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(213) 978-1300

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200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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November 14, 2024

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**REPORT REGARDING CREATION OF A LIST OF QUALIFIED BIOLOGISTS AND
RESOURCES NEEDED TO IMPLEMENT THE PROPOSED WILDLIFE DISTRICT
ORDINANCE; CF 14-0518**

SUMMARY

As directed by the Planning and Land Use Management (PLUM) Committee on June 20, 2023, the Department of City Planning (DCP) has prepared this report back on the creation of a vetted list of registered Qualified Biologists and staffing resources needed to implement the Wildlife Ordinance.

RECOMMENDATION

That the Council, subject to the approval of the Mayor:

1. Department of City Planning (DCP)

1. Add funding and position authorities for staffing resources for nine (9) new positions funded by the General Fund to facilitate project consultation and staff's review of Administrative and Project Review applications, as well as condition and building permit clearances, and the review of tree reports and biological assessments submitted for City review pursuant to the Wildlife Ordinance:

1. Increase staffing in the Project Planning Bureau, within the Development Services Center (DSC) Division by the addition of one (1) City Planning Associate for the Metro (Downtown) and one (1) City Planning Associate for the Valley (Van Nuys) DSC;

2. Increase staffing in the Project Planning Bureau, within the Mulholland Scenic Parkway Specific Plan Unit, by the addition of one (1) City Planner and four (4) City Planning Associates; and
3. Increase staffing in the Environmental Protection Unit by the addition of one (1) Tree Surgeon Supervisor and one (1) City Planning Associate.

BACKGROUND

At a June 20, 2023 meeting, the Planning and Land Use Management (PLUM) Committee considered proposed ordinances to establish a Wildlife Supplemental Use District (Wildlife Ordinance), and a zone change to apply the Wildlife Ordinance and its regulations to approximately 28,000 parcels within the Santa Monica Mountains (the Wildlife District). The proposed Wildlife District encompasses approximately 23,000 acres, and is bounded by Ventura Boulevard to the north, Sunset Boulevard to the south, the 101 Freeway to the east, and the 405 Freeway to the west. The PLUM Committee unanimously voted to approve the proposed Wildlife ordinances, with some modifications, and requested the City Attorney prepare and present the Wildlife Ordinance.

Along with approval of the ordinances, the PLUM Committee instructed:

- DCP to proactively create a vetted list of registered Qualified Biologists that applicants may select from and that is maintained and updated by the department, and
- DCP, the Los Angeles Department of Building and Safety, the Bureau of Street Services, the Urban Forestry Division of the Public Works Department, and any other relevant departments and units, to report back on resources needed, including the creation of a Hillside Development Review Unit, to implement the Ordinances upon its completion following the form and legality process.

This report includes a response to the PLUM Committee's instructions, highlighting factors that will support the implementation of the Wildlife Ordinance.

QUALIFIED BIOLOGISTS

The Los Angeles Department of City Planning (DCP) currently requires certain discretionary projects that are subject to environmental analysis under the California Environmental Quality Act (CEQA) to conduct various levels of biological review. Such projects include certain hillside and coastal projects that propose removal of native vegetation and/or trees, as well as SB9, SB35, and other housing projects to determine eligibility for CEQA streamlining. Forms, templates, and instructions have been created by DCP and are provided to applicants.

Since early 2020, DCP staff have worked to create standardized protocols and templates pertaining to Biological Resources, which were modeled after Los Angeles County and San Diego County biological assessments and California Department of Fish and Wildlife (CDFW) protocols. These forms and templates require different levels of documentation, ranging from an Owner's Declaration of Biological Resources or a Biologist's Statement, to a Biological Resources Report, depending on the proposed project and existing site conditions. These documents have been revised based on both feedback and consultation with Qualified Biologists, City staff, the California Department of Fish and Wildlife, and the Santa Monica Mountains Conservancy (SMMC), and were published on the Forms page of the DCP website in January 2023.

With the proposed Wildlife Ordinance, a Biological Assessment would be required if a proposed project is within or intersecting a mapped Wildlife Resource or a Wildlife Resource Buffer. The requirement for a Biological Assessment will assist in understanding resources on proposed project sites and identifying project features and construction methods to protect the resource(s). Following current DCP practice, the Wildlife Ordinance would require all Biological Assessments to be completed by a Qualified Biologist. On June 20, 2023, the PLUM Committee instructed DCP to proactively create a vetted list of registered Qualified Biologists that applicants may select from and that is maintained and updated by the Department.

The City is currently using LA County's Qualified Biologist List while working to develop a Qualified Biologist List for the City to provide applicants with contracting biologists that meet qualifications. A Request for Qualifications (RFQ) for Qualified Biological Consultants for Biological Assessments in the City was advertised on the City's Regional Alliance Marketplace for Procurement (RAMP) on August 30, 2024. The Statement of Qualifications (SOQs) submission deadline was October 28, 2024 and a Qualifications Evaluation Committee will be assembled to subsequently evaluate/score the SOQs and prepare recommendations for selection. The target date for establishing the Qualified Biologist list is January 2025 and the term of the list will be for a period of 36 months. This process of establishing a Qualified Biologist list will ensure that Biological Assessments are performed in a standard manner by qualified professionals.

RESOURCES NEEDED FOR IMPLEMENTATION

The proposed Wildlife District consists of approximately 28,000 parcels that are predominantly privately-owned and located within a Hillside Area and Very High Fire Hazard Severity Zone. When the Wildlife Ordinance and Wildlife District zone change become operative, City departments and bureaus will begin processing applications for development projects according to the new regulations. In recent years, approximately 200 properties in the Wildlife District have applied for building permits for new construction or additions each year.

