trees and who is one or more of the following: (a) a certified arborist with the International Society of Arboriculture and who holds a valid California license as an agricultural pest control advisor; or (b) a certified arborist with the International Society of Arboriculture and who is a licensed landscape architect; or (c) a registered consulting arborist with the American Society of Consulting Arborists.

Wetland. Any natural lake, intermittent lake, pond, intermittent pond, marsh, swamp, seep, or spring.

Wildlife Resource. Features which provide wildlife benefits, ecosystem services, and contribute to the overall quality of the natural and built environment. Wildlife Resources are identified in a map, created and maintained by the Department of City Planning, and include but are not limited to: water resources, such as lakes, reservoirs, ponds, wetlands, rivers, streams, creeks, and riparian areas; open space resources, including zoned open space conservation easements, and protected areas; and open channels.

Sec. 2. Subsection D of Section 12.04 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this chapter.

"O"	Oil Drilling District
"S"	Animal Slaughtering
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"TCN"	Transportation Communication Network District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"CPIO"	Community Plan Implementation Overlay District
"HS"	Hillside Standards Overlay District
"MPR"	Modified Parking Requirement District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District
"RG"	Rear Detached Garage District
"HCR"	Hillside Construction Regulation District
"WLD"	Wildlife District

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K"

Equinekeeping District, “CA” Commercial and Artcraft District, “POD” Pedestrian Oriented District, “CDO” Community Design Overlay District, “MU” Mixed Use District, “FH” Fence Height District, “SN” Sign District, “TCN” Transportation Communication Network District, “RFA” Residential Floor Area District, “NSO” Neighborhood Stabilization Overlay District, “CPIO” Community Plan Implementation Overlay District, “RIO” River Improvement Overlay District, “CUGU” Clean Up Green Up Overlay District, “RG” Rear Detached Garage District, “HCR” Hillside Construction Regulation District, or “WLD” Wildlife District is also classified in one or more zones, and land classified in the “P” Automobile Parking Zone may also be classified in an “A” or “R” Zone.

These classifications are indicated on the “**Zoning Map**” with a combination of symbols, e.g., **R2-2-O**, **C2-4-S**, **M1-3-G**, **M1-1-P** and **R2-O**, **C2-G**, etc., where height districts have not been established.

Sec. 3. Subdivision 2 of Subsection S of Section 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

2. Districts. In order to carry out the provisions of this article, the following districts are established:

“O”	Oil Drilling District
“S”	Animal Slaughtering District
“G”	Surface Mining District
“RPD”	Residential Planning Development District
“K”	Equinekeeping District
“CA”	Commercial and Artcraft District
“POD”	Pedestrian Oriented District
“CDO”	Community Design Overlay District
“MU”	Mixed Use District
“FH”	Fence Height District
“SN”	Sign District
“TCN”	Transportation Communication Network District
“RFA”	Residential Floor Area District
“NSO”	Neighborhood Stabilization Overlay District
“CPIO”	Community Plan Implementation Overlay District
“HS”	Hillside Standards Overlay District
“MPR”	Modified Parking Requirement District
“RIO”	River Improvement Overlay District
“CUGU”	Clean Up Green Up Overlay District
“RG”	Rear Detached Garage District
“HCR”	Hillside Construction Regulation District
“WLD”	Wildlife District

These districts and their boundaries are shown on portions of the “Zoning Map” as provided for in Section 12.04 and made a part thereof by a combination of the zone and district symbols. This map and the notations, references and

other information shown on it that pertain to the boundaries of these districts are made a part of this article as fully described here. Reference is hereby made to those maps, notations, references and other information for full particulars.

Sec. 4. The table of contents preceding Section 13.00 of Article 3 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

Section

- 13.01 "O" Oil Drilling Districts.
- 13.02 "S" Animal Slaughtering Districts.
- 13.03 "G" Surface Mining Operations Districts.
- 13.04 "RPD" Residential Planned Development Districts.
- 13.05 "K" Equinekeeping Districts.
- 13.06 Commercial and Aircraft Districts.
- 13.07 Pedestrian Oriented District.
- 13.08 "CDO" Community Design Overlay District.
- 13.09 Mixed Use District.
- 13.10 Fence Heights District.
- 13.11 "SN" Sign District.
- 13.11.1 "TCN" Transportation Communication Network District.
- 13.12 "NSO" Neighborhood Stabilization Overlay District.
- 13.13 "RFA" Residential Floor Area District.
- 13.14 "CPIO" Community Plan Implementation Overlay District.
- 13.15 "MPR" Modified Parking Requirement District.
- 13.16 "HS" Hillside Standards Overlay District.
- 13.17 "RIO" River Improvement Overlay District.
- 13.18 "CUGU" Clean Up Green Up District.
- 13.19 "RG" Rear Detached Garage District.
- 13.20 "HCR" Hillside Construction Regulation District.
- 13.21 "WLD" Wildlife District.
- 13.22 Violation.

