

REPORT TO THE PLANNING COMMISSION



DATE: July 10, 2018

TITLE: Conditional Use Permit No. 04-18. An application to operate a 12-bed assisted living facility located at 66753 Hacienda Ave in the R-M (Residential Medium Density) land use district.

Prepared by: Scott Taschner, Senior Planner

Reviewed by: Daniel Porras, Community Development Director

RECOMMENDATION

- 1) Staff Report;
- 2) Entertain Questions of Staff from Planning Commission;
- 3) Open the Public Hearing;
- 4) Take Testimony from Applicant;
- 5) Take Public Testimony;
- 6) Opportunity for Applicant Rebuttal;
- 7) Close the Public Hearing;
- 8) Planning Commission discussion and questions to Staff; and
- 9) Recommendation for approval of an addition of 6 beds (for a total of 12 beds) to the existing assisted living facility located at 66753 Hacienda Avenue, and approve allowing additional parking in the rear yard

BACKGROUND AND SETTING

The existing facility at 66753 Hacienda Avenue is currently in use as a Community Care/Assisted Living Facility, which is a legal conforming use, pursuant to Sections 17.08.020 (Permitted, Development Permitted, and Conditionally Permitted Uses), & Section & 17.04.050 (Definitions, "Community Care Facility") of the Desert Hot Springs Zoning Code (DHSZC).



The applicant has filed the Conditional Use Permit to expand the current operation from 6 beds to 12 beds (6 beds is the maximum allowed as permitted use within residential zoning district pursuant to Section 17.08.020 of the DHSZC & California Health & Safety Code 1267.8). State law does not preempt our code if the number of beds exceeds six (6). Therefore, the proprietor of the business, has filed a Conditional Use Permit for the expansion.

Staff has evaluated the proposed use against the list of uses in Section 17.08.020 (Table of Permitted & Conditionally Permitted Uses) and has found that the proposed use is not specifically listed, but is similar to other uses listed under Conditionally Permitted Uses. The DHSZC does allow the Director or Planning Commission to make findings that the proposed use is similar to other uses listed subject to the findings outlined in Section 17.04.070(C). Those findings are outlined in this report.

Surrounding Land Uses

Immediately surrounding properties are developed as follows:

	<u>Zoning & General Plan Designations</u>	<u>Current Land Use</u>
North	R-L (Low Density Residential)	Vacant
East	R/VS-H (Residential Visitor Serving, High Density)	Vacant
South	R-M (Residential, Medium Density)	Single Story Duplex
West	R-M (Residential, Medium Density)	Two Story Townhomes (6)

PROJECT DESCRIPTION

The applicant, has filed an application for a Conditional Use Permit to expand the existing assisted living facility from 6 beds to 12 beds. No changes in square footage or exterior alterations are proposed as part of the expansion. However, the intensification of use will change the building occupancy rating, which will trigger interior improvements, including the addition of fire walls, alarms, visual alarms, and other modification to meet California Fire Code requirements. The applicant is also required to upgrade and/or modify the site and facility to meet ADA (Americans with Disabilities Act) requirements. There will also be impacts on parking requirements as discussed in this report.

CUP ANALYSIS

General Plan and Zoning Consistency: The project proposes to expand the existing use of a 6 bed assisted living facility to a 12 bed facility in accordance with sections 17.08.020 & 17.04.050 of the DHSZC.

The attached business plan (Exhibit No. 6) discusses congregate care, which pursuant to Section 17.08.020 of the DHSZC is a prohibited use in the R-M Zones, but staff has evaluated the uses and determined that the mix of uses and services provided is more closely aligned with what is typically referred to as an assisted living facility. Congregate care is associated with residents that are 55 or over that do not require assistance with daily living activities. Their business plan indicates that there may be terminally ill patients, severely disabled persons, and/or a combination of other patient/residents with medical problems or disability's that do require assistance with daily activities.

