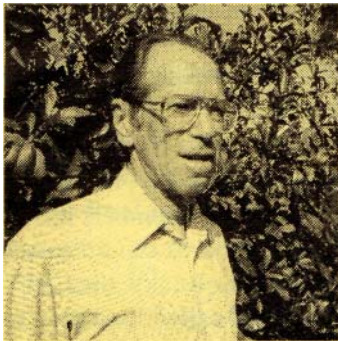


TPOA

NEWSLETTER

FALL 2008
VOL. 45 NO. 4



Dare Gaifmklc TPOA President

*Sign, sign everywhere a sign
Blocking out the scenery, breaking my mind
Do this, don't do that, can't you read the
sign*

Thanks to the Five Man Electrical Band for their 1970 song echoing a problem that's gotten steadily worse in the ensuing 38 years. We are inundated with billboards, pole signs, unhitched trailer signs, window signs, signs on telephone poles and street lights, and signs stuck in or on any place available. The worst of these are the ubiquitous billboards on major streets. Would you believe there are 54 billboard faces in Tarzana? They range from the small Vista billboard at the southwest corner of Victory and Reseda to the monstrous CBS sign on the roof of Deco Brass and Clear Channel signs just west of the California Pizza Kitchen. And things are set to get much worse. The major billboard companies are in the process of converting 900 of their billboards in Los Angeles into flashing, Las Vegas type, digital billboards. Check out the one at 1333 Westwood Blvd. to get an example. These signs, by distracting drivers and pedestrians, create a major traffic hazard. In addition, they blight the area and flood nearby homes with flashing lights all hours of the day and night.

But wait, don't we have zoning restrictions which regulate billboards and other signs?

See the article on page 5 for existing sign regulations. See the article in the Summer 2008

TPOA Newsletter for regulations concerning signs in residential areas. But where are we now with respect to billboards and billboard conversion regulations? In February, 2002 the City banned new off-site signs and approved an effort to identify and remove illegal and non-permitted signs. In addition, it provided that existing legal billboards could not be altered or enlarged and created an inspection and fee program for existing signs.

Court Challenge: The sign companies immediately challenged the ordinance in court (Clear Channel and CBS in September, 2002; Vista and Regency Outdoor in October, 2002; Metro Lights in February, 2004; World Wide Rush in January, 2007; LA Outdoor Advertising in December, 2007; several others). In February, 2007 Rocky Delgadillo, the City Attorney, championed a capitulating settlement which allowed the billboard companies to "modernize" (i.e., convert to digital) up to 1158 of their billboards. In addition, it gave the companies the right to add 190 new billboards, permitted previously non-permitted billboards and billboards not complying with their permits, and reduced the already ridiculously low annual "inspection" fee. What did we get in return? The companies agreed to take down 3% of their existing billboards.

Yes, that's right; the same Rocky Delgadillo who accepted approximately \$420,000 in complimentary advertising from those same companies in his bid for election. Delgadillo then "pressured" the City Council and the Mayor to sign off on the agreement. Allegedly he only offered a one-page summary of the agreement. What was left out? Apparently, most of the details. More importantly, the agreement prohibits the City from denying or restricting any modernization except for matters directly related to structural and electrical safety. In other words, all zoning regulations, and restrictions and provisions of the Municipal Code, specific community plans, etc. are not enforceable with respect to conversion of these billboards to digital safety hazards and blight machines.

TPOA NEWSLETTER

Published quarterly by
TARZANA PROPERTY OWNERS ASSOCIATION, INC.
P. O. Box 571448
Tarzana, CA 91357
Phone: (818)344-2137
Editor: David Garfinkle
Website:
tarzanapropertyowners.org

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BOARD MEETING SCHEDULE

Second Monday of each month
Except July and August
7:30 PM
at
TARZANA COMMUNITY & CULTURAL CENTER
19130 Ventura Blvd.
Tarzana, 91356

What did we get in return for Rocky's capitulation and the failure of the City Council and Mayor to exercise their responsibilities?

We got an agreement to provide the City with an inventory of the approximately 11,000 billboards in the City (over 4000 of them apparently illegal or non-permitted), agreement to remove approximately 3% of existing billboards (of the companies' choice) as well as all non-permitted billboards erected after 1998, and a pittance annual fee for inspection. Have the billboard companies complied? Well, yes; they've started conversion. Well, no; they have refused to provide an inventory on the grounds of confidentiality. What? Every billboard I've ever seen has the company name and ID number big and bold. None of the billboards slated to be removed have been removed; I doubt they have even been identified.

