



TARZANA NEIGHBORHOOD COUNCIL

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September 8, 2009

To: Honorable Members of the PLUM Committee
From: Kathy Delle Donne
Land Use Chairperson & First Vice President
Tarzana Neighborhood Council
Re: 09-1390

Date: 9-8-09
Submitted in PLUM Committee
Council File No: 09-1390
Item No. 3
Deputy: P. Cattinore

The proposed Ordinance Hillside Area map is inaccurate and therefore, should be corrected before the map is officially approved.

Department of City Planning staff has testified before the Planning & Land Use Committee that there are corrections to be made on this map.

Yet, no corrections have been undertaken by the Department of City Planning.

The staff report does not include the process by which the Department of City Planning selected the flatland lots and the hillside lots.

How steep is the slope for a property to be considered hillside?

What type of analysis was undertaken by the Department of City Planning on the topographical data prepared by the U.S. Geographical Survey?

Was the selection of lots equitable and meaningful as stated in the staff report?

Since staff stated that there was some discretion used in the selection of these lots, what were their guidelines?

Could their decisions be considered arbitrary or capricious?

There has been minimal outreach to communities regarding this proposed ordinance.

None of the five workshops conducted in February 2009 dealt with the flatland lots. At these workshops, staff stated that they were currently working on selecting the flatland lots.

A computer map showing flatland lots was first made available on about March 20, 2009, but could not be downloaded unless one had professional technology.

Local community maps have been difficult, if not impossible to obtain.

What recourse do property owners have if they do not agree with the designation placed on their property by the Department of City Planning?

Other than going through the costly process of filing for a zone variance, the proposed ordinance does not allow an aggrieved homeowner an opportunity for relief if their property has been wrongly designated by the City.

Are they allowed to appeal? Will there be a fee for the appeal?

Or, must they go through the expense of a lawsuit?

We ask your help to request that a new map be prepared with the necessary corrections and that additional outreach is done to inform the approximately 51,000 owners of single family lots that the designation on their properties will be changed to flatlands and will be subject to the baseline mansionization ordinance.

We also hope that the staff report for this proposed ordinance will be clarified and expanded to include more details as to the selection process and guidelines. And, most importantly, what recourse does the property owner have when there is a mistake.

Thank you.

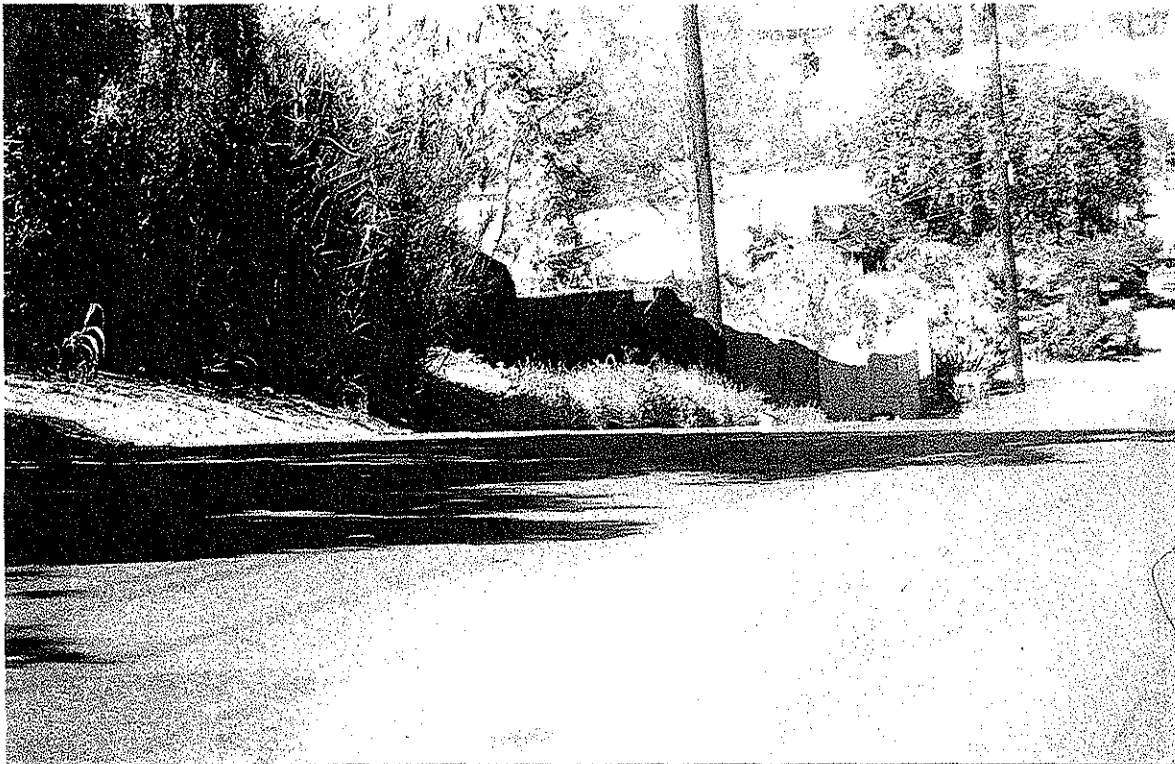
A handwritten signature in black ink, appearing to read "Kelly Deen". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

CC: Attachment

Date. 9-8-09
Submitted in PLUM Committee
Council File No: 09-1390
Item No. 3
Deputy: P. Lathinay

ONE EXAMPLE OF AN ERROR IN STAFF'S SELECTION OF PROPERTIES

PHOTO OF LOTS ON AVENIDA ORIENTE
(Designated as "flat" in city proposed hillside map)



On 7-14-09 the Dept. of City Planning staff wrote in an email that these lots were "not viable hillside lots."

Meanwhile, staff indicated to Tarzana Neighborhood Council stakeholders that City Planning staff had personally checked out these lots and that they were flat.

Tarzana Neighborhood Council asked for a meeting to show the staff surveys of these lots. A meeting was finally set for September 2, 2009 with the help and intervention of Council District #3.

At the meeting, Mr. Lopez studied the survey and found the slope for the lots was over 15%. According to Mr. Lopez their maps show slopes at only ten-foot intervals and therefore, according to Mr. Lopez, are not as precise as land surveys.

Mr. Lopez stated that he would visit this site on September 3, 2009. We have not heard from Mr. Lopez as to the results of his visit.