



# Puente Hills Habitat Preservation Authority

Endowment Provided by the Puente Hills Landfill

December 5, 2013

Brianna Menke  
Department of Regional Planning  
320 W. Temple Street, Room 1354  
Los Angeles, CA 90012  
[bmenke@planning.lacounty.gov](mailto:bmenke@planning.lacounty.gov)

## **Re: Draft Hillside Management Area (HMA) Ordinance**

Dear Ms. Menke:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the Draft Hillside Management Area (HMA) Ordinance for the unincorporated areas of Los Angeles County dated October 17, 2013 and the associated Hillside Design Guidelines (2013 Draft for Public Review). The Habitat Authority previously submitted a comment letter for the December 6, 2012 HMA Ordinance draft.

The Habitat Authority is a joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the Hacienda Heights Improvement Association. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation. The Habitat Authority owns and or manages over 3,800 acres which lie within the Cities of Whittier and La Habra Heights, as well as in the County unincorporated areas of the Puente Hills known as Hacienda Heights and Rowland Heights.

### **The following comments are related to the Ordinance and are submitted for your consideration:**

1. Section 22.56.215 B.4, page 3 – The improvement types allowed in Open Space areas could be considered to dilute the intention of the Ordinance to preserve natural open space. Please consider limiting the list to exclude elements containing impervious surfaces and permanent irrigation, or that alter natural vegetation, beyond that caused by recreational trails. Examples of these would be high-activity parks



and brush clearance. High-activity parks, while in some cases acting as a buffer to natural open space, also could cause edge effects associated with concentrated human use of an area including night lighting, trash or ornamental plants which could attract wildlife, fertilizers, and irrigation which bring invasive species such as the Argentine ant into natural areas. All brush clearance and fire safety areas (e.g. fuel modification zones) should be incorporated into the development project footprint since it is conducted for and directly benefits the safety of the development and will need to be regularly maintained.

2. Section 22.56.215 D.2.a, page 6 – The current draft Ordinance states a Conditional Use Permit is not required for a single lot or parcel if grading does exceed 20,000 cubic yards of total cut plus total fill material. Due to unique topography and environmental features of hillsides such as sensitivity to soil erodibility, drainage and sedimentation, grading can have impacts which affect the environmental and aesthetic features of a hillside. Excessive grading can threaten existing vegetation and tree cover, increase soil erosion and have potential visual impacts to scenic hillsides. Therefore, to reduce these potential impacts, and to be consistent with four other Los Angeles County communities, please consider requiring a Conditional Use Permit for a single lot or parcel if grading exceeds 5,000 cubic yards of total cut plus total fill material within a 24-month period.
3. Section 22.56.215 D.2.e, page 7 – Since public utilities may have their equipment in areas covered by the HMA Ordinance and their maintenance and construction activities can impact the physical integrity of the HMA as well as scenic, biological, and aesthetic values, please consider removing a public utility from being exempt from obtaining a conditional use permit (CUP). Through obtaining a CUP, sensitive design techniques may be explored and employed to preserve the open space and community character.
4. Section 22.56.215 F.2, page 11 – Given that parcels adjacent to open space may have different land use designations, please consider having the 70% open space requirement (as in F1.) apply to any development adjoining the Puente Hills Preserve and other properties managed as open space.
5. Section 22.56.215 F.3.b, page 11-12 – If a street is placed within open space, habitats that were once contiguous become divided into separate fragments. Small habitats can only support small populations which are more vulnerable to extinction; this is, therefore, a threat to biodiversity. Habitat fragmentation can cause animals to lose the ability to move between areas that have the resources they need to survive. This can lead to populations becoming isolated and losing the important exchange of genetic material necessary for healthy populations. Habitat fragmentation also leads

to edge effects where the influence of factors in the surrounding areas, such as light, noise, pollution, temperature, non-native plants, etc. are enhanced.

Therefore the Habitat Authority recommends deleting the following sentences: “A street may be placed within the contiguous natural open space area if the applicant can demonstrate, to the satisfaction of the Reviewing Authority, that such a street is necessary to ensure adequate circulation or access. However, such a street shall not be counted as a portion of the total required open space.”

