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August 25, 2023

The Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, California 90012

Dear Honorable Members:

**SUPPLEMENTAL REPORT REGARDING CATEGORIAL EXEMPTION ENV-2022-6651-CE
FOR THE PROPERTY LOCATED AT 3649 AND 3651 NORTH WOODHILL CANYON ROAD
WITHIN THE SHERMAN OAKS-STUDIO CITY-TOLUCA LAKE-CAHUENGA PASS
COMMUNITY PLAN AREA (CF-23-0802)**

Pursuant to Section 15332 (Class 32) of the California Environmental Quality Act (CEQA) Guidelines, the Department of City Planning issued a Categorical Exemption, ENV-2022-6651-CE) for the proposed project at 3649 and 3651 Woodhill Canyon ("Project"), with the following project description:

The Project is for the construction of a new approximately 13,070 square-foot two-story single-family residence with attached two-car garage, associated driveway, a detached two-story 1,170 square-foot accessory dwelling unit (ADU) and a 600 square-foot detached accessory living quarter. The project is proposed in conjunction with an application for a haul route for the maximum export of 3,200 cubic yards of earth. The project also proposes to remove 41 non-protected trees and replace them on a 1:1 basis. As a single-family dwelling developed on an infill site, this Project qualifies for the 15332 Categorical Exemption.

The Project Site consists of five lots located at 3649 and 3651 North Woodhill Canyon Road. Additionally, the five lots are under the same ownership. Lot 1 contains an existing 2,910 square-foot two-story single-family dwelling with an attached two car garage. The remainder of the lots are currently vacant. The project will demolish the existing dwelling and replace it with a new 13,070 square-foot residence with detached ADU and ALQ. The project does not propose the removal of any protected trees as stated in the tree report dated June 5, 2023, prepared by The Tree Resource.

The Categorical Exemption ("CE") was adopted by the Department of Building and Safety Board of Commissioners ("Board") on July 26, 2023. The Board adopted the Categorical Exemption and approved a haul route permit application on July 25, 2023.

On August 2, 2023, the appellant submitted an appeal of the Board's decision to the City Council regarding the haul route permit approval of the Project. The appellant contends that the CE cannot be used for the project due to the potential sensitive habitat location of the site, the number of protected and significant trees involved, and the amount of grading. The appellant also contends that the project information regarding development on the lot is inaccurate and/or unclear. The appellant states that it is not their intention to prevent development, but to ensure proper environmental review is conducted and that proper Mitigation Measures are put in place so that mitigations can be legally enforced.

Planning staff has reviewed the Appeal and determined that the Categorical Exemption is adequate. The project, other than requiring haul route review, would otherwise be a by-right project.

The total lot area of the project site is 113,308 square feet, although the proposed location of the new construction is concentrated on the lower half of the site, adjacent to Woodhill Canyon Road, to prevent the removal of any protected trees or shrubs. A Protected Tree Report for the entire 113,308 square foot site was prepared by Lisa Smith of Tree Resource, and dated June 5, 2023. The Tree Report included a field observation and inventory of trees, recommendations for the protection of trees to remain, a photograph index of all trees, a matrix of proposed trees for removals and those to remain, an evaluation of potential constructions impacts, a tree location plot map, and protected tree construction impact guidelines. Based on the analysis of this report, all protected trees and shrubs are to remain, for a total of 53 protected trees and shrubs on site and 4 protected trees off-site. The report identified the presence of 112 non-protected trees, with 41 of those to be removed and replaced at a 1:1 basis.

In addition to the Protected Tree Report, the applicant provided a Biologist's Statement of Habitat by Sapphos Environmental, Inc., dated April 3, 2023 that concluded that the portion of the site upon which construction will take place, APN 237-601-3042 and APN 237-601-3041 does not qualify as habitat for any sensitive species, despite the presence of protected trees and shrubs. While the report and analysis do not mention the Santa Monica Mountains Zone, the Biologist's Statement of Habitat includes a Habitat Integrity Analysis, which stated that due to surrounding urbanization and fragmentation of the surrounding landscape, it was unlikely that the portion of the site upon which the construction is located would serve as habitat for any protected species.