Site Coverage, Building Height, Setbacks:

No changes are proposed to the building footprint or exterior.

Parking: Ingress and egress to the site will be provided from a single driveway at the north side of the property. Parking for four vehicles (1 ADA) is currently provided. Staff had concerns that one driveway and four parking spaces would not be sufficient for the residents, visitors, and employees of this facility. The applicant has indicated that the patients/residents "shall stay and receive services in the facility until they are ready for discharge back to their previous living habitat". And that "Residents shall not have any vehicles at the premises".

The business plan indicates that there will be five employees on site at all times, with two more on-call staff. Staff has evaluated the site attempting to find another location for additional parking, but the DHSZC code does not allow parking on unpaved surfaces, parking in the front yard, nor does it allow for parking in the rear yard. Pursuant to Section 17.48.040 of the

DHSZC, the Planning Commission does have the authority to vary from the required number of required spaces for uses which represent special circumstances.

Staff is recommending that the Planning Commission approve allowing additional parking in the rear yard of this facility to meet the minimum parking space requirement of seven spaces (one ADA compliant parking, five employee parking, and one guest parking). An additional driveway shall be required on Mesquite Road for proper vehicle access and additional parking shall be provided on the south side of the property to accommodate three parking spaces, subject to the requirements of DHSMC Section 17.48.040 (Number of parking spaces required).

Services Provided:

The facility will provide inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social, and recreational. The primary need of living health facility residents is to provide the availability of skilled nursing care on a recurring, intermittent, extended, or continuous basis. According to the applicant, this care is generally less intense than that provided in general acute care hospitals but more intense than that provided in skilled nursing facilities (SNF). More information is provided in the business plan attached hereto as Exhibit No 6

Hours of Operation: There will be five employees on duty at all times, rotating with two 12-hour shifts, with an on-call social worker and activities coordinator.

Similar Use Determination Findings

When a use is not specifically listed in the DHSZC, it shall be understood that the use may be permitted if it is determined by the Director/Planning Commission that the use is similar to other uses listed for that zone. It is further recognized in the DHSZC that every conceivable use cannot be identified in the Code, and anticipating that new uses will evolve over time, this section establishes the Director's authority to compare a proposed use and measure it against those listed in this Zoning Ordinance and the Standard Industrial Classification Manual for determining similarity.

The DHSZC requires that, in determining "similarity" the Director/Planning Commission make all of the following findings:

a. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the General Plan;

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The type of activities proposed on this property and comparison to other uses in the zone allowed staff to make a determination that this is most similar to uses requiring a Conditional Use Permit. The applicant has filed for a CUP application and the required materials. The Planning Commission has evaluated the proposed addition, of 6 more beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community.

The proposed expansion of the assisted living facility from 6 beds to 12 beds, with no changes to the building footprint, nor to the exterior of the structure, with the exception of providing

additional parking, and ADA (Americans with Disabilities Act) compliant parking, is consistent with the intent of the land use designation and the use of the land. Staff recommends this finding.

b. The proposed use shall meet the stated purpose and general intent of the district in which the use is proposed to be located;

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The type of activities proposed on this property and comparison to other uses in the zone allowed staff to make a determination that this is most similar to uses requiring a Conditional Use Permit. The applicant has filed for a CUP application and the required materials. The Planning Commission has evaluated the proposed addition, of 6 more beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community.

The proposed expansion of the assisted living facility from 6 beds to 12 beds, with no changes to the building footprint, nor to the exterior of the structure, with the exception of providing additional parking, and ADA (Americans with Disabilities Act) compliant parking, is consistent with the intent of the land use designation and the use of the land. Staff recommends this finding.

c. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents; and

The conditional use permit has been conditioned to require the applicant/owner/proprietor the comply with all local, state, and federal laws including but not limited to ADA (American's with Disabilities Act) requirements, California Fire Codes, California Building Codes, City's Zoning Code, Municipal Code, and the City's General Plan. The change from 6 beds to 12 beds, with a condition that no patients be allowed to park their vehicles at this facility, will have a negligible impact on neighboring properties, and with other conditions such as ADA compliant parking, path of travel, ADA restrooms, fire alarms, fire rated walls, etc. the project will have a less than significant impact on public health, safety and general welfare of the City's residents. In fact this facility will provide and affordable option for those that need daily assistance due to a medical problem of disability. Staff recommends this finding.

d. The proposed use shall share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located.