Sec. 5. Section 13.21 of Article 3 of Chapter 1 of the Los Angeles Municipal Code shall be renumbered as Section 13.22 and a new Section 13.21 is added to read as follows:

SEC. 13.21. "WLD" WILDLIFE DISTRICT.

A. Purpose. This section sets forth procedures and standards for the City's Wildlife (WLD) District. The general purpose of the WLD District is to maintain and enhance wildlife habitat and connectivity by providing standards and regulations applicable to development in ecologically important areas. Other purposes of the WLD District are to achieve protection of natural resources, plants, animals, and open space and thereby advance sustainability, wildlife connectivity, biodiversity, watershed health, wildfire safety, and climate resilience goals for the City.

B. Other Regulations

1. Relationship to Other Zoning Regulations. Wherever the provisions of the WLD District conflict with any provisions of other Supplemental Use Districts, the underlying zone, or any other regulation, the more restrictive provision shall prevail.

2. References to State or Federal Law. Any reference in this Section 13.21 to a federal or state statute, term or regulation shall be to the statute, term or regulation as written and in effect on the date this Section 13.21 is adopted by the City Council.

C. District Identification. The provisions of this Section apply to any lot designated as “WLD” as a part of its zone designation. Development on properties within the WLD District is subject to the development regulations, as applicable, in Subsections F, G, and H of this Section.

D. Definitions. For the purposes of this Section, the following words and phrases are defined as follows:

Open Channel. A stream or river bed; generally, refers to the physical form where water commonly flows.

Open Space Resource. Any parcel or area of land or water that is zoned or designated for Open Space or any land formally used for the following: (1) protected areas for preservation of natural resources, e.g., preservation of flora and fauna, animal habitats, bird flyways, ecologic and other scientific study areas, watersheds; (2) managed production of resources, e.g., recharge of ground water basins or containing mineral deposits that are in short supply; (3) outdoor recreation, e.g., beaches, waterways, trails, scenic highway corridors; or (4) public health and safety purposes, e.g., flood, seismic, geologic, or fire hazard zones, air quality enhancement. Open Space Resources shall also include City-owned property that is vacant as of the effective date of a WLD District.

Preferred Plant. Any plant identified on the Preferred Plant List, as maintained by the Department of City Planning.

Prohibited Plant. Any plant identified on the Prohibited Plant List, as maintained by the Department of City Planning.

Project. Any of the Project Types listed in Section 13.21 E.1 of Chapter 1 of this Code shall be counted as a Project.

Protected Tree or Shrub. See definition in Section 46.01 of Article 6 of Chapter IV of Chapter 1 of this Code.

Riparian Area. Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent lotic and lentic water bodies (rivers, streams, lakes, or drainage ways). Riparian Areas are usually transitional between Wetland and upland. Riparian Areas have one or both of the following characteristics: (1) distinctly different vegetative species than adjacent areas; and/or (2) species similar to adjacent areas, but exhibiting more vigorous or robust growth forms.

Significant Tree. See Section 12.03 of Chapter 1 of this Code.

Water Resource. A source of permanent or intermittent surface water, including, but not limited to, lakes, reservoirs, ponds, rivers, streams, marshes, seeps, springs, vernal pools, Wetlands, Open Channels, Riparian Areas and playas.

Wildlife Resource. See Section 12.03 of Chapter 1 of this Code.

Wildlife Resource Buffer. An area measuring up to 50 feet from an identified Wildlife Resource.

E. Applicability. A Project that qualifies as at least one Project Type under the “Project Type” list in Subdivision 1 below shall comply with the provisions contained in Subsection F of this Section (13.21 F) except where noted in this Section.

In addition, Projects within or intersecting a Wildlife Resource or Wildlife Resource Buffer, proposing 1,000 cubic yards or more of Remedial Grading, and/or creating or resulting in 6,000 square feet or more of Residential Floor Area must comply with the provisions established in Subdivision 3 of Subsection H of this Section (13.21 H.3).

In reviewing a Project for an Administrative Review, the Director shall review the Project for compliance with those regulations that are applicable to the proposed scope of construction.

