



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Striplin

DATE: April 25, 2017

SUBJECT: STATE LEGISLATION: SENATE BILL 34

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the Legislative Committee’s recommendation to support Senate Bill 34 (Bates) and transmit position statements to Senator Bates, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Authored by Senator Pat Bates (R-Laguna Niguel), Senate Bill 34 proposes to authorize a city or county to request denial of an alcoholism or drug abuse recovery or treatment facility application on the basis of over concentration of residential facilities. This bill also adds new services that define a licensee facility; including physical and mental health therapy, nutrition planning, and therapeutic activities.

Specifically, this bill:

1. Authorizes a city or county to request denial of an alcoholism or drug abuse recovery or treatment facility application to the Department of Health Care Services on the basis of over concentration of residential facilities. This bill defines “over concentration” as a new facility requesting to be located 300 feet or less from an existing alcoholism or drug abuse recovery or treatment facility in a residential zone.
2. Authorizes the Department of Health Care Services to deny an application for a new alcoholism or drug abuse recovery or treatment facility, if the proposed location is within 300 feet from an existing alcoholism or drug abuse recovery or treatment facility.
3. Defines recovery and treatment services to include but not limited to counseling, physical therapy, and nutritional planning.

4. Requires the Department of Health Care Services to notify, in writing, at least 45 days prior to approving an application for a new facility, the planning agency of the city if the facility is to be located in the city, or the planning agency of the county if the facility is to be located in an unincorporated area of the proposed location of the new facility.

This bill would grant local agencies the ability to request denial of an alcoholism or drug abuse recovery or treatment facility application to the Department of Health Care Services on the basis of over concentration. The City of Santa Clarita's 2017 Legislative Platform (Legislative Platform) includes components related to local authority on alcoholism and drug abuse recovery or treatment facilities. Specifically, component 17 under the "State" section of the Legislative Platform advises that the City Council, "Support legislation that provides local governments with a role in regulating the location of state licensed alcohol or drug recovery facilities."

In addition to Senate Bill 34, the City Council is being asked to support Senate Bill 786 (Mendoza). Both bills are similar in most respects, however, Senate Bill 34 includes additional treatment services that would apply to the 300 foot zoning rule included in each bill. Specifically, Senate Bill 34 requires that new treatment facilities that provide counseling, physical therapy, or nutritional planning services also be restricted from any location that is 300 feet or less from an existing recovery or treatment facility. Senate Bill 786 (Mendoza) only applies to alcoholism or drug abuse recovery or treatment facilities.

Senate Bill 34 was double referred to the Senate Committee on Health and the Senate Committee on Public Safety on March 23, 2017. As of the date of the writing of this report, a hearing was scheduled in the Senate Committee on Health for April 19, 2017.

The City Council Legislative Committee met on April 11, 2017, and recommends that the City Council adopt a "support" position for Senate Bill 34.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Senate Bill 34
2. Adopt an "oppose" position on Senate Bill 34
3. Take no action on Senate Bill 34
4. Refer Senate Bill 34 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City's adopted 2016/17 budget.

ATTACHMENTS

SB 34 - Residential Treatment Facilities