

# Hillside Federation Newsletter June, 2011



[www.hillsidefederation.org](http://www.hillsidefederation.org)

## The City Needs a “Clean Hands” Ordinance Wendy-Sue Rosen



*A Clean Hands ordinance would keep applicants with outstanding violations from getting any permits.*

The County of Los Angeles has a “clean hands” ordinance, which is, as County Supervisor Zev Yaroslavsky recently explained, a “common sense rule” that “if you violate the zoning code, we will not process a new application on your property until you remedy the existing violations.” Its “purpose is to hold violators of the law accountable.” The clean hands ordinance is important because local governments lack the resources to perfectly monitor and enforce zoning requirements.

The City of Los Angeles, however, does not have a “clean hands” ordinance. So property owners with one or more code violations have been

## Agenda June 1, 2011 7:00 pm

### I. Call to Order

#### Guest Speaker:

“Clean Hands” - Ben Saltsman

### II. Approval of May 4, 2011 minutes

### III. Officers’ Reports

A. President’s Report

B. Treasurer’s Report

### IV. Old Business

A. Ads in Parks - Marian Dodge

B. Cell Phone Towers

### V. New Business

A. 9118-9229 Crescent Dr. - Carol Sidlow,  
Steve Poster

B. Modified Parking Requirement Districts -  
Wendy-Sue Rosen

### VI. Adjournment

Next meeting - Wednesday, July 6, 2011

### **Pinz Bowling Center, next to Jerry’s Deli**

12655 Ventura Blvd., Studio City 91604

101 between Coldwater Canyon exit and Laurel  
Canyon exit

*The mission of the Hillside Federation shall be: To protect the property and the quality of life of the residents of the Santa Monica Mountains and other hillside areas of Los Angeles and its environs, and to encourage and promote those policies and programs which will best preserve the natural topography and wildlife of the mountains and hillsides for the benefit of all the people of Los Angeles.*

allowed to obtain grading, building and other permits without first bringing their properties into compliance with all land-use regulations. That is just bad policy. The City should adopt a clean hands ordinance similar to Section 22.04.110 of the County’s Zoning Code, which provides as follows:

“No application for any permit required pursuant to this title shall be accepted for processing or approved where an existing land use, not previously authorized by any statute or ordinance, is being maintained or operated in violation of any applicable provision of this title, or any condition of approval of a land use permit. This provision applies to the operation of land uses only, and does not affect buildings or structures which do not conform to development standards. [¶] Where in his sole discretion the director, whose determination shall be final, determines that the use in question is consistent with the objectives, goals and policies of the General Plan, or that the continuation of said use is essential or desirable to the public convenience or welfare, this provision shall not apply.”

The need for a clean hands ordinance is especially important in hillside areas, as two current development projects illustrate. Representatives

of a property owner on Tower Lane in Benedict Canyon are seeking what they claim are “ministerial” and “by right” grading and building permits for an approximately 60,000 square-foot museum-sized mega-mansion on a 5.2 acre hillside lot. They contend that these massive grading and building permits must be issued, regardless of long-standing violations on the property and factual errors on recent land-use applications that are not part of the grading and building permit applications. If the City had a clean hands ordinance in place, the property owner would be required to bring all aspects of the property into compliance before the City would even consider granting the grading and building permits. Similarly, a property owner in Franklin Canyon contends that the City is required to grant his building permit application despite the fact that he is grading massive swaths of hillside without a permit and in defiance of a stop-work order. Again, with a clean hands ordinance, the City would not even consider his “by right” applications for an approximately 22,000 square foot project until he brings the entire property into compliance.

County Supervisor Yaroslavsky, in an April 28, 2011 letter to Bud Ovrom, the General Manager of the City’s Department of Building and Safety, and Michael LoGrande, Director of the City’s Planning Department, asked that the Tower Lane property be brought into full compliance with the law. In his letter, Supervisor Yaroslavsky described the County’s clean hands ordinance as an effective tool for ensuring such compliance. It is time for the City to adopt the same common-sense clean hands policy by passing a clean hands ordinance.