A Project that has been granted vested rights under Section 13B.10.1.B.2. of Chapter 1A of this Code prior to the effective date of a WLD District is exempt.

1. Project Type

(a) New Construction. The construction of a new, standalone building exceeding 500 square feet. Reconstruction of a building or

structure damaged or destroyed by a natural disaster shall not be considered New Construction.

(b) Additions. Additions exceeding 500 square feet to any building or structure.

(c) Major Remodel - Hillside. Any remodeling of a main building on a lot in the Hillside Area whenever the aggregate value of all alterations within a one-year period exceeds 50 percent of the replacement cost of the main building. Reconstruction of a building or structure damaged or destroyed by a natural disaster shall not be considered Major Remodel-Hillside.

(d) Grading. Cumulative grading on a lot in excess of 500 cubic yards.

(e) Tree Removal. Removal of any Protected Tree, any Significant Tree, or any tree within the public right-of-way.

F. Development Regulations. All Projects within a WLD District shall be subject to the following development regulations.

1. Fences and Walls. (Applies to Project Types: New Construction, Major Remodel-Hillside)

(a) Intent. To minimize potential for wildlife injury and entrapment by prohibiting materials and design features that present threats to wildlife, and to facilitate wildlife connectivity.

(b) Regulations.

(1) Fence and Wall Standards. All fencing and walls shall comply with the following requirements.

(i) Prohibited Materials and Design Features. The following materials and design features are prohibited:

- a.** Barbed wire
- b.** Plastic mesh
- c.** Concertina wire
- d.** Razor wire
- e.** Spikes
- f.** Sharp glass
- g.** Uncapped hollow fence posts

2. Height. (Applies to Project Types: New Construction, Major Remodel-Hillside, Additions)

(a) Intent. To minimize the alteration of existing landforms and vegetation; limit soil erosion and slope instability, and improve stormwater management and watershed health; maintain hillside ecosystems and reduce visual and physical impact by limiting the amount of landcover, landform, and soil disturbance associated with tall hillside development.

(b) Regulations.

(1) Overall Height. An overall height limit of 45 feet shall be established for all buildings and structures. The overall height shall be measured from the adjacent lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure to the highest elevation point of the roof Structure or parapet wall.

(i) Notwithstanding Section 12.23 A.5(b)(iv) of Chapter 1 of the Code, reconstruction of a building or structure damaged or destroyed by a natural disaster shall not be subject to F.2(b)(1) (Overall Height). Instead, this right of reconstruction shall apply in a WLD District even if the damage to the building or structure exceeds 75% of its replacement value.

(ii) Roof Structures as described in Table 12.21 C.10-5 of Chapter 1 of the Code, or similar Structures, may be erected above the overall height limit.

3. Grading. (Applies to Project Types: New Construction, Additions, Major Remodel-Hillside, Grading)

(a) Intent. To preserve natural landform, topography, and vegetation; retain watershed function; and reduce surface erosion, soil instability, landslides, and/or site disturbance by limiting grading on steep slopes.

(b) Regulations.

(1) Grading Restrictions.

(i) **Development on lots with slopes in excess of 100%.** No grading or structure shall be developed on the portion of lots with natural slopes of 100% and greater as identified on the Slope Analysis Map per 12.21 C.10(b)(1) of Chapter 1 of this Code, except that a Project may utilize a Guaranteed Minimum Residential Floor Area per Table 12.21 C.10-3 of Chapter 1 of this Code.

(ii) **Grading Exemptions - Do Not Apply.** The grading exemptions established in Section 12.21 C.10(f)(3)(ii) of Chapter 1 of this Code regarding cut and/or fill for driveways, and Section 12.21 C.10(f)(3)(iv) of Chapter 1 of this Code regarding cut underneath the footprint of the main Building, do not apply to Projects in a WLD District.

(iii) **Remedial Grading.** Notwithstanding 12.21 C.10(f) of Chapter 1 of this Code, all Remedial Grading as defined in Section 12.03 of Chapter 1 of this Code, on or of slopes greater than or equal to 60%, shall be counted toward the Maximum By-Right Grading Quantity, except for the correction of hazardous soil and earth conditions, when notified by the Department of Building and Safety in accordance with Section 91.7005.7 of Article 1 of Chapter IX of the LAMC.

4. Residential Floor Area (Applies to Project Types: New Construction, Major Remodel-Hillside)

(a) **Intent.** To minimize the disturbance to and alteration of Wildlife Resources, slopes, vegetation, and undeveloped areas that provide wildlife habitat and connectivity by retaining existing vegetation and natural landforms in hillside areas.

