



CITY OF ANAHEIM OFFICE OF THE CITY MANAGER

August 30, 2023

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

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

Honorable Judge Hernandez:

As the City Manager of the City of Anaheim, I am pleased to respond on behalf of the City to the 2022-2023 Orange County Grand Jury Report, “Welcome to the Neighborhood: Are cities responsibly managing the integration of group homes?” The response contained in this letter has been approved by the Anaheim City Council. The City’s response addresses the Orange County Grand Jury Report’s findings and recommendations in accordance with the California Penal Code Sections 933 and 933.05.

Findings

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

City Response to F1: Anaheim agrees with this finding.

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

City Response to F2: Anaheim agrees with this finding.

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

City Response to F3: Anaheim acknowledges that public outreach with respect to group homes presents challenges but respectfully disagrees that broad community support exists for group homes based on the examples cited.

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

City Response to F4: Anaheim acknowledges that public outreach can occur in various ways but respectfully disagrees that any one specific method facilitates greater

community satisfaction particularly when an issue is contentious. Specifically, with respect to the Grandma's House of Hope Conditional Use Permit (CUP) referenced by the Grand Jury, in addition to a community outreach meeting held by the applicant to inform neighbors of the proposed project, there was an over-three-hour discussion at the Planning Commission public hearing followed by an over five-hour discussion at the City Council public hearing. Written comments were also provided for both hearings. Although comments in opposition were in the majority, members of the public also provided verbal and written comments in support of the CUP. It should also be noted that Grandma's House of Hope is not a Group Home as defined in the Grand Jury report, but rather is categorized as Transitional and Supportive Housing by State law and subject to separate regulations.

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

City Response to F5: Anaheim agrees with this finding.

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

City Response to F6: Anaheim agrees partially with this finding in that state and federal laws deter cities from enforcing their ordinances in a way that effectively protects the residents of the group homes and the neighborhoods in which they are located.

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.

City Response to F7: Anaheim agrees with this finding with respect to the creation of a ministerial permit or registration. The City has an obligation, however, to enforce an adopted ordinance.

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

City Response to F8: Anaheim agrees with this finding.

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

City Response to F9: Anaheim agrees with this finding.

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

City Response to F10: Anaheim agrees with this finding.

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

City Response to F11: Anaheim agrees with this finding.

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)

City Response to R1: Anaheim agrees with this recommendation.

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)

City Response to R2: Anaheim agrees with this recommendation.

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)

City Response to R3: Anaheim agrees that benefits could be gained through a shared legal defense but note that in practice, this would involve complex negotiations and coordination among multiple stakeholders. Consideration could also be given to include additional lawsuits to defend other similar uses in residential neighborhoods where the lack of regulation and potential for overconcentration is a concern. Anaheim therefore respectfully disagrees with this recommendation at this time but will continue to collaborate with Orange County cities and the County of Orange.

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)

City Response to R4: Anaheim agrees with this recommendation.

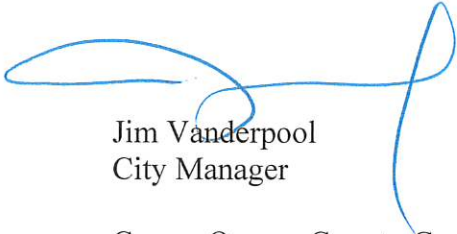
R5 Orange County cities and the County of Orange should modify code enforcement report data collection forms to include a searchable field that enables the identification of a residence operating as a group home. To be implemented by July 1, 2024. (F5, F7, F11)

City Response to R5: Anaheim agrees with this recommendation with respect to ensuring such a field is added to code enforcement case information. The City's code enforcement is predominantly reactive in nature, limiting data collection to cases where this information is validated through the investigation of a complaint. To the extent that this data is collected in the normal course of investigation of a case, it would be searchable.

I would like to express my appreciation for the efforts of the Orange County Grand Jury. Should you have any questions or need additional information, please contact Ted White, Planning and Building Director, at (714) 765-5209 or TedWhite@anaheim.net.

The Honorable Maria Hernandez
August 29, 2023
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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jim Vanderpool". The signature is stylized with a large loop on the left and a vertical stroke on the right.

Jim Vanderpool
City Manager

Cc: Orange County Grand Jury
City Clerk, City of Anaheim