



Public Comments Not Uploaded Riverwalk - Letter to City Council (CF 26-1081, 26-1081-S1) - PLUM Hearing: October 13, 2026

1 message

'Bonstelle, Sheri' via Clerk-PLUM-Committee <clerk.plumcommittee@lacity.org>

Wed, Oct 7, 2026 at 11:17 AM

Reply-To: clerk.plumcommittee@lacity.org

To: "clerk.plumcommittee@lacity.org" <clerk.plumcommittee@lacity.org>

Cc: "Bonstelle, Sheri" <sbonstelle@greenbergglusker.com>, Adrineh Melkonian <adrineh.melkonian@lacity.org>

Ms. Rosales,

Attached is the Applicant's Letter for the Riverwalk Project responding to the Appeals.

The exhibits are in the linked FTP site below due to file size. I will provide this document and link to LACouncilComment.com.

Is it necessary to submit the exhibits separately in multiple e-mails due to the file size?

[REDACTED]

The exhibits include:

Exhibit A: **Dudek Evacuation Study** (Qualitative Wildfire Evacuation Study, Riverwalk at Studio City, by Dudek, dated August 2026)

Exhibit B: **Dudek Fire Code Analysis** (Technical Memorandum for Riverwalk at Studio City by Dudek, dated September 26, 2025)

Exhibit C: **SGH Wildfire Management Review** (Technical Review: Wildfire Management Features, dated May 29, 2026, by SGH)

Exhibit D: **LSA Bat Study** (Focused Bat Surveys for the Proposed Riverwalk at Studio City Development Project in Studio City, California by LSA, dated August 28, 2026)

- Exhibit E: **Envicom Biological Report** (Biological Resources Report, Riverwalk at Studio City, by Envicom Corporation, dated June 12, 2026)
- Exhibit F: **Prior Applicant Letters** (Applicant's Letter to the Advisory Agency, dated April 13, 2026; Applicant's Letter to the City Planning Commission, dated May 29, 2026)
- Exhibit G: **City Staff Reports to the CPC** for the VTTM appeal and the Density Bonus and related entitlements (incorporated by reference)

Thank you,

Sheri Bonstelle

Sheri Bonstelle

Attorney at Law

sbonstelle@greenbergglusker.com

D: 310.201.7546

[View Bio](#)

GREENBERG GLUSKER LLP

[2049 Century Park East, Suite 2600](#)

Los Angeles, CA 90067

greenbergglusker.com

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Letter to City Council - Applicant - Riverwalk(8231479.1).pdf

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September 28, 2026

PLUM Committee of the Los Angeles City Council
Los Angeles City Hall
200 N. Spring Street, Room 340
Los Angeles, CA 90012
Clerk.plumcommittee@lacity.org
LACouncilComment.com

Dear Chair Blumenfeld and Members of the PLUM Committee of the LA City Council:

Re: Riverwalk at Studio City, 12555 Ventura Boulevard
CF 26-1081, 26-1081-S1 Hearing Date: October 13, 2026, 2:00 pm
(CPC-2025-5697-DB-PR-S-PPC-MCUP-VHCA; VTT-84453;
ENV-2025-5697-SE)

Our firm represents Studio City Sports Center, LLC, (the “Applicant”) the owner of the property located at 12555 W. Ventura Boulevard (the “Property”), and the applicant for the Riverwalk at Studio City Project (“Riverwalk”, the “Project”). On June 11, 2026, the City Planning Commission approved entitlements for the 814-unit mixed-use housing development project (the “CPC Determination”) and denied an appeal of the Advisory Agency’s approval of the Vesting Tentative Tract Map (“VTTM Determination”).

This letter responds to the appeal of the VTTM Determination filed by Studio City Residents Association (“SCRA”) and Save LA River Open Space (“SLAROS”) on July 22, 2026, and amended on July 30, 2026. (the “VTTM Appeal”) This letter also responds to the appeal of the VTTM Determination filed by Marianne King, dated July 23, 2026. (the “King Appeal”) This letter also responds to the appeal of the Density Bonus, Project Review, Specific Plan Project Compliance, Conditional Use Permit, and related entitlements filed by SCRA and SLAROS, dated July 27, 2026, and amended on July 30, 2026. (“CPC Appeal” collectively, the “Appeals”) None of the Appeals’ claims has merit, and some of the claims are not appealable to the City Council pursuant to State law and the Los Angeles Municipal Code (“LAMC”) and may not be considered by the City Council.

This letter and attached studies provide substantial evidence in the record to negate the Appeal claims by SCRA, SLAROS, and Marianne King, and support the City’s approval of the Project entitlements. We also incorporate fully by reference the attached responses provided in the Applicant’s Letter to the Advisory Agency, dated April 13, 2026, and the Applicant’s Letter to the Planning Commission, dated June 8, 2026. (See Exhibit F, attached) We respectfully request that the City Council uphold the Planning Commission approvals of the entitlements for the housing development project and deny the appeals.

I. Summary

Project Design. Riverwalk at Studio City is an 814-unit housing development project with 46 very-low-income units and approximately 76,000 square feet of restaurant and retail uses. The Project creates a community space for neighbors with an open-air plaza surrounded by restaurant and retail spaces with direct access to the bike path on the LA River. The Project's pedestrian-oriented streetscape includes lower scale buildings facing Ventura Boulevard that step back in height, and pedestrian walkways through the Project to the river. Riverwalk embraces the LA River with U-shaped buildings that provide maximum river views, and on-site bicycle parking for residents, guests, and patrons. Riverwalk is landscaped with native plants in the community plaza, throughout the pool and amenity areas, and along the street fronts. Riverwalk also provides additional shade trees in the public right of way on Ventura Boulevard. The Project addresses the City's housing crisis with a thoughtful, sophisticated development that welcomes the community and is specifically the type of Project that the California legislature intended when it adopted a statutory CEQA exemption for urban infill housing development projects under AB130. While a categorical Class 32 CEQA Exemption applies to urban infill development on 5 acres or less, AB130 increased the area to 20 acres to specifically support and promote larger housing development projects by determining that they are statutorily exempt from environmental review.

Appeals Summary. The Appeals provide no substantial evidence to support their claims that the Project does not qualify for the statutory CEQA Exemption for urban infill housing development projects under AB130, violates the Subdivision Map Act, or fails to make the LAMC findings to approve the entitlements. The VTTM Appeal references a prior appeal letter alleging non-compliance with fire safety regulations and evacuation routes, all of which were already thoroughly vetted and denied by the CPC. The VTTM Appeal then tries to use the "serious public health problem" finding for denial of a tract map under Gov'n Code §66474.61(f) to trigger full environmental review and studies that would typically be required under CEQA (PRC §21000 *et seq.*). These are two separate evaluations. This Project is statutorily exempt from CEQA under AB130 as an urban infill housing development project (PRC §21080.66). Therefore, any wildfire impact evaluation under CEQA is not required for the Project.

The VTTM only approved the subdivision of the Property into multiple airspace lots, but did not approve any increase in density, density within the individual airspace lots, or compliance with certain development standards, such as landscaping and tree removal. Therefore, there is no evidence to support that the tract map, or improvements identified on the site plan, cause a serious public health problem. The Project's Density Bonus, off-menu incentives and waivers were all approved by the CPC, and are not further appealable. Therefore, any claims regarding the Density Bonus approval, or that use the substance of the Density Bonus as a basis, are not legally before the City Council and may not be considered. In addition, the *Bankers Hill* case affirmed that a qualifying project is entitled to waivers or reductions of *any* development standards at *any* scale that would have the effect of physically precluding the construction of a development at the density, or with the requested incentives, permitted by the Density Bonus Law. Similarly, any claim that the Project does not comply with the General Plan or Specific Plan based on use of Density Bonus waivers violates the HAA, which states that the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards does not constitute a valid

basis to find a housing development project is inconsistent with a General Plan, Specific Plan or zoning (Gov'n Code § 65589.5(j)(3)).

The Applicant provided a Bat Study and Biological Report providing substantial evidence that there are no protected or special species on the Property, including the western yellow bat, and no protected habitat; therefore, the VTTM does not cause harm to protected wildlife habitat, and this is not a basis for disallowing the AB130 statutory CEQA Exemption. The Applicant also provided a voluntary Evacuation Study that shows the Project evacuation due to wildfire would not cause any significant impacts to the community. Therefore, all of the claims in the Appeals are without substantial evidence and invalid.

II. The Density Bonus Entitlements Are Not Appealable to the City Council and May Not Be Considered

The City Planning Commission ("CPC") considered and approved the Density Bonus entitlements for the Project on June 11, 2026 (mailed on July 13, 2026), which included off-menu incentives and waivers, pursuant to LAMC §22.37. (Ord. No. 188,477) The CPC Determination approved a Density Bonus of 35 percent to increase the density from 653 units to 814 units, and approved (i) an off-menu incentive of a 3.2:1 FAR, and waivers to allow (ii) a lot coverage of 74%, (iii) varying height of up to 84 feet, (iv) varying rear yard setbacks with a minimum of 1.5 feet, (v) removal of transitional height provisions to allow lower heights on Ventura Boulevard and higher heights on Valleyheart Drive, and (vi) volume averaging setbacks from the roof perimeter.

Pursuant to LAMC §22.37(d), the Density Bonus entitlements include both an off-menu incentive, processed under LAMC Chapter 1A §13B.3.2, which is a ministerial action with Expanded Administrative Review, and waivers, processed under LAMC Chapter 1A §13B.2.3, which require a hearing before the City Planning Commission. Neither of these Density Bonus entitlements are appealable to City Council. LAMC §22.37(d)(3), which applies to Density Bonus waivers, states: "Notwithstanding the provisions set forth in Section 13B.2.3 of Chapter 1A, the decision of the City Planning Commission shall be final and not further appealable." LAMC Chapter 1A §13B.3.2.G, which applies to Density Bonus off-menu incentives, states: "There is no appeal." Therefore, the CPC decision is final, and the Appeals cannot argue that the City erred or abused its discretion in approving the Density Bonus, or the concessions or waivers of any development standards. The Appeals cannot reference the Density Bonus approvals or any alleged impacts caused by the Project's density, floor area, lot coverage, height, transitional height or setbacks, because the City has reviewed and approved these waivers of development standards based on substantial evidence in the record, and the decision is final.