(b) **Regulations.**

(1) Within a WLD District, the Basement exemption contained within the Residential Floor Area Definition in Section 12.03 of Chapter 1 of this Code shall not apply.

(2) **Allocation of Residential Floor Area for Slopes in Excess of 60%.** Notwithstanding Table 12.21 C.10-2a in Section 12.21 C.10(b) of Chapter 1 of this Code, Residential Floor Area (RFA) contained in all Buildings and Accessory Buildings shall not

be allocated for slope bands greater than 60%, as shown in Tables 13.21 F.4-1 and 13.21 F.4-2.

Table 13.21 F.4-1 Single-Family Zone Hillside Area Residential Floor Area Ratios (RFAR)								
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 - 14.99	See Table 12.21 C.10-2a in Section 12.21 C.10 of Chapter 1 of this Code							
15 - 29.99								
30 - 44.99								
45 - 59.99								
60 - 99.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Table 13.21 F.4-2 Single-Family Zone Hillside Area Residential Floor Area Ratios (RFAR)				
Slope Bands (%)	R1H1	R1H2	R1H3	R1H4
0 - 14.99	See Table 12.21 C.10-2b in Section 12.21 C.10 of Chapter 1 of this Code			
15 - 29.99				
30 - 44.99				
45 - 59.99				
60 - 99.99	0.00	0.00	0.00	0.00
100 +	0.00	0.00	0.00	0.00

5. Lot Coverage. (Applies to Project Types: New Construction, Major Remodels-Hillside, Additions)

(a) Intent. To minimize the alteration of existing landforms and vegetation; improve stormwater management and watershed health; limit soil erosion and slope instability; and maintain hillside ecosystems by limiting the amount of impermeable surfaces in a WLD District.

(b) Regulations.

(1) For all properties within a WLD District, except those zoned R1 and R2:

(i) The calculation of lot coverage shall include: any structures extending more than six feet above natural ground level; pools; planters; sport courts; pavement, patios, and decks.

(ii) Lot coverage shall not exceed 50% of the total area of the lot, and in no case shall exceed 100,000 square feet.

6. Trees. (Applies to Project Types: Tree Removal)

(a) Intent. To maintain habitat and biodiversity, manage stormwater and sequester carbon by retaining native trees and Significant Trees, and by incorporating native vegetation that supports wildlife.

(b) Regulations.

(1) Native Tree Requirement. One native tree must be planted on site for every 1,000 square feet of new floor area introduced to the lot, with a minimum of one native tree required, as outlined in Table 13.21 F.6-1. All tree plantings to satisfy this requirement must be Preferred Plants. The size of each required new tree shall be a 15-gallon or larger specimen, measuring one inch or more in diameter at a point one foot above the base, and not less than 7 feet in height, measured from the base.

(i) The preservation of onsite native tree(s) of the following minimum size may be used to satisfy this requirement: any single trunk native plant, including those identified as Protected Trees, which measures four inches or more in diameter at four and one-half feet above the ground level at the base of the plant; or any multiple trunk native plant that measures 12 inches or more in diameter immediately below the lowest branch. Qualifying native

plants shall be listed on CalScape (or its successor standard reference as maintained by the Department of City Planning) as occurring in the South Coast region, and shall not be invasive plants as identified on the Prohibited Plant List.

Table 13.21 F.6-1 Native Tree Requirement	
New Floor Area Introduced	Native Trees Required
0 to 1,000 sf	1
1,001 to 2,000 sf	2
2,001 to 3,000 sf	3
Each additional 1,000 sf	One additional tree

(2) Significant Tree Removal, Relocation, and Replacement. Any Significant Tree that is removed or relocated must be replaced by two new trees chosen from the Preferred Plant List. Removal shall include any act that will cause a Significant Tree to die, including, but not limited to, acts that inflict damage upon the root system or other part of the tree by fire, application of toxic substances, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling drip line area around the trunk, or by changing the local drainage pattern, either inside or outside the drip line, such that it significantly affects the amount of water that reaches the tree roots.

(i) The size of each replacement tree shall be a 15-gallon or larger specimen, measuring one inch or more in diameter at a point one foot above the base, and not less than 7 feet in height, measured from the base. All tree plantings to satisfy this requirement must be Preferred Plants.

(ii) Protected Tree or Shrub relocation or removal must follow the procedures established in Section 46.02 of Article 6 of Chapter IV of the LAMC.

