

# Memorandum

To : The Conservancy  
The Advisory Committee

Date: October 27, 2014

From :   
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 13: Consideration of resolution authorizing conditional waiver of first right of refusal on APN 5565-026-900, Willow Glen Road, pursuant to Public Resources Code Section 33207(b), Laurel Canyon, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing conditional waiver of first right of refusal on APN 5565-026-900, Willow Glen Road, pursuant to Public Resources Code Section 33207(b), Laurel Canyon, City of Los Angeles.

Legislative Authority: Sections 33207(b) of the Public Resources Code.

Background: In 2013 the Conservancy adopted Resolution No. 13-39 exercising the powers of Public Resources Code Section 33207(b) and Government Code Section 54220 with the City of Los Angeles regarding a small property that fronts Willow Glen Road in Laurel Canyon (attached).

Section 33207(b) of the Public Resources Code states in part:

The conservancy shall have the first right of refusal on any property within the zone presently owned by a public agency and scheduled for disposal as excess lands, except where such lands are designated for acquisition as a park or recreation area by a federal, state, or local agency. The conservancy shall have the right to acquire such lands at the disposing agency's purchase price plus any administrative and management costs incurred by the disposing agency.

The City had not expected the Conservancy to object to the sale of the parcel and was planning a sale to an adjacent landowner to provide additional street frontage and thus the opportunity for two new houses rather than one.

The property is situated at a key habitat linkage across Willow Glen Road that connects the Bulwer Drive habitat block on the north to the eastern Mount Olympus habitat block to the south. Please see the attached aerial photograph. The Bulwer Drive habitat block is a critical component of the 405 to Griffith Park habitat linkage both because of its connectivity value and its stand alone habitat value. Staff's goal is to permanently maintain this habitat linkage section

on the north side of Willow Glen Road.

The City initially questioned the applicability of PRC Section 33207(b) to small parcels. The Conservancy's Chief Staff Counsel wrote the attached letter in response. Furthermore Conservancy staff also filed an appeal of a City Zoning Administrator's approval of a lot line adjustment that involved the subject City-owned parcel. That appeal hearing before the South Valley Area Planning Commission has been moved forward to December pending the outcome of this Conservancy action and the signing of an agreement between the Mountains Recreation and Conservation Authority (MRCA) and the landowner/applicant.

Through a long negotiation process, also involving the MRCA, a tentative deal has been reached where if the Conservancy now waives its first right of refusal on APN 5565-026-900, the landowner is willing to provide sufficient permanent land protection to the MRCA to secure the subject section of wildlife corridor. An attached figure prepared by the private owner shows the elements of this permanent protection.

It begins with a conservation easement on the parcel at 8149 Willow Glen Road. The easement provides a 33-foot-wide interface at the road that then quickly narrows down to 8.5 feet in width. However a 10-foot-wide public walkway (Willow Glen Walk) makes the minimum corridor width not less than 18.5 feet in any section. The walk includes some old stairs, and like the subject 8149 Willow Glen Road lot, appears to have remnant foundations from the 1959 Laurel Canyon fire. The conservation easement then quickly interfaces with APN 5565-027-010 that the owner would donate outright in fee simple to the MRCA. The rear 30 feet of 8145 and 8149 would also be part of the conservation easement. No outdoor lighting would be allowed on the house adjacent to the conservation easement. In addition the MRCA would receive APN 5565-023-003 in fee simple to provide an even deeper protected habitat linkage into the Bulwer Habitat Block. These parcels are shown on an attached figure.

This combination of protected land interests outweighs the Conservancy's ownership of APN 5565-026-900.

The proposed action would conditionally authorize the Conservancy's waiver of first right of refusal on APN 5565-026-900 and potentially negate Resolution No. 13-39. The condition is that the MRCA have a signed agreement that delivers the above described permanent land interests to the MRCA in step with the Conservancy waiving its first right of refusal. The Conservancy would also drop its appeal of the subject lot line adjustment.