



# AIA San Fernando Valley

A Chapter of The American Institute of Architects

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June 16, 2009

To: Members of Los Angeles City Council  
Planning Department Officials

RE: Incorporating flat RA and RE lots in areas formerly designated hillside into the  
Baseline Mansionization Ordinance.

Date: 6-16-09  
Submitted in PLM Committee  
Council File No: PLM  
Item No.: 09-1390 ✓  
Deputy: B. GOGANIS

The San Fernando Valley Chapter of the American Institute of Architects, representing over 150 local architects, many of whom deal primarily with residential projects, recommends that the Planning Department of the City of Los Angeles either:

- Give up plans to add the foothill properties into the Baseline Mansionization Ordinance within the next few months
- **Or** change the FAR for RE and RA lots to 50%
- **Or** change the calculations of floor area on RE and RA lots back to the original way the assessor counts area

## Reasons:

- The Planning Department held five meetings around the city to get public input regarding the flat residential properties formerly labeled hillside into the Baseline Mansionization Ordinance.
- These meetings were very poorly advertised. Groups such as the AIA San Fernando Valley and the residents in the area should have been and were not notified of these meetings. Based on the lack of publicity, the meetings were very poorly attended with fewer than 50 people at each meeting.
- The Planning Department officials at these meetings briefly mentioned the fact that they intended to apply the Baseline Mansionization Ordinance to the foothill areas. There was no explanation as to what it would mean to these residents. They did not describe the severe restrictions to building large homes on large flat lots located in the area currently designated as hillside and currently slated to become part of the area covered by the baseline ordinance.
- Instead, they talked primarily about the status of their plans to apply the Baseline Ordinance to hillside properties. They elicited public opinion about development goals, most of which are supported by the AIA, but they did not explain the details they might impose to achieve those goals.
- The details of the Baseline Ordinance and the pending Hillside Ordinance are what the AIA opposes as being unreasonable for large flat lots with the RA or RE zone.

The Tarzana Neighborhood Council held their own public meeting on March 31<sup>st</sup> to inform homeowners of the pending legislation.

- They had over 100 people from RA properties south of Ventura Blvd. attend their meeting.
- They invited Erick Lopez to their meeting because of his involvement in this issue, but he was unable to attend.
- They informed the residents about the Baseline Mansionization Ordinance and how it would affect their properties. When asked if they had ever heard about anti-mansion legislation in Los Angeles, about five hands went up. When asked who had not heard of any such legislation a large percentage of the attendees

raised their hands.

- A survey was passed out at the end of the meeting. The survey results showed unquestionably, that although the public is opposed to oversized homes ruining neighborhoods, the public in this area does not support the Baseline Mansionization Ordinance as it applies to RA or RE properties.

The City Planning Department held a subsequent meeting at Van Nuys City Hall where the issue of adding the hillside properties south of Ventura which have flat topography to the Baseline Ordinance was discussed.

- At that meeting, Tarzana was joined by Encino and Sherman Oaks in recommending that the Planning Department **postpone** moving the flat properties currently having a hillside designation into the baseline ordinance because the public has not been informed of the extreme impact it will have on their neighborhoods.
- The AIA opposes this change because although some control over development is warranted, the ordinance goes too far by unfairly penalizing owners of large properties from developing their properties to satisfy the needs of the families who will live in them.
- The mansion problem was primarily a problem of very large homes on small lots which took away privacy and sunlight from neighbors and changed the character of neighborhoods. The heavy restrictions on large lots will never help solve the problem of small lot overdevelopment.
- A large percentage of homes in the foothill areas are very large and appropriately sized for their lots yet they could not be built under the Baseline Ordinance. This law takes away property rights, diminishes property values and unfairly penalizes those who own smaller older homes on large properties. Additionally it encourages stealth development and will delay replacement of older energy inefficient homes.
- The survey done in Tarzana clearly showed that the public south of Ventura Blvd. in Tarzana does not agree with the new method of counting square feet in a home. Even those in favor of the anti-mansion law opposed the new way of counting floor area.
- The law includes a method for neighborhoods to vote to change the rules for their neighborhood. The requirement that 75% of property owners in the area agree on the proposed rule change makes it nearly impossible to get the number of people required to change the rules. We recommend that this part of the ordinance be changed to fifty five percent of the property owners who must sign a petition to change the development rules of their neighborhood *(even the state legislature wants to reduce the votes required to increase taxes from 65 % of voters to 55%. Imagine if the Mayor had to get 75% of the people to agree to something. Even for him to get 75% of the voters would be nearly impossible and take an enormous advertising effort, but 75% of property owners, many of whom are moving or on vacation, or too old to be involved, or absentee landlords would probably not be possible).*

Variances are extremely costly but more importantly they are very time consuming. It is unfair to impose a law that so many will not agree with and unfairly penalize so many who live amongst large homes and want to develop their home in a similar fashion. Their only recourse would be to go through a costly and tedious variance process.

