

REPORT TO THE PLANNING COMMISSION



DATE: December 10, 2019

TITLE: Conditional Use Permit No. 06-19 to Convert an Existing Motel/Hotel to a 11-Room Treatment/Rehabilitation Center Located at 13340 Mountain View Road (Applicant: Roberto Graciano)

Prepared by: Patricia Meza, Assistant Planner &
Scott Taschner, Senior Planner

Reviewed by: Rebecca Deming, Community Development Director

RECOMMENDATION

- 1) Receive 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) Allow opportunity for Applicant rebuttal;
- 7) Close the Public Hearing
- 8) Planning Commission discussion and questions to Staff; and
- 9) Approve Conditional Use Permit No. 06-19 to operate a treatment/rehabilitation facility at 13340 Mountain View Road.

EXECUTIVE SUMMARY

The applicant, Roberto Graciano, has filed a Conditional Use Permit application to change the current use from a motel/spa (Kismet Lodge/ Living Waters Spa) to an 11-room drug & alcohol treatment and recovery center (Affinity Recovery) with 26 beds, private clinical/treatment rooms, and several community areas (indoor recreation area, kitchen and dining room, and a group meeting room). The property is located at 13340 Mountain View Road within the



Residential Visitor Serving, Low Density (R/VS-L) Zoning & General Plan land use districts.

BACKGROUND AND SETTING

The proposed project is located at the northeast corner of Mountain View Road and Calle Bolso in an area generally surrounded by vacant land and single-family and multi-family residential development. The lots immediately to the east and north (away from the street frontages) are both vacant. The property to the east is owned by the new owner and will be utilized to provide for additional parking. The applicant has indicated that they may add amenities on this site in the future, but that is not part of the current proposal and would be subject to additional review by staff. Staff has conducted an analysis of the surrounding land uses which can be found in Table 1, below.

Table 1: Surrounding Land Uses

	Zoning & General Plan Designations	Current Land Use
North	<i>R/VS-L (Residential Visitor Serving Low)</i>	Vacant
West	<i>R/VS-L (Residential Visitor Serving Low)</i>	Vacant
South	<i>R/VS-L (Residential Visitor Serving Low)</i>	Vacant
East	<i>R-L (Residential Low Density)</i>	Single Family Homes

PROJECT DESCRIPTION

The project proposes to operate a drug and alcohol rehabilitation treatment facility with 11 patient care stay units and 26 beds. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning.

The managers of Affinity Recovery, Premier Health Group have been licensed since 2012, and are currently operating three (3) other licensed facilities in California, all of which have been in good standing with the Department of Health Care Services since their initial licensing.

Although this is not a lock-down facility, residents, by rule, are not allowed to leave the facility at any time without a staff escort. The facility will have 11 residential type units with 2-3 beds per suite with an average length of stay will be anywhere from fifteen (15) to thirty (30) days. When treatment has been completed, transportation will be arranged for the resident to be transported to a local airport of his/her choice, or to their former family residence. Any resident who breaks the rules of the facility will not be “dumped” or excluded without transportation being provided.

The business plan indicates that staff will include a medical doctor, 2 licensed nurses (LVN's), 4 licensed counselors, 2 facility monitors, 2 van drivers, a cook and a maintenance worker. At least 3 staff members will be on site at all times, with up to 10 employees at the facility during normal business hours. A security company will also be hired to surveil the property 24 hours a day.

CUP ANALYSIS*Consistency with the General Plan:*

The proposed project is located within the R/VS-L General Plan land use district. The City General plan states the intent of this designation as follows:

“This land use designation recognizes the predominant residential character of lands which also include numerous spa-type hotels. It is meant to foster compatible development to serve permanent and seasonal residents, as well as the vacationing public visiting resorts, hotels and motels. To this end, this designation is followed by a suffix (L, M & H) designating permitted residential densities.”

The project proposes to convert the existing 9 room motel/spa to an 11-unit drug and alcohol treatment facility in accordance with Title 17 of the Desert Hot Springs Municipal Code (DHSMC) and the City’s adopted (2000) General Plan. The applicant has indicated that they are planning to convert the existing manager’s unit into two additional patient stay units. The increase in density will be offset with the merger of the three lots, resulting in less density than is currently present on the site. The expansion of floor space is also minimal so as to limit further impacts on adjacent properties. Discussion on the goals & policies of the General Plan is further discussed later in the report.