(3) Significant Tree and Protected Tree or Shrub Drip Line. No grading or other construction activity shall occur within the drip line of a Significant Tree or Protected Tree or Shrub unless the procedures set forth in Subparagraph F.6(b)(2) Significant Tree Removal, Relocation, and Replacement are followed. If digging of

trenches within the drip line is absolutely necessary for the installation of utilities, hand tools or small handheld power equipment shall be used to avoid cutting roots.

(4) Treatment of Dead or Fallen Trees. Any dead or fallen tree which is identified by a Tree Expert in a tree report as a Protected Tree or Shrub shall be replaced according to the Significant Tree replacement ratios in Subparagraph F.6(b)(2). Dead or fallen tree material should be retained on site as mulch, compost, soil amendment, or as otherwise recommended by a Tree Expert. When possible, dead or fallen trees outside the Los Angeles Fire Department (LAFD) brush clearance zone should be left in place. LAFD shall be consulted for emergency tree removal, and LAFD protocols shall take precedence over any other conflicting City protocols.

(i) Emergency Removal. An exemption for emergency removal may be obtained if a visual inspection by the Fire Department determines removal is necessary due to a hazardous or dangerous condition (e.g., disease, potential for spreading pest and pathogen infestation to other trees, blocking public roadways, etc.). Any emergency removal of an infested, dead, or fallen tree, which has been shown to have a disease or infestation, should follow proper Best Management Practices for tree removal and disposal.

7. Vegetation and Landscaping. (Applies to Project Types: New Construction, Major Remodel-Hillside, Grading)

(a) Intent. To maintain habitat and biodiversity, manage stormwater, and sequester carbon by retaining native trees and Significant Trees, and by incorporating native vegetation that supports wildlife.

(b) Regulations.

(1) Wildlife Friendly Landscaping Requirements.

(i) Prohibited Plants. No Prohibited Plant shall be newly planted or landscaped in a WLD District.

(ii) Planting Zones. Any newly planted or landscaped area shall comply with the following planting zones in order to increase habitat value and resist the spread of fire:

a. **Planting Zone 1.** A minimum of 50% of the total area of any new planting or landscaping shall be planted with species chosen from the Preferred Plant List.

b. **Planting Zone 2.** A minimum of 75% of the total area of any new planting or landscaping shall be planted with species chosen from the Preferred Plant List.

(c) **Rules of Measurement for Planting Zones.**

(1) Notwithstanding any other provision in this Code, planting zones 1 and 2 surround buildings and structures at their finished grade and are measured as set forth below:

(i) Planting zone 1 extends thirty feet (30') in a horizontal line from the edge of any structure larger than 200 square feet.

(ii) Planting zone 2 extends from the edge of planting zone 1 to the property line.

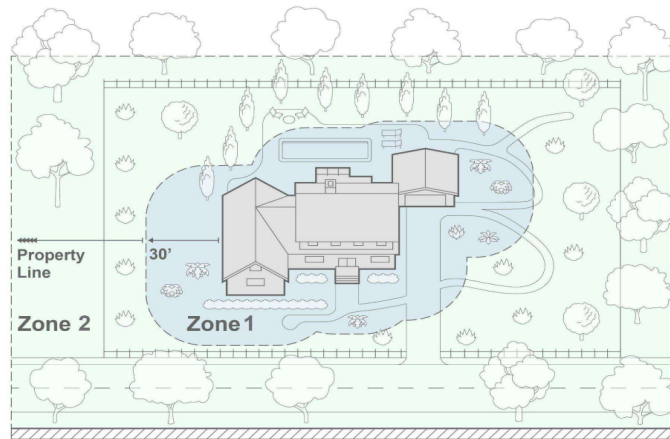


Image for illustrative purposes only

8. **Lighting.** (Applies to Project Types: New Construction, Major Remodel-Hillside, Additions)

(a) **Intent.** To minimize the indirect impacts to wildlife created by outdoor lighting, such as disorientation of nocturnal species and the disruption of mating, feeding, migrating, and the predator-prey balance.

(b) **Regulations.**

(1) **Lighting Design Standards.**

(i) **Light Intrusion.** All lights used to illuminate outdoor areas including around or adjacent to swimming pools shall be designed, located, and arranged or shielded so as to reflect the light away from any public right-of-way and from Wildlife Resources.

(ii) **Height.** Luminaires affixed to a structure, including fences, walls, or poles, for the purpose of providing outdoor lighting shall be no higher than the height of the fence or structure and shall in no event exceed a maximum height of 20 feet above ground level. Freestanding light fixtures used to light walkways, driveways, and hardscapes shall not exceed a maximum height of 2 feet above ground level.