The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities, and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The proposed addition of 6 additional beds to an existing assisted living facility will not create additional impacts on the neighborhood, with the attached conditions of approval, which mitigates some of those impacts, and the interior modifications to the structure will not result in any additional environmental impacts, nor will it

increase the intensity because the structure itself is only one unit with 9 separate bedrooms. Staff recommends this finding.

Conditional Use Permits Findings

Conditional Use Permits are regulated under Section 17.76 of the Desert Hot Springs Municipal Code and require that certain findings be made by the Planning Commission before granting a CUP request. Staff has developed recommendations for each finding, as follows:

1. ***That the proposed use is conditionally permitted within the subject land use district and complies with all of the applicable provisions of this Zoning Ordinance.***

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwellings. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The type of activities proposed on this property and comparison to other uses in the zone allowed staff to make a determination that this proposal is most similar to uses listed in the table (17.48.020) requiring a Conditional Use Permit. The applicant has filed for a CUP application and has submitted the required materials. The Planning Commission has evaluated the proposed addition, of 6 additional beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community. The proposed expansion of the assisted living facility from 6 beds to 12 beds, with no changes to the building footprint, nor to the exterior of the structure, with the exception of providing additional parking, and ADA (Americans with Disabilities Act) compliant parking, is consistent with the intent of the land use designation and the use of the land. Staff recommends this finding.

2. ***That the proposed use would not impair the integrity and character of the land use district in which it is to be located.***

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. The Planning Commission has evaluated the proposed addition, of 6 additional beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community. The proposed expansion of the assisted living facility from 6 beds to 12 beds, with no changes to the building footprint, nor to the exterior of the structure, with the exception of providing additional parking, and ADA (Americans with Disabilities Act) compliant parking, is consistent with the intent of the land use designation and the use of the land. Staff recommends this finding.

3. That the subject site is physically suitable for the type and intensity of land use being proposed.

The subject site is large and provides two covered spaces as well as enough room for 4 cars to park in the driveway. The City's Zoning Code does not count parking space that are located within the front yard setback, but they can be used for additional parking as well as the two streets that provide street parking. There is also additional room to add carport structures in the rear and to the south of the existing structure. No other changes are proposed that would impact the site based on the addition of 6 beds to an already operational assisted living facility. Staff recommends this finding.

4. That the proposed use is compatible with the land uses presently on the subject property.

The site already has an operational assisted living facility. The addition of 6 beds with the same intended use will be compatible with the uses already taking place on site. Staff recommends this finding.

5. That the proposed use would be compatible with existing and future land uses within the general area in which the proposed use is to be located.

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The type of activities proposed on this property and comparison to other uses in the zone allowed staff to make a determination that this proposal is most similar to uses listed in the Table (17.48.020) of the DHSZC requiring a Conditional Use Permit. The applicant has filed for a CUP application and has submitted the required materials. The Planning Commission has evaluated the proposed addition, of 6 additional beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community. The proposed expansion of the assisted living facility from 6 beds to 12 beds, with no changes to the building footprint, nor to the exterior of the structure, with the exception of providing additional parking, and ADA (Americans with Disabilities Act) compliant parking, is consistent with the intent of the land use designation and the use of the land. Staff recommends this finding.