6. Section 22.56.215 F.5.b, page 13 – Please consider requiring that dedication of open space to a nonprofit land conservation organization not only meet the Statement of Qualifications of Non-Profits Requesting to Hold Mitigation Land according to CA Government Code Section 65965, but that they also have proven capabilities and relevant experience to manage the land.
7. Section 22.56.215 F.5.c, page 13 – Please consider revising the statement with the addition of the following italicized word. “A *recorded* conservation easement that requires open space to remain in perpetuity and extinguishes all future development rights; or”. It is important that the conservation easement gets recorded with the County, because only then will it apply to all future landowners.
8. Section 22.56.215 H.2 page 14-15 - Please consider adding the text in italics to the following existing sentence: “.....as well as other unique, site-specific aesthetic *or significant natural* features of the hillside, by:”
9. Section 22.56.215 H.3 page 15 – Consider adding the text in italics to the following existing sentence: “That the proposed development provides open space and *preserves the biological values that* enhance community character through substantial compliance with the Hillside Design Guidelines.” It is important to include the preservation of the biological values since they contribute to a complete, functioning ecosystem within the HMAs as well as enhance community character.
10. Please consider including a requirement of maintaining a 100-foot buffer from the edge of natural watercourses consistent with the Los Angeles County Malibu Land Use Plan and the Draft Santa Monica Mountains Coastal Zone Community Standards District documents. In those documents 100 feet is the minimum distance required to prevent negative impacts such as runoff from affecting the watercourse.

**The following comments are related to the Hillside Design Guidelines (2013 Draft for Public Review) and are submitted for your consideration:**

11. Page 3, Using the Guidelines, 1<sup>st</sup> paragraph –Please consider requiring more BPs for projects adjoining open space.

12. Section 1.2, page 4 – Please consider changing the requirement to locate development on the flattest portions of the site *only* if that area does not contain with rare, sensitive, or State or federally listed species.
13. Section 1.14, page 5 – Consider clarifying that the 50-foot open space buffer does not include fuel modification zones.
14. Section 3.11, page 7 – Please consider adding the following sentence: “When designing bridges or underpasses, use designs that maximize the preservation of wildlife migration in areas in or near open space.”
15. Section 4.12, page 8 –It is important for the natural cycles of animals to experience natural daylight and nighttime as these cycles regulate the hormonal systems in animals relating to activities such as mating, migration, hibernation, etc. Therefore it is important to shield exterior night lighting and contain spill-over lighting from fixed point lighting sources. The Habitat Authority recommends the following additional language:  
  
“All point lighting sources shall be screened and directed to prevent offsite spillover lighting effects. Spillover lighting shall be limited to 0.1 foot-candle within 30 feet of structures. Consistent with public safety needs, street lighting, pedestrian walkway lighting, and parking lot lighting shall use light fixtures that shield and direct light with a backlight shield or other equivalent type of shielding to minimize light spill-over effects into adjacent areas.”
16. Section 4, page 8 – Consider adding a new section 4.14 for recommended design features that states: “Use fire-safe materials”
17. Section 4, page 8 – Consider adding a new section 4.15 that states: “Eliminate all potential entrances for wildlife into the home/structure with the use of 1/8” wire mesh to cover vents and opened pipes.”
18. Section 5.4, page 8 – Consider amending sentence to include the following language in italics: “Utilize *native and/or drought-tolerant non-invasive* trees, shrubs and ground cover to completely hide all exposed graded areas.”
19. Section 5.11, page 9 - To encourage the use of native plants, consider amending the sentence to include the word in italics: “Use the *native* plants listed in the project’s surveys and biological reports within improved open space areas.”
20. Appendix A, Landscape Plan bullet, page 10 – Please clarify if walkways include trails.
21. Appendix B, page 12 – Regarding the “Located in HMA?” item, is there a map that can be referred to for the areas in which the HMA ordinance applies or how do you know if it applies?

Thank you for your consideration of our comments. Feel free to contact me or Andrea Gullo, Executive Director, at (562) 945-9003 for further discussion.

Sincerely,

A handwritten signature in blue ink that reads "Bob Henderson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Bob Henderson  
Chairman

C: Board of Directors  
Citizens Technical Advisory Committee