

RESOLUTION NO. ZA-2024-038

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW AN EIGHT-BED COMMUNITY CARE FACILITY FOR THE PROPERTY LOCATED AT 6701 AND 6705 MONTECITO AVENUE, SANTA ROSA, APN: 181-160-008, FILE NO. CUP24-040

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on July 15, 2024; and

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Conditional Use Permit application to allow an eight-bed Community Care Facility; and

WHEREAS, the site currently operates a six-bed Community Care Facility, and the Minor Use Permit is to add two more beds to the existing facility; and

WHEREAS, under Zoning Code Section 20-22.030, Table 2-2, Community Care Facilities with six or fewer clients are allowed in the RR-40 (Rural Residential) zoning district without needing a permit. However, community care facilities with seven or more clients require a Minor Conditional Use Permit; and

WHEREAS, the Minor Conditional Use Permit approval to allow the addition of two beds to an existing six-bed community care facility is based on the project description and official approved exhibit dated received July 15, 2024; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-42.060.D and Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The facility complies with all applicable requirements of Section 20-42.060 in that the project site is not within 300 feet of another facility, nor in an area of over-concentration of facilities; and
2. The facility complies with all applicable building and fire code provisions adopted by the State and administered by the City Fire Marshal, and California Department of Social Services licensing requirements in that the City's Fire and Building Department have reviewed the project and conditioned it accordingly. Furthermore, the applicant has obtained the necessary license from the Department of Health Care Services to operate the existing six-bed care facility; and
3. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that community

care facilities with seven or more clients are permitted in all residential zoning districts through the Minor Use Permit; and

4. The proposed use is consistent with the General Plan and any applicable specific plan in that the site's General Plan Land Use is Low-Density Residential, and the Zoning Code allows the Community Care Facility with seven or more residents in the RR-40 (Rural Residential) zoning districts. The proposed use is allowed through the approval of a Minor Conditional Use Permit. The project is consistent with Policy H-D-10, which identifies that the City should "*explore new models for providing temporary housing solutions in response to emerging needs*"; and
5. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity in that the existing single-family residence with accessory structures are similar to the neighboring structures; the site is surrounded by residential development; and the proposed project would be required to comply with the City's noise ordinance which would prevent any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitiveness residing in the area; and
6. The site is physically suited for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints in that the existing facility is already connected to utilities; parking is provided on-site; and the City Traffic Division has reviewed the project and had no comments. Per the Zoning Code Section 20-36.040, Table 3-4, a Community Care Facility will require one parking space for every three beds, and the site can accommodate up to seven parking spaces; and
7. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located in that the facility will be staffed with two to five employees 24 hours a day and seven days a week. The addition of two beds would not increase the number of staff nor the need for additional parking spaces; and
8. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the project involves operating a Community Care Facility within an existing single-family home, with the addition of two beds, which is a negligible expansion of the previous use of a Community Care Facility—6 or fewer clients.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

General Conditions of Approval

1. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. No exterior signs are approved with this permit. A separate sign permit is required.
4. All onsite activities shall comply with the City of Santa Rosa Noise Ordinance, City Code Chapter 17-16.

Fire Conditions

5. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, California Code of Regulations Title 24 Building Standards and Santa Rosa City Code.
6. A building permit may be required upon review by the Santa Rosa Building Department. If the proposed use changes from the existing use, additional requirements may be necessary.

This Minor Conditional Use Permit is hereby approved on November 7, 2024, for the duration of the use provided that conditions are complied with and that the use has commenced within 24 months from the approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
KRISTINAE TOOMIANS, ZONING ADMINISTRATOR