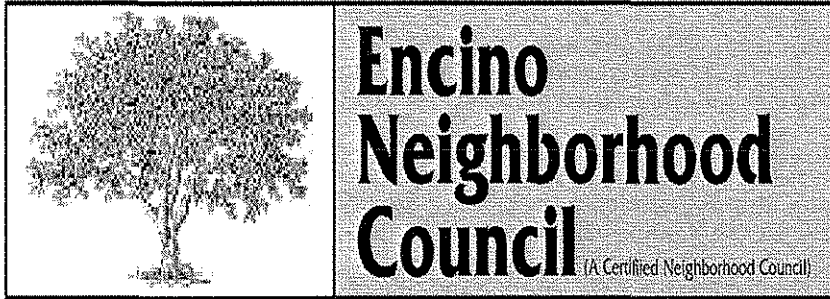


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ENCINO, CA 91426-0439
(818) 817-6998
WWW.ENCINOCOUNCIL.ORG

Date: 4-5-11
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 3
Deputy: Encino
Neighborhood
Council

March 28, 2011

Re: Planning & Land Use Management Committee Meeting Tues. March 29, 2011
File No. 11-262 – Agenda Item No 4

Councilmember Ed P. Reyes, Chair
Councilmember Jose Huizar
Councilmember Paul Krekorian
Los Angeles City Hall,
200 North Spring Street
Los Angeles, CA 90012

Re: WRITTEN COMMUNICATION REGARDING: PROPOSED ORDINANCE
CASE NO CPC-2009-800-CA, CEQA ENV-2009-801-ND, COUNCIL FILE 07-3427

Dear Councilmembers Reyes, Huizar and Krekorian,

**On January 25, 2011 the NCINO NEIGHBORHOOD COUNCIL
unanimously passed the following motion:**

“The Encino Neighborhood Council appreciates the Planning Department's Proposed Ordinance and its efforts to address the city-wide issue of for-profit group homes in residential zones. However, we find that there remain a number of serious concerns. Thus, we respectfully request the Ordinance be amended to address the following eight issues:

Enforcement - The Proposed Ordinance be amended to provide a specific mechanism for enforcement of the regulations. The Ordinance provide the Department of Building and Safety with specific obligations to inspect the premises, review any applicable licenses and/or leases, and generally investigate the living conditions of all boarding homes, including sober living and group parolee homes, which are suspected of illegally operating in low density residential zones.

Density - While the Proposed Ordinance references "bedroom," and "guest room," it provides no definition of the terms. Section 19 (1 O) (a) (7). The Ordinance must define "Bedroom" so as to limit the number of areas within a single family dwelling that may be used for sleeping purposes in CCF's serving 7 or more residents in residential zones, thereby placing a limit on the number of residents in a house.

Public Hearings for Performance Standards - The Proposed Ordinance categorizes those CCF's serving seven or more residents as "Public Benefits" if they meet the applicable Performance Standards. Currently written, to determine whether a use is a Public Benefit, there need not be a public hearing. However, the Performance Standards are of such a

public nature that it would behoove the City to require a public hearing in order to include neighborhood comment before deciding the issue.

Performance Standards Must Include a Prohibition Against Second Hand Smoke -

We recommend that the Proposed Ordinance be amended to adopt a prohibition against second hand smoke as a Performance Standard for all Public Benefits.

Unlicensed Community Care Facilities - Part 1 of the proposed Ordinance be amended to clearly state that there will be no (a) unlicensed facilities serving six or fewer residents and (b) unlicensed community care facilities serving seven or more residents eligible for the "public benefits" test. This modification will bring the proposed ordinance into conformance with state law that requires any and all residential facilities to have a valid license to operate. Further, it is only through the State of California's Department of Social Services licensing procedures that (among other things) 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 assured.

The Proposed Ordinance Must Limit the Proximity of Boarding Homes and Licensed Community Care Facilities Serving 7 or More to Other Similar and Sensitive Uses. The Staff Report Must Include Findings that Group Homes Create Additional Concerns and Secondary Impacts - The Report be amended to include other concerns that would be brought to light at a public hearing, such as conversion of garages to other uses, increased trash leading to vermin, frequent calls for police assistance resulting in several arrests, public urination and indecent exposure, public drunkenness and drug use.

Correctional or Penal Institutions be Prohibited From Utilizing a Conditional Use Permit In Order to Locate In Residential Zones - the proposed Ordinance should be amended to prohibit Correctional or Penal Institutions in RI, RD1.5, R2 and RD zoned areas. 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.

No Grand-Fathering of Existing Facilities - It must be made clear that any existing (a) unlicensed or (b) illegally licensed community care facilities would have to comply with the new ordinance to be allowed. This clarification is required to ensure that all facilities are brought into compliance with the existing zoning code provisions that **protect the character of established residential neighborhoods."**

Please consider including the above points in the proposed ordinance.