The Memorandum for the Record ("MFR") report prepared by Sapphos Environmental, Inc that supplemented the Biologists Statement of Habitat noted that the California Department of Fish and Wildlife Habitat Connectivity Viewer ranks the portion of the site area upon which construction will be located as 1 out of 5, with a ranking of 1 indicating limited connectivity opportunities for wildlife movement.

As stated by the appellant, the project site is located partially within Santa Monica Mountains Zone (SMMZ) Habitat Block 21. However, only a minor amount of construction activities are anticipated to take place within the Habitat Block. Most construction activities are expected to take place on the lower half of Lot 1 fronting Woodhill Canyon Road. It is important to note that the entirety of the site is not undeveloped; there is an existing 2,910 square-foot single-family dwelling located on the lower Lot 1 that will be demolished and replaced with the Project.

The MFR concludes that the portion of the site upon which construction will take place does not qualify as habitat for any sensitive species as defined in Section 65913.4(a)(6)(J) of the California Government Code despite the presence of protected trees and shrubs.

The appellant contends that a Mitigated Negative Declaration should be prepared for the project to enforce the protection of the 53 on-site protected trees that are proposed to remain on the site as well as the 71 non-protected significant trees that are proposed to remain on the site. The project description clearly states that no protected trees are proposed for removal as indicated in the tree report prepared by The Tree Resource, dated June 5, 2023. As no protected trees are proposed for removal, no Mitigation Measures would be warranted to specify their non-removal.

However, the Protected Tree Report provides several recommendations to protect the trees to remain including how to work within the protected zone, the type and design of protective fencing, planting within the protected zone, new tree planting, and tree maintenance and pruning. The Report provides the following guideline to be followed when working in the Protected Zone:

Protective Fencing – If necessary, the arborist should be contacted to develop a specific fencing plan for your trees. Fencing may be of a flexible configuration and be a minimum of 4 feet in height. A warning sign must be displayed on the street side of the fence, stating the requirements of all workers in the protected zone. Throughout the course of construction, maintain the integrity of the tree protection zone fencing and keep the site clean and maintained at all times.

The report provides further instructions on the design and location of the protective fencing. Therefore, it is a project design feature of the Project that no protected trees are to be removed, and that they are to be protected with fencing and other measures during construction. The report notes that the new buildings will be constructed in the same general area as the existing residence, which has no protected trees within the area. The report also identifies 41 non-protected significant trees that will be impacted and are proposed for removal. The trees are proposed to be replaced at a 1:1 ratio and the report provides guidelines on how to plant these replacement trees to ensure they survive in good health

As such, the Categorical Exemptions finding that the project has no value as habitat for endangered species, rare or threatened species can be further supplemented by the submitted Biologist's Statement of Habitat and Habitat Integrity Analysis.

Therefore, the Categorical Exemption for the haul route adequately addresses all impacts relative to the proposed Project at 3649 and 3651 North Woodhill Canyon Road. The Exemption's justifications are hereby supplemented by the Protected Tree Report, Tree Location Map Survey, Site Plan, and Civil Plan dated June 5, 2023, Biologist Statement and Memorandum for the Record Biological Integrity Analysis dated April 3, 2023.

Further, Planning staff will note that as of August 25, 2023, the applicant has been in active discussions with the Santa Monica Mountains Conservancy and the Mountains Recreation & Conservation Authority to record a deed restriction and plant upwards of 20 native trees on the site.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

The Honorable City Council
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A handwritten signature in black ink, appearing to read 'Jojo Pewstawang', with a stylized, flowing script.

JOJO PEWSAWANG
Senior City Planner

VPB:BL:JP