(2) **Lighting Maximums.** All outdoor lighting shall have a maximum output of 800 lumens per luminaire, with the exception of security lighting and outdoor recreational lighting which shall have a maximum output of 2,600 lumens per luminaire.

9. Windows. (Applies to Project Types: New Construction, Major Remodel-Hillside, Additions)

(a) **Intent.** To improve avian safety and reduce avian injuries and death by restricting reflective and transparent windows.

(b) **Regulations.**

(1) **Bird-Safe Window and Facade Requirement.** Any windows, free-standing glass walls and facades, skywalks, greenhouses, or balconies with segments of reflective or transparent building elements that are not visually distinguishable or physically separate from one another by seams, joints, frames, or other opaque material, measuring at least 40 square feet in size, must incorporate at least one of the following treatments for bird safety:

(i) **Fritted Glass Window.** Closely spaced opaque dots (frits) fused on the outer surface of glass or other reflective or transparent materials making them highly visible to birds.

(ii) **Angled Glass.** Position windows downward (recommended minimum 20 degrees) to limit reflection of sky and trees on the glass.

(iii) **Ultraviolet (UV) Reflective Glass.** Patterned UV coating or use of contrasting patterned UV-absorbing and UV reflective films, which are visible to birds and transparent to humans.

(iv) **Frosted, Stenciled, Etched, or Sandblasted Windows.** Any pattern frosted, stenciled, etched or sandblasted onto the glass with recommended dimensions including vertical elements of the window patterns at least 1/8 inch wide at a maximum spacing of 4 inches, and horizontal elements at least 1/8 inch wide at a maximum spacing of 2 inches.

(v) **Architectural Features.** Overhangs, louvers, awnings, screens, or other elements that layer, recess, or otherwise visually break up large expanses of reflective or transparent surfaces into segments smaller than 24 square feet.

10. Solid Waste Enclosures. (Applies to Project Types: New Construction, Major Remodel-Hillside)

(a) **Intent.** To minimize occurrences of human-wildlife interaction by restricting unenclosed solid waste areas. Solid waste is defined in Section 66.00 of Article 6 of Chapter VI of the LAMC.

(b) **Regulations.**

(1) **Locational Standards.** All municipal solid waste receptacles, including trash, recycling, manure, and organic waste, shall be stored inside a building or within an enclosed structure.

(i) For New Construction Projects, the proposed location of the solid waste enclosures shall be identified on the site plan.

(2) **Solid Waste Enclosure Design Standards.** All exterior solid waste enclosures shall meet the following design standards:

(i) Be contained within a wall height that exceeds the disposal unit;

(ii) Have a solid roof to deter birds and animals;

(iii) Have solid doors that accommodate a lock and remain closed when not in use;

(iv) Not be constructed of chain link;

(v) Not be constructed of wood (or other combustible materials).

G. Issuance of Building Permits. For any Project within a WLD District, no permits shall be issued, including, but not limited to, grading, shoring, or building permits unless an Administrative Review, Project Review, Project Adjustment, or Project Exception approval has been obtained pursuant to the applicable procedures in Subsection H of this Section 13.21 of Article 3 of Chapter 1 of the Code.

H. Review Procedures for Projects in a “WLD” Wildlife District.

1. Application. A Project proposed within a WLD District shall be submitted for review and approval pursuant to Section 13A.2.3. (Applications) of Chapter 1A of this Code.

2. Administrative Review - Authority of the Director. A Project shall be subject to Administrative Review by the Director or the Director’s designee for conformance with the WLD regulations pursuant to Section 13B.3.1 (Administrative Review) of Chapter 1A of this Code. Applicants requesting a Project Adjustment shall file an application per Paragraph H.4(a) below. A Project that cannot comply with the requirements of the WLD regulations may request relief through the Project Exception procedures set forth in Paragraph H.4(b) below.

3. Project Review. A Project within a WLD District that triggers certain thresholds set forth below shall require a Project Review to determine if the Project complies with the applicable provisions of this Section 13.21.

(a) Intent. To maintain biodiversity, protect natural resources, provide wildlife habitat, and facilitate connectivity opportunities through the following: (a) requiring review of projects that may impact Wildlife Resources; (b) by requiring buffering from waterways and open spaces and limiting disturbance to soils, waterways, vegetation, and habitat areas; and (c) ensuring projects do not negatively impact habitats or cause habitat fragmentation by providing additional technical review of existing resources, potential impacts, and required mitigations.

(b) Applicability and Procedures.