The attached business plan (Exhibit No. 12) discusses the type of services, the number of employees and how certain interior spaces within the building will be utilized. The proposed use, as a treatment facility, is not specifically listed in the table of permitted uses. However, the City's Zoning Code allows for other uses which are not specifically listed when a similar use determination can be made.

Consistency with the Zoning Code:

Similar Use Determination

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.

Staff has evaluated the proposed project and found that the treatment facility is most closely aligned with a "community care facility" which is in table of permitted uses (Section 17.08.020), and which allows up to 6 beds by right of zone. However, the applicant is proposing up to 26 beds which will have a greater impact on the site and on the adjacent properties. Therefore, staff has determined that it is more closely aligned with uses that are conditionally permitted.

Section 17.76.010 specifically states the purpose of a conditionally permitting certain uses, as stated below:

17.76.010 Purpose.

Many land uses are or can be made conditionally appropriate, depending on the circumstances at the site and surrounding area; these discretionary determinations are termed "conditional uses." Conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use shall be conducted by comparing the use to established development standards and design guidelines. This review shall determine whether the proposed use should be permitted by weighing the public need for the benefit to be derived from the use against the impact which it may cause.

Staff has conducted a review of the project and the associated impacts and has added certain conditions of approval to make the project more compatible with the surrounding land uses including removal of an existing chain link fence, removal of a parking spaces which encroach into the public right-of-way, and a requirement to comply with the City's Noise Ordinance (which significantly limits decibel levels after 10pm, as well as other conditions which can be found in the attached conditions of approval (Exhibit No. 1). Also, a more detailed analysis of the neighborhood compatibility of the project can be found in the required findings later in this staff report.

Site Coverage, Building Height, Setbacks

The applicant is requesting to enclose two (2) existing patio areas and convert them into living space which will be utilized for clinical purposes. The project is laid out over three separate parcels. This will require the applicant to file a lot merger application. This will result in the project being compliant with the City's development standards for the zone including the

building lot coverage and maximum density, and the existing one-story building is well under the maximum building height of 35 feet.

Staff would like to note that the existing structure along the Calle Bolso street frontage is within the front yard setback. However, structures which are in setback areas, and which were legally permitted, are allowed to remain so long no additions are made and only mirror repairs and alteration are made. The intensification and change 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 will likely also have to make upgrades/modifications to meet ADA (Americans with Disabilities Act) requirements.

Site Circulation/Off-Street Parking

Ingress and egress to the site is provided from a single driveway at the west side of the property. Parking for 19 vehicles (1 of which is ADA compliant) is currently provided. Staff is conditioning the project to remove the 5 parking spaces that encroach into the Calle Bolso public right-of-way, resulting in 14 spaces. Staff is adding a condition that requires paving of a parking area on the east lot to provide for 8 additional parking space.

Staff is also conditioning the project to have a striped area for emergency vehicle parking and van loading/unloading for patients. The applicant has indicated they are willing to add additional parking on the adjacent lot to the east to accommodate the change in use and expansion of the buildings. This off-street parking area will require installation of a curb cut, driveway approach paved parking surfaces, striping and submittal and approval of all necessary permits from the City, including but not limited to the City's Engineering Department. The applicant has indicated that the facility will have no more than 10 employees on site at any given time. Staff has added a condition requiring the addition of 8 spaces on the adjacent lot to the east to accommodate the expansion and change of use.

Section 17.48.010-060 of the DHS Zoning code requires .75 parking spaces for each stay unit, plus 1 space for each 250 square feet of office area, plus two spaces for the manager's unit, plus 1 space per 35 square feet of meeting facilities. Staff has provided a breakdown of the required parking in Table 2, below.

Parking: Section 17.48.010-060 of the DHS Zoning code requires .75 parking spaces for each patient stay unit, plus 1 space for each 250 square feet of office area, plus 1 space per 35 square feet of meeting facilities. Staff has provided a breakdown of the required parking in Table 2, below.