So where does that leave us today? Basically, in a state of confusion and paralysis. Several City Council members have finally awakened to the problem when digital billboards started appearing in their districts with no prior notice or review. Rocky, the City Council, and the City Planning Commission have all called for a moratorium on conversions until we can figure out where we are and what are our options. Key questions to be answered:

- How many billboards are there and how many are legal and permitted?
- What notice and public review is appropriate for conversions?
- Do existing zoning regulations and plan restrictions apply?
- Has the City unlawfully surrendered its power to enforce existing billboard regulations as a recent court decision would imply (Trancas and the League of Residential Neighborhood Advocates vs. City of Malibu)?

What can we do in the meanwhile? TPOA submitted a position paper to the City Planning Commission supporting the moratorium and strongly urging:

- An immediate compilation of billboards in the City (permitted, non-permitted, illegal)
- Vigorous enforcement of existing regulations
- Applications for modernization be treated in the same manner (notice, public review) as applications for new billboards
- Digital billboards be allowed only in specifically defined special districts
- All non-permitted and illegal billboards be removed within the next five years.

We will continue to support efforts to straighten out this mess, including testimony and position papers at City hearings, letters to Councilman Zine and his fellow council members, support of the Coalition to Ban Billboard Blight, and support of SB 563 (Mark Ridley-Thomas) to remove the presumption that billboards are legal if no complaints have been filed against them within five years.

We urge each TPOA member to do likewise.
Contact:

- Our councilman, Dennis P. Zine, councilmember.zine@lacity.org, (213) 485-8988
- Council President Eric Garcetti, councilmember.garcetti@gilacity.org (213) 613-0819
- Planning Commission President Jane Usher, cpc@lac-itv.org (213) 987-1300

Thanks to City Planning Commission President Jane Usher for compiling the litigation data, Dennis Hathaway of the Coalition to Ban Billboard Blight for data on the settlement, and Steve Lopez for his recent columns on the subject (see his October 8 article in the LA Times).

TCCC NEEDS YOUR SUPPORT

Cheryl Crane

The Tarzana Community and Cultural Center (TCCC) has two urgent needs. The first is for volunteers, especially with specific expertise. The second is for funds. The Center, with its park-like setting at the corner of Ventura Blvd. and Vanalden Ave., has become a prime asset to our own neighborhood. Its beauty and the special activities held there add greatly to the quality of life in our Tarzana community. But in order to maintain this landmark, quick action must be taken to keep it operating. Patty McManus, president of TCCC, told the TPOA Board that the small number of current volunteers needs to be supplemented; particular expertise is needed in the areas of fund raising; marketing; community program coordination; and coordinating between city, county, and state officials. The Center also needs a treasurer.

Patty McManus also indicated that additional funds are urgently needed to cover the mortgage payments and normal operating expenses. Tax deductible cash donations of any size are welcome to the Center, a 501 (c)(3) tax exempt organization. In addition to cash donation, other ways to contribute financially to the Center include:

IRA CHARITABLE ROLLOVER: Congress recently extended an excellent charitable planning opportunity for both 2008 and 2009. This act

permits an IRA owner age 70-1/2 or older to make a direct transfer to charity. Each year, IRA owners age 70-1/2 and older must take a required minimum distribution (RMD). By transferring part or all of your required distribution to the Tarzana Community and Cultural Center, you will not have to include the amount in your taxable income. This rollover donation is easy to make; simply request that your IRA custodian prepare the necessary papers and send the check directly to the Center. Of course it is important that you give your custodian sufficient time to prepare the paperwork and send the money directly to the Center by December 31 of the appropriate year.

APPRECIATED STOCK: Even with the current stock market's decline, many of us still own stock that has appreciated in value from when we initially acquired it. Donating stock that has increased in value over the years can be a smart way to make a gift to TCCC. Typically, you can deduct the stock's FULL market value at the time of your gift AND you don't pay any capital-gains taxes on the increase in value. That makes your donation of stock a double winner. For example, take those shares of IBM sitting in your portfolio with a low-basis (what it cost you) of \$40/share, (but you are not really sure) and is now valued at \$84/share. For each share donated to the Center, you receive an itemized deduction on your tax return of the FULL \$84/share. It's a win for you and a win for the Center. Here is another BIG advantage. You don't have to rummage through all of those old records looking for what you paid for the stock. In most cases, your purchase price doesn't matter. The value of the shares on the date you make your gift is the important number, and a consultant from TCCC will tell you what that amount is.