6. That the proposed use is compatible in scale, mass, coverage, density, and intensity with all adjacent land uses.

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes,

condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. The addition of 6 beds to the current facility will not change the footprint or massing of the building, nor will it alter the height of the building. The intensity will only slightly be effected and the project has been conditioned to mitigate those impacts to a level that is less than significant and building lot coverage will not be effected unless the project is conditioned to add additional parking structures, in which City staff will evaluate the proposed structures for conformance to setbacks and lot coverage, as well as to neighbor characteristics and design standards, and compatible with other structures on the same site (color, materials, textures, etc.). Staff recommends this finding.

7. That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The subject site already has a residential structure that has water, sewer, electrical, gas, and other utilities provided. The addition of 6 beds to the facility will not have an impact on those services and will not have a detrimental effect to public health & safety. Staff recommends this finding.

8. That there will be adequate provisions for public access to serve the site.

The subject site is on the corner of Mesquite Ave & Hacienda Avenue which are both paved and access to the site is already provided by a wide driveway on the north side of the site on Hacienda Avenue. Staff recommends this finding.

9. That there will not be an adverse effect upon desirable neighborhood characteristics.

Desirable neighborhood characteristics include long-range views, neighborhood design characteristics, historic development patterns, etc. The facility is within an existing and permitted building which has a stucco finish, clay roof tiles, and contemporary Mediterranean style architecture that is consistent with the neighborhood. The current proposal changes none of that because they are only requesting the addition of 6 additional beds to the interior. All work will be interior, unless the project is conditioned to add carport structures to accommodate more parking on-site. If the project is conditioned as such, the review and approval will take into account the neighborhood characteristics, the other structures on-site, and will condition the project to match in design, color, texture, materials and to be in conformance with lot coverage and setback requirements. Staff recommends this finding.

10. That the proposed use is necessary and essential to the community.

Appropriate residential development under this designation includes Single Family and Planned Residential Developments with shared open space, recreation and other amenities. Condominiums, garden apartments and affordable housing may also be appropriate for these lands. The intent of this designation is to encourage development of a wide variety of dwelling. The R-M (Residential Medium Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, homeless facilities, mobile home parks, probationer homes, day-care facilities and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The type of activities proposed on this property and comparison to other uses in the zone allowed staff to make a determination that this is most similar to uses requiring a Conditional Use Permit. The applicant has filed for a CUP application and the required materials. The Planning Commission has evaluated the proposed addition, of 6 more beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in

character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community. The facility will also provide employment opportunity for health care professionals, social workers, and the like over the life of the business. Staff recommends this finding.

11. That the proposed use is consistent with applicable goals and policies of the General Plan.

Staff has identified the following General Plan goals and policies applicable to the application and provides responses to each.

ADMINISTRATION

Goal: Comprehensive and integrated administration and implementation of all elements of the Desert Hot Springs General Plan through consistent and effective policies and programs.

The City has adopted a zoning ordinance to implement the General Plan and provide for review and approval of individual development projects. The proposed renovation and expansion of the existing assisted living facility will be subject to all requirements of this Conditional Use Permit, as prescribed by the Zoning ordinance and the adopted conditions of approval.

Policy 8: City shall provide opportunities for review and comment on development proposals through public hearing notices sent to owners of property located at least within 300 feet of development proposal sites.

Prior to Planning Commission review and public hearing of the project application, notice of the proposed addition of 6 beds to the assisted living facility at 66753 Hacienda Ave was sent the to Desert Star Weekly and advertised in the Friday, June 1, 2018 publication. Additionally, notices were mailed out to all property owners within 300 feet of the project on May 31st, 2018. On June 12, 2018 a public hearing was held by the Planning Commission. The public hearing was opened, the applicant was given an opportunity to enter testimony, the pubic was then given an opportunity to enter public testimony, and as a result no testimony was given, so the public hearing was closed and the item was continued to a date certain of July 10, 2018. The public will also have an opportunity to enter testimony at the July 10, 2018 Public Hearing of the Planning Commission.

