

## Proposed Zoning Code Text Amendment

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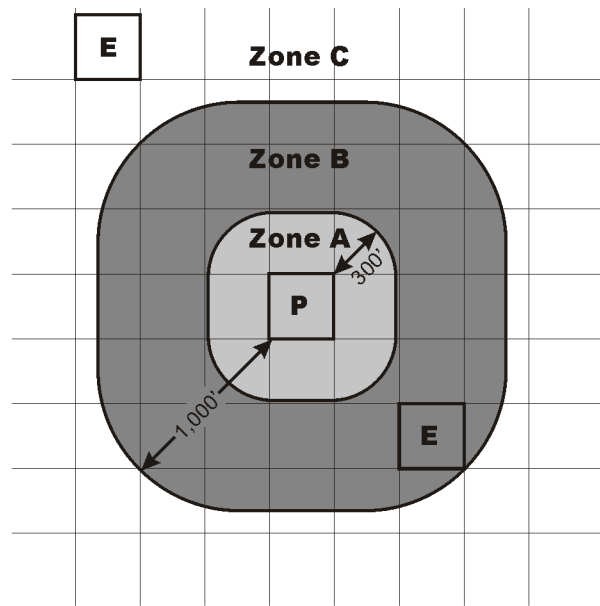
### **§ 20-42.060. Community care and health care facilities.**

Community care and health care facilities shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. The provisions of this Section are intended to facilitate the integration of mentally and physically handicapped persons who are in family residential situations into community life, as mandated by State law applicable to a chartered city, while avoiding the over-concentration of these facilities in any particular neighborhood. The purpose of regulating the location of community care and health care facilities is to permit these services to be available at locations within Santa Rosa, as mandated by State law applicable to a charter city, that are convenient to the public, while requiring the mitigation of or avoiding any adverse effects of the facilities upon surrounding properties to the extent permitted by law.
- B. Application requirements. The following shall be included in an application for a community care facility Minor Conditional Use Permit:
  - 1. One copy of a completed Conditional Use Permit application form. The application shall indicate: number of persons to be cared for; number of employees; hours of operation and outdoor playtime; and State license number. The application and site plan shall clearly show conformance to standards.
  - 2. One copy of a site plan (8-1/2" x 11") showing: location and dimensions of existing residence and other structures, including: fencing; outdoor play structures and equipment; distance to property line; parking areas and number of spaces both on-site and off-site spaces contiguous to property lines; access and traffic circulation.
  - 3. An accurate traffic circulation plan showing parking, circulation and drop-off areas.
- C. Conditions of approval. The operation of a community care or health care facility serving seven or more persons, in compliance with a Minor Conditional Use Permit as required by Division 2, may be conditioned or limited by the permit, except as may be prohibited by State law applicable to a chartered city, in any manner deemed necessary by the review authority to ensure the preservation of the health, safety and general welfare of the community and the neighborhood where the facility is proposed. The scope of permit review and approval shall be limited as required by State law to the following.
  - 1. Spacing and concentration. No proposed community care/health care facility shall be located closer than 300 feet in all directions from any other community care facility, as measured from any point on the exterior walls of both structures.

In no case shall a residential parcel be directly abutted by community care facilities on two or more sides.

2. Over-concentration of facilities. The over-concentration of community care/ health care facilities in an area shall constitute cause for the denial of a Minor Conditional Use Permit, where it is determined that overconcentration will not be mitigated by conditions that might be imposed upon the Minor Conditional Use Permit and other measures instituted by the applicant. As used in this Section, a condition of "overconcentration" arises wherever two or more community care facilities would be located at a distance of 1,000 feet or less from each other, as measured from any point upon the outside walls of the structures housing the facilities.



Zone A: Not permitted if an existing facility is located within this zone.  
Zone B: May be permitted in this zone if over-concentration issues are mitigated.  
Zone C: No concentration issue in this zone.

**E** Existing Facility  
**P** Proposed Facility

**Figure 4-1—Overconcentration of Community Care Facilities**

3. Age-Restricted Housing or Age-Restricted Care Facilities for Qualifying Residents, as defined in 20-70, are exempt from the spacing and overconcentration requirement of Section 20-42.060 C.1. and C.2.
- D. Required findings for approval. No Minor Conditional Use Permit for a community care/health care facility shall be granted unless the review authority first makes all of the following findings, in addition to those required by Section 20-52.050 (Conditional Use Permits and Minor Conditional Use Permits):
1. That the facility complies with all applicable requirements of this Section; 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.
- E. Notification of proposed action. Not less than 10 working days prior to the date on which the decision will be made on the application, the City shall provide public notice in compliance with Section 20-52.050 (Conditional Use Permits and Conditional Minor Conditional Use Permits) to the applicant, and all owners of property within a 100-foot radius of the exterior boundaries of the proposed parcel. The notice shall state that no hearing on the application shall be held prior to the decision, unless requested by the applicant or owners of property described above.

**§ 20-70.020. Definitions of specialized terms and phrases.**

**Community Care Facility.** A facility, place, or building that is maintained and operated to provide non-medical residential care, excluding palliative care or end of life care medical treatment, which may include home finding and other services, for children and/or adults, including: the physically handicapped; mentally impaired, mentally disordered, or incompetent; developmentally disabled; court wards and dependents; neglected or emotionally disturbed children; the addicted; and the aged.