This analysis is not impacted by the City's Multiple Approvals Ordinance, LAMC Chapter 1A §13.A.2.10, because (a) ministerial actions, such as approval of the off-menu incentives, are "not subject to the multiple approvals processes" (Chapter 1A §13.A.2.10.2.d), and (b) LAMC §22.37(d)(3) specifically exempts Density Bonus waivers from appeal, notwithstanding the provisions for other discretionary entitlements under Chapter 1A §13B.2.3.

The CPC Appeal claims that the CPC approval of the Density Bonus entitlements is improper because the off-menu incentives and waivers included modifications to development standards that are on the list of on-menu incentives contained in §12.22.A.25(f), contrary to LAMC §12.22.A.25(g)(3). The CPC Appeal also states that the Density Bonus law does not provide for such massive deviations from development standards. The CPC Appeal may not bring claims opposing the Density Bonus entitlements, because these entitlements are final and non-appealable. However, none of these claims has merit under the LAMC, State Density Bonus law, or relevant caselaw.

The City has determined, in appeals brought by SCRA against the Sportsmen's Lodge project, that the LAMC does not limit deviations to on-menu incentives only, and State Density Bonus law does not distinguish between on- and off-menu incentives. The City found that projects are permitted to request deviations in development standards as incentives and waivers provided other requirements are met. As the Project is entirely consistent with State Density Bonus law, the requested incentives and waivers are permissible and justifiable, as previously determined by the CPC in its findings. Courts defer to the City in interpreting its own laws.

In *Schreiber v. City of Los Angeles* (2021) 69 Cal.App.5th 549, the Court held that local implementation ordinances cannot restrict or impose extra-statutory burdens on a developer's right to seek concessions or waivers. Local definitions or procedures that try to limit types of relief or penalize requests outside standard administrative categorizations are preempted by Government Code Section 65915. In *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, the Court affirmed that a qualifying project is entitled to waivers or reductions of *any* development standards at any scale that physically preclude construction as designed, emphasizing that local agencies cannot deny or reshape relief based on alternative compliant designs or narrow local preferences. The Court held: "a city must offer a waiver or reduction of development standards that would have the effect of physically precluding the construction of a development at the density, or with the requested incentives, permitted by the Density Bonus Law. (§ 65915, subd. (e)(1).)" As an example, the court stated that a city must waive a height limitation if imposing the height limit would physically preclude construction of the proposed building with the requested incentives and at the density allowed by the Density Bonus Law, even though height limits are usually on-menu incentives. Therefore, the LAMC and caselaw provide that off-menu incentives and waivers may be used for deviations from the same development standards as on-menu incentives, and the waivers may be as large as necessary to not physically preclude construction of the proposed building at the density requested.

III. The City Made the Legal Findings to Approve VTT-84453 under the LAMC and the Subdivision Map Act

A. The VTTM and Project are Consistent with the General Plan and the Specific Plan

General Plan and Specific Plan. The VTTM Appeal claims that the Project is not consistent with the General Plan and Specific Plan, and therefore the VTTM should not have been approved. As set forth in the Advisory Agency Determination, and the CPC's VTTM

Determination on appeal, the Vesting Tentative Tract Map (“VTTM”) is fully consistent with the General Plan and the Ventura/Cahuenga Boulevard Corridor Specific Plan (the “Specific Plan”). A project is consistent if, “considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment”; it “need not be in perfect conformity” with every policy, and the finding is reversed only if no reasonable person could have reached it (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 717–719; *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656; *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807; *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261).

The VTTM Determination approved the merger and re-subdivision of the Property into two master ground lots, three residential airspace lots, five commercial airspace lots, and eight parking airspace lots as part of a Project for the construction, use, and maintenance of a mixed-use development. The VTTM Determination did not approve any density or design standards for the housing development project, and only considered the configuration and layout of the proposed lots and the proposed site plan layout (page F-2). Pursuant to the Subdivision Map Act, Gov’n Code Section 66410 *et seq.* (“SMA”), the location of the buildings is not considered as part of the approval of the map for housing projects. (Gov’n Code §66427(a)) The SMA states that an apartment or other residential project “need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a parcel, tentative, or final map of the project on account of the design or the location of buildings on the property shown on the map that are not violative of local ordinances.” (Gov’n Code §66427(a))

The VTTM identified the square footage of lot area in each of the airspace lots, and the dimensions of each airspace lot in the Isometric view, but did not allocate any specific density to each of the airspace lots. The division into master lots, and residential, commercial and parking airspace lots is done for financing and development purposes, and not for purchase of individual residential condominium units. Therefore, although the map identifies the total proposed units in the Project, the VTTM Determination did not approve this density or any height or other development standards. These were approved by the CPC through the Density Bonus entitlement, with off-menu incentives and waivers, in the CPC Determination. As set forth above, these Density Bonus approvals are final and not further appealable to the City Council. Therefore, they may not serve as a basis for appeal of any other entitlement, including the tract map.

The VTTM Appeal claims that the “design or improvement of the proposed subdivision” is not consistent with the Specific Plan, because it exceeds the Specific Plan’s development standards related to height, FAR, lot coverage and setbacks. First, the VTTM Determination did not approve any specific height, FAR, lot coverage and setbacks; these were approved through the Density Bonus entitlements. Second, the Density Bonus decision is final and not appealable. Third, under the State Housing Accountability Act (“HAA”), any approval of Density Bonus concessions and waivers does not make it inconsistent with a General Plan or Specific Plan. The HAA states: “the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards pursuant to Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in

conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.” (Gov’n Code § 65589.5(j)(3)).

Finally, the VTTM Determination provided substantial evidence in the record that the VTTM and the “design or improvement of the proposed subdivision” was consistent with the General Plan and Specific Plan. The VTTM Determination clarifies: “Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency.”(page F-2) The VTTM Determination then confirms that the base density of 654 dwellings on the 261,485 square foot lot was consistent with the zoning for the Property. The Project includes a separate Density Bonus approval for 814 units, which approval is final. The VTTM Determination also describes the various other departments that evaluated the tract map and determined its consistency with the Street Design Standards, Mobility Element, Street Lighting, ADA, and sewer system and provided conditions that were included in the VTTM approval. The VTTM Appeal provides no substantial evidence in the record that the VTTM fails to meet these requirements and is inconsistent with the General Plan and Specific Plan. Therefore, the VTTM is consistent with the General Plan and the Specific Plan.

Safety Element. The VTTM Appeal also claims that the VTTM is not consistent with the Safety Element of the General Plan because the Project is located in a Very High Fire Hazard Severity Zone (“VHFHSZ”) and the Safety Element requires the applicant to identify evacuation routes and their capacity, safety and viability. This analysis is not consistent with State law and the City’s requirements. Gov. Code §65302.15 requires each City’s General Plan, Safety Element, to be updated to identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of scenarios, but does not mandate that individual project prepare one. The City has complied with its updated Safety Element in 2025 and Evacuations Annex in 2020. Although there was no requirement for a project-level evacuation plan, the Applicant did prepare and submit a voluntary evacuation plan for the Project to the City (See Exhibit A).

The City Council adopted a comprehensive update to the General Plan in October 2021, and revised the Safety Element in 2025 to incorporate the requirements of Gov. Code §65302.15. The Safety Element states, “To better accommodate the variety of evacuation scenarios, the City has developed a dynamic approach to evacuation response, one that can respond to different conditions. The Safety Element confirms that the City will “Maintain and update evacuation plans for areas potentially affected by hazards as a part of the Emergency Operations Plan, Evacuation Functional Support Annex, including procedures related to residential developments in a Very High Fire Hazard Severity Zone (VHFHSZ)” (Safety Element, p. 87) As specified in the City EOP Evacuations Annex “primary evaluation routes consist of the major interstates, highways, and primary arterials within the City and Los Angeles County.” In response to a more localized emergency, like a hillside wildfire, the LAFD works in coordination with the Los Angeles Department of Transportation and Los Angeles Police Department to identify the most appropriate local egress option and direct individuals to those routes. Potential routes have been pre-selected based on a number of considerations, but potential evacuation routes will vary based on the type and location of hazard/disaster.”

The Fire Department is not required by code to provide a site-specific evacuation procedure as part of a project-specific VTTM review. The Fire Department fully complies with the required analysis by identifying the conditions necessary to meet the standards set forth in the CBC, CWUIC, LABC, and City Fire Code. In addition, the City has an Emergency Operations Plan for Evacuation, dated October 2020, that analyzes the emergency response as a whole for multiple City departments, including using major streets as evacuation routes identified by DOT. This response is modified on a dynamic basis during an emergency, and therefore, the scenario for evacuation changes based on the specific location and details of the earthquake or wildfire. Therefore, the VTTM is consistent with the Safety Element of the General Plan and the Specific Plan. The VTTM Appeal provides no substantial evidence in the record that refutes the City's determination that the VTTM is consistent with the General Plan and Specific Plan.

