

TPOA

NEWSLETTER

Fall 2013



Dave Garfinkle, TPOA President

Annual Meeting and Town Hall Forum

The 2013 TPOA Annual Meeting and Town Hall Forum (**Subject: Current Threat to Single Family Neighborhoods**) held on May 7 was well attended with approximately 250 TPOA members and guests present, many from neighboring communities. Councilman Dennis Zine kicked off the forum and presentations were made by Alan Bell, Deputy Director of the Planning Department; Frank Bush, Chief of the Department of Building and Safety Code Enforcement Bureau; and William Larsen of the City Attorney's Office. Invited questions from the selected community activists included concerns about the Eldercare Ordinance, the proposed Community Care Facilities and Mural Ordinances, and enforcement of bonus provisions of the Baseline Mansionization Ordinance.

The currently on-going five-year rewrite of the Zoning Code and the merger of the Departments of Planning and Building and Safety will hopefully go a long way toward mitigating these problems. The suggestion made at the Forum, that specific training be required for those people who must interpret and oversee the regulations, would also alleviate many of the problems and our concerns.

The specific concern raised by many of the questions from the audience is that the various plans and code provisions are not being followed and that existing and proposed State and City legislation seriously threatens our single family neighborhoods and even the viability of zoning and of community plans. There are basically five general elements of the threat:

1. Drug and alcohol rehab facilities, sober living homes, and other boarding houses.
2. Eldercare facilities.
3. Second dwelling structures on single family residential lots.
4. Proposed Mural Ordinance. See the separate article that discusses this issue.
5. The failure of the Planning and Building and Safety reviews to conform to the specifics of the various plans, ordinances, decisions, etc.

Sober living/boarding houses. State and Federal law precludes any city jurisdiction over these facilities that house six or fewer people; they serve a community purpose and rarely have a negative impact on their neighbors or the community. It is the larger facilities, that are not licensed and regulated by the State, that cause problems such as public drunkenness, excessive noise, excessive vehicle parking, smoke enveloping neighbors' yards, and even public sexual activity. In addition to the impact on the community, occupants are often subjected to inhumane conditions including severe overcrowding and unsanitary conditions. Recent cases have involved 20, 30, and even more people jammed into three or four bedroom single family houses. The current version, the Community Care Facilities Ordinance (CCFO), has evolved over the past six years. As noted in the February issue of the TPOA Newsletter, it has a number of excellent provisions but contains two flaws: (1) it would abolish the current, extremely important, requirement that State licensed facilities (for seven or more) must hold public hearings and be granted a Conditional Use Permit; (2) the provisions for enforcement are weak, at best, although LAPD Chief

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7:30 PM
at**

**TARZANA COMMUNITY &
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19130 Ventura Blvd.
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Beck has published several suggestions including registration with the City, a registration fee, and the right of unannounced inspection by the City to ascertain whether the facility is in compliance with the ordinance.

Eldercare Facilities.

In 2006 the City enacted the Eldercare Ordinance which allows construction and operation of eldercare facilities in essentially any zone in the City. However, in order to approve an application, the Zoning Administrator must find that the proposed facility meets **ALL** six of the following conditions (paraphrased here):

1. Strict application of land use regulations would result in practical difficulties or unnecessary hardship.
2. Not be materially detrimental to properties or improvements in the immediate area.
3. Provide services to the elderly such as housing, medical services, social services, or long term care to meet the citywide demand.
4. Not create an adverse impact on street access or circulation in the surrounding areas.
5. The arrangement of buildings and structures (including height, bulk, and setbacks), parking facilities, loading areas, lighting, landscaping, trash collection, and other improvements, is compatible with existing and planned development on neighboring properties.
6. Is in conformance with any applicable provision of the General Plan.

In addition, the proposed facilities must abide by the code provisions resulting from adoption of the Baseline Mansionization Ordinance (BMO).

There have been several applications for Eldercare facilities, all in RA or A zoned areas, in the past two years. RA zones are particularly vulnerable since the land cost per acre is significantly lower than in other zones. In the four cases I am familiar with, the Zoning Administrator has basically ignored the requirement that the proposed facility meet the above provisions and approved the requests. Subsequent appeals to the South Valley and North Valley Area Planning Commissions upheld the appeals and denied the proposed facilities in three of those cases. One facility was subsequently approved by an action of the City Council and is now before the courts. The developer filed suit in another. A fourth appeal was denied as a result of pressure by Councilman Englander. In each case, the proposed facilities have been vigorously opposed by the surrounding community as extremely disruptive, not in accord with the General Plan or Community Plans, not satisfying any realistic current or future need, and not in accord with the BMO.

