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November 18, 2013

Mr. Mitch Glaser
Via Email: mglaser@planning.lacounty.gov
Supervising Regional Planner Countywide Studies
County of Los Angeles Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: October 2013 Draft Hillside Management Area Ordinance (HMA) and Draft Hillside Design Guidelines– 3rd Draft

Dear Mitch,

The Building Industry Association of Southern California, Inc., Los Angeles and Ventura Counties Chapter (BIA) is a regional trade association that represents approximately 1,000 member companies involved in building new homes in Southern California. On behalf of our membership and their employees, we are providing general comments on the October 2013 Draft Hillside Management Area Ordinance (HMA), the 3rd Draft and the Draft Hillside Design Guidelines.

First let me begin by thanking you and the Regional Planning staff for all the work that has been completed to date on the HMA. The progress made thus far, especially by convening a diverse a Working Group of stakeholders is commendable. The ordinance is getting closer to becoming a document that will achieve the key objectives of all stakeholders – protecting ridgelines and providing mechanisms for safe grading practices.

There is still work to be done. The comment period was very brief, and we would like to request that we continue to work on addressing concerns regarding the implementation and functionality of the two documents by having a meeting to review our remaining concerns on the two draft documents in detail.

Of primary concern is the issue of grandfathering existing developments and applications already in process under the current ordinance and guidelines. We have been told on numerous occasions that current applications will be grandfathered, however, to my

knowledge, no applicant has received confirmation of their development is actually being grandfathered and we remain concerned as to who is subject to the new ordinance and guidelines and who will have to modify and redesign their development in order to comply with the final ordinance requirements and standards. The issuance of a letter will eliminate future confusion by both Regional Planning and other county departments. Letters from Regional Planning indicating if a project is grandfathered is essential at this juncture.

Additionally, it is important that the initial planning of any type of development take into account numerous factors including sensitivity to the environment, reduced grading, reducing import and export of materials, infrastructure and the connectivity to existing lines and the plans established by the utilities, sanitation districts, water agencies, fire department, etc. while also working to comply with the local Community Standards Districts, Area Plans, Town Councils, etc. The HMA, as written, appears to neglect all other design factors and only address preservation and avoidance. There must be a process that enables all applicants (private and public) to design based on consideration of all the criteria, not just on the specific ordinance. Applicants should, to the best extent feasible, carry out development where all ordinances and codes are followed, as well as meet the criteria as set forth by the agencies also having input into project design. The "best practices" list should be guidelines and subject to feasibility. Applicants should also have the ability to propose innovative methods and techniques outside the list that would qualify for compliance. "Best Practices" should include, but not be limited to the HMA Design Guidelines.

I also want to follow up on our request to change from gross to net square foot/acre on the open space calculation for non-urban land uses and increasing the definition of large projects to something north of 50 acres, say 100 to 200, before four (4) items per category are needed for substantial conformance with the guidelines. Again, each development needs to be evaluated on its own merits, with consideration to all design parameters as identified above.

As we struggle to learn how to design based on the current draft HMA criteria, I ask again for examples of projects where this HMA could be implemented. Several engineers where asked to review their existing portfolio of both completed and current projects, and none were able to provide examples of developments that are able to comply with the criteria established in this ordinance. I don't believe this is the objective of County Regional Planning, but based on what we currently have, no development will be able to move forward.

Again, the BIA would welcome the opportunity to sit down with you and review our remaining concerns regarding this draft HMA and Draft Guidelines in greater detail. Our redlines are attached which provide some of our current questions and interpretations. Perhaps the Working Group could also participate in our meeting so that we can all understand the ordinance and ensure quality development has the ability move forward. I hope we can meet soon to review our notes in greater detail and mutually understand our concerns.

Thank you again for your efforts on the draft agenda. We look forward to continuing to work with you and staff to develop Guidelines and an Ordinance that will protect ridgelines and provide mechanisms for safe grading practices.

Warmest Regards,

Sandy Sanchez
Director, Government Affairs

C: Richard Bruckner, Director – LA County Regional Planning