Parallel Review Process for the VTTM and Density Bonus Entitlements. The prior SCRA Appeal (Ground 4) claimed that the Letter of Determination ("LOD") approving the VTTM cannot defer the approval of the density to LADBS review. In fact, the City planning department has a legally vetted parallel procedure for simultaneously reviewing the VTTM by the Advisory Agency pursuant to the SMA and reviewing the Density Bonus incentives and waivers, and other entitlements by the Planning Commission pursuant to State and local Density Bonus law. (LAMC §17.06.B, LAMC §12.22.A.25) The Planning Commission Hearing Officer holds a joint hearing with the Advisory Agency, and then, the Planning Commission reviews the Hearing Officer report and holds a public hearing on the Density Bonus and other entitlements. The Proposed Map and the Design or Improvement of the VTTM was found to be consistent with the General Plan and Specific Plan. As stated in the LOD, "Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to §66427(a) of the Subdivision Map Act, the location of the buildings is not considered a part of the approval or disapproval of the map by the Advisory Agency." (LOD, page 18) Therefore, the LOD did not approve the density, which will be considered in the Density Bonus Project review by the Planning Commission. This is not a deferral of the review, but rather an acknowledgement of the parallel review process. LADBS will not provide clearance as part of building permit review until both the VTTM and Density Bonus Project are approved and conditioned through the City planning review process. This argument was rephrased above to claim that the VTTM's density was not consistent with the Specific Plan; but the parallel process allows the density to be properly approved by the CPC in lieu of the Advisory Agency as required by the LAMC.

B. The Site is Physically Suitable for the Proposed Density of Development, and the Design of the Subdivision or the Type of Improvements are Not Likely to Cause Serious Public Health Problems, As Set Forth in Government Code §66474.61.

The VTTM Appeal claims that the City must deny the tract map, under Gov'n Code §66474.61(d) and (f), because the Property is located in a Very High Fire Hazard Severity Zone ("VHFHSZ"), and the high density of the development could lead to serious health impacts during a wildfire evacuation because there are numerous other projects that are being constructed on Ventura Boulevard, which is identified as a High Injury Network. The VTTM Appeal also claims that approval of the haul route will cause serious public health problems.

First, this claim is misleading, because this section of the Government Code relates solely to the approval of the VTTM itself, and not to the housing development project approved by the Density Bonus and related entitlements. The VTTM Determination did not approve any specific density for the site, and only approved the merger and re-subdivision of the Property into two master ground lots, three residential airspace lots, five commercial airspace lots, and eight parking airspace lots as part of a Project for the construction, use, and maintenance of a mixed-use development. The findings confirmed that the VTTM is “consistent with the zoning permitted in the zone” of 654 units, and provided a condition confirming the Applicant must obtain approval for any deviation in density prior to recordation of the Final Map (VTTM Determination, p. C-2, C-8, F-2). The CPC approved the Density Bonus entitlements for the Project on June 11, 2026, and this determination is final and not further appealable.

Second, the VTTM Appeal provides no substantial evidence in the record that the tract map would cause any “serious public health problems” (Gov. Code §66474.61(f)) based solely on its location in the VHFHSZ. It is mere conjecture that a housing development project would not be able to safely evacuate its residents, guests and patrons and would cause serious health problems to the community. The VTTM Appeal does not provide any specific fact-based information to support this claim, let alone that it would rise to the level of a “serious public health problem.” In the VTTM Determination, the Fire Department provides conditions of approval for the tract map (p. C-3 to C-6) and describes in detail the fire safety-related requirements for the tract map prior to recordation of the Final Map. This includes requirements for fire lanes, ingress/egress, and other fire safety requirements to ensure safe evacuation of the buildings. In addition, the VTTM Determination confirms that the site is located in the VHFHSZ, and states that the VTTM “will be required to comply with all applicable regulations as it pertains to development within high fire hazard severity zone . . .” and that prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department.

The High Injury Network designation does not trigger any additional review under the LAMC or State laws; it serves as a guiding framework to target limited city funds, safety upgrades, and strategic investments. Therefore, the Project would be required to comply with all Fire Department and Building Department codes and standards prior to issuance of the building permit, and there is no evidence that a code-compliant project would cause serious public health problems. The VTTM fully complies with Government Code § 66474.02 (SB 1241, as amended by SB 1260) for projects in a VHFHSZ. which requires that (i) the subdivision is consistent with State Board of Forestry regulations and Fire Protection pursuant to PRC §§ 4290 and 4291 (or certified-equivalent local ordinances), and (ii) that structural fire protection and suppression services will be available for the subdivision. The code does not require evacuation-route capacity analysis. The compliance with PRC §4290 and 4291 is evaluated in detail below. The structural fire and protection services are provided by the Los Angeles Fire Department, as provided in the VTTM Determination conditions.

Third, the VTTM LOD confirmed that the VTTM was not likely to cause serious health problems. The LOD found that the development will be connected to the City’s sanitary sewer system, which will be directed to the LA Hyperion Treatment Plant that complies with Statewide

ocean discharge standards. BOE also reported that the VTTM will not violate the California Water Code, because it will connect to the public sewer system and have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. (LOD, page 20)

The VTTM LOD did not just make cursory conclusions. The LOD provides full analysis of the required findings as set forth in the Findings of Fact (Subdivision Map Act), and the City Departments' review, analysis and conditions – all of which are included in the LOD. In the Findings of Fact, the LOD cites to the BOE report to show that the Project connects to safe sewer and water systems, and that the project site is a fully developed commercial property with retail stores and parking lot, and that no protected habitat exists on site. These findings are fully analyzed in the LOD, pages 16-21, and supported by the conditions of the various departments, including the Bureau of Engineering, Department of Building and Safety, Grading and Zoning, Department of Transportation, Fire Department, Department of Water and Power, Bureau of Street Lighting, Bureau of Sanitation, Information Technology, Department of Recreation and Parks, the Urban Forestry Division, and the Department of City Planning – Site Specific Conditions, set forth on LOD, pages 2-8. The Deputy Advisory Agency relied on the thorough review and analysis of each of the separate Departments, in their reports, to provide substantial evidence to support the LOD findings. Therefore, the LOD makes the required findings that the subdivision and improvements are not likely to cause substantial and serious harm. SCRA provides no evidence that the subdivision or proposed improvements are likely to cause serious public health problems. This claim is just conjecture without any basis in fact.

Fourth, the VTTM Appeal is attempting to use the “serious public health problem” finding for denial of a tract map under Gov’n Code §66474.61(f) to trigger full environmental review and studies that would typically be required under CEQA (PRC §21000 *et seq.*). There are two separate evaluations. This Project is statutorily exempt from CEQA under AB130 as an urban infill housing development project (PRC §21080.66). Therefore, any wildfire impact evaluation under CEQA is not required for the Project. The “serious public health problem” finding for denial of a tract map typically deals with locating a project on a site with hazardous materials, or other known public harms. As stated above, the VTTM Determination fully evaluated in detail all fire-safety-related requirements for the tract map.

Fifth, the Applicant did prepare a full evacuation study for the Project. The Qualitative Wildfire Evacuation Study, Riverwalk at Studio City, by Dudek, dated August 2026 (the “Dudek Evacuation Study”) concluded that “the Project would not conflict with any emergency evacuation plan or emergency response plan, would not expose people to a significant risk of loss or death involving wildland fires related to evacuation, would not interfere with evacuation response planning, and would not result in inadequate emergency access (page vi). The Dudek Evacuation Study is summarized in detail below, and attached as Exhibit A.

Sixth, the VTTM Appeal also tries to conflate the “serious public health problems” finding for tract maps under Gov’n Code §66474.61(f) and CEQA review for evaluation of the haul route. The Project is statutorily exempt from CEQA as an urban infill housing development project. (PRC §21080.66) and all related approvals are included in the exemption. The VTTM Appeal claims that the “safety hazards, air quality and other impacts associated with this soil removal and hauling” prevent the City from making the findings to approve the tract map under the SMA.

Again, this is pure conjecture. The VTTM Appeal does not identify the specific findings impacted or provide any substantial evidence in the record to support any “serious public health problems” created by the City’s approval of the haul route. The soil excavation was fully evaluated in the Geology and Soils Report Approval, dated August 11, 2025, by the LADBS Grading Division. In the VTTM Determination, the findings of the Planning Department provide specific restrictions on hours of operation, number of trips, size of trucks, specific streets and freeways to be used on the haul route, and an extensive list of over 20 standard haul-route conditions that address any effects caused by the grading and hauling of soil from the Property. (C-10 to C-12) These standard conditions include keeping the site and the trucks sufficiently dampened to control dust, securing and watering all loads, and complying with all State of California, Department of Transportation and State of California Department of Motor Vehicles laws, regulations and policies. Therefore, the VTTM Appeal does not provide any substantial evidence in the record to support a finding that the haul route caused serious public health problems.

C. The Project is Not Likely to Substantially and Avoidably Injure Fish or Wildlife or Their Habitat

The VTTM Appeal claims that City must deny the VTTM, because the tract map’s design is likely to cause substantial harm to wildlife or their habitat. This is not the correct finding required under Gov’n Code §66474.61(e), which provides that the City shall deny a tract map if the design of the subdivision or the proposed improvements are “likely to substantially and avoidably injure fish or wildlife or their habitat” as set forth in Gov’n Code §66474.61(e). The VTTM Appeal also claims that the Project removes 100 palm trees that are suitable habitat for the western yellow bat, a California Species of Special Concern, as evidenced by Scott Cashen’s report for the nearby Harvard Westlake site, and removes additional mature trees and adds light pollution. In fact, the Project proposes to remove approximately 93 palm trees, including 22 onsite Mexican fan palms, 8 king palms, 19 queen palms, and 44 pygmy date palms. None of these Appeal claims has merit, as set forth in the VTTM Determination, the prior Applicant letters, and as described in detail below.