Therefore, we, the Board of the AIA San Fernando Valley conclude and propose as follows:

- Some homes, especially those on small lots are too big.
- The Baseline Mansionization Ordinance as written seems appropriate for R1 lots.

- If the FAR of all properties was restricted to the same 50% of lot size, then the law would be relatively fair but reducing the percentage of development allowed as the lot increases in size is unfair and unreasonable.
- **Or** If RE properties are to be limited to 35% of lot area, then the new method of calculating floor area on RA and RE lots should be dropped in favor of the original and historic method of counting square feet. The Tarzana survey demonstrated that the public at large (95%) is in agreement that the new method of floor area calculation is not supported.
- Rezoning efforts are currently underway in several parts of the city to give more flexibility to many of the RA properties by changing them to RE. This is evidence that the Baseline Mansionization Ordinance is too strict for RA lots for most of the city. Rezoning is the easiest way to achieve a small measure of relief. More is needed for large flat lots.

The AIA proposes for the Planning Department to either retain its new way of calculating floor area but change the FAR to 50% for RE properties just like it is for R1 properties, or change the floor area calculation to the assessor's area for RE lots and keep the 35% FAR for homes on level RE lots. The law should also make it easier for neighborhoods to create a neighborhood overlay area by clarifying the method of gaining support to a petition format and by reducing the percent of property owners needed for ratification from 75% to 55%.

Respectfully,



Sylvia Botero, AIA  
President, AIA San Fernando Valley

Attachment: Tarzana RA property survey results:

# Tarzana Survey Regarding Large Homes

	Do you live next to a home that is much larger than yours?			Do you live within two houses or across the street from a home that is much larger than yours?			Do you live in a home that is larger than many of your neighbors?			Those not close to larger homes		
	YES	IT'S OK	IT'S BETTER	YES	IT'S OK	IT'S BETTER	YES	IT'S OK	IT'S BETTER	YES	IT'S OK	IT'S BETTER
Yes 38 No 4 No 4 Do you think property values 1 increased as a result of the larger homes being built?	20	NO		7	NO		7	NO		12	NO	
Yes 24 No 19 Don't know 3 Did the construction of large 2 houses change the character of your neighborhood?	17	1	2	6	1	0	7	0	0	8	2	2
Yes 24 No 19 Don't know 3 Did the construction of large 2 houses change the character of your neighborhood?	17	1	2	4	3	0	4	3	0	5	5	2
Ruined 2 OK 16 Better 23 ?-3 Are you still satisfied with the character of your neighborhood?	1	9	9 ?-3	1	2	4	0	0	7	0	7	3 ?-2
Yes 39 No 2 Don't know 5 If you decide to add to your house do you think you should be able to add enough to meet the needs of your family?	18	0	2	6	1	0	6	0	1	9	1	2
Yes 38 No 4 Don't know 5 Do you think you should be able to add as much as your neighbor with the big house?	19	1	1	5	1	1	7	0	0	7	2	3
Yes 40 No 2 Don't know 4 If you sell your house, do you think the buyer should be able to build as much as your neighbor with the big house?	19	0	1	6	1	0	7	0	0	8	1	3
Yes 3 no 42 Don't know 1 Should attic space over 7' high be counted toward your floor area?	1	18	1	0	7	0	0	7	0	2	10	0





Date: 6-11-09  
Submitted in PLUM Committee  
Council File No: 09-1390 ✓  
Item No.: 3  
Deputy: B. Gardea



**TARZANA NEIGHBORHOOD COUNCIL**

P.O. BOX 571016  
TARZANA, CA 91357  
(818) 345-1966  
[tnc@tarzananc.org](mailto:tnc@tarzananc.org)

June 15, 2009

Councilmember Ed Reyes, Council District #1  
200 N. Spring St. Rm. 410  
Los Angeles, CA 90012

Re: City Plan Case No. CPC-2008-4683-CA

Dear Councilmember Reyes,

The Department of City Planning has failed to give the Tarzana Neighborhood Council and its community a reasonable time frame to review the proposed map determining the properties that are either flat or hillside. As you can see from the attached map, we were unable to download a clear and readable copy from the City Planning website. The individual parcels were outlined in pale grey, not black, and therefore, not visible when printed.

For the past six months, both I and Council District #3 have written emails and made verbal requests to City Planning staff requesting a legible map. Our first request goes back to December 2008 when I and other community members met with Deputy Director John Dugan and planner Erick Lopez. After all this time, **we finally received a map for Tarzana on Friday, June 12, 2009**. One could easily assume that this delay was intentional.

