



**CITY OF HUNTINGTON BEACH**  
**CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CASEY MCKEON, CITY COUNCIL MEMBER

DATE: FEBRUARY 7, 2023

**SUBJECT: REQUEST TO REVIEW GROUP HOME REGULATIONS IN THE CITY AND  
RECOMMEND AMENDMENTS AND IMPROVEMENTS AS NEEDED**

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The City of Huntington Beach adopted a Zoning Text Amendment (ZTA) regulating the operation of certain group homes in the City. The ZTA was enacted in part to ensure that group home occupants are not discriminated against and that our neighborhoods remain safe.

The laws regarding group homes and the City's ability to regulate them are evolving. Recently a Ninth Circuit Court of Appeal ruling came out holding a particular aspect of Costa Mesa's regulatory scheme invalid; although it is unclear what, if any, impact that ruling has on Huntington Beach's regulatory scheme, I believe we need to revisit this issue. To that end, I would ask the City Attorney to advise as necessary, on what, if any, updates need to be made to the City's regulations in light of evolving law on this.

In addition, while the City's ZTA has had some positive affect, more can be done to protect group home occupants with disabilities, as well as our neighborhoods. In spite of the City's efforts, I am informed that deaths have occurred in certain group homes, and occupants of the group homes may be subjected to violence and abuse (both physical and mental) by operators or owners. In addition, neighbors have reported excessive noise, late night disturbances, stockpiling of trash, and various public nuisances occurring in or around certain group homes. The City is also aware, through complaints, that some of these group home operators are bringing occupants in from areas outside the City, County and State, and as soon as the insurance coverage runs out, the operators are turning the occupants out, at times leaving them homeless. Lastly, the City has also received information that some operators may be engaged in illicit insurance billing practices. All of this has to end in order to protect both occupants and neighborhoods.

**RECOMMENDED ACTION**

Direct the City Manager to work with the City Attorney to return to Council with any recommendations regarding:

1. Possible new ZTA to provide additional protections for disabled occupants requiring at least 9 months' notice prior to eviction (even after insurance coverage runs out). This

kind of a protection for disabled occupants will help prevent their sudden turning out onto the street without a home or place to stay. These protections could also include requiring operators and landlords to relocate the patients/clients back to their original place of origin.

2. Begin investigating complaints of insurance fraud. This may require the City Attorney work with the District Attorney to identify prosecutorial paths for prosecution.
3. Provide City Council a Quarterly basis to give status reports on: list of current complaints regarding illicit Group Home operations harming the disabled, including Group Home locations, nature of complaints, description of complaints, complaints regarding public nuisance activities like loud noise or trash, whether issues are Code Enforcement or whether there is criminal activity; Group Home locations should identify State licensed facilities, sober homes, non-licensed providers, etc. and what efforts have been done that quarter to address the complaints. A full status report.
4. Recommendation on what resources, or assistance, does Code Enforcement need from City Council to step up enforcement, reduce response times, effectively identify problem homes, effectively address the problems of the homes, etc.