First, the VTTM Determination approved the merger and re-subdivision of the Property into two master ground lots, three residential airspace lots, five commercial airspace lots, and eight parking airspace lots as part of a Project for the construction, use, and maintenance of a mixed-use development. The VTTM Determination did not approve any landscaping related to the Project, including the removal of any palm trees or mature trees, and only considered the configuration and layout of the proposed lots and the proposed site plan layout (page F-2). The proposed improvements related to the VTTM entitlement included the site plan layout, and the proposed street and utility improvements identified in the VTTM Determination. The approval of the landscape plan, tree removal and lighting occurred as part of the CPC Determination for the Density Bonus, Project Review, Specific Plan Project Compliance and related entitlements (CPC Determination, pages C-3 to C-7). None of these entitlements require the VTTM findings set forth in Gov’n Code §66474.61.

Second, even though Gov’n Code §66474.61(e) does not apply to the VTTM, because the VTTM did not include removal of palm trees or any other landscaping approvals, the Project is

otherwise not likely to substantially and avoidably injure the western yellow bat by removal of 100 palm trees on the Property.

LSA Bat Study. As set forth in the Focused Bat Surveys for the Proposed Riverwalk at Studio City Development Project in Studio City, California by LSA, dated August 28, 2026, (the “LSA Bat Study”) there were no bats, including western yellow bats, on the Property, and the Property included only marginally suitable habitat for day-roosting bats (See Exhibit D, attached, p. 5). LSA noted that bats typically roost in palm fronds, but that the palm fronds on the Property were trimmed and so provided only marginal habitat. LSA summarized that the presence of the parking lot lights on the large parking lot surrounding the commercial buildings, coupled with the marginal quality of the potential roosting habitat within the Project area, it is substantially more likely that bats would roost off site in skirted palm trees observed on the other side of the LA River, or in bridges and culverts along the LA River than within the Project site. (p. 5) However, the Bat Survey did not identify any bats roosting in those areas, and only heard the Mexican free-tailed bats, who were likely commuting through the area.

Because the Property is located within the VHFHSZ, the owner is required to regularly trim the frond skirts of the palm trees, because they are highly flammable, pursuant to AB3074 and the City Fire Code. AB3074, effective January 1, 2021, required more intense fuel reductions and ember-resistant zones to increase wildfire resistance, especially in a VHFHSZ. AB3074 required cities to implement and support these new regulations, including imposing fines for non-compliance. Palms have fibrous trunks and fronds that catch wind-borne embers easily and act as “matchsticks” that shoot firebrands up to half a mile away. Fire Code §57.4906.5.1.1.8 states that owners shall “Maintain all landscape vegetation, including, but not limited to, conifers (e.g., cedar, cypress, fir, juniper, and pine), eucalyptus, acacia, palm and pampas grass in such a condition as not to provide an available fuel supply to augment the spread or intensity of a fire. The Notice of Noncompliance citing violations of this subsection will specify that such landscape vegetation poses a threat to buildings or structures in the vicinity and may cause them to be indefensible, and shall describe the work required to be done.” The Fire Department’s wildfire regulations require owners to remove all dead/dry undergrowth and material within trees and shrubs to include all dead or dry palm fronds/branches (see wildfirela.org) As set forth in the Bat Study, these frond skirts are the most likely roosting area for bats, and so would not exist on a developed lot in a VHFHSZ that is in compliance with the City’s Fire Code and AB3074.

The Bat Study confirmed that there are no western yellow bats, or any other bat, on the Property. The Bat Study also confirmed that bats typically roost in palm fronds, but trimmed palm fronds are only marginal suitable habitat for day-roosting bats. Because State laws and Fire Codes require palm fronds to be trimmed to avoid ember ignition in a VHFHSZ, the Property would not have suitable habitat for bats. Therefore, removal of the 93 palm trees in the Project is “not likely to substantially and avoidably injure” the western yellow bat, because these were not suitable roosting locations.

Biological Resources Report. The Biological Resources Report, Riverwalk at Studio City, by Envicom Corporation, dated June 12, 2026 (the “Envicom Biological Report”) supports and incorporates the findings of the LSA Bat Study (See Exhibit E, attached). Envicom concluded that special-status wildlife species would be rarely present within the general area of the Project site,

but “there is no potential to occur for any special status species within the Project Site.” (Envicom Biological Report, p. 19). The Envicom Biological Report confirms that the Project site does not contain any high-quality roosting habitat, and there is no evidence of bat foraging or habitation found on the Project site, including use of spaces such as roof shingles or palm fronds.

Appeal Cashen Report. The VTTM Appeal attaches a 2022 Biological Report by Scott Cashen provided in opposition to the Harvard-Westlake Project (the “Cashen Study”), which is a recreational facility located on a former golf course across the river from the Project site. The report states that the western yellow bat (*Lasiurus xanthinus*) is a California Species of Special Concern that appears to roost exclusively in the skirts of palm trees located near open water or wetlands. However, as acknowledged in the report, the Harvard-Westlake EIR did not evaluate whether any bats actually existed on site, and the report noted that the loss of one active bat roost from the Project site would not have a substantial adverse effect on the western yellow bat population. In addition, the Harvard-Westlake site was a former golf course with significant trees and landscaping and minimal traffic, which is a suitable area for nesting birds and bats. It is significantly different from the Project site, and so the study does not provide substantial evidence for the conditions on the Project site.

The Project site is a fully developed commercial retail center with big box stores and a large surface parking lot with lighting that often had significant vehicular and pedestrian traffic. There has been no evidence of any western yellow bat on the Property. The palm trees are being removed in part because the LAFD strongly recommends removing palm trees in a VHFHSZ due to the high flammability of certain genus and species of palms. (<https://lafd.org/palms-and-wildfires-and-ab3074>) In addition, the proposed Project will provide significant tree replacement, in compliance with Urban Forestry regulations, with residential buildings and underground parking, that will make a more suitable environment for bird habitat in the future.

Therefore, the Cashen Study does not provide substantial evidence, or any evidence in the record, that the removal of the 93 palm trees, which are replaced with other trees approved by Urban Forestry, will substantially and avoidable injure the western yellow bat or its habitat.

IV. The CPC Made the Required Findings to Support Approval of Project Review and Specific Plan Project Compliance

The CPC Appeal claims that the Project Review, pursuant to LAMC section 13B.2.4, requires that the Project comply with the General Plan and Specific Plan, but the Project fails to comply with the Safety Element of the General Plan because the findings approving the Project Review contain no discussion of evacuation routes and whether this Project could impact their capacity, safety or viability. As set forth in detail above, the Project is not required to prepare an evacuation plan. Gov’n Code §65302.15 requires each City’s General Plan, Safety Element, to be updated to identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of scenarios, but does not mandate that individual project prepare one. The City has complied with its updated Safety Element in 2025 and Evacuations Annex in 2020. Although there was no requirement for a project-level evacuation plan, the Applicant did prepare and submit a voluntary evacuation plan for the Project to the City (See Exhibit A). The Qualitative Wildfire Evacuation Study, Riverwalk at Studio City, by Dudek, dated August 2026 concluded

that “the Project would not conflict with any emergency evacuation plan or emergency response plan, would not expose people to a significant risk of loss or death involving wildland fires related to evacuation, would not interfere with evacuation response planning, and would not result in inadequate emergency access (page vi) (the “Dudek Evacuation Study”). The Dudek Evacuation Study is summarized in detail below, and attached as Exhibit A.

The CPC Appeal also claims that the Project Review is not consistent with the Specific Plan, because it is substantially inconsistent with the height, lot coverage, setbacks and FAR limits contained in the Specific Plan for this site, and that the Density Bonus incentives exceed those permitted under the State Density Bonus law. As set forth above, the Density Bonus determination is final, cannot be appealed, and may not be a basis for denying other entitlements. Under *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, the Court affirmed that a qualifying project is entitled to waivers or reductions of *any* development standards at any scale that would have the effect of physically precluding the construction of a development at the density, or with the requested incentives, permitted by the Density Bonus Law. (§ 65915, subd. (e)(1).). Also, as set forth above, the Project is consistent with the Specific Plan, because the Density Bonus off-menu incentives and waivers provided modifications of the development standards for height, lot coverage, setbacks and FAR limits contained in the Specific Plan. The HAA states: “the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards pursuant to Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.” (Gov’n Code § 65589.5(j)(3)). Therefore, the Project, with the Density Bonus off-menu incentives and waivers, is consistent with the Specific Plan. In addition, because the Density Bonus entitlements are final and not appealable, the Density Bonus incentives and waivers may not be a basis for claiming that the Project does not comply with the Specific Plan.

Therefore, all of the claims that the Project Review does not comply with the Safety Element or Specific Plan are void and without merit.

V. All of the Issues Raised in the Appeals to the CPC Have Been Thoroughly Vetted and Denied.

The VTTM Appeal references two separate prior appeals including (1) the appeal by SCRA of the Advisory Agency approval of the VTTM, prepared by Carstens, Black, and Minter LLP, dated April 21, 2026 (“SCRA Appeal”), and (2) the appeal by Studio City for Safe Development (“SCSD”) of the Advisory Agency approval of the VTTM, prepared by Channel Law Group, dated April 30, 2026 (“SCSD Appeal”). The VTTM Appeal relies on the claims and findings in these two prior appeals to justify the Appeal to City Council. However, the VTTM Appeal failed to attach and include the prior appeals; therefore, the substantive arguments in the prior appeals are not before the City Council. The VTTM Appeal also did not identify with specificity which of the claims in the SCRA Appeal and SCSD Appeal were included in the VTTM Appeal so that the applicant and City may respond in detail.

In addition, the CPC already considered, evaluated, and denied each of the claims raised in the appeal and found that they were without merit. The CPC then issued both the VTTM

Determination, denying the VTTM appeals, and the CPC Determination, approving the other entitlements. These Determinations provide substantial evidence in the record that each of the claims made in the prior appeals failed to provide substantial evidence to support the claims and were denied. The City's findings in the VTTM Determination and CPC Determination, in their entirety, must be considered when evaluating the Appeal claims.