P.O. Box 27404 Los Angeles, CA 90027 323-663-1031 president@hillsidefederation.org www.hillsidefederation.org	<b>ORGANIZATIONS:</b> Bel Air Knolls Property Owners Bel Air Skycrest POA Bel Air Ridge Association Benedict Canyon Association Cahuenga Pass Neighborhood Crests Neighborhood Assn. Encino Property Owners Assn. Forrest Hills Homeowners Assn. Franklin Ave./Hollywood Bl. West Franklin Hills Residents Assn. Highlands Owners Assn. Hollywood Dell Civic Assn. Hollywood Heights Assn. Hollywoodland Homeowners Holmby Hills HOA Kagel Canyon Civic Assn. La Tuna Canyon Community	Laurel Canyon Assn. Los Feliz Improvement Assn. Mt. Olympus Property Owners Mt. Washington Homeowners Nichols Canyon Assn. N. Beverly Dr./Franklin Canyon Oak Forest Canyon Assn. Outpost Estates Homeowners Residents of Beverly Glen Roscomare Valley Assn. Shadow Hills Property Owners Sherman Oaks HOA Studio City Residents Assn. Tarzana Property Owners Assn. Torreyson Flynn Assn. Upper Mandeville Canyon Whitley Heights Civic Assn.	<b>CHAIRPERSONS EMERITUS</b> Shirley Cohen Jerome C. Daniel Patricia Bell Hearst Gordon Murley Polly Ward  <b>CHAIRMAN IN MEMORIUM</b> Brian Moore
<b>PRESIDENT</b> Marian Dodge <b>CHAIRMAN</b> Charley Mims <b>VICE PRESIDENT</b> Mark Stratton Wendy-Sue Rosen <b>SECRETARY</b> Donna Messinger <b>TREASURER</b> Don Andres			

**Draft Minutes**  
**May 4, 2011**

**I. Call to Order:** President Marian Dodge called the meeting to order at 7:15 pm. Members and guests introduced themselves.

**Guest Speakers: Friends of La Rocha Trail -**

Patti Negri, Alexa Iles

Judy Kass Dowden and Alexa Iles Skarpelos from Hollywood Dell Civic Assn. formed Friends of La Rocha Trail ([www.savelarocha.org](http://www.savelarocha.org)) about a year ago when they discovered that the trail that had been used by the public for years was actually private property. A developer was planning to build on 10 steep lots. He got permits in 2005, but the neighbors stopped him by requiring that the road be standard width. They decided the only way to save the land was to buy it and donate it to the Santa Monica Mountains Conservancy. The neighborhood has raised \$75,000 for a deposit. They made a deal with the property owner to purchase property for \$299,000. They need to raise the remainder by Dec. 26. Checks are made out to the Mountains Recreation & Conservation Authority and are tax deductible. The restrictions of the Baseline Hillside Ordinance lowered the price of the property. They are negotiating with Councilmember Tom LaBonge now. They would qualify for Benefit Assessment District funds, but it all went for the purchase of Cahuenga Peak. Charley Mims moved to support Friends of LaRocha Trail in their efforts to raise the remaining \$265,000 needed for the purchase of the property. They are doing fundraisers to raise money to purchase the properties. They want to use CharityBuzz.com for an online auction. They are continuing their neighborhood pledge drive. The motion passed unanimously. They will send Marian a copy of previous Federation support and sent Marian a draft of the letter they would like written.

Patti Negri asked about 501(c)(3)s.

**II. Approval of April 6, 2011 minutes:** The minutes were approved as written.

**III. Officers' Reports**

A. President's Report

Marian received a thank you note from Anita Sokolsky, one of the honorees at the Holiday Party for her role in the acquisition of open space at Mulholland Drive & Laurel Canyon.

Marian thanked members who updated their roster information.

Marian requested notification of neighborhood issues as early as possible with as much information as possible so that the Executive Committee can decide if it is appropriate for the Federation to address the issue.

