



9/24/19  
Item 39

## CITY OF COSTA MESA

77 Fair Drive | P.O. Box 1200, Costa Mesa | California 92628-1200  
Phone 714.754.5285 | Fax 714.754.5330 | [www.costamesaca.gov](http://www.costamesaca.gov) | [Katrina.Foley@costamesaca.gov](mailto:Katrina.Foley@costamesaca.gov)

*From the Office of the Mayor Katrina Foley*

September 24, 2019

Chairwoman Lisa Bartlett  
Supervisor, 5<sup>th</sup> District  
County of Orange  
333 W. Santa Ana Blvd.  
Santa Ana, CA 92701

**SUBJECT: ZONING CODE AMENDMENT CA 19-01 COMMUNITY CARE FACILITY AND GROUP HOME REGULATIONS**

Dear Chair Bartlett and Members of the Board:

I am writing in regard to the Board of Supervisor's meeting on Tuesday, September 24, 2019, at which time you will consider the first reading and adoption of an ordinance for Zoning Code Amendment CA 19-01. In this process, I urge you to consider the following:

- Modifying the ordinance to affirmatively regulate group homes (including Sober Living Homes) with seven (7) or more persons in any Residential zone.
- Including as part of the ordinance provisions that establish penalties for brokering clients from out of state or the region, including fines and possible revocation of permit.
- Including operating requirements that:
  - (1) Provide eviction/anti-curling protection for residents that mandate notification to various persons and agencies.
  - (2) Provide eviction/anti-curling protection that mandate operators provide transportation back to the home of origin or another facility.
- Include a 650 foot separation requirement for the following:
  - (1) Sober Living Homes with seven (7) or more persons; and
  - (2) <sup>DHCS</sup> ~~DSS~~ Licensed Drug and Alcohol Treatment Facilities (7-9-141.4) with seven (7) or more allowed in multi-family residential zones.
- Clarify that the separation requirements from other Sober Living Homes and Treatment Facilities apply to other homes and facilities that are located outside of unincorporated areas the County

In October 2014, November 2015, and May 2017, the City of Costa Mesa passed its own ordinances pertaining to the permitting and operation of recovery housing facilities. The City's regulations for recovery housing have recently been upheld by the federal district court; the City hopes they can help serve as a model for other communities to ensure the proper operation of recovery housing facilities and support of persons in recovery.

Thank you for the opportunity to provide comments on the first reading of this ordinance. The City of Costa Mesa appreciates the opportunity to participate with the County to address concerns of impacted local residents and to limit impacts to the greatest extent practical. Currently, Assembly Bill 919, which is awaiting signature on the Governor's desk would require the Department of Health Care Services to develop a viable enforcement program around investigation of patient brokering, require separate contracts for housing if Treatment Centers are providing both treatment and housing and require return transportation provided by Treatment Center.

For further information, please contact Costa Mesa City Attorney Kimberly Hall Barlow at 714-446-1400.

Sincerely,



KATRINA FOLEY  
Mayor

cc: ✓ Clerk of the Board  
333 W. Santa Ana Blvd, Room 465  
P.O. Box 687  
Santa Ana, CA 92702-0687

Mr. Frank Kim, County Executive Officer  
Hall of Administration  
333 W. Santa Ana Blvd.  
Santa Ana, CA 92701

Mr. Leon Page, County Counsel  
333 W. Santa Ana Blvd.  
P.O. Box 1379  
Santa Ana, CA 92701