



City of Encinitas

Office of
The Mayor

June 15, 2016

The Honorable Richard Bloom
California State Assembly
State Capitol, Room 2003
Sacramento, CA 95814
FAX: (916) 319-2050

Kristin Gaspar
Mayor

RE: AB 2403 (Bloom) Alcohol and Drug Abuse Recovery or Treatment Facilities
Notice of SUPPORT

Dear Assembly Member Bloom:

Lisa Shaffer
Deputy Mayor

On behalf of the City of Encinitas, I am writing to express support for AB 2403 (Bloom), which helps foster compatibility of residential treatment facilities, which are authorized by state law, within residential neighborhoods.

Catherine S. Blakespear
Council Member

Residential group home facilities provide valuable rehabilitation and support services in a therapeutic environment, which can benefit both individual patients and the greater community. However, what was not anticipated was that existing laws would be manipulated for the advantage of business owners to garner maximum profits. Business owners have found loopholes within the existing laws and have exploited them for personal gain. The single rehabilitation facility nestled into the fabric of a residential neighborhood has been taken over by companies that have created multi-structure, campus-style facilities within a residentially zoned neighborhood. The over concentrated campus style facilities are more profitable than standalone facilities and they can drastically change the character of a neighborhood, causing it to become more similar to a hospital zone or busy commercial center. Most importantly, the campus style facilities eliminate a vital benefit to the patient, which is to become part of the fabric of a community.

Tony Kranz
Council Member

Mark Muir
Council Member

Under AB 2403 cities and counties would be noticed of State license applications, and the municipality could help recognize overconcentration, which is defined as having two facilities separated by less than 300 feet. This noticing and distancing provision is consistent with current California law for other types of group homes housing other protected classes of disabled people. Specifically, existing state law imposes noticing and 300-foot distancing requirements for every existing licensed group home in California, with the exception of alcohol and drug recovery facilities. AB 2403 would simply provide consistency with all other State licensed group homes to protect existing neighborhoods and protect the therapeutic, nurturing environment that benefits all categories of protected residents recovering in State-licensed group homes.

Karen P. Brust
City Manager

This bill is consistent with the Fair Housing Act (FHA) and advances state policy favoring residential/social model care facilities for persons with disabilities. Legislative Counsel previously opined that regulations which benefit the protected class do not violate the FHA. The intent of AB 2403 is to promote the interest of the protected class

(recovering patient) by preserving the integrity of the therapeutic environment of the residential neighborhoods, a core component of the social model of group homes.

The City of Encinitas supports AB 2403, and we request your support to help prevent overconcentration of multi-structure facilities in residential neighborhoods in order to maintain the purpose and integrity of neighborhood care programs.

Sincerely,



Kristin Gaspar
Mayor

cc: Senator Patricia Bates, FAX: 916-651-4936
Assembly Member Rocky Chavez, FAX: 916-319-2176
Rosielyn Pulman, Chief Consultant, Assembly Committee on Health, FAX: 916-319-2197
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