VI. The Project Qualifies for a Statutory CEQA Exemption under AB130

The CPC Appeal claims that the Project does not qualify for a statutory CEQA Exemption under AB130, because (i) the Project is in a VHFHSZ and does not comply with all fire safety regulations, (ii) the Project fails to evaluate fire evacuation routes, and (iii) the Project contains “[h]abitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies,” (Gov’n Code §65913.4, subd. (a)(6)(J).), because the palm fronds are suitable habitat for the western yellow bat. As detailed herein, none of the claims have merit. The Project fully complies with the State Fire Safety Regulations. The Project is not required to prepare a fire evacuation route under the Safety Element, and is not otherwise required to prepare an evaluation route, because it is statutorily exempt from CEQA; however, the Project did prepare an Evacuation Study. Finally, the palm fronds in a VHFHSZ must be regularly trimmed, and so do not provide a feasible habitat for the western yellow bat. In addition, no bats, including western yellow bats, were identified on the Property in the LSA Bat Study. In addition, the Envicom Biological Study confirmed that there are no other projected species or habitat on the Property. Therefore, the CPC Appeal claims that the Project does not qualify for the statutory CEQA exemption under AB130 are without merit.

On June 30, 2025, the California State Legislature passed AB130, which provided a statutory CEQA exemption for urban infill housing development projects that meet certain requirements, including residential/mixed-use types, property size (under 20 acres), urban area and use, zoning and general plan consistency (including density bonus waivers and concessions), and project location. (PRC §21080.66) As set forth in the CPC Staff Reports, the VTTM Determination and the CPC Determination, and supported by substantial evidence in the record, the Project complies with the AB130 requirements.

A. The Project Complies with All AB130 Requirements.

AB130 has a checklist of specific requirements to qualify for the CEQA exemption (PRC §21080.66 (a)) (See Applicant Letter, Exhibit F, attached) The Project is a mixed-use housing development project with over 89% residential floor area (PRC §21080.66.(a)). The Property is 6.01 acres (less than 20 acres) (PRC §21080.66.(a) (1)); located within the City of Los Angeles ((a)(2)); previously developed with retail, restaurants and entertainment uses ((a)(3)); and is consistent with the C1.5-1VL-RIO zone, Neighborhood Office Commercial land use designation, and the Specific Plan provisions based on approval of the Density Bonus concessions and waivers (Gov’n Code §65915) ((a)(4)). The Project has a density of one dwelling unit per 321.7 square feet of lot area, which complies with the minimum Metro density in Gov’n Code §65583.2(c)(3)(B) (Housing Element) of 30 dwelling units per acre (1 dwelling unit per 1,492 square feet of lot area) ((a)(5)). The Property is not designated as a historic structure ((a)(7)); and does not include a hotel use ((a)(8)). The Property is not located within any of the designated areas

listed in Gov'n Code §65913.4 (a)(6), because it is not in a coastal zone, farmland, wetland, hazardous waste site, earthquake fault zone, special flood area, regulatory floodway, conservation area, protected habitat, lands under conservation easement, and there were no prior residential uses on the Property (PRC §21080.66.(a) (6),(7)). The Project is within a Very High Fire Hazard Severity Zone ("VHFHSZ"), but complies with the State Fire Code laws that otherwise allow the Project in the zone (PRC §21080.66.(a)(6), Gov'n Code §65913.4 (a)(6)). Therefore, the Project qualifies for the statutory CEQA exemption.

B. The Project Fully Complies with the State and Los Angeles Fire Code and the Standards in the California Wildland-Urban Interface Code

CWUIC Regulations. The Property is located in a Very High Fire Hazard Severity Zone; however, pursuant to PRC §21080.66(a)(6), the Project is still exempt from CEQA if it complies with the fire safety provisions set forth in PRC §4291, PRC §51182, PRC §4290, and California Building Code ("CBC") §7A, which has been updated by the wildland-urban interface ("WUI") building standards, currently contained in the California Wildland-Urban Interface Code ("CWUIC") 2025, Part 7 (effective January 1, 2026). As set forth in the CPC Staff Report, the Project will require approval from the Fire Department and the Department of Building and Safety prior to building permit issuance. Public safety services are provided by the Los Angeles Police Department's Valley Bureau, North Hollywood Station (Reporting District 1591), and the Los Angeles Fire Department's Valley Bureau, Battalion 14, Fire Station 78. (Staff Report A-4) To ensure robust emergency access and preparedness, the Project is conditioned to incorporate numerous LAFD safety mandates. These include maintaining dedicated fire lanes of at least 20 feet in width-expanding to 28 feet where aerial ladder apparatus or fire hydrants are required. Additionally, the Project must ensure all structures are within 300 feet of an approved fire hydrant and mandate that no dwelling unit entrance is more than 150 feet from the edge of a roadway or approved fire lane. Furthermore, the building must be equipped with approved emergency responder radio coverage to ensure seamless communication for first responders, alongside Knox Boxes for rapid LAFD access. (Staff Report A-18, 19, F-2, F-7, F-11) Prior to the issuance of building permits, the Applicant shall demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code (Staff Report, Condition 23).

As set forth in the *Technical Memorandum for Riverwalk at Studio City* by Dudek, dated September 26, 2025 (the "Dudek Fire Code Analysis"), the Project fully complies with the State laws (including PRC §4291 and §51182, PRC §4290, and CBC §7A, WUI building standards, City ordinances, and building and fire code requirements. (CPC Staff Report F-3) (See Exhibit B, G) These findings are summarized in detail in the Applicant Letter to CPC, Exhibit F. The *Technical Review: Wildfire Management Features*, dated May 29, 2026, by SGH, confirms that the Project will fully comply with the State laws, and other Fire and Building Code requirements, which are reviewed as part of the building permit plan check process ("SGH Wildfire Management Review") (See Exhibit C). The SGH Wildfire Management Review provides a full analysis of the site-specific exposure assessment (Section 5.2), fire-resistant construction (Section 6.1), emergency access and fire hydrant locations (Section 6.2), defensible space (6.3), and fire protection features

(Section 6.4). (See Exhibit C, attached) The Dudek Fire Code Analysis and SGH Wildfire Management Review constitute substantial evidence in the record that the Project complies with State and local fire codes. Key CWUIC requirements for structures in a VHFHSZ address Class A roof assemblies, ignition-resistant exterior walls, protected eaves and soffits, ember-resistant ventilation openings, tempered glazing, ignition-resistant decking, enclosed underfloor areas, roof-to-wall fire stopping, and trellis and appendage restrictions. Detailed VHFHSZ compliance notes and product specifications will be developed at the CD phase and verified through the LADBS plan check process.

The SCRA Appeal (Ground 1) claims that the AB130 CEQA Exemption is unavailable, because the Property is located in a VHFHSZ, which is a prohibited location under Gov'n Code §65913.4(a)(6)(D); therefore, a Mitigated Negative Declaration is required. The SCRA Appeal quotes from various law firm websites that describe the AB130 exclusions; however, the SCRA Appeal misstates the law. The CEQA Exemption in PRC §21080.66 specifically permits a housing development project in a VHFHSZ if it meets the State law requirements set forth in PRC §4291 and §51182 for defensible space, PRC §4290 for fire safety standards, and CBC §7A, which has been replaced by the WUI building standards, currently contained in the CWUIC 2025, Part 7 (effective January 1, 2026). These are analyzed in detail in the Dudek Fire Code Analysis, which was part of the Project application and reviewed by City planning staff in preparation of the City Staff Report. In addition, the SGH Wildfire Management Review identifies the wildfire mitigation measures required by State and local codes that are incorporated in the Project's entitlement documents, and must be cleared as part of the building permit plan check review.

CWUIC Compliance. The Project proposes to develop 6.01 acres on the northwest corner of Ventura Blvd. and Whitsett Avenue with a mixed-use development consisting of residential apartment units and commercial space that includes two-story restaurants and seven-story residential buildings built over subterranean parking. The construction types for the Project are Type 3 for the residential units over Type 1 for the garage levels. The Project is located in a California Department of Forestry and Fire Protection (CAL FIRE) designated Local Responsibility Area (LRA) VHFHSZ.

The 2025 edition of the California Building Standards Code (Title 24) became effective on January 1, 2026. Construction documents for this Project will be submitted for LADBS plan check after the effective date of the 2025 code cycle. The governing WUI building standards are contained in CWUIC 2025 Part 7, as adopted and amended by the City of Los Angeles through LAMC Article 7.1 (LAWUIC). The City's adoption is documented in the Los Angeles Board of Fire Commissioners report (November 2025) and implemented through LADBS supplemental plan check correction list PC.STR.Corr.Lst.116 (Rev. 2025-12-23). The SGH Wildfire Management Review, Appendix B, provides a summary of the code provisions from the legacy CBC Chapter 7A (2022) to CWUIC 2025 Part 7.

Key CWUIC requirements for structures in a VHFHSZ address Class A roof assemblies, ignition-resistant exterior walls, protected eaves and soffits, ember-resistant ventilation openings, tempered glazing, ignition-resistant decking, enclosed underfloor areas, roof-to-wall fire stopping, and trellis and appendage restrictions. Detailed VHFHSZ compliance notes and product

specifications will be developed at the CD phase and verified through the LADBS plan check process.

Fire Department Report. The Fire Department conditions set forth in the VTTM LOD fully analyze and require compliance with the LA Fire Code and State law. As determined by DWP, the Project has the infrastructure to comply with water supply and fire flow requirements and substantially complies with fire apparatus access requirements. The Project provides the 200 feet of defensible space required in a VHFHSZ, and the space includes the Los Angeles River and existing adjacent urban development and adjacent streets. The Project includes both ground-level and rooftop landscaping, which is required to be approved by LAFD Fuel Modification Plan Checkers who evaluate each project independently based on site, hazard, and vegetation characteristics. The Fire Code Analysis evaluates the proposed landscaping and concludes that it complies with the code requirements. The entirety of the trees and shrubs proposed for the Project will be reviewed and approved by the LAFD. These findings are analyzed in detail in the LOD and in the Dudeck Fire Report, and further reviewed in the SGH Wildfire Management Review.