Second residential structures.

In 2002 the State passed AB 1866 whose main thrust was to provide incentives for developers to include affordable housing

units in multiple family developments. We have no problem with that provision. The second provision authorized cities to establish, by ordinance, minimum requirements for approval of a second dwelling unit on single family zoned properties. If no ordinance is enacted by the city, then State regulations take precedence. Los Angeles has not enacted an ordinance. Rather, it uses a Zoning Administrator memo, ZA 120, to establish the criteria for approval of these second dwelling units. Our concern is that this memo, and the State law, will essentially destroy the concept of single family residential areas. TPOA is working with State and City officials on this problem.

Planning and Building and Safety Reviews.

The current division of labor between the Departments of Planning and Building and Safety results in confusion for builders and for homeowners trying to report violations. The current code is outdated and often self-contradictory. Ambiguities, omissions, misinterpretations, and errors made at one stage are difficult to correct later in the building stage. Recent examples include allowing a new building on a property to illegally retain pre-existing rights restricted to remodels on an existing building, contradictory interpretation of conditions imposed on specific properties by ZAs and Area Planning Commissions, and resource allocations that limit the response to citizen complaints. Hopefully the Code revision and departments merger, along with item specific training, will mitigate these problems.

To summarize, our single family residential areas are being threatened by existing and proposed legislation and contradictory interpretation of the code, community plans, zoning, and conditions on a property. We need the Planning and Building and Safety Departments and other involved agencies to adhere to regulations that protect single family residential property and to repeal, modify, or enact new legislation to protect those areas.

Helicopter Noise...Bob Anderson

History. We are plagued with helicopter noise, from the San Fernando Valley, to the Hollywood Sign, to the beaches. Some of the noise comes from critical essential services,

such as LAPD and LAFD on active incidents, but much comes from non-essential helicopters, such as news media and sightseeing tours or from LAPD and LAFD on routine patrols or returning from engagements. The noise peaked during Carmageddon I when the Mulholland Bridge was demolished and media helicopters hovered over homes after midnight to watch pieces of concrete fall. This outrage sparked significant community action, encouraged Senator Dianne Feinstein and former Congressman Howard Berman to sponsor the Los Angeles Helicopter Noise Relief Act of 2011, and inspired Congressman Berman to hold a public hearing on helicopter noise in Sherman Oaks in August 2012. Federal Aviation Administration officials at that meeting said they were shocked by the huge turnout (450+) and the varied complaints from across Los Angeles County.

The August hearing brought together concerned individuals from across the county who decided to form the Los Angeles Area Helicopter Noise Coalition (LAAHNC) to fight helicopter noise. We are working with local, state, and federal agencies, elected leaders, and helicopter pilot groups on multiple ways to safely reduce helicopter noise. Please visit our website at [www. LAHelicopterNoise.org](http://www.LAHelicopterNoise.org).

LAAHNC held its first meeting with the FAA in December 2012 where we submitted many recommendations to reduce helicopter noise, including flying at higher altitudes and not hovering for long times at a single location. The FAA provided several reasons why reducing helicopter noise in Los Angeles was so challenging. In 2013, Senator Dianne Feinstein and Congressman Adam Schiff sponsored the Los Angeles Helicopter Noise Relief Act of 2013. Both the Senator and the Congressman have taken a very active role against helicopter noise, and have been supported by Senator Boxer and Representatives Cardenas, Hahn, Lowenthal, Sherman, and Waxman. LAAHNC has been working across the county to get state and local support for the Federal legislation.

In February 2013, LAAHNC held its first meeting with helicopter pilots and the FAA. Our goal was to begin opening lines of communication and better understanding of helicopter noise from both sides. LAAHNC discussed the noise challenges facing various communities, while pilots presented challenges to flying higher safely. In May 2013, the FAA

released their *Report on the Los Angeles Helicopter Noise Initiative*. This report responds to the concerns raised at the August 2012 helicopter noise hearing explaining why this is such a difficult problem and why the FAA really wants it solved voluntarily between communities and helicopter pilots. In May, Congressman Schiff also sponsored a public safety meeting between LAAHNC and emergency service helicopter operators to garner better understanding of the these challenges across Los Angeles.