Marian reminded the members of the need to follow Robert's Rules of Order when discussing issues to keep the meeting moving in an orderly manner. Everyone will have a opportunity to speak on an issue for 2 minutes so wait until you are recognized. Everyone will have an opportunity to speak once before anyone is recognized to speak a second time on the same issue. Charley reminded everyone that comments must be directed to the chair.

B. Installation of officers

Hillside Federation Past President and current head of the Mulholland Design Review Board Alan Kishbaugh installed the new officers. Alan was president when the Federation was involved in AB 283 to get the city to conform to the General Plan, in getting the original Hillside Ordinance passed, and creating the Mulholland Design Review Board and Specific Plan with Barbara Fine, Gordon Murley, and Pat Bell. The Federation is still fighting for good government and to keep people honest. He urged us to keep the focus on Mulholland Dr. as a scenic parkway. They still have questions about the bridge across Mulholland.

C. Treasurer's Report

New Treasurer Don Andres described the filings required of 501(c)(3)s by the IRS and the state which were filed this week. He summarized the 2010 income/expenses. He gave the current balances in the Federation accounts. Membership has declined from 35 in 2008 to 29 today. We need more members to support operating costs and support causes. Our priority should be to get former members to rejoin.

**Motions:**

If you are planning on making a motion at the meeting, please prepare your motion ahead of time and bring enough copies for all member associations. This will make it easier for the directors to consider the merits of the motion and easier for the secretary to record it.

#### **IV. Old Business**

##### A. Franklin Canyon update - Ellen Scott

They had a positive article in the April 17 Sunday Times; however the Tuesday Op Ed said private property owner rights should take precedence over rights of long-time hikers. John Marisch, the Beverly Hills Councilman quoted in the article, is responding with a very pro article.

Hadid applied for 3 new permits before the BHO goes into effect; one is for 22,000-square-foot dwelling. Howard Berman and Zev Yaroslavsky may help. Koretz is working with them. They are looking for legacy hikers who have hiked the trail for 5 years before 1972 so that Attorney Steve Jones can prove public use of trail. They are fundraising to pay \$20,000 for attorney fees.

Carol Sidlow said Hadid has a substandard property lien because of prior illegal grading; he has to repair damage. Has Building & Safety put a claim on the title? He has a pattern of violations. Alexa Skarpelos noted that they can red flag a builder if he has repeated violations. Don Keller said their attorney should see that a lien is placed on the property because it will stop financing. Jim Nelson suggested they document trail use with historic aerial photographs. Wendy Rosen reported that Jane Usher was shocked at the number of permit applications that came in this week to beat the BHO. The State definition of vesting is once you have been granted permits and have actually started work; the City says you are vested as soon as you submit a permit. Jim Nelson asked if they have submitted a complete application which includes a full set of working drawings; if Hadid has submitted dummy plans, you can get him knocked out of the queue.

##### B. ACE - Administrative Citation Enforcement update - Wendy-Sue Rosen & Mark Stratton

Wendy and Mark attended a workshop on ACE implementation this afternoon. ACE is to address quality of life issues without going to court. We currently have no enforcement. The appropriate city department will cite the same as the always have. You can pay your fine and cure the violation or you can pay your fine and go to a hearing. They give violators a cure period. The City Attorney wants to try it out on small scale. Koretz submitted a plan for a pilot program to the Budget & Finance Committee. ACE does not change any law or code; it does not target any neighborhoods. They will start ACE on the USC campus at their request, Housing and LAPD (noise, leaf blower, public drunkenness, auto

repairs on the street. Currently LAPD is reluctant to cite small violations because they have to go to court to testify. LAPD worked with the City Attorney's Office to select the codes that they want to pilot.). Once they demonstrate success, other departments will come on board. They need to track repeat offenders so that they can be moved to the court system. ACE includes a hardship exemption. The plan is to serve as a deterrent, not a punishment. Animal Services codes currently don't fit ACE so they are working on it because they want to participate. ACE has passed Budget & Finance Committee and went back to the City Attorney. It has not been schedule for City Council yet. Carol Sidlow said the Bel Air/Beverly Crest Neighborhood Council was the first to support ACE and is garnering support.

