



From: Catherine Palmer council@babnc.org
Subject: Fwd: LA Wildlife ordinance
Date: July 18, 2022 at 5:53 PM
To: Travis Longcore tlongcore@babnc.org

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From: **WIN** <win4sports@aol.com>
Date: Mon, Jul 18, 2022 at 4:46 PM
Subject: LA Wildlife ordinance
To: council@babnc.org <council@babnc.org>
Cc: WIN <win4sports@aol.com>

FISCAL IRRESPONSIBILITY

We own a 3-acre unimproved parcel of land located at 1740 Summitridge Drive, a little north of Ferrari Drive. The lot has been in the family for more than 50 years. Unfortunately, our property is located within the parameters of the proposed ordinance. We wholeheartedly oppose the ordinance inasmuch as it will restrict development of our property and reduce the value of our lot, thereby constituting the unlawful taking of our property rights without just compensation.

Your draft ordinances fail to include any data or studies that estimate the financial costs of what you are proposing. Three separate categories of monetary costs are discussed below. The total financial risks of your proposed ordinances must be estimated before determining whether they should be passed. The costs and benefits must be compared and weighed before a rational decision can be made.

LEGAL COSTS: The homes included in the targeted area are very

LEGAL COSTS. The homes included in the targeted area are very expensive. For example, Beverly Park homes are valued in the tens of millions of dollars. Thus, most property owners in the area are presumably very affluent. You can be assured that these affluent property owners will not allow their properties to be significantly devalued by new building restrictions without expensive and lengthy legal action. The “takings clause” of the 4th amendment is just one legal argument for property owners to be reimbursed for the restricted use and devaluation of their properties. There are numerous other laws protecting our civil and property rights. The city attorney should do a study and estimate what possible liability the City might face resulting from damages to affected properties that are caused by the proposed ordinances and the resulting legal costs. The City’s potential liability could be exceedingly high, possibly hundreds of millions of dollars. The City would need to set aside a reserve in the budget to cover the potential legal fees and damages.

COLATERAL DAMAGES: The proposed ordinances restrict fencing and increase set back distances. The foregoing supposedly will make the land more accessible and traversable by the natural wildlife. However, benefits to the wildlife, if any, must be weighed against the danger imposed on the human residents. The building and fencing restrictions will allow aggressive animals and dangerous criminals greater access to our homes and closer contact with our family members. This assuredly will result in injuries to residents and damages to property. The monetary damages that will inevitably ensue and the liability of the City to compensate individuals injured as a result of the changes in the ordinances must be estimated and a reserve established.

PROPERTY TAXES: Property taxes are based upon the assessed value of the property. The proposed ordinances will significantly reduce the value of the properties and result in significant reductions in assessed values. This will reduce the property taxes collected and lower the funds available to support the City infrastructure. Schools, libraries and other critical entities will be deprived of much-needed money. The County assessor/tax

collector should be requested to estimate the total property taxes lost due to the ordinances. Then, a careful evaluation must be undertaken to determine whether the questionable benefits resulting from the ordinances are worth the lost income.

The draft of the ordinance states, “The overall goal of the proposed regulations is to balance wildlife habitat and connectivity with private property development thereby achieving more sustainable outcomes in the hillsides and habitats of Los Angeles...[T]he City can help to address and support other essential goals such as biodiversity, climate resilience, fire safety and watershed health.” There is no proof that the objectives of the proposed regulation will be met by the restrictive terms of the ordinance. No clear data has been provided to prove the purported benefits to the wildlife and environment.

Moreover, the stated goal of the regulations is to balance the wildlife habitat and private property development. But there has been no evidence that the competing interests were balanced. Homeowners were sacrificed supposedly for the preservation of wildlife and aesthetic concerns, no balancing, just taking without just compensation. The burden imposed on the property owners by the building restrictions and the resulting loss in property value far outweigh the negligible benefits purportedly derived therefrom.

The City planners must not abuse their discretionary authority or breach their fiduciary duties by approving a fiscally irresponsible ordinance.

Win Holtzman, 7/12/22