COMMUNITY DESIGN

Goal 2: Variety of community design, architecture and landscaping compatible with the City's desert setting and surrounding development.

Desirable neighborhood characteristics include long-range views, neighborhood design characteristics, historic development patterns, etc. The facility is within an existing and permitted building which has a stucco finish, clay roof tiles, and contemporary Mediterranean style architecture that is consistent with the neighborhood. The current proposal changes none of that because they are only requesting the addition of 6 additional beds to the interior. All work will be interior, unless the project is conditioned to add carport structure(s) to accommodate more parking on-site. If the project is conditioned as such, the review and approval will take into account the neighborhood characteristics, the other structures on-site, and will condition the project to match in design, color, texture, materials and to be in conformance with lot coverage and setback requirements.

Policy 1: Private and public-sector development projects shall equally apply City community design standards, thereby protecting the

community's scenic viewsheds, providing community cohesion and enhancing the image of Desert Hot Springs as a resort residential community.

Desirable neighborhood characteristics include long-range views, neighborhood design characteristics, historic development patterns, etc. The facility is within an existing and permitted building which has a stucco finish, clay roof tiles, and contemporary Mediterranean style architecture that is consistent with the neighborhood. The current proposal changes none of that because they are only requesting the addition of 6 additional beds to the interior. All work will be interior, unless the project is conditioned to add carport structures to accommodate more parking on-site. If the project is conditioned as such, the review and approval will take into account the neighborhood characteristics, the other structures on-site, and will condition the project to match in design, color, texture, materials and to be in conformance with lot coverage and setback requirements.

The Planning Commission has evaluated the proposed addition, of 6 more beds to the existing facility, and found it to be in compliance with the stated purpose and general intent of the R-M (Residential Medium Density) Land Use District and in character with the needs of the desert community by providing a more affordable option for disabled persons or those citizens that need daily assistance within our community. The facility will also provide employment opportunity for health care professionals, social workers, and the like over the life of the business.

Policy 9: Signs shall be limited to the minimum size, scale and number needed to provide functional identification and exposure necessary to convey messages, while minimizing impacts on traffic safety, streetscape and scenic viewsheds.

No signs are approved as part of this Conditional Use Permit. All exterior signs shall reviewed under a separate application and be subject to approval under the Desert Hot Springs Zoning Code, including limitations on size, scale and number. The code does not permit signs to exceed the height of existing construction which will result in no impacts on scenic viewsheds. No exposed neon shall be used for signs or window graphics.

Policy 10: Lighting shall be limited to the minimum height, number and intensity of fixtures needed to provide security and identification in residential, commercial and industrial development, taking every reasonable measure to preserve the community's night skies.

The proposed lighting plan appears to comply with the City's lighting standards and appears to be designed to assure that only the minimum level of lighting necessary to provide the needed access and security is installed. All proposed exterior lighting shall be reviewed by staff for conformance to the applicable standards.

ECONOMIC DEVELOPMENT

Goal 1: A broadly based, healthy and balanced economy that provides a full range of economic and employment opportunities.

The proposed addition of 6 more beds to an already operational assisted living facility will expand the services available to those in need of daily assistance (such as the severely disabled or those with serious medical issues) in the community and provide opportunities for new employment and business support services.

Policy 11: Make every effort to expedite the processing of development proposals, which address the economic development goals of the community and take the initiative to incubate new programs and projects.

The proposed addition for 6 more beds to an already operational assisted living facility was applied for April 9, 2018 but was found to be incomplete. The additional required materials were submitted on May 15, 2018 and the proposal will be heard by the Planning Commission on July 10, 2018. The proposal will expand the services available to those in need of daily assistance (such as the severely disabled or those with serious medical issues) in the community, and will provide opportunities for new employment and business support services.

Residential Land Uses

GOAL 2: A variety of all housing types and densities that will accommodate existing and future residents of the community.

