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Proposed Community Care Facilities Ordinance - Council File 11-0262

1 message

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Mon, Apr 4, 2011
at 3:22 PM

To: councilman.huizar@lacity.org, councilmember.reyes@lacity.org, councilmember.krekorian@lacity.org

Cc: candy.rosales@lacity.org, michael.espinosa@lacity.org, councilman.rosendahl@lacity.org, joaquin.macias@lacity.org, Paul.backstrom@lacity.org

RE: Council File 11-0262 Community Care Facilities Ordinance

Dear Councilmembers Reyes, Krekorian and Huizar:

The Pacific Palisades Community Council (“PPCC”) voted unanimously on September 23, 2010 to support the proposed Community Care Facilities Ordinance as a balanced approach to the needs of the disabled and the preservation of the residential character of R1 – R2 neighborhoods.


This letter was hand delivered at the PLUM meeting on March 29, 2011, and explains in more detail our reasons for support.

Please recommend this ordinance at your April 5th meeting.

Sincerely,

Janet Turner, Chair
Pacific Palisades Community Council
310-573-0382

Pacific Palisades Community Council, your voice in the community
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 Letter - PLUM - CCF Ordinance 3-28-11.doc
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PACIFIC PALISADES COMMUNITY COUNCIL

March 28, 2011

VIA EMAIL and Hand Delivered

Los Angeles City Council Members
Planning & Land Use Management Members
200 North Spring Street
Los Angeles, CA 90012

Re: PLUM #11-0262; Community Care Facilities Ordinance

Dear PLUM Members:

The Pacific Palisades Community Council (“PPCC”) voted unanimously on September 23, 2010 to support the proposed Community Care Facilities Ordinance as a balanced approach to the needs of the disabled and the preservation of the residential character of R1 – R2 neighborhoods.

We urge PLUM to support the Ordinance as written at the March 29, 2011 hearing. The PPCC agrees with the City Planning Department and the 80% majority (four out of five voting members) of the Central Planning Commission that the Ordinance provides a legitimate vehicle for mainstreaming persons with disabilities into residential communities for their greater health and well-being. In particular, the Ordinance:

- (1) Provides new and appropriate definitions for *Boarding or Rooming House* and *Single Housekeeping Unit* – we agree with the City that these new definitions (a) make the distinction between family residences and boarding/rooming houses clear such that the residential and stable character of single-family neighborhoods will be better maintained, and (b) are wholly consistent with City of Santa Barbara v. Adamson and the 2003 Attorney General’s opinion that allow regulating use of property and the imposition of zoning restrictions on boarding houses.
- (2) Revises LAMC Sec. 14.00(A) (Public Benefit Projects and Performance Standards) in an effort to compromise the importance of stakeholder concerns, the public’s right for notice & to be heard, the industry’s desire to get a public benefit use determination without having to deal with affected property owners and neighborhoods, and the City’s interest in streamlining the process. The PPCC continues to recommend that public notice¹ and a public hearing should take place before the public benefit covenant is recorded. However, we support the Ordinance with optimism that the Director of Planning will exercise proper discretion in both the public benefit determination and in the instance where an operator subsequently fails to adhere to the LAMC’s performance standards.

¹ There are many provisions of LAMC, Chapter 1 that provide notice to adjacent and affected property owners before a change in use or change in physical condition to a R1-R2 zoned property such as installation of a cell tower, grading, demolition of a house/structure, etc.

- (3) Does not have “unintended consequences” on existing housing for the elderly, physically disabled and foster families such that they may be forced to close or relocate. Any such housing located in R3+ or commercial zones is not affected by the Ordinance. Within R1-R2 zones, the home remains legal provided that a state license is obtained (less than 6 residents) or the City determines the use to be a public benefit (7 or more residents). Second, foster family homes and elder-care facilities are specifically exempted from over-concentration per Government Code Sec. 1520.5(f); likewise, there are no distance or concentration limits contained in the Ordinance (although the PPCC had requested a concentration limit of 300 feet between CCF’s and a 1,000 square foot distance limit from sensitive uses).
- (4) PPCC believes that the Ordinance is the City’s appropriate response to public health, welfare, and safety concerns - proper management and regulation are apt for residents who need group living arrangements for comfort and support (such as foster children who, beginning in 2010, are now protected by the State’s maximum capacity of six resident children per licensed home).

Thank you once again for your consideration, time and commitment to this most important matter.

Sincerely,

Janet Turner
Chair, Pacific Palisades Community Council

cc: Members of City Council
Paul Backstrom