Sincerely,

Louis Krokover

Louis Krokover, President: Encino Neighborhood Council

Diane Rosen,

Chair: Planning & Land Use Committee / Encino Neighborhood Council

CC: Councilmember, Greig Smith
Councilmember, Paul Koretz
Councilmember, Bill Rosendahl
Michael LoGrande, Director: City Planning Department
Alan Bell, Deputy Director: City Planning Department
Thomas Rothmann, ZA/ Code Studies: City Planning Department
Michael Espenssa, Legislative Assistant

COMMUNITY IMPACT STATEMENT

Contact Information

Neighborhood Council: ENCINO Neighborhood Council
Name: Diane Rosen, Chair ENC/PLU Committee
Phone Number: 818-788-1223
Email: DIANE ROSEN <diane_rosen@sbcglobal.net>
Date of NC Action: 01/25/2011

Impact Information

Date: March 31, 2011
Update to Previous Input: NO
Directed To: City Council and Committees
Council File No: 11-0260
Agenda Date: April 5, 2011
Item Number 3

Brief Summary: (300 words, / 288)

On Jan. 25, '11, the ENCINO Neighborhood Council unanimously passed a motion **SUPPORTING** the: **CITYWIDE PROPOSED ORD -CASE NO CPC-2009-800-CA** with the following amendments.

1. **ENFORCEMENT:** The Dept. of Building & Safety be provided with a specific mechanism for enforcement of current Building Codes and be obligated to inspect the premises: review any applicable licenses and/or leases, and generally investigate the living conditions of all Community Care Facilities, including sober living and group parolee homes, which are suspected of illegally operating in low density residential zones.
2. **DENSITY:** Define "Bedroom" so as to limit the number of areas within a single family dwelling that may be used for sleeping
3. **PUBLIC HEARINGS BE REQUIRED:** When considering PERFORMANCE STANDARDS: the City be required to hold public hearings in order to include neighborhood comment before deciding the issue.
4. **PERFORMANCE STANDARDS:** Include a Prohibition against second hand smoke
5. **PUBLIC BENEFIT TEST:** Unlicensed Community Care Facilities can NOT be eligible for the "public benefits test.
6. **PROXIMINTY:** Staff report includes findings that group homes create additional concerns and secondary impacts on residential neighborhoods.
7. **CORRECTIONAL OR PENAL INSTITUTIONS:** Prisons, jails, halfway houses and group parolee homes be prohibited to operate under a conditional use permit in RI, RD1.5, R2 and RD zoned areas.
8. **NO GRAND-FATHERING OF EXISTING FACILITIES:** All existing - (a) unlicensed or (b) illegally licensed community care facilities have to comply with the new ordinance to be allowed. This clarification is required to ensure that all facilities are brought into compliance with the existing zoning code provisions that **protect the character of established residential neighborhoods."**

Please include this ENCINO Neighborhood Council – "COMMUNITY IMPACT STATEMENT" in the public record for: PROPOSED ORD - CASE NO CPC-2009-800-CA.

CC: CD-5 Paul Koretz
CD-12 Greig Smith
Allen Bell
Tom Rothmann

Fwd: Community Impact Statement - City Council and Committees

Monday, April 4, 2011 1:20 PM

"Laurie" <pkelsondds@aol.com>
Add sender to Contacts



diane_rosen@sbcglobal.net

2 Files (53KB) | [Download All](#)

From:

To:

Message contains attachments

-  [BoardAction General Council Meeting Minutes 1-26-11.pdf](#)
-  [COMMUNITY IMPACT STATEMENT\[1\].pdf](#)

-----Original Message-----

From: Clerk.CIS@lacity.org

To: clerk.CIS@lacity.org

Cc: pkelsondds@aol.com

Sent: Mon, Apr 4, 2011 1:00 pm

Subject: Community Impact Statement - City Council and Committees

Contact Information

Neighborhood Council: Encino Neighborhood Council

Name: Laurie Kelson

Phone Number: 818-783-6-134

Email: pkelsondds@aol.com

Date of NC Board Action: 1/25/2011

Type of NC Board Action: For Proposal

Impact Information

Date: 04/04/2011

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 11-0262

Agenda Date: 4-5-2011

Item Number: 4

Brief Summary: 1.ENFORCMENT: Dept. of B/S inspect premises, review licenses and/or leases.2.DENSITY: Define "Bedroom". 3.PUBLIC HEARINGS BE REQUIRED before decisions regarding PERFORMANCE STANDARDS.4.PERFORMANCE STANDARDS: Prohibition against second hand smoke5.PUBLIC BENEFIT TEST: Unlicensed CCF NOT eligible for the "public benefits test. 6.PROXIMINTY: Staff report includes findings that group homes create additional concerns Additional Information: and secondary impacts on residential neighborhoods. 7.CORRECTIONAL OR PENAL INSTITUTIONS: Prisons, jails, halfway houses and group parolee homes be prohibited to operate under a CUP in RI, RD1.5, R2 and RD zones. 8.NO GRAND-FATHERING OF EXISTING FACILITIES: All existing - (a) unlicensed or (b)illegally licensed community care facilities have to comply with the new ordinance.