

UNOFFICIAL UNTIL APPROVED

MINUTE EXCERPTS FROM THE
OCTOBER 12, 2015 PLANNING COMMISSION MEETING
REGARDING THE GROUP HOME ORDINANCE
(Public Hearing No. 2 – CO-15-04)

2. **Application No.:** CO-15-04
Applicant: City of Costa Mesa
Site Address: Citywide
Project Planner: Mel Lee
Environmental Determination:

This project is categorically exempt under Section 15061(b)(3), General Rule, of the California Environmental Quality Act (CEQA) Guidelines.

Description: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA TO AMEND TITLE 13 OF THE COSTA MESA MUNICIPAL CODE BY ADDING CHAPTER XVI (GROUP HOMES, SOBER LIVING HOMES, AND RESIDENTIAL CARE FACILITIES) IN THE R2-MD, R2-HD AND R3 RESIDENTIAL ZONES AND THE PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (PLANNED DEVELOPMENT ZONES) OF TITLE 13 AND AMENDING SECTION 13-6 (DEFINITIONS) OF ARTICLE 2 (DEFINITIONS) OF CHAPTER I (GENERAL) AND SECTION 13-30 TABLE 13-30 (LAND USE MATRIX) OF CHAPTER IV AND REPEALING SECTION 13-32.2 (REFERRAL FACILITIES) OF ARTICLE 1 OF CHAPTER V OF TITLE 13.

Tarquin Preziosi, Planning Commission Counsel, presented the staff report.

Commissioner Andranian, thanked staff for the detailed analysis on the effect of the character of the neighborhood the group homes have. He also asked for clarification with who would decide which group home would operate if two or more apply within 650 of each other. Mr. Preziosi responded the Planning Commission would. Mr. Andranian also asked where the information came from for the map of the group homes, attachment 5 of the staff report. Mr. Lee responded that it came from a list known to City staff and complaints from the residents.

Commissioners and staff discussed the proposed Ordinance and the R1 Ordinance.

PUBLIC COMMENTS

Barrie Fisher, Costa Mesa resident, stated concerns with having state licensing group homes versus City regulated ones.

Jay Humphrey, Costa Mesa resident, stated concerns with the sober living homes that should not still be in operation and what goals the City should have with them.

Dan Huber, Costa Mesa resident, stated concerns with having sober living homes as businesses in our City.

A Costa Mesa resident stated the need for state regulation on group homes not city by city.

Commissioner Andranian asked for clarification how the Ordinance will work with abutting R1 and R2 zone area. Mr. Preziosi responded that the homes will have to be 650 feet from each other.

Michelle Clark, Costa Mesa resident, stated concerns with the sober living homes in our City.

A Costa Mesa resident stated concerns with the sober living homes in our City.

Mary-Helen Beatifacatl, Morningside Recovery, stated concerns with the Ordinance's conditions that violate the privacy rights of the individuals in recovery.

Amy Phee, Costa Mesa resident, stated she would like the Ordinance to move forward, limit the amount of group homes, the need for qualified staff, be regulated like treatment centers and the affects they are having on the community.

Angela Hareyu, Costa Mesa resident, stated concerns with the Ordinance and the over concentration of group homes in our City.

Nancy Clark, Nancy Clark and Associates Inc (The Recovery Center), stated concerns with the Ordinance and what is the reason behind the group homes.

Letisha Freeman, Costa Mesa resident, stated problems she is having with a group home located by her on Center Street.

Chair closed the public hearing.

Commissioners and staff discussed the public concerns and questions.

Commissioner McCarthy talked about City of San Clemente Moratorium, what a moratorium is, reminded everyone that we are looking at a zoning ordinance, stated state wide approach is not an option right now and what the City's options are.

Vice Chair Mathews asked who could originate a request for a moratorium. Claire Flynn responded City Council would direct staff to initiate a moratorium. A moratorium could be requested after the proposed Ordinance gets passed.

Chair Dickson asked staff to bring forth a regulation included as a recommendation to Council requiring out of state residents who drop out or relapse under the program of a sober living home to be relocated, at the operator's expense, to prevent former residents from ending up homeless within the surrounding neighborhoods. He also urged the community to contact the City with any concerns or complaints of group homes that are impacting their neighborhoods and applauded staff for bringing the Ordinance forward.

Commissioners and staff discussed the enforcement necessary for the group homes, the regulations with the state facilities and how the City can better locally regulate the state facilities.

MOTION: Hereby approve that the Planning Commission recommend that the City Council give first reading to Ordinance with the following modifications:

Handwritten page 13 change: adult to adults

Handwritten page 15 change: exit to exists

Handwritten page 16 in section 13-322. (a)(3) to read: "The group home or sober living home is at least 650 feet from any other property, as defined in Section 13-321, that operates the same or similar home or facility including, but not limited , GH, SCF, and state licensed facilities."

Handwritten page 17 in section 13-323. (b) to read: "The group home, residential care facility or state licensed drug and alcohol treatment facility is at least six-hundred fifty feet from any property, as defined in Section 13-321, that operates such the same or similar home or facility as measured from the property line.

Moved by Commissioner McCarthy, seconded by Vice Chair Mathews.

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

Chair called a 5 minute break.