In June 2013, Congressman Schiff conducted a field hearing. He and Cardenas and Supervisor Yaroslavsky questioned the FAA concerning their report and heard comments from a stakeholder panel, a pilot panel, and the public. Speakers again expressed their outrage at the helicopter noise problem in Los Angeles. In September 2013, the first in a planned series of noise meetings was held; participants included LAAHNC, helicopter pilots/operators, FAA representatives, and congressional office staff. The objective was to begin developing solutions to such challenges as helicopter routes and a noise complaint system. A key result of the meeting was establishing a set of working groups that will have LAAHNC, pilot, and FAA representatives.

Identifying Noisy Helicopters. If you are experiencing helicopter noise problems, you can use the Los Angeles WebTrak aircraft tracking system to identify noisy helicopters and airplanes. WebTrak captures radar tracking and can be played back like a video recorder. The Van Nuys Airport reporting site is www.webtrak.bksv.com/vny. WebTrak records aircraft radar tracks and stores them in an historical database so you can go back in time and review past aircraft events. WebTrak has a built-in 20 minute delay in its recording of flight tracks, and it takes anywhere from 2 to 24 hours before aircraft identification information is available. So, it is best to wait at least a couple of hours before trying to find and identify an aircraft.

How To Find and Identify an Aircraft.

1. Log on the WebTrak system and move your cursor around on the WebTrak map into your area of interest. You can increase or decrease the size of the map using the plus and minus buttons at the top-left of the map.
2. You will need to know the date and time when the helicopter or airplane event occurred.

The controls shown in the figure below appear in the lower-left corner of the WebTrak screen. Click on the “Historical” button, select the date and time of the event, and click the “Play” button. WebTrak displays the recorded aircraft flight tracks beginning at that date and time.



3. Watch the screen as WebTrak plays back the aircraft tracks. You can pause the recording using the double bars at the bottom of the screen, and use them again to restart viewing. The double-triangle button allows you to adjust the speed that you watch the event.

4. Double clicking on the individual aircraft symbol of interest brings up the information box shown to the right. The altitude is 2,054 feet above sea level.



Ground level in this example ranges from 815 to 960 feet above sea level; the helicopter is actually hovering about 1,100 to 1,250 feet above ground level. To find the elevation of your own location, enter your address and ZIP code on veloroutes.org/elevation. This helicopter has an older style transponder that only provides location and altitude. Some helicopters have a more advanced transponder that provides additional identification information.

5. Clicking on the left-most symbol (showing a pencil) allows you to file a noise complaint. When filing a complaint, you must provide information on how you can be reached, so that the noise officer at that airport can follow up on the complaint and provide you with further information based on their investigation. If you file complaints regularly, you may want to set up a username and password; then, you can more easily log in and post complaints.

Please Complain! We urge you to use the WebTrak system to identify and complain about noisy helicopters in your area. Every complaint

is important, and helps us argue for further means to reduce helicopter noise. For further information about LAAHNC or reducing helicopter noise in Los Angeles, visit our website at LAHelicopterNoise.org or contact us at info@lahelicopternoise.org.

Bob Anderson is President of LAAHNC and a member of the Sherman Oaks Homeowners Association

Mural Ordinance...Chris Spitz and David Garfinkle

The City Planning Department, in coordination with the City Attorney's Office, drafted a proposed ordinance to allow murals on the walls of all structures in any zone except for those properties with fewer than 5 residential units. The City Planning Commission modified the proposal, allowing murals on all but those with fewer than 2 residential units. The Planning and Land Use (PLUM) Committee of the City Council then recommended a further modification to allow murals, by right, on all structures in any zone, with no control of content except banning explicit advertisement. The full City Council considered two versions. Version A would allow murals on all structures in any zone; Version B would exclude murals on single family structures in any zone. TPOA, along with many other homeowners groups and Neighborhood Councils, supported Version B with the provision that an area could "opt-in" for murals. Several groups also requested that the exclusion be extended to all residential zones. On August 28 the City Council passed Version B of the Ordinance, allowing murals on all but single family structures. The Mural Ordinance became effective on October 12. A working group of the City Council PLUM and Arts, Parks, Health and Aging Committees is believed to be continuing to work on the details including the proposed opt-in provision to allow murals on single family structures in specifically defined areas.

