



September 6, 2023

The Honorable Maria Hernandez  
Presiding Judge, Orange County Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

Subject: Response to 2022-2023 Orange County Grand Jury Report:  
Welcome to the Neighborhood: Are cities responsibly managing the integration of group homes?

Dear Presiding Judge Hernandez:

The City of Laguna Beach City Council, the City Manager's Office, and the Community Development Department have reviewed the above-referenced report. In accordance with California Penal Code Sections 933 and 933.05, the City Council has reviewed and authorized the following response to the findings and recommendations of the report.

### **Findings**

**F1.** *Group homes too close to one another contribute to the problems associated with overconcentration.*

**The City of Laguna Beach disagrees with this finding.** There is no data generally, nor with respect to the City of Laguna Beach specifically, to support the finding that close proximity leads to reported problems.

**F2.** *Common nuisances are more likely and disruptive when sober living homes are concentrated in a small geographic area of a neighborhood.*

**The City of Laguna Beach disagrees with this finding.** There is no data generally, nor with respect to the City of Laguna Beach specifically, to support the finding that geographic concentration leads to nuisances and disruptions.

**F3.** *Some cities have successfully addressed and informed community members about the challenges faced in regulating group homes.*

**The City of Laguna Beach agrees with this finding.**

**F4.** *Community satisfaction was minimal when cities took the traditional public comment approach towards addressing community complaints.*

**The City of Laguna Beach disagrees with this finding.** There is no data generally, nor with

*approach towards addressing community complaints.*

**The City of Laguna Beach disagrees with this finding.** There is no data generally, nor with respect to the City of Laguna Beach specifically, to support this finding.

**F5.** *Cities are not utilizing police, fire, and code enforcement complaints as a means of locating and tracking Group Homes.*

**The City of Laguna Beach partially disagrees with this finding.** The City of Laguna Beach does not track group homes, consistent with State law. However, the City of Laguna Beach does track code enforcement cases and police and fire calls, which could serve to illustrate concentrations of nuisance complaints and/or calls for service.

**F6.** *Cities are inhibited from enacting and enforcing ordinances due to fears over the potential cost of litigation.*

**The City of Laguna Beach partially disagrees with this finding.** The City of Laguna Beach cannot regulate group homes with six or fewer persons to ensure that the City complies with State law.

**F7.** *Several cities have created an ordinance that requires a ministerial permit or registration to operate a group home, however many of these cities do not enforce their ordinances.*

**The City of Laguna Beach partially disagrees with this finding.** While the City of Laguna Beach cannot speak to group home permit or registration requirements or ordinance enforcement in other cities, the City of Laguna Beach does not require a ministerial permit or registration for group homes with six or fewer persons.

**F8.** *City and County officials are deterred from regulating group homes by California Housing and Community Development's housing element approval process.*

**The City of Laguna Beach agrees with this finding.** The California Housing and Community Development comment letter for the City's 6<sup>th</sup> Cycle Housing Element update required evidence that the City did not regulate group homes for six or fewer persons and required an implementation program to streamline permit approvals for group homes with seven or more persons. The Grand Jury report also references several other examples that support this finding.

**F9.** *Cities have historically strategized and acted independently in addressing group home challenges and solutions.*

**The City of Laguna Beach disagrees with this finding.** The City of Laguna Beach has participated in regional activities, including efforts with the Orange County Council of Governments and the Association of California Cities-Orange County (ACC-OC). For example and without limitation, in 2017, the City of Laguna Beach participated in the ACC-OC's Western States Sober Living Homes Reform Coalition.



**F10.** *Well-operated group homes can integrate smoothly into neighborhoods.*

**The City of Laguna Beach partially disagrees with this finding.** Operational standards can establish rules for group home occupants, which could lead to comfortable integration into neighborhoods. However, operational standards do not dictate occupant behavior and do not guarantee zero nuisance or service calls.

**F11.** *There is a lack of regulatory oversight for the health and safety of residents of unlicensed group homes.*

**The City of Laguna Beach agrees with this finding.** State law and regulations do not provide oversight for the health and safety of unlicensed group homes nor the health and safety of group homes with six or fewer persons.

### **Recommendations**

**R1.** *Orange County cities and the County of Orange should address citizen concerns regarding group homes by providing an opportunity for an open dialog where an interdisciplinary panel of subject matter experts can share with attendees the challenges cities are facing in the management of group homes. To be implemented by July 1, 2024. (F3, F4)*

**This recommendation has been implemented.** The City of Laguna Beach held a public hearing on the matter in 2017, the Grand Jury report references several cities that have provided opportunities for open dialogue, and the California Sober Living and Recovery Task Force began meeting regularly in 2023. Nevertheless, the City of Laguna Beach would participate in a regional open dialog with an interdisciplinary panel should such an event be scheduled.

**R2.** *By December 31, 2024, Orange County cities and the County of Orange should collaborate in their efforts to create ordinances for the regulation of group homes, including the development of model ordinances. (F6, F7, F9)*

**This recommendation has been implemented and will be implemented in the future.** The Orange County Council of Governments created a template ordinance for group homes. The California Sober Living and Recovery Task Force is working with the Association of California Cities and the League of California Cities on a local ordinance template (see meeting minutes from January 27, 2023).

**R3.** *Orange County cities and the County of Orange should pool resources for defense of lawsuits challenging group home ordinances. To be implemented by July 1, 2024. (F6, F8, F9)*

**This recommendation will not be implemented.** This recommendation is not reasonable at this time given that the issue may be adequately addressed through the other Grand Jury recommendations, including ongoing regional efforts.

**R4.** *The County of Orange and Orange County cities should create a Task Force that includes representatives from OC cities, unincorporated areas, and other entities as appropriate and charge it with the responsibility of developing a plan to generate awareness among State legislators and regulators of the need for improved regulations and management standards to ensure health and safety for Group Home residents. To be implemented by July 1, 2024. (F2, F10, F11)*

**This recommendation has been implemented.** The California Sober Living and Recovery Task Force began meeting regularly in 2023.

**R5.** *Orange County cities and the County of Orange should modify code enforcement report data collection forms to include a searchable field that enables the identification of a residence operating as a group home. To be implemented by July 1, 2024. (F5, F7, F11)*

**This recommendation will not be implemented.** Pursuant to State law, group homes with six or fewer persons are to be treated the same as single-family homes.

Thank you for the opportunity to review and respond to the Grand Jury's report.

Sincerely,



Bob Whalen  
Mayor