USED CAR DONATION: Because of the high cost of gas, it has become more difficult to sell older cars. The Center can easily take that car you no longer need off your hands, and you will be entitled to take an itemized tax deduction for the full sales price, not the reduced amount a dealer is willing to offer—usually less than half of the fair market value of your car. You also save the cost of continuing to pay for insurance or a license. The Center will arrange for the car to be sold.

OTHER TYPES OF BEQUESTS: Certain types of property pass outside of a will or trust. To make a bequest of assets such as an IRA or insurance policy, you should contact the company or entity from which you purchased the asset to name a beneficiary such as the Center. Please inform the Center if you have chosen this method.

Please consider any of these various ways to donate to the Center. It needs and deserves our help at this crucial time. For further information, please contact Patty McManus at 818-903-9251; e-mail patty@segullsecurity.com. The future of the Center depends on YOU!

PLANNING AND ZONING ISSUES.

Kathy Delle Donne

Subdivisions. As you are well aware, the real estate market is in a slump. Because of this, we find that many developers who received approval by the City Planning Department to split existing lots in order to construct single family homes have not begun any type of construction on their properties. In Tarzana there have been approximately 86 new lots formed since the early part of 2000. Only about 20 of these lots have new homes or have homes under construction.

Condominium construction. This also is at a standstill. Two buildings on Lindley Ave. and one building on Clark Street were approved for demolition and construction with a total of 129 condominiums. None of these have, as yet, been demolished. There are 10 condos on Topham Street that were recently completed. These condos were approved by the City in 2005.

Another standstill project is the one proposed at 5521 & 5545 Reseda Blvd. / 18525-18545 Clark Street. This 5 story "mixed use" project consists of 140 condos and over 30,000 square feet of retail, office and restaurants. As mentioned in our previous newsletter, TPOA took the position that a full environmental impact report must first be completed by the developers. There are major impacts that were not adequately addressed in their application; the most significant being the potential worsening of traffic congestion at both the Reseda/Ventura intersection and the Reseda/Burbank intersection.

Zoning applications. Since the last newsletter, there are 2 cases that are still awaiting a public hearing:

18603 Topham Street: The owner of the dog kennel at this address is requesting a conditional use permit to operate this facility within 500 feet of a residential zone.

18831 Topham Street: The owner of this home is requesting a zone variance to convert this building from a senior facility currently limited to 6 residents to a facility that will house 26 residents.

If you are interested in attending either of these hearings you may contact TPOA and we will inform you when the cases are scheduled for hearing. You can also periodically check the City planning website at www.lacity.org/pln - click on Meetings-Hearings - South Valley - Hearings and you will find the cases scheduled for hearings.

Former case. If you are wondering what is happening at 5530 **Donna Ave.** (Hindu Meditation Center "Barsana Dham") we were informed that the owner has posted a notice that they received a Building & Safety Dept. permit for the demolition of front structure. There is also another notice on the alley that a temporary kitchen is to be installed in the accessory structure.

The City Planning Dept. recently notified us that the owner of both 5520 Donna Ave. and 5521 Topeka Ave. (directly south of 5530 Donna Ave.) is seeking a lot line adjustment to move 10,000 square feet of the Donna Ave. property to the Topeka property. This would enlarge the Topeka property to approximately 40,000 square feet. Both properties would still maintain the same zoning designation. (RA-1 properties must be a minimum of 17,500 square feet.)

TRANSPORTATION REPORT

Max Flehinger

Unhitched Advertising Trailers. We have been successful in removing most of the unhitched advertising trailers from Tarzana streets, although a few keep popping up, often right under the sign prohibiting the trailers. A realtor trailer has shown up on Vanalden, south of Ventura. Repeated calls to the realtor have been met with derision. TNC has requested placement of a "No Parking for Unhitched Trailers" sign on Valalden from Ventura to Wells. Our efforts are directed toward a complete elimination of these trailers.

Long-term Parking of Advertising Trucks Under the Freeway. On June 24' \ the Police Department impounded the "Got Junk" truck which repeatedly parked on Tampa Ave. at the 101 Freeway underpass. Since then, a number of other trucks have repeatedly parked there and on Wilbur and Corbin. Calls to parking enforcement have not rectified the situation. For that reason, TNC passed

resolutions asking the city to post signs on both sides of Wilbur Avenue, Corbin Avenue, and Tampa Avenue, under the 101 freeway, and extending 50 feet north and south beyond the freeway, on both sides of the street. -The signs are to read "no parking from 2:00 a.m. to 5:00 a.m."