**We have already found one error** in the map- parcels on Avenida Oriente should be considered hillside, not flatlands. We have photos and maps that clearly show that lots on this street have slopes well over 15%. (See attached.) We will begin documenting evidence of other Tarzana properties that should be considered hillside, not flat.

We are asking that the Planning & Land Use Management Committee continue this hearing to a later date in order to allow the residents of the Tarzana community an opportunity to meet with the staff of the City Planning Department. The PLUM Committee would be doing a disservice and harm to the Tarzana community if it approves an erroneous map and ordinance.

Sincerely,

  
Kathy DelleDonne

First Vice President & Land Use Chairperson, Tarzana Neighborhood Council

CC: Jose A. Gardea, Chief of Staff  
Rebecca Valdez, Chief Planning Deputy

**Kathy Delle Donne**

---

**From:** Kathy Delle Donne [kadedo@earthlink.net]  
**Sent:** Wednesday, March 25, 2009 3:33 PM  
**To:** 'John.Dugan@lacity.org'  
**Cc:** 'Gail.Goldberg@lacity.org'; 'Dan Scott'; 'Betsy.Weisman@lacity.org'  
**Subject:** Revision of Hillside area definition

John,

As you may recall from our December meeting with you and Erick Lopez, we discussed the importance of informing community and neighborhood councils about the second phase of the baseline mansionization for the hillside flatlands areas. Residents who live in the hillside designated areas should be apprised of the ordinance and how it could eventually affect them if the Planning Dept. finds that they live on a flat piece of property rather than a hillside.

Even though we have been asking about the status of any proposed plans on the designation of hillside areas, the first notification we received was on March 19, 2009, in an email from Erick Lopez informing us that a staff report was available on the City Planning web site. He mentioned that an 8:00am public hearing would be held at the next CPC meeting on March 26<sup>th</sup>. This is the **first time** that any materials have been available on this issue.

There has been no opportunity to ask questions, especially about the discretionary decisions that were supposedly made by the City Planning staff. Nor has there been an opportunity to comment on the report. This action and process is unfair and has been handled unprofessionally and without regard to the community and neighborhood councils.

None of the workshops dealt with the flatlands. Only a few people attended the first workshop in the Harbor area. The South Valley workshop was chaotic and out of control. The presentation given by Erick at these workshops was vague and unclear. People were grabbing several sheets of dots and using them to cover the boards. Ms. Weisman did not attend any of the workshops.

For your information, Erick was invited to attend the March 7, 2009 LANCC meeting to speak on the status of the flatlands proposal. He declined the invitation.

We also spoke with Dan Scott about the need for informational meetings on this subject. He said he would speak with Erick.

We would appreciate your help in having City Planning conduct meetings on this subject matter so that neighborhood councils have the opportunity to understand and comment before it is submitted to the CPC.

Thank you for listening,

Kathy Delle Donne, Chair-Land Use Committee, Tarzana NC

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**EMAIL TO JOHN DUGAN, GAIL GOLDBERG,  
DAN SCOTT & BETSY WEISMAN**

**NO RESPONSE**

## **Kathy Delle Donne**

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**From:** Jonathan Brand [Jonathan.Brand@lacity.org]  
**Sent:** Wednesday, March 11, 2009 3:10 PM  
**To:** Erick Lopez  
**Cc:** Kathy Delle Donne; Betsy Weisman  
**Subject:** Hillside Mansionization Ordinance Map

Hi Erick,

At the workshop there was a map that showed the entire City of LA and its areas that are considered hillside and the areas that are currently considered hillside but are flat. The map was informative but covered such a large area that made it difficult to figure out the specific boundaries. Kathy Delle Donne of the Tarzana Neighborhood Council and I would like to see a zoomed in map that covers Tarzana. The boundaries we need are Ventura to the north, Lindley to the east, Corbin to the west, and Mulholland to the north. If you have something like this available we would love to have a couple of copies.

Thank you,

Jonathan

Jonathan M. Brand  
Chief Planning Deputy  
Councilman Dennis P. Zine, CD3  
City of Los Angeles  
(213) 473-7003  
jonathan.brand@lacity.org

---

**EMAILS REQUESTING LEGIBLE MAP FOR  
TARZANA**



**Kathy Delle Donne**

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**From:** Erick Lopez [Erick.Lopez@lacity.org]  
**Sent:** Tuesday, May 26, 2009 4:12 PM  
**To:** Kathy Delle Donne  
**Cc:** Jonathan Brand  
**Subject:** RE: Flatland Parcel Map for Tarzana

Kathy & Jonathan,

I just wanted to let you both know that I put in the request to have a special map made for Encino-Tarzana that should help you in determining your proposed zone change boundaries. It has been approved and I personally hand-delivered the work order with the head of our Geographic Information Systems staff this afternoon. When it is ready and printed I will let you know when to pick it up. Their workload is actually very high right now, but I will see what I can do to get this task to the top of their list.