As it currently stands murals are now allowed in all zones and on all structures except on single-family structures. Mural content cannot be regulated except for violence incitement or obscenity; advertising is also prohibited. Murals can be as high as 100 ft., illuminated all night long, depict graffiti-like cartoon "monsters," political slogans, even a urinating

dog (as has already been seen in Hollywood, Pacific Palisades and Westwood!). Murals apparently are permitted on legally non-conforming structures such as duplexes in single family residential zones.

The PLUM and Arts, Parks, Health and Aging Committees met in joint session and recently approved administrative rules proposed by the Cultural Affairs Department which set forth procedures for a required community meeting when a murals permit is applied for; on October 22 the full Council will consider final approval of the rules. These meetings are basically only for community information; permits cannot be denied on the basis of objections as to content from the community or affected neighbors. Councilmen from Council Districts 1, 9 and 14 (Cedillo, Price and Huizar) have requested, and the joint committee agreed to recommend to the full Council, that the ordinance be amended for those districts to allow murals on single-family structures. This would apparently replace the procedure, to be developed by the Planning Department, to allow communities that wanted to opt-in or opt-out to do so either via a Specific Plan or similar process. The Councilmen in question stated at the joint committee meeting that this procedure would take too long and be too burdensome, so they decided to request the ordinance amendment instead. A prior motion was submitted at the time the ordinance was first voted on to establish pilot programs to allow murals on single family homes only in Council Districts 1 and 14; the motion was to be considered by the joint committee but is now going to be considered by the PLUM Committee on October 22. It is unclear whether the motion passed in the joint committee (to amend the ordinance to allow such murals in CDs 1, 9 and 14) is going forward to the full Council parallel to the pilot programs motion, or if one will supplant the other.

Councilman Blumenfield also submitted a motion for the Planning Department to study how to streamline or expedite a procedure to allow murals on a case by case basis in residential zones, and to study a mechanism to allow a property owner with the support of 2/3 of adjacent neighbors to apply for a mural permit. That motion was referred to the joint committee in September 2013 but has not yet been considered.

Chris Spitz is Vice President of the Pacific Palisades Community Council

Holiday Safety Tips from Various Sources

Tarzana LAPD Senior Lead Officer Daryl Scoggins and other sources stress the importance of always being careful to protect your property and person, particularly during the holiday shopping season. Burglars often check for lights at night or phone residences to see if anyone is home. Always leave a light, radio, or television on so that the house appears occupied and arrange to transfer land line calls to your cell phone after a certain number of rings. If you are going out of town, stop the newspaper and have the lights on a timersystem. Other suggestions include:

Pay for purchases with a check or credit/debit card and avoid carrying large sums of cash.

When you use an ATM machine, always use one in a secure location such as inside a mall or store and shield your PIN number from the view of others.

Take your credit card purchase or ATM receipts with you, rather than putting them into the trash.

Place packages in the trunk of your car or out-of-sight from potential thieves, preferably before parking at a shopping center.

Always park in well-lit areas and try to avoid parking next to vans, trucks with camper shells, or cars with tinted windows.

Lock the doors and windows of your house and your car, even if you are leaving for just a few minutes.

Instruct your child to contact a store clerk for help if you become separated.

Have a record of all your credit card numbers in a secure place.

Check the identification of all persons delivering packages to your home.

Keep gift-wrapped packages out of sight of windows and doors of your home.

Free Street Trees

We have had a number of questions about replacing street trees that have died or been damaged. I have been communicating with Amy Schulenberg about the City's program to plant free street trees to beautify neighborhoods and encourage walking. Follow the directions below if you are interested in having trees planted at no cost in your area. The program can

provide as many trees as we can legally plant at a location, plus the materials, permits, and labor for **free**. Removal of dead trees is not part of the program. All that is needed is for the residents to water the trees until they are established, roughly 2 years. The trees usually need water about once a week, more if it is heat wave and less if it has been raining.

This is how it works: residents can sign a permission to plant form online at www.EnvironmentLA.org, click on the upper right corner where it says "sign up for a tree".

If residents do not have internet access, a permission form can be mailed to be returned via mail. Once the City gets the permission forms, the address will be added to the inspection list. A street tree inspector will do a site visit to determine how many (they will plant as many as can legally fit) and what type of tree is appropriate for the site. The inspector will put a white vertical stripe on the curb where the trees will be planted and the trees are then ordered. The whole process takes about 8 weeks from start to finish. Sign-up sheets are available for anyone who would like to canvass a neighborhood for its interest. Please contact Amy at amy.schulenberg@lacity.org or phone her at 213-485-0527.