California PRC Section 4290 and Title 14 Fire Safe Regulations. California PRC § 4290 establishes minimum fire safety standards for development in State Responsibility Area (“SRA”) lands, with implementing regulations in Title 14, California Code of Regulations (“CCR”), Division 1.5, Chapter 7, Subchapter 2 (State Minimum Fire Safe Regulations). The implementing regulations address four principal categories: emergency access (Title 14 CCR §1273); signage and building numbering (Title 14 CCR §1274); water supply and fire hydrants (Title 14 CCR §1275); and fuel modification, greenbelts, and building/parcel siting setbacks (Title 14 CCR §1276 series, including §1276.01 “Building and Parcel Siting and Setbacks”). Because the Property is located in a City of Los Angeles LRA VHFHSZ, California PRC §§4290 and the State Minimum Fire Safe Regulations are relevant to the Project’s fire safety framework, subject to local regulations that equal or exceed the state minimums. The technical content of those provisions is also addressed because CGC § 65913.4(a)(6)(D) references California PRC §4290 as one of the named categories of fire mitigation measures.

California PRC Section 4291 and CGC Section 51182 — Defensible Space. Following AB 3074 (2020) and SB 504 (2024), defensible space is organized into three zones: Zone 0 (0 to 5 ft, Ember-Resistant/Immediate Zone), Zone 1 (5 to 30 ft, Lean/Clean/Green Zone), and Zone 2 (30 to 100 ft, Reduced Fuel Zone). Zone 0 prescriptive requirements remain the subject of ongoing rulemaking by the Board of Forestry and Fire Protection (BOF) under Executive Order N-18-25; the Project commits to compliance with the prescriptive Zone 0 standard in effect at the building permit phase.

LAFD, LAMC, and Los Angeles-Specific VHFHSZ Requirements. The Los Angeles Building Code (LABC §§91.7203 and 91.7207) and the City’s adoption of the California Wildland-Urban Interface Code 2025, Part 7 (codified in LAMC Chapter V, Article 7.1, LAWUIC) impose construction requirements for projects in the VHFHSZ, including Class A roofing, enclosed underfloor areas, ignition-resistant exterior walls, vent restrictions, tempered glazing, and ignition-resistant decking. The Los Angeles Fire Code (LAFD §57.4911) establishes the VHFHSZ zone and imposes use restrictions within that zone (including open-flame prohibition and restricted entry). Brush clearance obligations apply under LAMC §§ 57.4906.5.2 and 57.1.603.5 et seq. (200

ft maintenance zone). These requirements will be verified through the LADBS plan check process at the building permit phase.

Fire Code Analysis for Urban Infill Context. The Project site presents a distinctly different wildfire mitigation context than a hillside or wildland-adjacent development. It is a 6.01 acre urban commercial parcel on the valley floor, surrounded by existing commercial development (including LAFD Fire Station 78 immediately east across Whitsett Avenue), paved streets, and the concrete-channelized Los Angeles River. The dominant exposure pathway at this site is structure-to-structure fire spread and ember transport from vegetated hillside areas south of Ventura Boulevard rather than direct wildland fire-front contact. The Project replaces aging commercial buildings and surface parking with modern, code-compliant construction, which materially reduces the local structure-to-structure ignition risk relative to existing site conditions.

As set forth in the SGH Wildfire Management Review, Section 6 analysis, the Project fully complies with the required State and Local fire code requirement. Key technical findings include WUI building features, required fire access and water supply and compliant defensible space. In summary, the Class A flat-roof/parapet, concrete podium underfloor enclosure, and predominantly noncombustible exterior cladding are consistent with California Wildland-Urban Interface Code 2025, Part 7, §504. The Composite-panel cladding products specified at construction document phase will satisfy ASTM E136, CCR Title 19 §12-7A-1, or Office of the State Fire Marshal Building Materials Listing Category 8140. The Project complies with the required Fire access and water supply. There are four driveways that access onto two public streets, Valleyheart drive and Ventura Boulevard, with the minimum 20 ft fire lanes; Los Angeles Department of Water and Power *Information of Fire Flow Availability Report* (See Exhibit G) supports the Los Angeles Fire Department-required 9,000 gpm fire flow (six public hydrants on Ventura Boulevard, 138–140 psi static, 116–118 psi residual at 1,500 gpm); and aerial fire apparatus can access for the 84 ft Buildings 2, 3, and 4 which will be detailed at the construction document phase per 2026 Los Angeles Fire Code, Appendix D, Section D105. The Project also provides sufficient defensible space. The Project is located in a hardscape-dominant Zone 0, low-fuel-load Zone 1 (36,800 sq ft / 14% landscape with evapotranspiration-controlled irrigation), and noncombustible Zone 2 (paved streets, existing commercial development, concrete-channelized Los Angeles River) consistent with Gov'n Code § 51182.

Because the Project complies with PRC §4291 and §51182, PRC §4290, and CBC §7A/WCUIC, the Project falls within the exception for properties in the VHFHSZ. Therefore, the Project qualifies for the AB130 CEQA Exemption. AB130, PRC §21080.66, is a Statutory CEQA exemption; therefore, exceptions to the exemption under CCR §15300.2, do not apply. If the Project complies with the AB130 checklist, it is deemed exempt from CEQA.

C. The Project Meets and Exceeds the State Minimum Fire Safety Regulations

State Minimum Fire Safety Regulations. The SCSD Appeal (IV.B) claims that the Project does not comply with State Minimum Fire Safe Regulations for projects in a VHFHSZ, as codified in CCR §1270 *et. seq.* The Appeal cites to CCR §1276.01, which requires a minimum 30-foot setback for all buildings from all property lines (for interior property lines) and/or the center of the

Road (for road adjacent property line), with certain exceptions in §1276.01(b). The Road is defined as “A public or private vehicular pathway to more than four (4) Residential Units, or to any industrial or commercial Occupancy.” (CCP §1270.01) The intent of the regulation is that all buildings are separated by 30 feet, including those on neighboring properties, or the buildings have specific design features that would make them non-combustible in compliant with code. CCP §1276.01 states: “A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features . . .”

The Property is surrounded on three sides by public streets. The buildings in the Project are set back more than 30 feet from the centerline of Whittset Road to the east and Ventura Boulevard to the south, and therefore comply with the requirement, and are set back more than 40 feet on Valleyheart Drive from the LA River. The building on the adjacent property to the west at 12711 Ventura Boulevard is set back more than 30 feet from its property line with a surface parking lot. The westernmost residential building in the Project is setback from the west property line by a 28-foot wide fire lane (which is also a Road per the definition). CCR §1276.01(b) provides an alternative to the 30 foot setback if there is an alternative method to obtain structure-to-structure ignition, which include features such as block walls, non-combustible material extending five feet from the building, hardscape landscaping, reduced window exposure within the 30 foot setback, or the most protective requirements of CBC, Chapter 7A, which is replaced by the 2025 CWUIC, Part 7 (effective 1 January 2026). The residential and commercial buildings on the Project are designed to comply with most updated CBC, Chapter 7A and 2025 CWUIC Part 7 provisions, and therefore provide an alternative compliance under §1276.01(b), including the building adjacent to the 28-foot wide fire lane. This analysis is set forth in detail in the attached SGH Wildfire Management Review.

D. The Project is Not Required to Provide an Evacuation Study as a CEQA-Exempt Project

Wilafire Evacuation. The SCRA Appeal (Ground V.B) claims that the Fire Department analysis in the LOD, section 11, fails to provide an evacuation study for the residents including adjacent road capacity analysis during peak hours. In addition, the SCSD Appeal (IV.D) similarly claims that the LOD provides no corridor-level evacuation capacity analysis that includes the other projects on Ventura Boulevard and the existing homes in the hillside area to the south. The SCSD Appeal (II) also identifies that Gov’n Code §65302.15 requires each City’s General Plan, Safety Element, to be updated to identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of scenarios.

The City Council adopted a comprehensive update to the General Plan in October 2021, and revised the Safety Element in 2025 to incorporate the requirements of Gov’n Code §65302.15. The Safety Element states, “To better accommodate the variety of evacuation scenarios, the City has developed a dynamic approach to evacuation response, one that can respond to different conditions. As specified in the City EOP Evacuations Annex “primary evaluation routes consist of the major interstates, highways, and primary arterials within the City and Los Angeles County.”

However, in response to a more localized emergency, like a hillside wildfire, the LAFD works in coordination with the Los Angeles Department of Transportation and Los Angeles Police Department to identify the most appropriate local egress option and direct individuals to those routes. Potential routes have been pre-selected based on a number of considerations, but potential evacuation routes will vary based on the type and location of hazard/disaster.”

The Fire Department is not required by code to provide a site-specific evacuation procedure as part of a project-specific VTTM review. The Fire Department fully complies with the required analysis by identifying the conditions necessary to meet the standards set forth in the CBC, CWUIC, LABC, and City Fire Code. In addition, the City has an Emergency Operations Plan for Evacuation, dated October 2020, that analyzes the emergency response as a whole for multiple City departments, including using major streets as evacuation routes identified by DOT. This response is modified on a dynamic basis during an emergency, and therefore, the scenario for evacuation changes based on the specific location and details of the earthquake or wildfire.

