



October XX, 2021

Attachment “D”

Eric Garcetti, Mayor
City Council
City of Los Angeles

Honorable Mayor Garcetti and Councilmembers:

Earlier this year, the Director of Planning recently stated a change in policy of exempting Non-Visible projects in the Mulholland Scenic Parkway, from the established Design Review Procedure and hearings before the Design Review Board as described in the Director’s March 30, 2021 memorandum, “Review Process for Projects Not Visible from Mulholland Drive”. This new policy subverts the purpose and intent of the Mulholland Scenic Parkway Specific Plan as envisioned when the City Council adopted the Specific Plan in 1992, and the City Planning Commissions’ adoption of the Design and Preservation Guidelines in 2003. The Bel Air-Beverly Crest Neighborhood Council objects to and opposes this unilateral determination that undermines Council’s clear action and directives.

Many of our stakeholders and those of other Neighborhood Councils that are located within the Specific Plan area rely on the Specific Plan as a primary planning and zoning resource to protect their neighborhoods from development in conflict with the Outer Corridor of the Specific Plan. These stakeholders rely on the City’s recognized expert Specific Plan advisory agency, the Mulholland Design Review Board. The Director’s interpretation is in direct conflict with the express Council-adopted Specific Plan language and must be rescinded.

Without question this change in Department of Planning policy will impair public notice and participation rights in the vast majority of MSPSP cases. It will also result in the immediate

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STAKEHOLDER GROUPS

Bel Air Association
Bel Air Crest Master Association
Bel Air Hills Association
Bel Air Ridge Association
Benedict Canyon Association
Casiano Estates Association
Doheny-Sunset Plaza Neighborhood Assn.
Holmby Hills Homeowners Association
Laurel Canyon Association
Residents of Beverly Glen

RESIDENTIAL DISTRICTS

Bel Air District
Bel Air Glen District
Franklin-Coldwater District
North of Sunset District

NON-RESIDENTIAL REPRESENTATION

At-Large Members
Commercial or Office Enterprise Districts
Custodians of Open Space
Faith-Based Institutions
Public Schools & Private Schools

degradation of the scenic qualities, ecological capacity, and watershed health of the eastern Santa Monica Mountains.

Mulholland Drive, and its environmental assets are internationally recognized as a unique resource within the City of Los Angeles. This area attracts visitors the world over. The Specific Plan, adopted by the Los Angeles City Council in 1992, after decades of effort by City leaders working in collaboration with interested stakeholders, protects approximately a 20 square mile area that currently falls within the jurisdiction of five separate Los Angeles City Council Districts.

The Specific Plan establishes comprehensive design review procedures that unambiguously require the Director of Planning to obtain the recommendation of the Specific Plan's Design Review Board before a permit for the use of land, building or B-permit may be issued (Specific Plan, Section 11.A). The jurisdiction of the Design Review Board does not relate to whether projects proposed within the Specific Plan area are visible from Mulholland Drive. Moreover, no exemption to the design review procedures relates to whether a proposed project within the Specific Plan area is visible from Mulholland Drive.

On March 30, 2021, without advance notice to the public, the Director issued a memorandum entitled "Mulholland Scenic Parkway Specific Plan Implementation Guide," purporting to significantly limit the Design Review Board's jurisdiction. The memorandum describing its purpose is, "to supersede the 1998 Director of Planning's memorandum, clarify Project Permit Compliance and Design Review Procedures for Visible and Non-Visible Projects in the Mulholland Scenic Parkway Specific Plan area. Pursuant to LAMC: Section 11.5.7, and the Mulholland Scenic Parkway Specific Plan, the Memorandum in its very first paragraph cites all but one of the fourteen explicit purposes of the Specific Plan, suggesting it somehow acts as an express limitation on the jurisdiction of the Mulholland Design Review Board. The memorandum acknowledges it is merely an interpretation. The BABCNC vehemently disagrees with the memorandum's conclusion, that the language of the Specific Plan can be interpreted to limit the Design Review Board's jurisdiction this way.

The memorandum suggests that the purpose of the Specific Plan relates only to aesthetic impacts visible from the Mulholland Drive right of way. This is grossly stated in error. Although projects visible from Mulholland Drive may have obvious impacts because they are visual, the numerous purposes of the Specific Plan also include: to preserve and enhance land having exceptional recreational or educational value; to assure that land uses are compatible with the parkway environment; to preserve the natural topographic variation within the Inner and Outer Corridors; to reduce the visual intrusion caused by excessive lighting; to preserve the existing ecological balance; to protect prominent ridges, streams and environmentally sensitive areas, the aquatic, biologic, geologic, and topographic features therein; and to protect all identified

archaeological and paleontological resources. These numerous purposes do not specifically relate to visibility from Mulholland Drive, the protection of which is but one of the numerous purposes of the Specific Plan.

What was the reason, or reasons, for this drastic change in policy without public hearings? This seems to have been done capriciously without regard for the consequences or respect for either the Specific Plan or stakeholders in the community.

The criteria cited in the subject memorandum for exempting a project from the Design Review Procedures do not address “Non-Visible” projects within 200 feet of public parkland seen throughout the range. The Design Review process has been vital to both identifying and securing protections for wildlife movement through the Eastern Santa Monica Mountains in the City-designated Wildlife Habitat Linkage Zone. The Director’s memorandum eliminates the crucial role of the Design Review Board in gathering information and advising the Department on these important issues.

We respectfully urge that the Director’s memorandum be rescinded, or that the City Council reverse this erroneous and illegal decision by the Director of Planning.

This letter was approved at a regularly scheduled meeting of the Bel Air-Beverly Crest Neighborhood Council on October 27, 2021 with a quorum of members present by a vote of

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Sincerely,

Travis Longcore, Ph.D.
President

cc:

Vincent Bertoni, Director, Dept of City Planning
Kevin Keller, Executive Officer, Dept of City Planning
Honorable Paul Koretz, Council Member, CD 5
Honorable Nithya Raman, Council Member, CD 4
Honorable Paul Krekorian, Council Member, CD 2
Honorable Bob Blumrenfeld, Council Member, CD 3
Honorable Mike Bonin, Council Member, CD 11