



DIRECTOR HEARING REPORT

MEETING DATE: September 1, 2015

ITEM NUMBER: No. 1

SUBJECT: COMMUNITY IMPROVEMENT APPLICATION SL-16-0007 SPECIAL USE PERMIT TO ALLOW A SOBER LIVING HOME WITH SIX (6) OR FEWER PERSONS AT 3044 GRANT

DATE: AUGUST 26, 2016

FROM: COMMUNITY IMPROVEMENT DIVISION/DEVELOPMENT SERVICES DEPARTMENT

**FOR FURTHER INFORMATION CONTACT: KATIE ANGEL (714) 754-5618
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Description

Application SL-16-0007 is a Special Use Permit (SUP) filed pursuant to City of Costa Mesa Municipal Code, Title 13 Section 13-311, for a single-unit sober living home with 6 occupants (not including one live-in house manager) in an R1 zone.

Applicant

The applicant is Guardian Health Care Services, Inc.

Project Description

The subject property is a single family residence located in central Costa Mesa and surrounded by other homes with an R1 zoning designation. The applicant describes the facility as sober living home for men. According to the City's records, this facility was not existing when Ordinance 14-13 became effective. The property was formerly operated by Solid Landings and the facility closed in early May 2016. The operator was issued a citation on May 25, 2016 for operating a sober living home without a permit. Staff last visited the site thirty days after the citation and confirmed that the property is not currently operating as a group home.

Background/Analysis

On October 21, 2014, the City Council adopted Ordinance 14-13 revising Title 13 of the Costa Mesa Municipal Code (CMMC) to add Chapter XV which established conditions for granting a SUP to group homes with six or fewer residents in an R1 (single family

residential) zone. In enacting the ordinance, the City Council made the finding that housing inordinately large numbers of unrelated adults in a single-family home or congregating sober living homes in close proximity to each other does not provide the disabled with an opportunity to "live in normal residential surroundings," but rather places them into living environments bearing more in common with types of institutional/campus/ dormitory living. Further, the City Council found that a 650-foot distance requirement between sober living facilities provides a reasonable market for the purchase and operation of sober living homes within the City and still results in preferential treatment for sober living homes in that non-disabled individuals in a similar living situation (i.e., in boardinghouse style residences) cannot reside in the R1 zone. Specifically, CMMC section 13-311(b)(6) provides in relevant part:

A special use permit for a sober living home shall also be denied, and if already issued, any transfer shall be denied or revoked, upon a hearing by the director under any of the following additional circumstances:

iii. The sober living home, as measured by the closest property lines, is located within six hundred fifty (650) feet of any other sober living home or state licensed alcoholism or drug abuse recovery or treatment facility. If a state licensed alcoholism or drug abuse recovery or treatment facility moves within six hundred fifty (650) feet of an existing sober living home this shall not cause the revocation of the sober living home's permit or be grounds for denying a transfer of such permit.

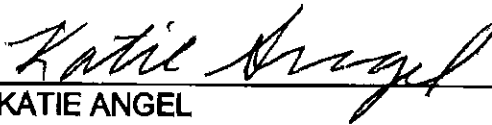
There are two existing state licensed alcoholism and drug abuse recovery treatment facilities with six or fewer residents within 650 feet from the facility. Those facilities are located at 3072 Madison (440 feet from the subject property) and 3073 Madison (439 feet from the subject property). The facilities are operated by Sure Haven and provide residential detoxification services to a co-ed population.


ENVIRONMENTAL DETERMINATION

The request is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15301 for existing facilities.

Recommendation

Staff recommends that the Director of Economic and Development Services/Deputy CEO deny the application due to the current operation of two state licensed alcoholism or drug abuse recovery or treatment facilities within 650 feet of the subject facility.


KATIE ANGEL
Management Analyst
Development Services Department
Community Improvement Division


SHERI VANDER DUSSEN, AICP
Interim Assistant Director
Development Services Department
Community Improvement Division

- Attachments: 1. 650 foot Radius Map
2. Special Use Permit Application

cc: Deputy City Attorney
File (2)

Guardian Health Care Services, Inc.
16561 Graham Street
Huntington Beach, CA 92649