---

Erick Lopez  
City Planner  
Department of City Planning  
Community Planning Bureau - West Coastal Division  
200 N. Spring St., Room 621  
Los Angeles, CA 90012  
(213) 978-1243  
(213) 978-1226 - fax  
[erick.lopez@lacity.org](mailto:erick.lopez@lacity.org)

 Please consider the environment before printing this email.

>>> "Kathy Delle Donne" <kadedo@earthlink.net> 2:00 PM Tuesday, May 19, 2009 >>>

Erick,

I still have been unable to print a legible map. As I mentioned in my email the pale grey used to designate the parcels does not appear on any of the print outs.

Can you provide our Council with a copy of the proposed parcels for Tarzana? I'll be glad to personally pick up a copy.

Thank you. Kathy

---

**From:** Erick Lopez [mailto:Erick.Lopez@lacity.org]  
**Sent:** Tuesday, May 19, 2009 11:25 AM  
**To:** Kathy Delle Donne  
**Subject:** Re: Flatland Parcel Map for Tarzana

Kathy,

Have you been able to get a clean print out yet? If not, let me know and I'll see what I can do for you.

6/14/2009

## Kathy Delle Donne

---

**From:** Jonathan Brand [Jonathan.Brand@lacity.org]  
**Sent:** Tuesday, May 26, 2009 12:36 PM  
**To:** Erick Lopez  
**Subject:** RE: Flatland Parcel Map for Tarzana

Hi Erick,

Can you provide me with the same map you send to Kathy? I want it for my files.

Jonathan M. Brand  
Chief Planning Deputy  
Councilman Dennis P. Zine, CD3  
City of Los Angeles  
(213) 473-7003  
jonathan.brand@lacity.org

>>> "Kathy Delle Donne" <kadedo@earthlink.net> 5/19/2009 2:00 PM >>>  
Erick,

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Can you provide our Council with a copy of the proposed parcels for Tarzana? I'll be glad to personally pick up a copy.

Thank you. Kathy

---

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**To:** Kathy Delle Donne  
**Subject:** Re: Flatland Parcel Map for Tarzana

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---

Erick Lopez

City Planner  
Department of City Planning  
Community Planning Bureau - West Coastal Division 200 N. Spring St., Room 621 Los Angeles,  
CA 90012  
(213) 978-1243  
(213) 978-1226 - fax  
erick.lopez@lacity.org

## Kathy Delle Donne

---

**From:** Kathy Delle Donne [kadedo@earthlink.net]  
**Sent:** Tuesday, May 19, 2009 2:00 PM  
**To:** 'Erick Lopez'  
**Cc:** 'Jonathan Brand'  
**Subject:** RE: Flatland Parcel Map for Tarzana

Erick,

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**Sent:** Tuesday, May 19, 2009 11:25 AM  
**To:** Kathy Delle Donne  
**Subject:** Re: Flatland Parcel Map for Tarzana

Kathy,

Have you been able to get a clean print out yet? If not, let me know and I'll see what I can do for you.

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Erick Lopez  
City Planner  
Department of City Planning  
Community Planning Bureau - West Coastal Division  
200 N. Spring St., Room 621  
Los Angeles, CA 90012  
(213) 978-1243  
(213) 978-1226 - fax  
[erick.lopez@lacity.org](mailto:erick.lopez@lacity.org)

 Please consider the environment before printing this email.

>>> "Kathy Delle Donne" <kadedo@earthlink.net> 10:38 AM Wednesday, April 29, 2009 >>>

