

Scott Ouellette
4150 Beck Avenue
Studio City, CA 91604
661 219-6842
scottero@me.com

Via Email: mglaser@planning.lacounty.gov

November 22, 2013

Mr. Mitch Glaser
Supervising Regional Planner Countywide Studies
320 W. Temple Street
Loss Angeles, California 90012

RE: October 2013 Draft Hillside Management Area ("HMA") Ordinance and Draft Hillside Design Guidelines

Dear Mitch,

As you know, I'm the Vice President of Land Acquisition for KB Home in the Los Angeles area. I'm also on the board of the Building Industry Association, and I've participated in the building of homes in North Los Angeles County for over 20 years. I'm concerned that the HMA ordinance will be a disaster for subdivision development, and I would like to express my concerns personally. I am not writing on behalf of my employer or the Building Industry Association.

I wholeheartedly support the comments on the HMA Ordinance and Design Guidelines as presented by the BIA. The BIA's letter incorporates input from a variety of building industry leaders who participate in the governmental affairs committee, which I chair. I will do my best not to duplicate comments already provided by the BIA.

The grandfathering provisions of the HMA Ordinance are less than generous and can be interpreted to eviscerate millions of dollars of work product and study completed by developers with pending applications. This is especially true for subdivision developers. Pending applications which have a record of continuing processing effort should be completely grandfathered from the provisions of the new HMA Ordinance. Also pending applications which are modified should not be subject to the new HMA Ordinance. In many cases applications are modified to address community and/ or planning concerns, and developers should not be forced to completely scrap their plans and start from scratch with a new set of rules. Land planning, related study and application processing is extremely expensive and time consuming. Developers could be forced to scrap millions of dollars of work product, and endure costly processing delays.

Mr. Mitch Glaser
Department of Regional Planning
November 22, 2013

I do not believe the “one-size-fits-all” approach in the HMA works for subdivision development. Subdivision development requires much more flexibility than is provided in the HMA Ordinance. Preservation and avoidance as the primary means of meeting the objectives of the HMA ordinance are far too restrictive for subdivision development. The words preservation and avoidance are extremist terms and can be interpreted to be moratorium on any development in HMAs. I’ve observed planning staff cling to very narrow interpretations of ordinances causing great delay and expense to the property owner. The HMA requires much more thoughtful and reasonable language.

Subdivision development often requires grading in HMAs to solve or compensate for a variety of development issues including:

- Balancing cut and fill earthwork quantities to eliminate import or export of material.
- Stabilizing slopes and/or removing landslides.
- Providing infrastructure such as water tanks.
- Allowing for infrastructure such as sewer lines and storm drain lines to function by gravity.
- Providing proper circulation, ingress and egress.
- Avoiding wetlands and water courses.
- Preserving oak tree groves.

The HMA does not contain enough flexibility to address these larger subdivision development issues.

Subdivision development requires the most thoughtful and practical approach to preservation of land form. Grading and moving dirt is very expensive and developers are very careful to limited the need for import or export, so following land form is an important planning objective. Retaining walls are also very expensive so developers attempt to achieve softer land forms with the least amount of retaining walls. The goals of the HMA ordinance are aligned with common development best practices, however the rules in the HMA Ordinance are a bit too rigid and stated in more extreme terms than are necessary.

Some unique features of hillside subdivision development worthy of more flexible development standards include the following:

- The buildings heights are very modest.
- The buildings are small and broken up by space and setbacks.
- The pad sizes are small as compared to other land uses so building pads are easily terraced to follow land form and topography.
- Hillside subdivisions become more attractive over time as landscaping matures causing the vista of a hillside subdivision to soften over time.

I encourage you and your staff to drive the hillside communities in north Los Angeles County and carefully compare hillside subdivision development to other development in hillside areas. I think you’ll find that subdivision development is the least visually offensive, best follows land form, and provides a

Mr. Mitch Glaser
Department of Regional Planning
November 22, 2013

more attractive green look as landscaping matures. You'll also find that utilities and public infrastructure is the most visually offensive, followed land uses other than subdivision development.

The language in the required findings is much too extreme requiring a level of compliance that is unreasonable. The findings can be interpreted to take away any reasonable discretion authority from the Board of Supervisors unless an extreme level of compliance with the HMA Ordinance is achieved by complete preservation and/or avoidance. These findings are a backdoor hillside grading moratorium.

Finally, the HMA Ordinance should be interpreted on larger scale and not necessarily myopically applied to an individual property. In the County we have mountains next to mull hills both of which are likely to be HMAs. Sacrificing the mull hill and preserving the mountain will reasonably achieve the goal of preserving hillside resources and the scenic vista.

Thank you in advance for your consideration of my thoughts and concerns. Hopefully you'll work closely with the BIA to develop a more thoughtful and reasonable HMA Ordinance.

Best regards,

Scott Ouellette