Under CEQA, a project is required to evaluate the impacts of wildfire; however, this does not apply to the Project, which is statutorily exempt from CEQA. The Appeal attempts to claim that the Project is required to prepare an evacuation study in order to prove that it does not cause harm to public health, safety and welfare under the HAA. However, this finding is a requirement the City is required to make in order to deny the Project, and not an affirmative requirement for the applicant of a CEQA-exempt project. In *Pecple v. County of Lake* (2024) 105 Cal. App. 5th 1222, the Court held that the County’s findings regarding the impacts on the existing community’s emergency evacuation routes for a rural luxury resort with 4,070 residents on 16,000 undeveloped acres were not supported by substantial evidence, and thus the Final EIR for the project did not comply with CEQA. The Court found that the evidence provided in the evacuation plan comprised primarily of opinions from traffic engineers and fire and law enforcement personnel, without identifiable facts, and so did not constitute substantial evidence in the record. The Court also found that the use of an errata that belatedly mentioned the project’s potential to increase wildfire risks did not adequately disclose the increased risks compared to baseline conditions.

The court confirmed that CEQA requires an analysis of a “project’s potentially significant exacerbating effects on existing environmental hazards- effects that arise because the project brings ‘development and people into the area affected.’” (*California Building Industry Assoc. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 288) The court agreed that analysis of community evacuation is not required unless the project might exacerbate existing environmental hazards. In the Lotusland project, the project would bring 4,070 residents to an area with an existing population of 10,163 residents, where there were limited roads for evacuation. The court determined that by bringing a significant number of people into the area (50% increase), it may significantly exacerbate existing environmental conditions.

As stated in the Dudek Evacuation Study, the case above differs significantly from the Riverwalk Project, where the Project would not cause a significant exacerbating effect on the evacuation of the surrounding area residents and businesses. (Dudek Evacuation Study, p. vi, 43) The additional vehicles and occupants for the Project site are not anticipated to overwhelm an evacuation operation, because the area is served by a comprehensive roadway network with multiple routes leading away from hazard areas. The Project site is served by multiple evacuation

routes with substantial roadway capacity. Available routes include Ventura boulevard, Whitsett Avenue, Laurel Canyon Boulevard, Coldwater Canyon Road, Moorpark Street, US 101, SR 134, and SR 170, which are all Federal Highways, State Routes, Boulevard II streets, and Avenue II streets in the City's Mobility Plan. The gridded street pattern north of the Project site contributes to the effective evacuation operations by providing multiple route options and redundant connections that facilitate traffic dispersal and reduce dependence on a single egress corridor. The Project residents, tenants and patrons represent a very small percentage of the total population in the Studio City area utilizing the surrounding roadways. The City and County's EOP would not be substantially impaired by the Project, and therefore impacts would be less than significant.

As stated in the Dudek Evacuation Study, For the CEQA analysis related to wildfire evacuation, the Project's potential impact is less than significant. The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant. The redevelopment would not substantially increase evacuation demand and would not introduce physical constraints that would impair emergency access or evacuation operations. The Project would not modify, obstruct, or reduce the capacity of existing evacuation routes, and would not impair implementation of the City or County Emergency Operations Plan. (Dudek Evacuation Plan, pp. 42-44)

Also, the Project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, and impacts would be less than significant. The Project site is in a developed urban area, therefore required infrastructure improvements would occur on the Project site, or in the immediate adjacent developed areas, and would not extend development into wildland areas, introduce new ignition pathways, or increase fuel continuity. The Project would be required to comply with applicable state and local standards regulating fire risk, including the City of LA codes and standards, California Fire Code, California Building Code and the California Wildland-Urban Interface Code. (Dudek Evacuation Plan, pp. 42-44)

Finally, the case only analyzed the information required to be included in an EIR for wildfire impacts, but did not determine that the information was required for a statutorily CEQA-exempt project. There is no affirmative requirement to prepare a project evacuation study separate from CEQA review, which is not required for the Riverwalk Project.

E. The Project's Evacuation Study Found the Project Would Not Have a Negative Effect on Any of the City's Evacuation Routes.

Even though it was not required, the applicant prepared an evacuation study voluntarily. The Evacuation Study (Qualitative Wildfire Evacuation Study, Riverwalk at Studio City, by Dudek, dated August 2026) concluded that "the Project would not conflict with any emergency evacuation plan or emergency response plan, would not expose people to a significant risk of loss or death involving wildland fires related to evacuation, would not interfere with evacuation response planning, and would not result in inadequate emergency access (page vi). (See Exhibit A, attached) The Evacuation Study outlines strategies, procedures, recommendations, and organizational structures that can be used to implement a coordinated evacuation effort in the case

of a wildfire emergency that may affect the Project. The Study evaluated compliance with various Federal, State and local codes, including the 2025 California Wildland-Urban Interface Code (CWUIC), which is codified as Part 7 of the California Building Standards Code, consolidates all wildfire-related laws, codes, and regulations into a single wildfire-specific code, and the 2025 California Fire Code (CFC), and numerous local emergency operations and local hazard mitigation plans.

The City and County have adopted evacuation procedures in accordance with the State of California's Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). The City Emergency Operations Plan (EOP) sets forth basic protocols which dictate who is responsible for an evacuation effort and how regional resources may be requested and coordinated. First responders are responsible for determining initial protective actions before Emergency Operations Centers (EOCs) are staffed and emergency management personnel have an opportunity to convene and gain situational awareness. Initial protective actions are shared/communicated to EOCs and necessary support agencies as soon as possible to ensure an effective, coordinated evacuation. During an evacuation effort, the LAPD, with the assistance of other law enforcement and support agencies, coordinates evacuations in the City of Los Angeles. Law enforcement agencies, highway/road/street departments, and public and private transportation providers will conduct evacuation operations. Evacuation operations are conducted by numerous agencies identified in the Evacuation Study. The Evacuation Study identifies the wildfire risks, discusses agency coordination, evaluates evacuation response operations, and identifies evacuation procedures, including for the Project specifically.

The Project Evacuation analysis considers the most conservative situation, where every commercial patron and residential tenant and guest are on the Property. The Evacuation Study concludes that applying an effective roadway capacity of 1,520 vehicles per hour per lane and assuming that two outbound lanes on Ventura Boulevard are available for evacuation traffic, the roadway would provide a total effective capacity of approximately 3,040 vehicles per hour. Under these assumptions, the Project-generated vehicles could clear a segment of Ventura Boulevard in approximately 21 minutes. The Evacuation Study also analyzes various factors, including time of day, the number of vehicles present on-site, the occupancy levels of the residential and commercial uses, the extent to which surrounding neighborhoods and adjacent land uses are also evacuating, traffic management measures implemented by emergency personnel, and the use of multiple available evacuation routes. The Evacuation Study concludes that the Project would not impair or otherwise negatively affect any of the City's evacuation routes, which are described in the Evacuation Annex as major interstates, highways, and primary arterials within the City and Los Angeles County. (p. 38) Dudek's opinion is that the Project will have a less than significant impact as it relates to fire evacuation. (p. 43)(See Exhibit A)

F. The Project's Bat Study Found No Bats or Protected Habitat on the Property

As set forth in the LSA Bat Study (the Focused Bat Surveys for the Proposed Riverwalk at Studio City Development Project in Studio City, California by LSA, dated August 28, 2026), there were no bats, including western yellow bats, on the Property, and the Property included only marginally suitable habitat for day-roosting bats (See Exhibit D, attached). (p. 5) LSA noted that

bats typically roost in palm fronds, but that the palm fronds on the Property were trimmed and so provided only marginal habitat. LSA summarized that the presence of the parking lot lights on the large parking lot surrounding the commercial buildings, coupled with the marginal quality of the potential roosting habitat within the Project area, it is substantially more likely that bats would roost off site in skirted palm trees observed on the other side of the LA River, or in bridges and culverts along the LA River than within the Project site. (p. 5) However, the Bat Survey did not identify any bats roosting in those areas, and only heard the Mexican free-tailed bats, who were likely commuting through the area. The Fire Code §57.4906.5.1.1.8 and AB3074 require that owners in the VHFHSZ regularly trim the palm fronds to comply with wildfire fuel reductions. As set forth in the LSA Bat Study, these frond skirts are the most likely roosting area for bats, and so would not exist on a developed lot in a VHFHSZ that is in compliance with the City's Fire Code and AB3074. Therefore, the palms with trimmed palm fronds do not constitute "[h]abitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies," because these are considered marginal habitat that the western yellow bats are unlikely to use (Gov'n Code §65913.4, subd. (a)(6)(J).) In fact, no protected or special species bats were identified on or near the Property. Therefore, the Appeal claim that the Project does not comply with AB130 standards because there is habitat for protected species is without merit.

G. The Project's Biological Resource Report Found No Protected or Special-Status Species or Habitat on the Property

The Envicom Biological Report (the Biological Resources Report, Riverwalk at Studio City, by Envicom Corporation, dated June 12, 2026) supports and incorporates the findings of the LSA Bat Study (See Exhibit E, attached). Envicom concluded that special-status wildlife species would be rarely present within the general area of the Project site, and "there is no potential to occur for any special status species within the Project Site." (Envicom Biological Report, p. 19). The Envicom Biological Report confirms that the Project site does not contain any high-quality roosting habitat for bats, and there is no evidence of bat foraging or habitation found on the Project site, including use of spaces such as roof shingles or palm fronds. The Biological Report included a biological site conditions assessment, an evaluation of water resources, and a summary of applicable regulations and permits.

The Envicom Biological Report found that the Project Site consists of a heavily developed and hardscaped area supporting commercial, restaurant, and recreational buildings. Vegetation within the Project Site is limited to non-native, landscaped species. No habitat suitable for special status flora or fauna is present within the Project Site. No water resources or special status flora or fauna were observed within the Project Site. Some vegetation within the Project Site may support small, passerine nesting birds that are commonly associated with developed areas. Within the greater Survey Area, a single natural vegetation type, California Walnut Grove, was identified. This vegetation type is located outside of the Project Site, across Ventura Boulevard and within the Survey Area buffer, and is not expected to be impacted from Project activities. A potential to occur analysis for all special status flora and fauna species with mapped occurrences or recognized suitable habitat within the Van Nuys quadrangle and all surrounding quadrangles found no suitable habitat within the Project Site for any of the returned species. As such, no impacts to special status species or their habitats are expected from Project activities.