Erick,

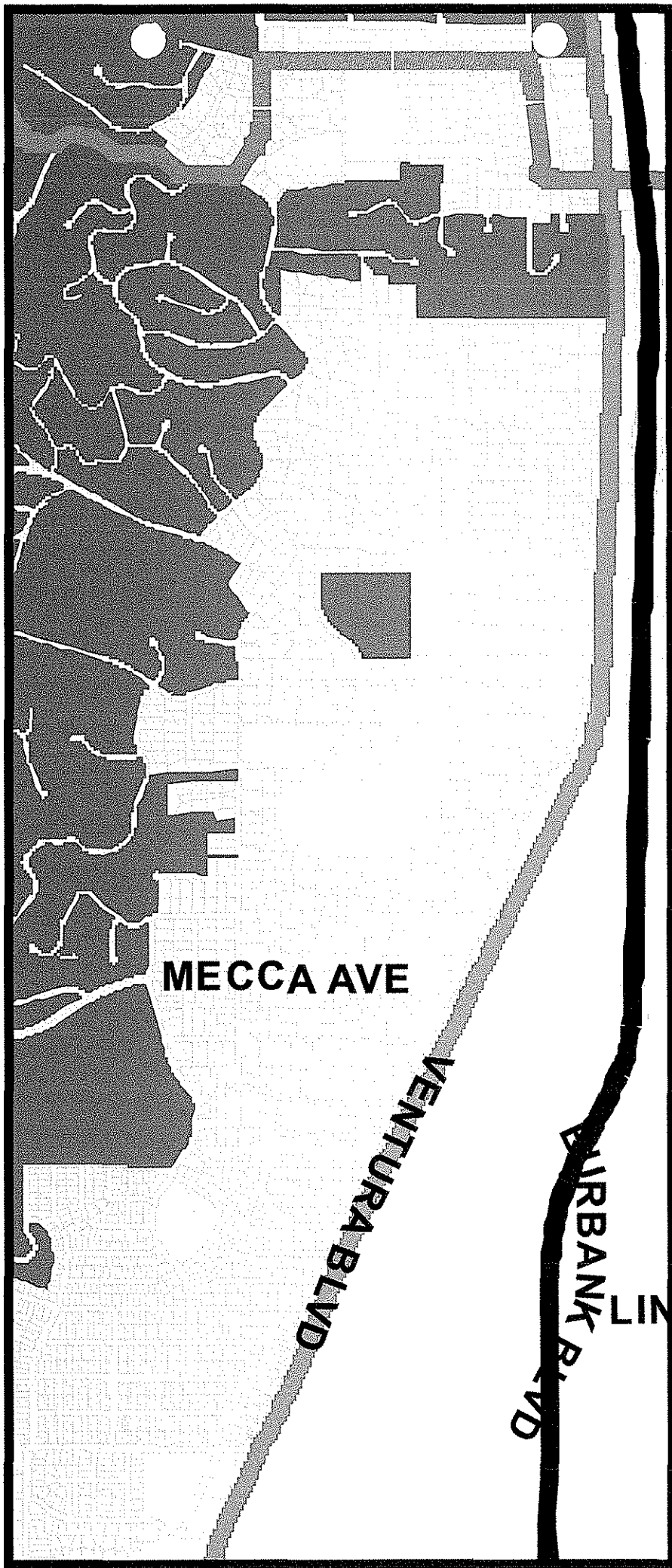
I will be at City Hall to pick up a report that Emily has been working on for us.

Is it possible to obtain a map of the parcels that have been designated flatlands for Tarzana? I am still unable to run a clear copy on my computer-probably due to the light grey color used in mapping these parcels.

Thank you for your help.

