

Sunland-Tujunga Neighborhood Council

IMPROVING THE QUALITY OF LIFE IN SUNLAND TUJUNGA

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March 29, 2011

Planning & Land Use Committee
City of Los Angeles
200 N. Spring Street
Los Angeles, CA

4
Date: 3/29/11
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 4
Deputy: PUBLIC

RE: Community Care Facilities Ordinance CF-11-0262
Agenda Item #4 on 3-29-11

To Whom It May Concern:

This letter is submitted in support of the City's ordinance regarding Community Care Facilities:

Clarification that there can be absolutely no unlicensed community care facilities or "sober living" homes operating in low-zoned residential neighborhoods; Community care facilities must be located at least 300 feet apart; Community care facilities must be 2,000 feet from schools, churches, temples and other places of religious worship; Public hearings shall be required before City may make a determination relative to the "Public Benefits" test; There shall be no "grand-fathering" in for existing community care facilities that are currently in existence but operating unlicensed or illegally licensed; and Correctional or Penal Institutions, including group homes, are entirely prohibited from locating in residential zones – meaning that there is no chance for these operators to use the CUP process.

The motion carried with two abstentions

Approved at the STNC Board meeting held on October 13, 2010.

Sincerely,



Dan McManus
President

cc: Paul Krekorian, Council District 2

WESTSIDE REGIONAL ALLIANCE OF COUNCILS

#4

BEL AIR BEVERLY CREST NEIGHBORHOOD COUNCIL
BRENTWOOD COMMUNITY COUNCIL
DEL REY NEIGHBORHOOD COUNCIL
MAR VISTA COMMUNITY COUNCIL
PACIFIC PALISADES COMMUNITY COUNCIL
PALMS NEIGHBORHOOD COUNCIL

SOUTH ROBERTSON NEIGHBORHOODS COUNCIL
NEIGHBORHOOD COUNCIL OF WESTCHESTER-PLAYA
WEST LA NEIGHBORHOOD COUNCIL
WESTSIDE NEIGHBORHOOD COUNCIL
WESTWOOD COMMUNITY COUNCIL
WESTWOOD NEIGHBORHOOD COUNCIL
VENICE NEIGHBORHOOD COUNCIL

February 7, 2011

VIA E-MAIL

Mayor Antonio Villaraigosa
Los Angeles City Councilmembers
Central Planning Commission
Attn: James K. Williams
200 N. Spring Street.
Los Angeles, CA 90012

Date: 3-29-11
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 4
Deputy: PUBLIC

RE: Council File No. 07-3427CPC: 2009-800-CA; ENV-2009-801-ND 'COMMUNITY CARE FACILITIES' Ordinance for Community Care Facilities in low-density residential zones

Dear Mayor, Councilmembers and Planning:

The Westside Regional Alliance of Councils (WRAC) was formed in 2008, and is made up of the twelve above referenced Neighborhood and Community Councils. The WRAC was formed to provide a forum for the discussion and review of issues of interest to the Westside of Los Angeles on a region-wide basis, and to be an advocate for its member councils in dealing with governmental and private entities on issues we collectively deem important to our region. Each member council designates a voting delegate to the WRAC, and those delegates make up the WRAC's governing Board.

The following motion has been adopted by the WRAC with a supermajority of ten members voting in favor, or substantially in favor of the below language:¹

WRAC CCF Ordinance Motion:

WRAC supports the City Council's CCF Ordinance and hereby urges that the Ordinance shall also:

(i) limit the concentration of facilities, (ii) require a public hearing for all applications directing that a public benefit must be demonstrated and/or where the applicant requests a reasonable accommodation, and (iii) provide an affirmative statement that no legal non-conforming use is created by the ordinance.²

¹ Please also note that the Venice Neighborhood Council postponed this issue indefinitely, and the South Robertson Neighborhood Council and Westwood Neighborhood Council have not taken votes on this issue.

² Please also note that Pacific Palisades Community Council, Brentwood Community Council, Bel Air Beverly Crest Neighborhood Council, Westside Neighborhood Council, Mar Vista Community Council, Neighborhood Council of Westchester/Playa Del Rey and Del Rey Neighborhood Council further voted that the CCF Ordinance "restrict location near schools and other sensitive uses by 1,000 feet".

We feel that the issues addressed in this motion are not only of vital importance to the Westside, but also necessarily concern all of Los Angeles, which does not break down conveniently by district lines. As such, we would appreciate a formal response from each of you with respect to your positions on this issue. Please feel free to contact me at mnewhouse@newhouseseroussi.com with your thoughts.

Sincerely,

A handwritten signature in cursive script that reads "Mike R. Newhouse".

Mike Newhouse
Chair

Cc: WRAC Delegates and Alternates
Michael LoGrande, Director of Planning, michael.logrande@lacity.org
Alan Bell, Planning Dept., alan.bell@lacity.org



PACIFIC PALISADES COMMUNITY COUNCIL

#4

March 28, 2011

VIA EMAIL & HAND DELIVERY

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

Date: 3-29-11
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 4
Deputy: PUBLIC ✓

Re: PLUM #11-0262; Department of City Planning report and proposed Ordinance defining Community Care Facility, Licensed; Residential Care Facility for the Elderly, Licensed; and Alcoholism or Drug Abuse Recovery or Treatment Facility, Licensed; bringing the Municipal Code into conformity with State law; regulating these facilities as public benefits; defining Single Housekeeping Unit and amending the definitions for Boarding or Rooming House and Family. Proposed Community Care Facilities Ordinance (initial and supplemental staff reports dated 10/14/10 and 02/10/11; the "Ordinance")

Dear PLUM Members:

The Pacific Palisades Community Council ("PPCC") hereby expresses its support for the Ordinance which is 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.

- (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

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.