Speed Limit Changes. The speed limit on Reseda/Mecca, between Ventura Blvd. and the south terminus of Reseda, will be increased to 40 mph. The speed limit on Tampa Ave., between Parthenia and Ventura, will be increased to 40 mph, as it will on Corbin, between Roscoe and Ventura Blvd. Speed limit on Wells Drive, between Mecca and Don Juan Place, will be set at 30 mph, and on Wells Drive, between Don Juan Place and Serrania, at 24 mph.

Street Repaving. Resurfacing has been completed on Yolanda Ave. between Ventura Blvd. and Philipprimm. Killion Street, between Lindley and Etiwanda, is on the October list for street resurfacing. No Tarzana streets are on the November list. Mayor Villaraigosa, in addressing the gathering at the Mayor's Budget Day, stated that the City will only repair one street a day in the next fiscal year.

Signals and Traffic Patterns. The left turn signals on east/bound and west/bound Burbank Blvd. at Reseda Blvd. are now operating. The LADOT has taken no action on the request to review the timing of the "stop" signal from north/bound Yolanda into Ventura Blvd. (at Village Walk). Parking congestion on Aura, in the first block south of Ventura Blvd., has subsided. Car Wash employees are now parking on the lot, instead of the street. TNC has requested LADOT eliminate parking on the west side of Vanalden, between Ventura Blvd. and the south property line of the Chevron station.

Note: the phone number to call for Parking Enforcement is 818-752-5100

ILLEGAL SIGNS

Dave Garfiinkle

The President's message details the situation with billboards. In addition, we are suffering with an inundation of many other types of illegal signs that blight the area. The City has ordinances regulating signs; there are sign restrictions in community plans,

specific plans, and special districts. Yet scofflaw advertisers blatantly flout the law and it is extremely difficult to energize City officials to enforce those regulations. The billboard industry courts challenges and settlements further complicate the issue.

The rules: As of January 1, 2008, sign regulations are now contained in Sections 4.4 and 12.21 A.7 of the Zoning Code. The major provisions include:

- **Digital.** Signs are prohibited if they contain flashing, mechanical and strobe lights; where any portion rotates at greater than six revolutions per minute; or where the signs produce a light intensity of greater than three foot candles above ambient lighting, measured at the property line of the nearest residentially zoned property. **That should eliminate any billboard conversion to digital.**
- **Murals** are prohibited except when permitted by the specific plan; **so why is the dentist office at Avenida Hacienda and Ventura adorned with the monstrous murals?**
- **Alterations, repairs or rehabilitation of any existing sign** and/or support structure may only be of the same type of construction as the existing sign or sign support structure; the cost of such work can not exceed 50 percent of the replacement cost of both the sign and sign support structure; and there is no increase in the sign area or height and no change in the location or orientation. **Digital conversions are much more expensive than that.**
- **Area.** The sign area of a single face can't exceed 800 square feet. **Most of the billboards on Ventura appear to be within that limit**
- **Height.** The height to the top of the off-site sign can't exceed the height specified for the height district in which the sign is located. The Ventura Blvd. Specific Plan limits heights on Ventura Blvd in Tarzana to 30 feet except for a 45 foot limit on the north side from Etiwanda to Wilbur. **Most of the large billboards appear to exceed this limit.**
- **Proximity to residential.** No sign with an area greater than 80 square feet can be placed within 200 feet of a residentially zoned lot located on the same side of the same street. **While the Vista sign at the southwest corner of Reseda and Victory is less than 10 feet from the adjacent apartment building, it appears to be within the size limit.**
- **Roof signs** are only allowed on sloping roofs and can't exceed 300 square feet. **Few of the roof signs and billboards in Tarzana are on sloped roofs; all rooftop billboards exceed 300 square feet.**

- **Tack-up signs.** As indicated in the last newsletter, signs can't be placed on telephone poles, freeway offramps, sidewalks, parkways between the curb and sidewalk, fences, etc. **These signs appear everywhere with great frequency.**
- **Parked Commercial Vehicle signs.** Trucks plastered with advertising are not allowed to park overnight in a residential zone. Unhitched trailers with advertising are not allowed to park where signs prohibit them. **Advertising trucks routinely park on Tampa between Victory and Ventura. Lonestar Security trailers routinely park right next to prohibiting signs.**

In addition, the Ventura/Cahuenga Corridor Specific Plan has a number of additional regulations. Particularly pertinent are:

- **New mini-billboards.** Off-site signs are prohibited by the Specific Plan except to replace existing signs. We are seeing a proliferation of these small, ground-level signs, often in multiples of 2 or 4 signs. **Fuel outdoor sign company has started placing them along Ventura, primarily at gas stations.**
- **Survey and Citation.** The Specific Plan requires the City to conduct a survey every six months to identify and cite any sign violations. **Apparently, no survey has ever been conducted.**

Permits. All signs must have permits issued by the Department of Building and Safety. Some existing signs have valid permits, many predating existing regulations. Other signs have been granted variances from existing regulations.