The proposal to add 6 more beds to an already existing assisted living facility will provide an opportunity to further expand services that are affordable and necessary in the desert community and in Desert Hot Springs.

Policy 1: Areas of existing residential development and surrounding vacant lands shall be planned in a manner which preserves neighborhood character and assures a consistent and compatible residential land use pattern.

No changes to the exterior are proposed as part of the request. And the existing structure is compatible with historic neighborhood development patterns and design characteristics of the surrounding residences, townhomes, etc.

Policy 7: Residential development standards shall incorporate setbacks, height, pad elevations and other design and performance standards which assure privacy while preserving scenic viewsheds from adjoining properties.

Desirable neighborhood characteristics include long-range views, neighborhood design characteristics, historic development patterns, etc. The facility is within an existing and permitted building which has a stucco finish, clay roof tiles, and contemporary Mediterranean style architecture that is consistent with the neighborhood. The current proposal changes none of that because they are only requesting the addition of 6 additional beds to the interior. All work will be interior, unless the project is conditioned to add carport structures to accommodate more parking on-site. If the project is conditioned as such, the review and approval will take into account the neighborhood characteristics, the other structures on-site, and will condition the project to match in design, color, texture, materials and to be in conformance with lot coverage and setback requirements.

12. That the negative impacts of the proposed use are mitigated and/or a mitigated negative declaration may be filed.

Desirable neighborhood characteristics include long-range views, neighborhood design characteristics, historic development patterns, etc. The facility is within an existing and permitted building which has a stucco finish, clay roof tiles, and contemporary Mediterranean style architecture that is consistent with the neighborhood. The current proposal does not change any of the exterior because they are only requesting the addition of 6 additional beds to the interior. All work will be interior, unless the project is conditioned to add carport structures to

accommodate more parking on-site. If the project is conditioned as such, the review and approval will take into account the neighborhood characteristics, the other structures on-site, and will condition the project to match in design, color, texture, materials and to be in conformance with lot coverage and setback requirements. The project has also been found to be exempt as a Class 1 exemption, and pursuant to Section 15301 of the CEQA guidelines.

13. That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interests, health, safety, convenience, or welfare of the City.

The conditional use permit has been conditioned to require the applicant/owner/proprietor to comply with all local, state, and federal laws including but not limited to ADA (American's with Disabilities Act) requirements, California Fire Codes, California Building Codes, City's Zoning Code, Municipal Code, and the City's General Plan. The change from 6 beds to 12 beds, with a condition that no patients be allowed to park their vehicles at this facility, will have a negligible impact on neighboring properties, and with other conditions such as ADA compliant parking, path of travel, ADA restrooms, fire alarms, fire rated walls, etc. the project will have a less than significant impact on public health, safety and general welfare of the City's residents. In fact, this facility will provide an affordable option for those that need daily assistance due to a medical problem or disability.

ENVIRONMENTAL ANALYSIS

The Applicant proposes to expand the current assisted living facility from 6 beds to 12 beds. No exterior alterations or additions to the building footprint are proposed. The project has been found to be exempt from further environmental review under Section 15301 (Class 1, Existing Facilities) of the CEQA guidelines.

FISCAL IMPACT

Development of this project will generate revenues to the City in the form of building permit fees to defray plan check and inspection costs.

RECOMMENDATION

Staff finds that the proposed project is substantially consistent with the General Plan and meets the development standards of the R-M (Residential Medium Density) Zoning District. Staff recommends that the Planning Commission approve Conditional Use Permit No. 04-18, subject to the Conditions of Approval, and the findings contained in this report.

EXHIBIT(S)

- No. 1 - Recommended Conditions of Approval
- No. 2 - Site Plan
- No. 3 - Floor Plan
- No. 4 – Project Site Ariel View
- No. 5 – Street View from Corner
- No. 6 – Street View from Hacienda
- No. 7 – Street View from Mesquite
- No. 8 – Business Plan