



Candy Rosales <candy.rosales@lacity.org>

Fwd: Council File No. 11-0262 -- Proposed CCFO (Community Care Facility Ordinance)

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Candy Rosales <candy.rosales@lacity.org>

Wed, Apr 18, 2012 at 8:17 AM

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From: swcalif <swcalif@aol.com>

Date: Tue, Apr 17, 2012 at 6:32 PM

Subject: Council File No. 11-0262 -- Proposed CCFO (Community Care Facility Ordinance)

To: sharon.gin@lacity.org, councilmember.reyes@lacity.org, councilmember.englander@lacity.org, councilmember.huizar@lacity.org

Cc: daphne dionisio <daphne@glendale.edu>, mfisk@verizon.net, rebecca lobl <rebeccalobl@earthlink.net>

Re: Council File No. 11-0262 Community Care Facility Ordinance

Honorable Councilmembers Ed Reyes, Mitchell Englander, and Jose Huizar:

Although I support the concept of a fair and balanced CCFO (Community Care Facility Ordinance), I am **STRONGLY OPPOSED to the version** as recommended in the most recent **City Planning report**.

Community care facilities (e.g. elder/child/adult day care and residential group facilities) that serve 7 or more clients create detrimental effects on low-density residential areas (e.g. single family zones like R1 and R2) and therefore it is critical that any Community Care Facility Ordinance must NOT allow such facilities into any zone automatically "by right" as a pre-approved use, allowable in R-2, R-1 and less dense zones, such as RA, etc., without the due process of a public hearing.

As these uses often lead to property values for neighboring properties by as much as 30% or more (our coalition has strong data to support this), to allow such a high density use without such due process, would be a violation of several constitutionally guaranteed rights, among them, allowing such uses would essentially be a constructive taking of property without due process or fair compensation, as required by law.

Should this happen, it would expose the City to litigation into the hundreds of millions of dollars or more, for those multiple neighbors, whose property values are significantly decreased by the proximity of such large group facilities.

It is imperative that the ordinance requires facilities for 7+ to first have a public hearing and acquire a zoning variance if they intend to be in an R1 or R2 zone or less dense zone. The General Plan creates separate and distinct zones each with their own unique character, usage, and nature. Business enterprises that operate day programs or residential care for 7 or more clients are best located in multifamily or commercial zones, not in zones designed for homeowners of individual family houses.

Make no mistake, these large group facilities money making machines (regardless of non-profit status) for their respective owner / operators. These profits often run into the many millions of dollars PER HOME, when the operator, CRAMS 30, 40 OR MORE PEOPLE into a modest 1,800 foot home, without regard for the neighbors, or the health and well being of their own residents / customers. This is not an isolated or uncommon example of what we find in our neighborhoods. Often the conditions in these facilities are deplorable, and put excessive burdens on the already strained resources of the police, tax payers and other public safety and administrative agencies.

Currently, there are multiple RA1 neighborhoods that are fighting to preserve their low-density neighborhoods against large community care facilities that are hurting/will hurt the surrounding properties' residential character, quiet enjoyment, and property value. In the Northridge South area, 75 homeowners in the semi-rural RA1 neighborhood called San Fernando Rurban Homes are passionately opposing an adult day care in the middle of the block that is requesting a zoning variance to expand their number of clients to 36. The homeowners of the neighborhood have expressed overwhelming opposition to the expansion in neighborhood council and zoning administration hearings, letters to hearing officials, and signatures on a petition.

In the Tarzana area, hundreds of homeowners in the two RA1 neighborhoods surrounding the Calvert Street site purchased by the developer of a 157-bed eldercare recently won their South Valley Area Planning Commission hearing against the eldercare developer. In the Woodland Hills' RA1 neighborhood of Walnut Acres, hundreds of homeowners awaiting the zoning administration hearing results regarding their opposition to a proposal for a 76-bed eldercare in their single family neighborhood. Homeowners in low-density residential areas understand the adverse impact that large community care facilities have in such zones.

It is critical for any Community Care Facilities Ordinance to maintain the current Los Angeles Municipal Code requirement for a public hearing and zoning variance for large facilities in R1 and R2 and similar low density residential zones.

Sincerely,

Steven Warshawsky

Northridge, California