TPOA Joins the Social Media Arena...Marina McLeod

The mission of the Tarzana Property Owners Association is to "to preserve and enhance the quality of life for the residents of our community". Part of our responsibility is, therefore, to stay relevant and serve our ever-changing community. With so many of our members now active on social media, we are choosing to join the conversation with the establishment of our own Facebook page. You can find us easily on Facebook by typing this link into your search bar: <https://www.facebook.com/TarzanaPropertyOwnersAssociation>.

If you are not a member of the Facebook community it is very simple and free to join. Go to www.facebook.com and create an account by entering your name, birthday, gender, and email address; pick a password and send the form. Facebook then sends you an email to the address you provided and you click the confirmation link.

We believe that our Facebook page will allow us to connect better with our members, neighbors, community leaders, and local businesses. We hope it will act as a forum for issues that affect our property rights and help us to respond promptly. Furthermore, we think it will help to foster communications between all of us and create a dialogue about important issues.

Alphabet Soup

There is considerable confusion about the purpose and roles of the various Tarzana community organizations. To many residents, it is just alphabet soup and they do not understand the different missions of the various organizations. The following brief profiles will hopefully answer some of the questions.

TPOA = TARZANA PROPERTY OWNERS ASSOCIATION

TPOA was formed in 1962 when neighbors were drawn together by a mutual concern over a zoning issue. During these past 51 years, **TPOA** has been involved in a variety of community issues, including residential and commercial development, land use planning and zoning, park lands, public safety, recycling, beautification, transportation, etc. Its funding is solely derived from the \$15 annual dues. All work is done by volunteers. The **TPOA** Board meets the second Monday of every month, except July and August, in the Tarzana Community & Cultural Center at 7:30 pm. Meetings are open to all. See our website at www.tarzanapropertyowners.org.

TNC = TARZANA NEIGHBORHOOD COUNCIL

Neighborhood Councils are a product of the 1999 Los Angeles City Charter revision. Their purpose is to provide stakeholders a direct contact with City agencies, departments, and officers. **TNC** is one of 95 Neighborhood Councils that have now been formed across the city. If you have an issue with City Government (land use, transportation, zoning, etc.), the Neighborhood Council, acting in an advisory capacity, is your direct channel for communication. **TNC** receives funding from the City for administration, outreach, and community projects. **TNC** reviews proposed

developments, and makes recommendations to City agencies on a broad range of subjects. It also funds community events such as the recent Earthday Fair at the TCCC and participates in multi-community events such as the Public Safety Fair and Senior Symposiums. It has also provided funds to purchase material for the Tarzana Library, Tarzana Recreation Center, Tarzana Elementary School, and the TCCC. Meetings are held at 7:00 pm on the fourth Tuesday of each month, usually at the Tarzana Elementary School. All are welcome. Check their website at www.tarzananc.org.

TCCC = TARZANA COMMUNITY & CULTURAL CENTER

The **TCCC** provides a focal point for community activity. The Tarzana opportunity came when a garden statuary business on the large corner lot at Ventura and Vanalden shut down its kilns. As a result of the efforts of Helen Norman, then **TPOA** President, and benefactor Helen Baker along with other community activists, **TCCC** was founded. It has become home to the other Tarzana organizations and provides a venue for a variety of activities, from book clubs to summer camp, seminars on investment, cooking lessons, and private affairs. Fund-raising is an ongoing necessity as the mortgage remains. Consider becoming a member, donate, and volunteer. Check their website at www.mytarzana.org.

TIA = TARZANA IMPROVEMENT ASSN.

TIA is a Business Improvement District (BID) covering Ventura Boulevard from Reseda on the east to Burbank/Crebs on the west. It is composed of business property owners who fund **TIA** to improve the quality of life along that section of Ventura Boulevard. Since the City has reduced or eliminated many services in the area, the group has provided attractive trash receptacles and twice weekly trash pick-up; installed animal silhouettes to street light poles; planted and maintained trees, and installed street and pedestrian lights along the BID.

CHAMBER OF COMMERCE

In January of 2007, the Tarzana Chamber of Commerce joined with the Woodland Hills Chamber to form the second largest chamber of commerce in Los Angeles. Check their website at www.woodlandhillsc.net.

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