The Envicom Biological Report found a concrete-line, channelized portion of the Los Angeles River is present within the Survey Area and situated approximately 80 feet northeast of the Project Site boundary. No direct impacts to the Los Angeles River are expected from Project activities. In summary, the Envicom Biological Report concluded that the Project Site in its existing condition provides extremely limited biological value. It is heavily developed with commercial, restaurant, and recreational buildings, is absent of native vegetation, and contains no sensitive habitat or habitat suitable to support special status flora or fauna. (p. 22) Therefore, the Appeal's claim that the Project does not comply with AB130 standards because there is habitat for protected species is without merit.

H. The AB130 Process Complied With State Law, the City Found the Project is Consistent with the Code, the CPC Determined the Project Complied with AB130, and There are No Exceptions to an AB130 Determination

AB130 Process. The City accepted the application for review on October 10, 2025, completed the tribal consultations in January 29, 2026, and later deemed the application for the housing development project application complete on May 16, 2026. The City must approve or disapprove the project within thirty days from the conclusion of the tribal consultation projects, after the application has been deemed complete (PRC §21080.66 (b))(Gov'n Code §65950(a)), and must determine that the Project is inconsistent with an applicable plan, program, policy, ordinance, standard, requirement or other similar provision within 60 days after the application has been deemed complete for projects with 150 units or more. (Gov'n Code §65589.5(j)(2)(A)) The Deputy Advisory Agency held the joint Hearing Officer hearing and Advisory Agency hearing on April 14, 2026, and the Advisory Agency issued the Letter of Determination approving the VTTM and the AB130 CEQA Exemption on April 15, 2026. The Notice of Exemption was posted and recorded on April 20, 2026. The 60-day consistency period lapsed on May 15, 2026. The City failed to take a final action on the Density Bonus entitlements within the 30-day timeframe under Gov'n Code §65950(a), and the entitlements were deemed approved by matter of law. The City Planning Commission subsequently approved the Density Bonus entitlements on June 11, 2026, and denied the VTTM appeal.

No AB130 Exceptions. For certain statutory CEQA Exemptions, including AB130, there are no exceptions to the exemption that are otherwise provided for categorical exemptions (CEQA Guidelines §15260 *et seq.*). Therefore, the categorical exceptions for location, cumulative impact, significant effect due to unusual circumstances, scenic highways, unusual circumstances, hazardous waste sites, and historic resources do not apply to specific AB130 exemptions (CEQA Guidelines §15300.2(a-f)). If a project meets all of the requirements to qualify for the AB130 CEQA Exemption set forth in PRC §21080.66, then it is deemed statutorily not to have any CEQA impacts, and it is irrelevant if there are any potential environmental impacts, including those identified in the above exceptions. Specifically, there are no exceptions for cumulative project impacts, such as from traffic caused by the approved Sportsmen's Lodge and Harvard-Westlake projects or potential Sunswept project. The Project has been determined to qualify for the AB130 CEQA exemption, and therefore no additional environmental review or analysis is required.

The SCSD Appeal, Section V, claims that the cumulative impact of the Project in combination with other ongoing and reasonably foreseeable projects in the immediate vicinity demonstrates potential environmental impact to public health. The nearby projects include the Sportsmen's Lodge redevelopment (12805-12835 Ventura), the Harvard-Westlake athletic center (4047-4155 N. Whitsett Avenue), the Sunset Place Project (12544-12583 Ventura Boulevard), the 12434 Moorpark housing project (ED1, 12434 Moorpark Street), the 12750 Moorpark housing project (ED1, 12750 Moorpark Street). The first two projects were approved in the past few years, and the remaining have pending applications. All of these projects were evaluated as individual separate projects; the first three are discretionary projects with CEQA review, and the last two are ministerial projects under Executive Directive 1. However, because the Project qualifies for a statutory CEQA Exemption under AB130, the Project is legally deemed not to have impacts under CEQA, and there is no requirement to evaluate cumulative impacts, and no exception for cumulative impacts of nearby projects under CEQA Guidelines §15300.2(b).

I. The State Legislature Provides A CEQA Exemption For Any Approvals Related to Qualifying Housing Development Projects

The California legislature clearly intended the AB130 statutory CEQA Exemption for housing development projects to include review of a VTTM and haul route approved as part of the project. PRC §21080.66 states: "Without limiting any other statutory or categorical exemption, this division does not apply to any aspect of a housing development project, as defined in subdivision (b) of §65905.5 of the Government Code, including any permits, approvals, or public improvements required for the housing development project, as may be required by this division, if the housing development project meets all of the following conditions." The Legislature's use of the phrase "any aspect... including any permits, approvals, or public improvements" is deliberately expansive. A VTTM is unambiguously a "permit" or "approval" required in connection with the housing development project. If PRC §21080.66 was interpreted to statutorily exempt the housing development project from CEQA, but leave the VTTM subject to parallel environmental review, it would undermine this express legislative intent. The City complied with this State directive by identifying PRC §21080.66 as the environmental clearance for the VTTM for this housing development project, and the City has consistently taken the same position with other housing development projects with associated VTTMs

VII. The King Appeal Has No Legal Basis

The Appeal by Marianne King only opposes Condition No. S-3(i)(3) of the VTTM which requires that a 10-foot wide sidewalk within the public right-of-way. Ms. King requests instead a combination sidewalk and grass parkway with trees in the parkway that would be a more ecologically balanced approach for this project as it is across from the LA River open space area. The City sidewalk width was conditioned by BOE and complies with City's street standards approved as part of the Mobility Plan 2035. There is no basis to approve a grass parkway within the sidewalk width under the LAMC or other local code or policy. The Applicant agrees that it has not object to a grass parkway as part of the sidewalk, which may be requested during building permit plan check, subject to approval by BOE, Street Services and other departments

VIII. The City Must Comply with the Housing Accountability Act

The State Housing Accountability Act (“HAA”, Gov’n Code § 65589.5) requires that cities approve housing development projects unless the city can make findings that the project causes a specific adverse impact to public health and safety. When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, in effect at the time that the application was deemed complete, a City can only disapprove a project or impose a condition that the project be developed at a lower density, if based on the *preponderance* of evidence in the record: (i) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and (ii) There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. (Gov’n Code §65589.5 (j)(1)).

“A specific, adverse impact means a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” (Gov’n Code §65589.5.(d)(2)) Therefore, the City can only deny the off-menu incentives and waivers for a Density Bonus Project if it finds a specific adverse impact to public health and safety. A preponderance of the evidence is a higher bar than substantial evidence, and it means that the burden of proof is on the appellant to show the greater weight of evidence proves the finding of specific adverse impact. In addition, the City cannot require any environmental analysis that would not have been required under the statutory CEQA exemption. If the City fails to approve a housing development project without meeting this high burden, the applicant may bring a claim, and obtain attorney’s fees, if the court determines that the City acted in bad faith. See *District Square, LLC v. City of Los Angeles* (Case No. 20STCP00654) and *Cesar Chavez 888, LLC v. City of Los Angeles* (Case No. (24STCP01880)

There is no specific adverse impact to public health and safety caused by the location in a VHFHSZ. The Project is located directly on Ventura Boulevard, a multi-lane Major Highway, and is directly adjacent to a Fire Station. The Project complies with all fire access and fire safety requirements, including two fire lanes within the Property leading to Valley Heart Drive. As shown in detail above, and in the Dudek Fire Code Analysis and SGH Wildfire Management Review, the Project fully complies with the State laws (including PRC §4291 and §51182, PRC §4290, and CBC §7A, WUI building standards, City ordinances, and building and fire code requirements. This constitutes substantial evidence in the record that the Project complies with State and local fire codes. In addition, the City has updated the Safety Element of the General Plan in 2025 to conform to State emergency evacuation laws, and has adopted a Local Hazard Mitigation Plan, approved by the Federal Emergency Management Agency (FEMA). There is substantial evidence in the record that the Project does not cause any specific, adverse impacts to public health or safety.

IX. Conclusion

In summary, as set forth in detail above, none of the Appeals' claims in the VTTM Appeal, CPC Appeal or King Appeal have merit. The City Council may not even consider any appeal for the Density Bonus or any appeal based on the substance of the density bonus, because the approval is final and not appealable. We respectfully request that the City Council approve the housing development project, as designed, and deny the Appeals.

Sincerely,



Sheri L. Bonstelle

SLB

- Exhibit A: **Dudek Evacuation Study** (Qualitative Wildfire Evacuation Study, Riverwalk at Studio City, by Dudek, dated August 2026)
- Exhibit B: **Dudek Fire Code Analysis** (Technical Memorandum for Riverwalk at Studio City by Dudek, dated September 26, 2025)
- Exhibit C: **SGH Wildfire Management Review** (Technical Review: Wildfire Management Features, dated May 29, 2026, by SGH)
- Exhibit D: **LSA Bat Study** (Focused Bat Surveys for the Proposed Riverwalk at Studio City Development Project in Studio City, California by LSA, dated August 28, 2026)
- Exhibit E: **Envicom Biological Report** (Biological Resources Report, Riverwalk at Studio City, by Envicom Corporation, dated June 12, 2026)
- Exhibit F: **Prior Applicant Letters** (Applicant's Letter to the Advisory Agency, dated April 13, 2026; Applicant's Letter to the City Planning Commission, dated May 29, 2026)
- Exhibit G: **City Staff Reports to the CPC** for the VTTM appeal and the Density Bonus and related entitlements (incorporated by reference)