The Wildlife Ordinance will apply to the following five types of projects: New Construction, Major Remodel-Hillside, Addition, Grading, and Tree Removal. Any of the first four activities will now require additional review by DCP (an Administrative Review process) and the Los Angeles Department of Building and Safety (LADBS) in order to receive building permits. This review is strictly for compliance with the Ordinance's objective standards that are applicable to the proposed scope of construction. Based on historic application rates, approximately 150-200 developments a year will require this additional review for New Construction, Major Remodel-Hillside, Addition, and/or Grading. Tree Removal applications will require review by DCP and/or Bureau of Street Services' Urban Forestry Division (BSS-UFD). Because protection of Significant Trees does not currently exist in the City except within the Mount Washington-Glassell Park Specific Plan area, it is difficult to predict the annual number of applications for the Wildlife District.

For certain projects, those that are located within a Wildlife Resource Area or Wildlife Resource Buffer (as mapped by DCP), result in more than 6,000 square feet of residential floor area, or result in more than 1,000 cubic yards of remedial grading, discretionary review will be required. City Planning will process these Project Review (formerly known as Site Plan Review) entitlements. Applications for Project Review may also include additional entitlements and/or requested actions for relief from other applicable zoning code requirements outside of the Wildlife Ordinance, which would be processed accordingly by City Planning. Projects within or intersecting a Wildlife Resource or Wildlife Resource Buffer will also be required to submit a Biological Assessment prepared by a Qualified Biologist, which DCP will review and use to inform the

determination and potential conditions of approval for the Project Review entitlement. Of the 200 projects each year expected in the Wildlife District, approximately 50-70 are expected to require Project Review. In addition, a small number of applications for Project Adjustment and Project Exception entitlements are expected from projects seeking relief from the Wildlife Ordinance regulations.

Additional staff resources are needed to process this increased caseload in a timely manner. In consultation with the City Departments described herein, the following recommendations outline requests for the funding of various positions that will support the full implementation of the Wildlife Ordinance.

1. Department of City Planning (DCP)

Existing Resources

Currently, DCP has funding and resolution authority for a “Wildlife Ordinance and Rim of the Valley Program” team for FY 2024-25, and has requested continuation of those positions for FY 2025-26. This team consists of two (2) City Planners, one (1) City Planning Associate, and one (1) Environmental Specialist II. This team is situated in the Citywide Policy Division of DCP and will coordinate implementation of the Wildlife Ordinance between departments and work on the proposed expansion of the Wildlife District to other areas of the City.

DCP currently has one (1) City Planner and two (2) City Planning Associates in the Project Planning Bureau reviewing development applications subject to the Mulholland Specific Plan. The proposed Wildlife District overlaps with approximately half of the Mulholland Specific Plan, and will require additional review for many of the projects this unit already processes. The Wildlife District will also cover additional areas of the hillside that will approximately double the size of the geographic area the Mulholland Specific Plan team currently manages.

New Responsibilities and Resources Requested

For implementation, the Wildlife Ordinance will necessitate additional positions within the Department of City Planning to review development according to the new Wildlife Ordinance regulations and in a manner that does not create delays in the review of current applications that are processed for this geography, including the Mulholland Specific Plan. The additional positions requested by DCP will provide in-person and virtual planning services including project consultation, application intake, administrative review, entitlement review, condition clearance, and review of supplemental application materials, such as Tree Disclosure Statements, Tree Reports, and Biological Resources related forms and reports.

The PLUM Committee requested that DCP report on the creation of a Hillside Development Review Unit for implementation. Today, staff in Project Planning’s Valley and Central geographic teams review projects in the geography of the proposed Wildlife District. DCP proposes to maintain that structure for the initial year of implementation, particularly as the Department hires staff to fill the requested implementation positions, should they be funded. After one year of implementation, DCP will re-evaluate this organization based on the volume of applications requiring review.

The Department of City Planning requests:

For the Development Services Center (DSC), to serve as the first point of consultation for project applications, application filling, and condition clearance for Planning-approved entitlements:

- (1) City Planning Associate for the Metro (Downtown) DSC
- (1) City Planning Associate for the Valley (Van Nuys) DSC

For the Project Planning Bureau, to review and process applications for Administrative Review, Project Review, Project Adjustment, and Project Exceptions:

- (1) City Planner
- (4) City Planning Associates

For the Environmental Section, to review tree disclosure statements, tree reports, and biological assessments, support review of Tree Removal applications, and provide general support to Project Planning staff for the Wildlife District:

- (1) Tree Surgeon Supervisor
- (1) City Planning Associate


2. Other Departments and Bureaus

At this time, Los Angeles Department of Building and Safety (LADBS) and the Department of Public Works, Bureau of Street Services, Urban Forestry Division (UFD) do not anticipate significant changes to workflow and review processes. No additional resources are requested.

CONCLUSION

The Department of City Planning appreciates the opportunity to provide a summary of additional staffing resources that would support the implementation of the Wildlife Ordinance. Should the Council have any questions regarding this report, please contact Senior City Planner Emily Gable at emily.gable@lacity.org in the Department of City Planning's General Plan Unit.

Sincerely,



VINCENT P. BERTONI, AICP
Director of Planning

VPB:AV:JM:esg:or:lb

- c: Haydee Urita-Lopez, Deputy Director
Lisa Webber, Deputy Director
Ana Tabuena Ruddy, Assistant Director, Bureau of Street Services
Binh Phan, Deputy Superintendent of Buildings I, Los Angeles Department of Building and Safety
Devin Myrick, Assistant Deputy Superintendent of Buildings II, Los Angeles Department of Building and Safety