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# Tarzana Property Owners Association

January 13, 2014

Planning and Land Use Management Committee  
Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90012

**Subject: River Improvement Overlay Districts and the Los Angeles River Improvement Overlay District**  
**Council File 12-0096-S1**

**Comments on the proposed RIO Ordinance.** While the Tarzana Property Owners Association (TPOA) strongly supports efforts to improve the Los Angeles River, we strongly object to provisions of the two proposed ordinances related to the establishment of River Improvement Overlay Districts. The primary objective to the general ordinance to establish River Improvement Overlay Districts is the extremely broad width of the outer boundary. The ordinance would impose significant landscaping and lighting restrictions on properties at considerable distances on either side of the river channel and imposes yet another layer of approval for new construction and major remodeling of existing properties. Equally important, those restrictions would do little or nothing to improve or preserve any aspect of the river. The City Planning Department cites nine purposes for the ordinance; we fully support the reasons cited but the extremely extensive width of the outer boundary do not contribute to this goal.

As an example, Purpose 2 states "Contribute to the environmental and ecological health of the City's watersheds." We fully support the goal, but the extensive width of the outer boundary makes little sense. The explanation previously given by Claire Bowin of the Planning Department for this purpose was to limit the amount of chemicals washed into the river by requiring plants with little need for chemicals. In the first place, residents are likely to use chemicals no matter what plants are used. In the second place, the watershed extends far beyond the boundaries specified. For example, the Los Angeles River drains essentially the entire San Fernando Valley; if the goal is to reduce chemical runoff, the entire Valley should be so restricted.

The overlay ordinance would impose some very onerous requirements on individual River Improvement Ordinances for individual homes and commercial establishments within a considerable distance of the Los Angeles River and other stream in Los Angeles. This ordinance is a rehash of the proposed ordinance considered by the City Planning Commission two years ago, with the same flaws to which the public objected. Specific objections, applicable to all new construction and major remodels within a proposed overlay include:

- The need to obtain an additional approval, from one more City agency, before being allowed to proceed. That additional approval is not consistent with the City goal to simplify the approval process.

- There are significant limitations in the types of plants that could be used in landscaping. The grasses that almost everyone in the Los Angeles uses would not be permitted, nor would many of the popular types of trees and shrubs.
- A 10 foot wide buffer zone would be required adjacent to the river for all projects in the inner core. That would impact current parking for a substantial portion of commercial and multi-family structures.
- Most confusing of all, every project adjacent to the river, except single family homes, would be required to provide access gates to the river from their property. This is truly absurd as access is prohibited except for access from several commendable River Improvement projects and streets that cross the river in some areas
- Overlay districts can be established ministerially by the Planning Department, with no notice or hearing involving the community to be affected.

**Establishment of the specific Los Angeles RIO District.** In addition to the general overlay ordinance, consideration is scheduled for the specific Los Angeles River Improvement Overlay District (LA RIO). How can you even consider a specific implementation of a general ordinance until after the general ordinance has been approved? When I brought this to the attention of the City Planning Commission two years ago at the end of the City Planning Commission hearing, William Roschen and the representative of the City Attorney's office both agreed that they had not thought through the matter and that the LA RIO could not be implemented before the RIO ordinance was passed by the City Council and signed by the Major. Again, delay any consideration of the LA RIO until a process is in place to allow establishment of specific implementation.

Specific objections to that implementation of the general ordinance include:

- The size of the specific LA RIO is much too large. It encompasses the entire length of the river. Specific implementations of general ordinances are meant to consider specific areas, not the entire City!
- The width of the outer zone is far too large; extending more than a mile from the LA River in some cases. A property, located a mile or more from the small body of water, which is dry or a minor trickle much of the year, does not affect the river and is not affected by it.
- In addition to the unreasonably large width, the boundary of the outer zone is often arbitrary. As an example, in my immediate area, the zone extends a few houses south of my home; it is not bounded by a street or other reasonable boundary.

**Summary.** While the community is supportive of efforts to improve the LA River and make it more than a concrete channel, the proposed ordinances contain some significant flaws. We strongly urge PLUM to eliminate the outer boundary conditions and to delay any effort to establish an LA RIO, or any other RIO district, until the necessary conditions for initiation of such a district are complied with.

Sincerely

  
David R. Garfinkle

President, Tarzana Property Owners Association

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