##### C. Save Benedict Canyon - Nickie Miner

Following last month's motion for the hearing that week, the applicant realized his misrepresentations would be exposed. The applicant withdrew the application but quickly submitted another application for a smaller mansion to beat the BHO. Zev Yaroslavsky wrote a letter requiring a full investigation of all permits issued to the Tower Lane property. There will be another article on the mega-mansion in tomorrow's LA Times.

The Executive Committee is developing a template to help people prepare their presentations to assure that the presentation includes all the information necessary for a thoughtful decision.

Wendy-Sue Rosen moved that the Federation support the request in Yaroslavsky's letter to investigate all permits on the Benedict Canyon property and that no permits be issued until the investigation is complete. The motion passed unanimously.

#### **Hillside Federation Meeting Calendar**

##### **Save the dates!**

July 6  
September 7  
October 5  
November 2  
December 7 Party  
January 4, 2012  
February 1  
March 7  
April 4  
May 2

D. Lopez Canyon - Community Alliance for Open Space - Kit Paull

Kit thanked the Federation for writing a letter to oppose a truck driver school on the top of the landfill which would have converted the Lopez Canyon Open Space to industrial use. The Transportation Opportunity Program has been working with the Bureau of Sanitation and the Teamsters for years. The Community Alliance for Open Space has delayed it for a long time. The Coalition filed a law suit against City Council, the Bureau of Sanitation and the Department of Transportation. It will be heard May 16 at 9:30 in Superior Court, Dept. 86. They would appreciate people attending the hearing to show support. Only the attorneys will be making arguments. It's an environmental issue that has become a political issue. The truck driver school plan came from Councilmember Alarcon. The Coalition had support from the Santa Monica Mountains Conservancy and all 5 county supervisors. The deputy City Attorney representing the city is Mary Decker. Kit will notify Marian of the results of the hearing.

**V. New Business**

Institutional Corridor on Mulholland - Wendy-Sue Rosen

Neighbors have been trying to get a master plan for the area for years. Rosendahl promised to work on a master plan at the 2008 Federation holiday party. Wendy met with Rosendahl last week and he assigned his deputy Joaquin Macias to work on a master plan for the corridor. He's doing the research on it now and hopes to start meeting with constituents in a few months.

**VI. Adjournment** - The meeting adjourned at 8:55 pm.

Submitted,

Donna Messinger  
Recording Secretary

**Members Present:**

Bel Air Skycrest	Mark Stratton
	Lois Becker
Benedict Canyon	Nickie Miner
Brentwood Res. Coal	Don Keller
Franklin Av/Hlwd Bl	Don Andres
Franklin Hills Res.	Charley Mims
Hollywood Dell	Patti Negri
Hollywood Heights	Donna Messinger
Hollywoodland	Jeanne Clark
Kagel Canyon Civic	Kit Paull
Laurel Canyon Assn.	Jim Nelson
Los Feliz Impvmt.	Marian Dodge
Mt. Olympus POA	Mel Remba
Nichols Canyon	Madeline O'Donnell
N. Beverly/Franklin	Bob Levy
Outpost Estates	Ray Schuldenfrei
Studio City Res.	Claudia Freedle
Upper Mandeville	Wendy-Sue Rosen

**Guests Present:**

Chair Emeritus	Patricia Bell Hearst
Mulholland Design	Alan Kishbaugh
Review Bd.	
Hollywood Dell Civic	Judy Kass Dowden
	Alexa Iles Skarpelos
Save Franklin Canyon	Ellen Scott
	Steve Song
	Rob Wagner
	Angela Gallant
Lookout Mt. Alliance	Carol Sidlow
Bel Air/Beverly Crest NC	

**Web Site**

The Hillside Federation has a new web site, [www.hillsidefederation.org](http://www.hillsidefederation.org). It is still a work in progress.

One of the things we want to do is have live links to the web sites of all our member organizations. Please send us the link to your association's web site. In return, we ask that you post a link to the Hillside Federation web site on your web site.