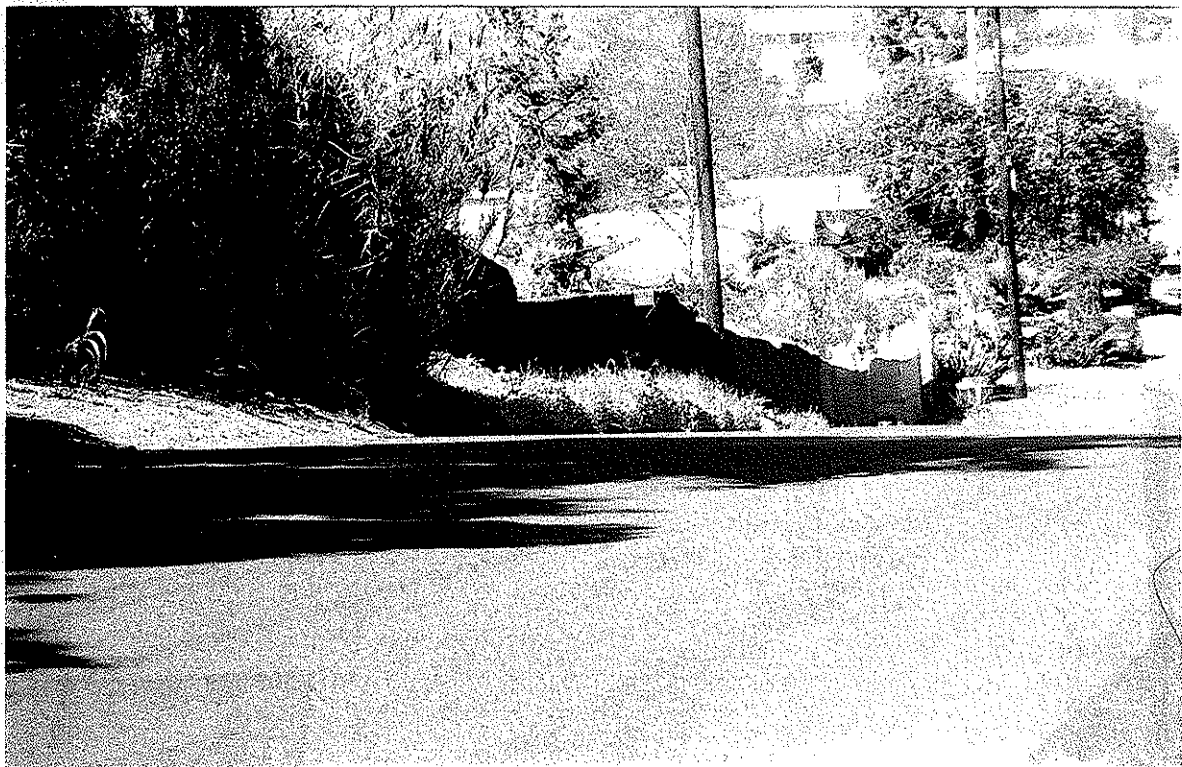
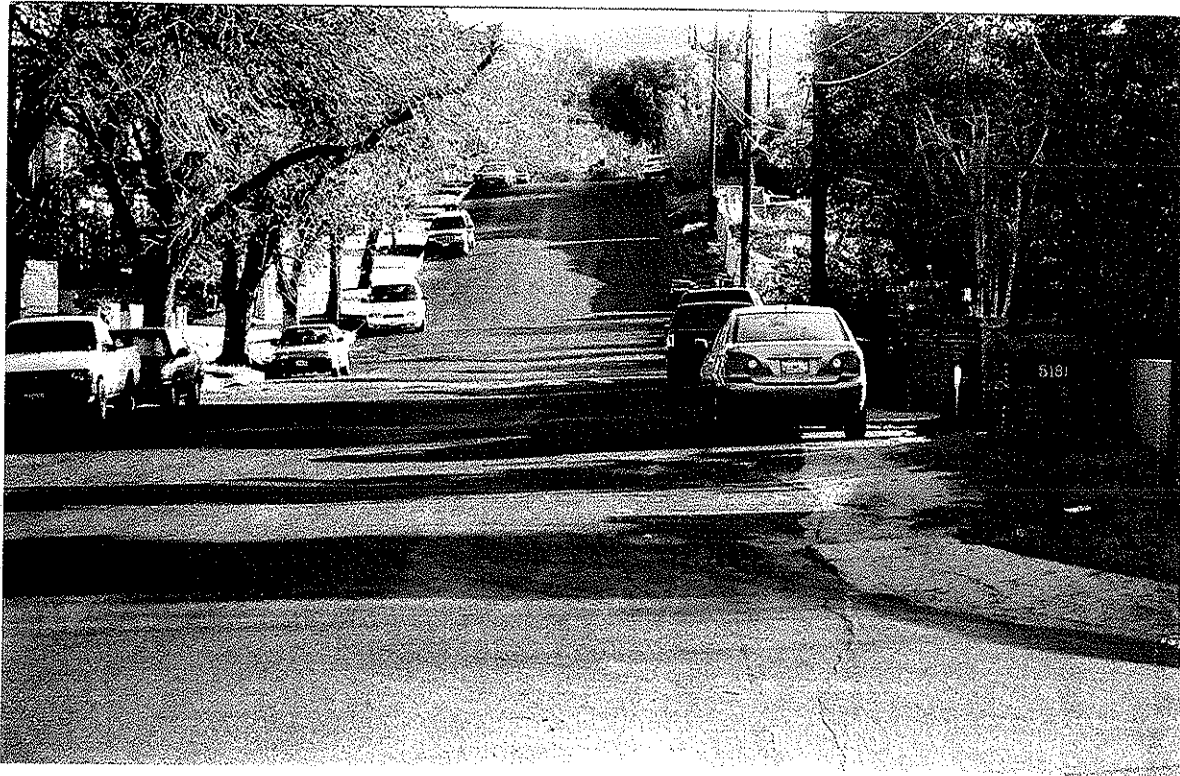
Kathy Delle Donne

6/14/2009



ZOOMABLE MAP DOWNLOADED FROM WEBSITE

## Avenida Oriente



**DESIGNATED AS "FLAT"  
IN CITY PROPOSED HILLSIDE MAP**

Officers  
*President*  
Richard Close  
*Vice President*  
Matt Epstein  
*Vice President*  
Jules Feir  
*Treasurer*  
Chuck Betz  
*Secretary*  
John Isen

