



Candy Rosales <candy.rosales@lacity.org>

Fwd: Fw: Community Care Facility Ordinance

1 message

 Michael Espinosa <michael.espinosa@lacity.org>

Tue, Mar 29, 2011 at 8:14 AM

To: Candy Rosales <candy.rosales@lacity.org>

----- Forwarded message -----

From: **Maria** <mbfisk@verizon.net>

Date: Mon, Mar 28, 2011 at 6:26 PM

Subject: Fw: Community Care Facility Ordinance

To: Michael.Espinosa@lacity.org

RE:

Case No: CPC-2009-800-CA

CEQA: ENV-2009-801-ND

CF 07-3427 (10/14/10)

CF 11-0262 (2/16/11)

Dear Michael Espinosa,

I have mailed (via U.S. Mail –24 hr) the attached documents to the Chair and members of the Planning and Land Use Management Committee. Both resolutions were approved by a unanimous vote of the Old Granada Hills Residents' Group Board of Directors.

Could you please distribute this email along with the attachments to all members of the PLUM Committee

1. CCFO-OGHRG – This document (suggested modifications to the proposed CCFO) was submitted to the CPC prior to the 10/14/10 public hearing.

2. CCFO-OGHR ltr 3-29 – This document (restates the OGHRG position that was included in the initial 10/14/10 OGHRG resolution) is now being submitted to the

PLUM Committee challenging the Planning Department's removal of sections pertaining to Correctional and Penal Institutions (Supplemental Report released 1/28/11).

This is a priority issue that needs to be addressed immediately and included within the ordinance.

Thank You,

Maria Fisk

For Information Purposes:

Old Granada Hills Residents' Group, Board of Directors, member
OGHRG, Zoning and Density Committee, chair


3/29/2011

City of Los Angeles Mail - Fwd: Fw: Co...

Granada Hills South Neighborhood Council, Land Use Committee, member
Granada Hills Specific Plan, Design Review Board, member
Neighborhood Watch, member

2 attachments

 **CCFO OGHRG Itr 3-29-11.pdf**
520K

 **ccfo-oghrq.pdf**
150K



March 27, 2011

Councilmember Ed P. Reyes, Chair
Planning and Land Use Management Committee
Los Angeles City Hall
200 N. Spring Street, Room 410
Los Angeles, California 90012

Case No: CPC-2009-800-CA
CEQA: ENV-2009-801-ND
CF# 07-3427 (October 14, 2010)
CF# 11-0262 (February 16, 2011)

Dear Ed P. Reyes:

The Los Angeles Dept of City Planning prepared a Supplemental Report (to the proposed Community Care Facility Ordinance) released January 28, 2011. The Old Granada Hills Residents' Group wishes to challenge the following recommendation within this Report:

Removal of sections of the proposed ordinance that pertain to Correctional and Penal Institutions and Group Homes for Parolees and Probationers.

The State of California recently passed a law allowing early release from prison to reduce the prison population. This desperate move may jeopardize public safety and security. There are plans to release tens of thousands of prisoners. Many of them have nowhere to go and will undoubtedly seek housing in already overburdened group or halfway houses. In recent years, communities across the City have witnessed an exponential growth of group/sober living houses. Many of these facilities are currently housing large numbers of parolees and probationers. This is a volatile situation that is dangerous for those living in these houses as well as for the surrounding community. Other cities (Riverside, San Bernardino, Orange, Colton, Fontana, Loma Linda, Murrieta) are either considering new ordinances or have enacted ordinances regulating parolee/probationer houses. The City of Los Angeles must do the same. It is unacceptable to bring hardened criminals to our doorsteps. Therefore, we strongly urge you to resubmit sections of the proposed ordinance that pertain to Correctional and Penal Institutions and Group Home for Parolees and Probationers, that include the following suggested definitions and modifications:

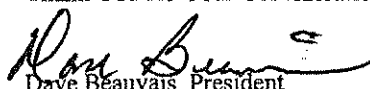
Parolee – An individual who has been convicted of a crime and has been released prior to the expiration of that person's term of imprisonment, subject to both the supervision of correctional authorities during the remainder of the term and a resumption of the imprisonment upon violation of the conditions imposed.


Probationer – An individual who has been convicted of a crime and who has been released from prison provided he/she maintains good behavior. He/she may have some freedom to reenter society subject to the supervision and discretion of correctional authorities.

Correctional or Penal Institutions Are Prohibited From Utilizing a Conditional Use Permit In Order to Locate In Residential Zones: Prohibit Correctional or Penal Institutions in residential districts zoned one-family dwelling (that include A1, RA, RS, RE9,11,15,20,40, R1, RD 1.5, 2,3,4,5,6). Probationers shall be limited to no more than 1 in Community Care Facilities serving 7 or more residents. Parolees shall be housed in Correctional or Penal institutions that are under the auspices of California State Department of Corrections and Rehabilitation. These facilities shall maintain 24 hour/day on site supervision, by safety or correctional officials.

It is wholly inconsistent with the nature of residential zones to allow prisons, jails, halfway houses and group parolee homes to operate within them under a conditional use permit or otherwise.

Thank You for Your Consideration,


Dave Beauvais, President
Old Granada Hills Residents' Group


Maria Fisk, Chair
OGHRG Zoning and Density Committee

CC: Greig Smith, Councilmember; Jose Huizar, Councilmember; Paul Krekorian, Councilmember

Motion to Amend the Proposed Community Care Facility Ordinance

Whereas, the City of Los Angeles has determined that it is necessary to modify the Los Angeles Municipal Code's ("LAMC") existing definitions of *family* and *boarding/rooming houses*, and adding the definition of *single housekeeping unit*, as a way to provide effective tools for the City to enforce its zoning laws with respect to transient types of group homes operating in single family neighborhoods.