(1) Project Review. For the following projects, no grading permit, foundation permit, building permit, or use of land permit shall be issued within a WLD District unless a Project Review approval or conditional approval has first been obtained pursuant to Section 13B.2.4. (Project Review) of Chapter 1A of this Code:

(i) Any Project in a WLD District that proposes 1,000 cubic yards or more of Remedial Grading as the term is defined in Section 12.03 of Chapter 1 of this Code.

(ii) Any Project in a WLD District that creates or results in 6,000 square feet or more of Residential Floor Area.

(iii) Any Project in a WLD District, excluding interior remodeling and additions that do not alter or expand a building's footprint, for which the Project or any portion of the Project activities, including construction staging, is proposed within or intersecting a Wildlife Resource or Wildlife Resource Buffer as identified on a map created and maintained by the Department of City Planning.

(2) Biological Assessment. For any Project proposed within or intersecting a Wildlife Resource or Wildlife Resource Buffer, as identified on a map created and maintained by the

Department of City Planning, a biological assessment must be prepared by a Qualified Biologist to the satisfaction of the Department.

(3) Exemption. Project Review shall not be required for any housing development project that is located outside of a very high fire hazard severity zone, as determined by the State Fire Marshal and as set forth in the California Government Code Section 66300.

(c) Rules of Measurement.

(1) Wildlife Resources, as identified on a map created and maintained by the Department of City Planning, are measured as outlined in Table 13.21 H.3-1. All Wetland delineations should follow the methodology described in the United States Fish and Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, 1979). The Mapping Episodic Stream Activity (MESA) protocol (Vyverberg and Brady, 2013) developed by the California Department of Fish and Wildlife (CDFW) and the California Energy Commission should be employed to accurately document episodic streams when water is absent.

Table 13.21 H.3-1 Measurement of Wildlife Resources	
Wildlife Resource	Measured From
Lakes, reservoirs, ponds, Wetlands	High water mark, or edge of saturated soil, whichever results in a larger area.
Rivers, streams, creeks, Riparian Areas	Outside edge of riparian vegetation on either side of the channel or Riparian Area. If riparian vegetation is absent or sparse, use the bank of the wet season active channel inclusive of any braided channel conditions.
Open Channel	Outside edge of riparian vegetation, edge of the channel or basin.
Open Space Resource	Nearest property boundary of any Open Space Resource.

(2) Wildlife Resource Buffers as identified on a map created and maintained by the Department of City Planning, are measured as outlined in Table 13.21 H.3-2. All Wildlife Resource Buffers should be measured horizontally, in plan view, from the outer edge of the identified Wildlife Resource.

Table 13.21 H.3-2 Wildlife Resource Buffer Requirement	
Wildlife Resource	Buffer
Water Resource	50 feet
Open Channel	15 feet
Open Space Resource	25 feet

(d) **Project Review Supplemental Findings.** In addition to the Project Review findings contained in Section 13B.2.4.E (Standards for Review and Required Findings) of Chapter 1A of this Code, the following findings must be met for all Projects in a WLD District requiring Project Review:

(1) That the proposed Project, roads, and utilities serving the proposed Project are located and designed to be highly compatible with and have minimal impact on any and all natural features and resources present, including landforms, vegetation, and existing natural and altered watercourses.

(2) That the proposed Project is located to avoid substantial landform alteration, including by locating development away from steep slopes and/or that alternatives to substantial landform alteration have been utilized, including, but not limited to, deepened foundations, caissons, and soldier piles.

(3) That the proposed Project is designed to be highly compatible with the biotic resources present, including setting aside of appropriate and sufficient undisturbed areas, and retaining native vegetation cover and/or open spaces to buffer critical resource areas from such Project.

(4) That any existing Wildlife Resources and Wildlife Resource Buffers have been clearly identified on site plans and that Project designs, as well as all construction activities and staging, are specifically and explicitly adapted to the preservation or

enhancement of identified resources in their existing location, and do not substantially impede wildlife access to the resource.

Examples: Examples of such Project modifications could include: locating the Project away from resource areas, additional setbacks from adjacent Wildlife Resource areas, permeable fencing for Wildlife Resource areas, landscaping with Preferred Plant species, retaining existing Protected Trees, or other modifications to protect or enhance wildlife habitat or connectivity.

4. Relief.

(a) Project Adjustment – Director Authority with Appeal to the Area Planning Commission. The Director or the Director's designee shall have initial decision-making authority to grant a Project Adjustment with an appeal to the Area Planning Commission in accordance with the procedures set forth in Section 13B.4.4. (Project Adjustment) of Chapter 1A of this Code. In granting a Project Adjustment from WLD regulations, the Director may impose conditions to assure compliance with the objectives of the General Plan and the purpose and intent of the WLD regulations.