Enforcement. As noted in the President's message, the City is starting to pay attention to the billboard issue. TPOA will continue to push for vigorous enforcement of billboard conversion and other signage issues.

The Tarzana Business Improvement District works to ensure compliance within the Specific Plan Area. In addition, everyone can help:

- Contact Traffic Enforcement to report sign truck and unhitched trailer violations.
- Report any suspected illegal or unpermitted sign (i.e., mini-billboards) to Building and Safety.
- Call and complain to advertisers and sign companies that violate the requirements.
- Don't patronize companies that violate the requirements.
- Tear down any commercial tack-up sign on telephone poles and street lights and in parkways. You probably won't live long enough for Building and Safety to consider these a priority.

A special plea: Garage sale, estate sale, and lost dog/cat posters: please take down your signs as soon as the event is over



Dentist office
Ventura/Avenida Hacienda



Various Illegal
Tack-Up Signs



Mini-billboards
Ventura/Van a Id en



We don't care Realtors
Vanalden S. of Ventura

Long time violator
Tampa/Victory

BUTTERFIELD STAGE 150th ANNIVERSARY

..... Dave Garfinkle, Deuk Perin, and Google sources

In September 1858 the Butterfield Overland Mail Company stagecoach service started its twice weekly cross country overland service each way from St. Louis to San Francisco. At 3:40 am on the morning of October 19, 1858 a bugle call announced the arrival of the first stagecoach at the top of the Cahuenga Pass. On Sunday, October 19, 2008, exactly 150 years later, the Campo de Cahuenga Historical Memorial Association, under the leadership of President Deuk Perrin, organized a spectacular anniversary celebration. An authentic stagecoach, pulled by four matching black mules, traversed the 18.9 mile route through the Valley along El Camino Real (now, Ventura Blvd.) from Campo de Cahuenga to the Leonis Adobe in Calabasas. The coach stopped for celebrations at the Los Encinos State Historical Park and at our own Tarzana Community and Cultural Center (TCCC).

The TCCC celebration included a photo op with the coach, barbeque, a roping and trick whip demonstration, music by the Big Red Sky western band, and a brief history of the Butterfield Stage by Councilman Dennis P. Zine. A good time was had by all at this historic, joyous occasion.

The Butterfield history is fascinating. John Butterfield, entrepreneur and former mayor of Utica, NY, won a \$600,000 contract (approximately \$9 million in current dollars) to deliver mail and passengers over the 2800 mile route between the end of civilization at St. Louis and the booming young State of California, the first cross-country overland mail or passenger service. The logistics are truly impressive. Butterfield employed over 800 men, at 139 relay stations and frontier forts, 1800 mules and horses, and 250 Concord stagecoaches. The stagecoaches ran day and night, stopping approximately every 20 miles to change teams. The contract called for no more than 25 days for the transit. The stage was never late, averaging 22 days for the trip.

The primary purpose was mail delivery; over 6000 pieces were carried on the eastbound route from San Francisco in July, 1860. Passengers were

considered a burden and needed to be extremely hardy and adventurous for this strenuous journey. For the \$200 fare (approximately \$3000 in today's dollars) east to west or \$100 west to east, up to 9 passengers shared the three rows of seats.

According to early passenger Waterman Ormsby, correspondent for the *New York Herald*, "I now know what hell is like. I've just had 24 days of it." He reported the facing passengers in the forward and middle rows had to ride with their knees dovetailed. All the passengers rode with baggage on their laps and mail pouches beneath their feet. They traveled day and night, with only brief moments at way stations for often poor food and no rest. They endured continual heat and choking dust in the summer and intense cold and occasional snow in the winter. The approaching Civil War ended the endeavor in 1860.

For those of us who enjoyed the celebration, we must hail the brave endeavor. For those of you who missed it, our sympathy. Perhaps you can enjoy the 200th anniversary in 2058, which we understand is in the early planning stages.



Councilman Zine in the Stagecoach

**Remember
TPOA
At \$15, it's still the best bet in
town**

**Tell your neighbors
Visit our website at
tarzanapropertyowners.org**