Whereas, the City of Los Angeles has proposed amending Sections 12.03, 12.05, 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09.1, 12.09.5, 12.10, 12.12, 12.12.2, 12.21, 12.22, 12.24, and 14.00 of the LAMC to add definitions of *Community Care Facility*, *Residential Care Facility for the Elderly*, and *Alcoholism or Drug Abuse Recovery or Treatment Facility* to the LAMC to bring it into conformance with the California Community Care Facilities Act. As mandated by State law, the ordinance permits these State licensed facilities with six or fewer residents in any zone that permits single-family homes. It also permits those with seven or more residents as public benefits, requiring performance standards. The proposed ordinance also amends the definitions of *Boarding or Rooming House* and *Family* to provide clear guidelines for the appropriate enforcement of boarding homes with transient characteristics and prohibits *Boarding or Rooming Houses* in one-family dwellings zoned RD. Lastly, it adds a definition for *Correctional or Penal Institution* to ensure that group homes for parolees are classified as conditional uses.

Whereas, the community of Old Granada Hills recognizes that overcrowded living conditions are inhumane. These types of substandard living conditions promote crime, assaults, abuse, rape, and exacerbate disabilities whether they are physical, psychological or addictive in nature.

Whereas, the community of Old Granada Hills has been subjected to the negative impacts (associated crime and strain on city services, infrastructure, environment) of illegal boarding/rooming houses in residential districts zoned one- family dwelling.

Whereas, the community of Old Granada Hills wishes to preserve the safety, health, welfare and character of residential districts zoned one-family dwelling (that include A1, RA, RS, RE9,11,15,20,40, R1, RD 1.5, 2,3,4,5,6).

Therefore, be it resolved that the Old Granada Hills Resident's Group requests the Community Care Facilities Ordinance be amended to include the following provisions:

1. All Community Care Facilities Must be Licensed. The proposed Ordinance must clearly state that there shall be:
 - (a) No unlicensed facilities serving 6 or fewer residents.
 - (b) No unlicensed Community Care Facilities serving 7 or more residents.Any group home, group living arrangement or residential facility that houses and/or provides care or supervision for the elderly, children, homeless, physically handicapped, disabled, shall be licensed by the State of California's Department of Social Services or California Department of Alcohol, or other State agency given the explicit authority to do so. *Under the auspices of aforementioned regulatory agencies the number of operators, quality of operators, approved fire clearances, local building use permits, on-site inspections and reviews, and health safety standards can be more effectively monitored and assured.*
2. Licensed Community Care Facilities Serving 7 or more residents shall require a Conditional Use Permit and Public Hearing in the one family dwellings (designated A, R) and C zones. *As written, the proposed Ordinance utilizes a "ministerial process" that does not require a public hearing or letter of determination. The fundamental principles of fairness and due process require that the City provide impacted communities the opportunity to be heard when a licensed Community Care Facilities serving 7 or more Residents is seeking to locate in the immediate area. No effective cap on occupancy has*

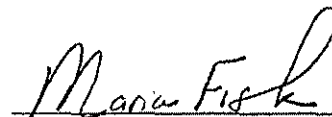
been established. Allowances that offer housing for an unlimited number of individuals (even if facilities are licensed) do not meet "Public Benefits" standards. Overcrowding puts individuals living under such conditions at an increased risk of abuse, violence, assault and rape. Not only is this a disservice to residents living under such conditions, but negatively impacts the surrounding community as well.

3. Concentration: Licensed Community Care Facilities serving 7 or more residents shall be located more than 1,000 feet from each other and 2,000 feet from schools, places of worship, and youth centers. *Over-concentration creates problems with parking, noise and incompatibility with the character and quality of residential neighborhoods.*
4. Add a Clear Definition of Parolee and Probationer
5. Correctional or Penal Institutions Are Prohibited From Utilizing a Conditional Use Permit In Order to Locate In Residential Zones: Prohibit Correctional or Penal Institutions in residential districts zoned one-family dwelling (that include A1, RA, RS, RE9,11,15,20,40, R1, RD 1.5, 2,3,4,5,6). Probationers shall be limited to no more than 1 in Community Care Facilities serving 7 or more residents. Parolees shall be housed in Correctional or Penal institutions that are under the auspices of California State Department of Corrections and Rehabilitation. *It is wholly inconsistent with the nature of low zoned residential neighborhoods to allow prisons, jails, halfway houses and group parolee homes to operate within them under a conditional use permit or otherwise.*
6. No Grand-Fathering of Existing Facilities: It must be clearly stated that any existing unlicensed or illegally licensed community care facilities, illegally operating boarding/rooming houses/group homes/parolee homes shall be immediately abated upon enactment of this ordinance. Fine for violations shall be established at \$1,000/day/each resident or tenant.
7. Lease Agreement: A lease must be effectively defined and clarified in order to prevent more than one tenant to sign under an agreement such as a Master Lease or non-concurrent lease times.
8. Occupancy: Living, Family, Dining Rooms, Kitchens, Bathrooms, Hallways, Garages, Utility Rooms, Stairwells are not considered Sleeping Rooms. Bedrooms and Guest Rooms shall be considered Sleeping Rooms and limited to 2 Residents for every Bedroom or Guest Room. *Therefore Sleeping Rooms determine and set limits for occupancy.*
9. For Purposes of Clarification: Include a Land Use Regulations chart or table that clearly specifies permitted and non permitted uses.



Dave Beauvais, President
Old Granada Hills Residents' Group

Date: 10/9/10



Maria Fisk, Zoning and Density Committee
Old Granada Hills Residents' Group

Date: 10/9/10