

RESOLUTION NO. 6671

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DENYING THE APPEAL OF SOUL HOUSING RELATING TO THE COMMUNITY DEVELOPMENT DIRECTOR'S DECISION TO DENY A BUSINESS LICENSE FOR A HOTEL

**THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS
FOLLOWS:**

SECTION 1. FINDINGS.

A. On October 11, 1983, the City Council of the City of Gardena issued a conditional use permit for a motel to be located at 15834 and 15902 Western Avenue (APN: 6105-010-068), which is in the General Commercial (C-3) zone. The motel had last been operating under the name of Gardena Terrace Inn.

B. On or about February 9, 2024, the City received an application for a business license from Socially Oriented United Living, Inc., dba Soul Housing, for a new business license for a motel to be operated in the same location. In addition to the business license application, Soul Housing provided additional material for its operations.

C. According to the material provided, Soul Housing is a provider under the State's CalAim Community Supports Provider program, the purpose of which is "to provide whole-person approach to care that addresses clinical and non-clinical circumstances of high-need Medi-Cal members. . . ."

D. The business license application for a hotel/motel/inn was denied by the Community Development Director based on the determination that the use of the building came under the definition of a Group Care Facility, which requires a conditional use permit in the General Commercial (C-3) zone.

E. By letter dated March 28, 2024, an appeal request was filed by Frank A. Weiser, counsel for Soul Housing.

F. On May 14, 2024, the City Council held a hearing on the appeal request. Staff was represented by Veronica R. Donovan of Jones & Mayer and the applicant was represent by Frank A. Weiser. Testimony was given by Amanda Acuna, Community Development Manager, and Greg Tsujiuchi, Community Development Director, on behalf of the City and by Eric Schames, the Chief Operating Officer, of Soul Housing, on behalf of the appellant.

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SECTION 2. DETERMINATION. Based on the testimony given and the documentary evidence presented, the City Council determines that Soul Housing is not a business which qualifies as a hotel, motel, inn and on that basis denies the appeal. This decision is based on the entire record of proceedings, which evidences that Soul Housing operates differently than a hotel, motel or inn including by way of the following:

A. The purpose of Soul Housing is to provide short-term housing for homeless individuals which can range from a day to months.

B. Soul Housing holds medications for residents of the business, which medications are kept by staff in a separate room, and then these medications are “allotted” by staff. Staff provides the coordination for medications. Narcotics and controlled substances are kept in a locked box.

C. An occupant of a room does not have sole possession of that room. Soul Housing may place a maximum of four individuals to a room, regardless of whether such individuals are known to each other.

D. Soul Housing provides three meals a day for its occupants. Eating is supposed to take place in a communal area and not in the individual rooms.

E. Occupants and guests are subject to a mandatory screening by security guards for illicit drugs, weapons and contraband. Alcohol is also forbidden on the premises.

F. Soul Housing provides coordination to put occupants in touch with case managers and doctors.

G. The business is not open to the general public.

H. Although it is not a mandatory rule, occupants are asked to be in by 10:00 p.m.

The City Council further finds that the definition of a “hotel” in Chapter 3.16 of the Gardena Municipal Code relating to Transient Occupancy Tax does not control the determination of use and where it is allowed under Title 18 of the Gardena Municipal Code relating to zoning.

SECTION 3. CERTIFICATION. The City Clerk shall certify to the passage of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall be effective immediately.

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Passed, approved, and adopted this 28th day of May, 2024.

Tasha Cerda, Mayor

TASHA CERDA, Mayor

ATTEST:

Mina Semenza

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

Carmen Vasquez

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6671** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **28th day of May 2024**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS TANAKA AND LOVE, MAYOR PRO TEM
HENDERSON, COUNCIL MEMBER FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for _____
City Clerk of the City of Gardena, California

(SEAL)