

# Lincoln Blvd. Public Safety Subcommittee: Conditional Use Permits (CUP)

The following information illustrates the potential Public Safety issues resulting from social service agencies locating on Lincoln Blvd., or anywhere in Santa Monica. It also illustrates the need for neighborhoods to ensure that such agencies behave in a manner acceptable to that neighborhood.

The relocation of Common Ground this year to the east side of Lincoln at Cedar, in close proximity to three pre-schools and Olympic High School, prompted a public discussion and negotiations with the agency. In its previous location at Lincoln and Bay, some of Common Ground's clients (in particular, participants in its homeless youth program) exhibited behavior that was unacceptable to nearby businesses and residents. As a result, there were dozens of calls for service to the Fire and Police Departments, three community meetings organized by the SMPD Crime Prevention Office, and an Information Item sent to the City Council.

After much research and consultation with City officials and the agency, Friends of Sunset Park (FOSP) and residents in the area (the Cedar Community) tried to negotiate a Good Neighbor Agreement (GNA) with Common Ground. Unfortunately, Julie Rusk, the Human Services Manager, accepted a version of the GNA from Common Ground that nearby residents could not agree to. Two of the unresolved issues were Common Ground's refusal to commit to not bringing the homeless youth program and the free needle exchange program back to its new facility at Lincoln and Cedar. As a result, neither the FOSP Board nor anyone who lives near the new location signed the document.

## **Common Ground Good Neighbor Agreement:**

Since the facility opened, the following activities occurred to help mitigate any potential issues:

- Common Ground invited Sunset Park residents to an Open House in September.
- SMPD Neighborhood Resource Officer Artis Williams and Crime Prevention Coordinator Mike Cveyich spoke about Common Ground at an FOSP Board meeting and assured residents that Common Ground client behavior would be monitored.
- Common Ground scheduled a meeting one month after its opening to review conformance to its Good Neighbor Agreement.

## **Conditional Use Permits:**

Currently, a Conditional Use Permit is not required for social service agencies on Lincoln.

In answer to a FOSP City Council candidate questionnaire, Ted Winterer, a current Planning Commissioner and City Council candidate, responded that social service agencies should not be required to obtain a CUP. His response could provide guidance for zoning requirements along Lincoln.

- First, the CUP application is expensive and an unnecessary burden on not-for-profits – can you imagine asking Meals on Wheels to use scarce funds to pay for a CUP instead of meals for homebound seniors?
- Second, our City Attorney's office takes the position that CUPs stay with a property in perpetuity (whereas in other municipalities a CUP can be for a finite term). Thus, a CUP issued for a site can be used by one agency, which is a good neighbor, only to be replaced by a similar agency that impacts residents.
- Third, my experience as a Planning Commissioner is that it is extremely difficult to write CUPs so they anticipate all possible negative consequences of a permitted use.
- So it's far better to classify social service agencies as a distinct use in our new Zoning Ordinance, create standards so that certain uses are not allowed within close proximity to schools or other sensitive sites and require an inexpensive ministerial permit with a fixed term so complaints, if any, can be addressed upon renewal.

It remains to be seen whether such language will be included in the new Zoning Ordinance.