Founded in  
1964



Sherman Oaks Homeowners Association  
P.O. Box 5223  
Sherman Oaks, California 91423  
Information: (818) 377-4590  
www.shermanoaks914.com

Board of Directors  
Charles Betz  
Richard H. Close  
Matt Epstein  
Jules Feir  
John Isen  
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David Rankell  
Ellen Vukovich  
Wayne Williams

*Director Emeritus*  
Carmen Knight

### **PLUM 09-1390: SOHA Concerns on Revision of Hillside Area Definition**

To: Los Angeles City Council, PLUM Committee

Date: June 15, 2009

The Sherman Oaks Homeowners Association (SOHA) has serious concerns about the Revision of the Hillside Area Definition (PLUM File No. 09-1390, CPC 2008-4683, CA). We represent the interests of hundreds of homeowners whose properties will be affected by this change.

SOHA first learned of the City's intention to revise the hillside area definition at a public meeting in February 2009. At that meeting in Van Nuys (and at four similar meetings), the Department of City Planning explained why the revision was being proposed and what the revision would encompass – BUT NEVER EXPLAINED OR CONSIDERED POTENTIAL IMPACTS OF THE REVISION TO AFFECTED HOMEOWNERS.

Further, the revision impacts many thousands of homeowners in Los Angeles, reclassifying their home from hillside to flatland property. In Sherman Oaks, more than 1,300 homes would be reclassified. SOHA has presented the change to our membership, and many of our homeowners have started to express concerns. It has taken a while for them to digest the concept. The typical concerns we are hearing include:

- Why wasn't this done when the Baseline Ordinance for the flatlands was under consideration and undergoing public review and comment?
- What might the reclassification do to my property value, especially in this tough housing market?
- When my home is no longer hillside property, what protections will I lose?
- Why is the City doing this when my home has been hillside property since I bought it years ago?

The problem and SOHA's concerns results from the City assuming that there would be no impacts from the revision of the hillside definition. The Planning Department therefore simply informed homeowners of the revision when they noticed the February 2009 public meeting, without bothering to provide an explanation of the potential impacts. Homeowners were not given the time necessary to understand the revision and make necessary public comment similar to the workshops for drafting the Baseline Mansionization Ordinance. Should this revision be approved, naturally, one can't help but wonder if there are grounds for a lawsuit by denying suitable public comment.

This is not the way it is supposed to work!

Therefore, SOHA recommends that the PLUM Committee consider the impacts that this redefinition may have on thousands of Los Angeles homeowners. The Planning Department should be directed to conduct a further series of public meetings where homeowners are offered the time and opportunity to voice their comments and concerns, ask questions about the impacts of the redefinition, and raise the ultimate question: IS THIS REALLY NECESSARY?

Thank you.

SHERMAN OAKS HOMEOWNERS ASSOCIATION

By Ellen Vukovich  
Member, Board of Directors

By Bob Anderson  
Chairman, Hillside Committee

Date: 6-14-09  
Submitted in PLUM Committee  
Council File No: 09-1390  
Item No.: 3  
Deputy: R. G. Anderson

Dean J

My name is Bob Anderson, 4050 Woodcliff Road, Sherman Oaks and I chair the Sherman Oaks Homeowners Association Hillside Ordinance Committee.

The Association – SOHA – first learned of the City's intention to revise the hillside area definition at a public meeting in February 2009. The City Planning Department explained what the revision would encompass – but never explained potential impacts of the revision to affected homeowners by sending out notices to this effect.

The revision impacts many thousands of Los Angeles homeowners, reclassifying their home from hillside to flatland. More than 1,300 Sherman Oaks homes would be reclassified. SOHA has presented the change to our membership. Many of our homeowners have started to express concerns. It has taken a while for them to digest the concept. The typical concerns we are hearing include:

- Why wasn't this done when the Baseline flatland Ordinance was undergoing public comment?
- What might the reclassification do to my property value?
- When my home is no longer hillside property, what building and safety protections will I lose?

The City assumed there would be no impacts from the definition revision. The Planning Department simply presented the revision at the February meetings. Homeowners were not given time to understand the revision and make necessary public comment. For example, we just received notice about this PLUM meeting on Saturday. Should the revision be approved, one can't help but wonder if there are grounds for a lawsuit by denying suitable public comment.

Therefore, SOHA recommends that the PLUM Committee direct the Planning Department to conduct a further series of public meetings where homeowners can voice their concerns, ask questions about the impacts of the redefinition, and raise the ultimate question: Is this really necessary?