(1) Limitations. Notwithstanding the provisions set forth in Section 13B.4.4. (Project Adjustment) of Chapter 1A of this Code, unless otherwise limited by a WLD District, a Project Adjustment shall be limited to deviations of up to 10 percent from each of the quantitative development regulations.

If applicable, each adopted WLD District shall indicate those development regulations that are not eligible for a Project Adjustment through this section. If an application requests more than one Project Adjustment, the Director may advise the applicant, prior to the application being deemed complete, that the request be filed and processed as a Project Exception, pursuant to Paragraph H.4(b) of this Section. All Projects seeking relief from any development regulation that is designated in a WLD District as not eligible for a Project Adjustment shall be processed through the Project Exception procedures listed in Paragraph (b) of this Subdivision 4.

(2) Findings. The Director may grant a Project Adjustment upon making all of the following findings:

(i) Special circumstances applicable to the Project or project site exist which make the strict application of the WLD regulation(s) impractical;

(ii) The Project, as approved, is consistent with the purpose and intent of the WLD District and substantially complies with the applicable WLD regulations; and

(iii) In granting the Adjustment, the Director has considered and finds no detrimental effects of the Project Adjustment on surrounding properties, the public, or public rights-of-way.

**(b) Project Exception – Area Planning Commission
Authority with Appeals to the City Council.**

(1) Authority. The Area Planning Commission shall have initial decision-making authority for granting an Exception from the WLD District regulations with an appeal to the City Council in accordance with the procedures set forth in Section 13B.4.5. (Project Exception) of Chapter 1A of this Code.

In granting an Exception from WLD regulations, the Area Planning Commission shall impose conditions to protect the public health, safety, and welfare; and to assure compliance with the objectives of the General Plan and the purpose and intent of the WLD District. An Exception from a WLD regulation shall not be used to grant a special privilege, nor to grant relief from a self-imposed hardship.

(2) Findings. The Area Planning Commission may permit an Exception from a WLD regulation if it makes all the following findings:

(i) The strict application of the WLD regulations to the subject property would result in practical difficulties or an unnecessary hardship inconsistent with the general purpose and intent of the WLD District and its regulations;

(ii) Exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property exist that do not apply generally to other properties in the WLD District;

(iii) An Exception from the WLD regulation is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the WLD District and in the same zone and vicinity but which, because of a special circumstance and practical difficulties or unnecessary hardship, is denied to the property in question;

(iv) The granting of an Exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to, or in the vicinity of, the subject property; and

(v) The granting of an Exception will be consistent with the principles, intent and goals of the WLD District and any applicable element of the General Plan.

Sec. 6. New paragraphs (g), (h), and (i) are added to, and the unnumbered paragraph is amended in, Subsection C of Section 16.05 of Article 6.1 of Chapter 1 of the LAMC to read as follows:

(g) Any Project, as defined in Subsection D of Section 13.21 of Chapter 1 of this Code, within or intersecting a Wildlife Resource or Wildlife Resource Buffer within a WLD District (Wildlife District).

(h) Any Project, as defined in Subsection D of Section 13.21 of Chapter 1 of this Code, that proposes 1,000 cubic yards or more of Remedial Grading as the term is defined in Section 12.03 of this Chapter, in a WLD District.

(i) Any Project, as defined in Subsection D of Section 13.21 of Chapter 1 of this Code, which creates or results in 6,000 square feet or more of Residential Floor Area within a WLD District.

This subdivision shall not apply to one-family dwellings located outside of a HCR District or WLD District.


Sec. 7. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted each and every provision and portion thereof not declared invalid or unconstitutional,

without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 8. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.


Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
KENNETH T. FONG
Deputy City Attorney

Date November 5, 2024

Pursuant to Charter Section 559, I
disapprove this ordinance on behalf
of the City Planning Commission and
recommend that it **not** be adopted.


VINCENT P. BERTONI, AICP
Director of Planning

Date 11/5/2024

File No. 14-0518

"M:\Real Prop_Env_Land Use\Land Use\Kenneth Fong\Ordinances Active\Wildlife Ordinance\City Atty Rpt & Ordinance\2024-B
Final Drafts\2024.11.05 City Atty Draft Ordinance (wildlife).docx"

The Clerk of the City of Los Angeles
hereby certifies that the foregoing
ordinance was passed by the Council
of the City of Los Angeles, **by a vote of
not less than two-thirds** of all its
members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____