Lastly, the City has an obligation to notify homeowners of such changes. This was not done in this situation because posting notices is not the same as mailing them. SOHA requests the City Attorney to determine if there can be a legal ruling accordingly.

Thank you.

Date: 07-16-09  
Submitted in PLUM Committee  
Council File No: 09-1390  
Item No.: 3  
Deputy: B. GLENN







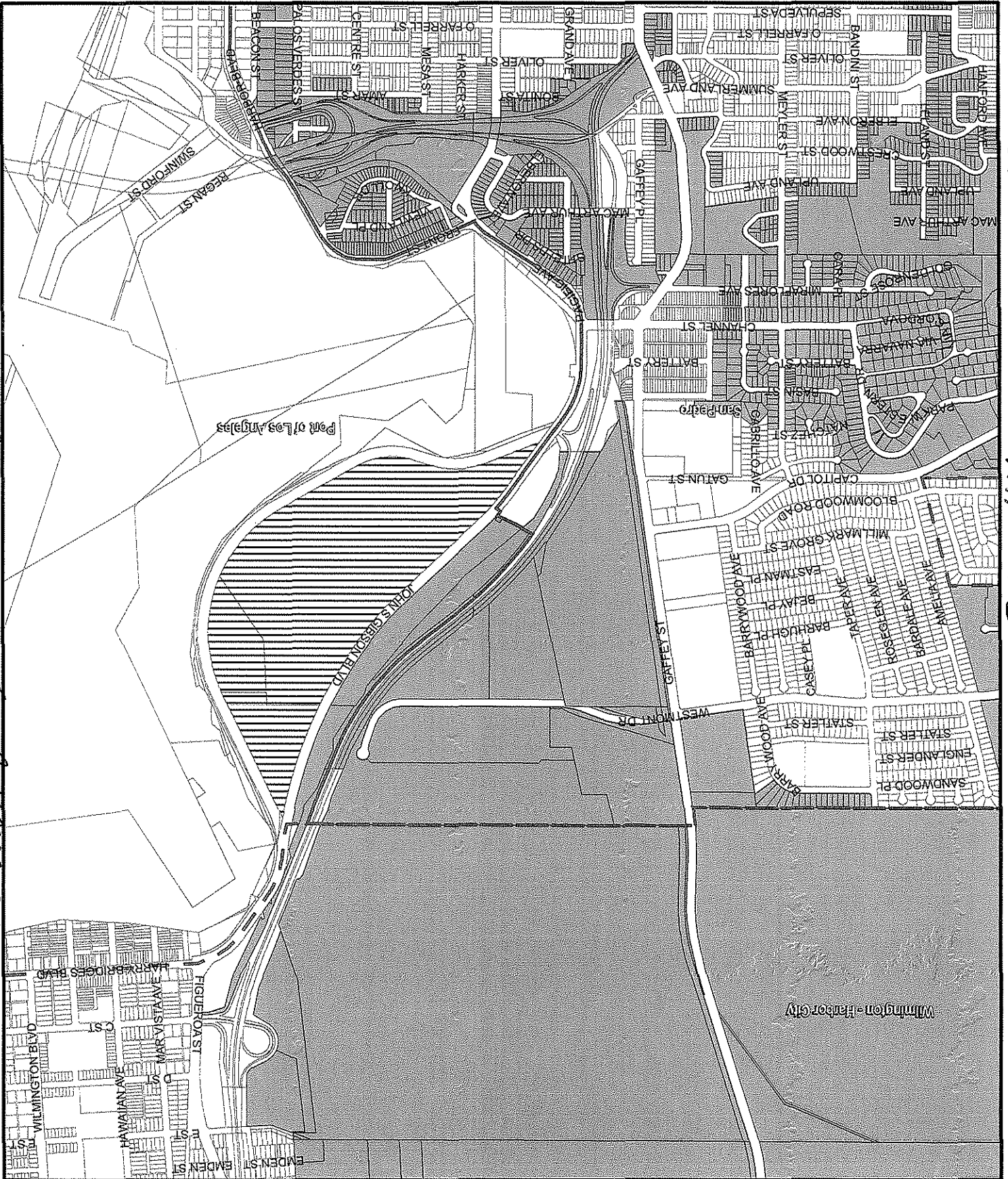
Submitted in PUM 6-16-09 Apr 3 04-1380

Department of City Planning  
Proposed Hillside Area Amendments  
Ordinance No.  
CPC Case No. : CPC-2008-4683-CA  
June 15, 2009

1 inch equals 1,152 950185 feet



**Legend**  
Proposed Hillside Amended Area Designation  
Removed from Proposed Hillside Designation Area  
Community Plan Boundaries



Sub m. H. by Plan n. g. DRAFT