Staff would like to note that the patients will not be allowed to store their vehicles at the facility during their temporary stay, so City staff has calculated the parking requirement for the stay units to a similar use of congregate care which requires .75 parking spaces for each unit. The treatment facility staff (no more than 10 at any given time) will park their vehicles in the current parking area. There will also be two (2) vans in use for picking up and returning residents for shopping and any planned outings and to transport patients who are checking out to a designation of their choice when their treatment is completed. Note that the group meeting area and clinical offices will be ancillary to the treatment facility and will only service patients living on the site. No services will be provided to the public or anyone else not presently admitted to the facility. The table below, outlines the proposed use and compliance with the City's parking requirements. Staff has added project specific conditions to add a van accessible ADA parking space, installation of a solid wall/fence along the east side of the new proposed parking area to mitigate any vehicle headlight from projecting onto neighboring residential properties as well as other specific conditions of approval.

Table 2: Analysis of Required Parking:

Use	Ratio/Requirement	Number of Spaces Required	Number of Spaces Provided
Office Area	1 space per 250 sq. ft.	1	1
Temporary Care/Residences	.75 spaces per unit	8.25	8
Group Meeting Areas Not serving the public	Ancillary to the Facility	-	-
Clinical Areas Not serving the public	Ancillary to the Facility	-	-
Guest Parking	1 per every 5 units	2.2	3
Employees	one per employee	10	10
Total		22	22

Services Provided:

The facility will provide inpatient care, including the following basic services: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning. The plan is to obtain licensing for 26 beds, which will be distributed in the current 11 suites, with 2 or 3 persons per suite. The current office, master kitchen, TV room and large meeting room will be slightly reconfigured to allow for a larger indoor dining area and a group session room accommodating up to 30 residents and three (3) staff members.

Hours of Operation: There will be at least three (3) members at the facility at all times, with 10 employees during normal business hours of 8:00 am to 5:00 pm. In addition, an outside security company will be hired to provide 24-hour surveillance. The facility will be an alcohol and drug free, with lights out curfew at 11:00 pm.

Signage

The site currently has a large pole sign located on top of the roof which is considered a legal non-conforming sign. Staff is adding a condition that the sign be removed, and a new application be submitted if any signs are proposed. Any future signage will be required to conform to the current specific standards of the City's Sign Ordinance (see Exhibit 11 - Photo of Existing Roof Sign).

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 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 development under this designation includes land uses which are compatible with the predominately residential character of the land. This designation also accounts for compatibility with small scale spa-type facilities including resorts, motels and boutique hotels. This designation is also meant to foster development to serve permanent and seasonal residents, as well as the vacationing public visiting resort, hotels, motel and other similar facilities.

The project proposes to operate a drug and alcohol rehabilitation treatment facility 11 patient care stay units with 26 beds. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning. The Planning Commission has evaluated the project and found that the facility will help to service the larger community and is consistent with the goals & policies of the City's General Plan as outlined in this report. 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 development under this designation includes land uses which are compatible with the predominately residential character of the land. This designation also accounts for compatibility with small scale spa-type facilities including resorts, motels and boutique hotels. This designation is also meant to foster development to serve permanent and seasonal residents, as well as the vacationing public visiting resort, hotels, motel and other similar facilities.

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 conversion of the building from a motel to a small-scale treatment 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 services to the community by providing necessary recovery services to individuals who need assistance. 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 project proposes to operate a drug and alcohol rehabilitation treatment facility with 11 patient care stay units. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning.

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 the Living Waters Spa to a Recovery and Treatment facility, with a condition that no residents 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. 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/V-S-L (Residential Visitor Serving Low Density) Zone allows for a mix of medium-density residential uses which include, apartments, multiple-family homes, single-family homes, townhomes, condominiums, affordable housing, mobile home parks, transitional homes, day-care facilities, senior congregate care facilities, probationer homes, and the like. Some uses are permitted by right, while others are subject to a development permit, or a conditional use permit. The proposed conversion of the building from a motel to a small-scale treatment facility with 11 patient care stay units will not create additional impacts on the neighborhood, with specific conditions of approval added to the project. These conditions will mitigate the projects potential impacts to a level that is less than significant, including parking, traffic and noise. The interior modifications to the structure will not result in any additional environmental impacts, nor will it increase the intensity because the additional units will result from the conversion of the manager's unit into 2 additional patient care units and because the project is being conditioned to merge all three lots into one, which will result in a lower density than that which currently exists. 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.***

The proposed application is for a conversion of the existing building from a motel to a small-scale treatment facility with 11 patient care stay units. This is not a listed use in the City's Zoning Code. 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.

Staff has evaluated the proposed project and found that the treatment facility is most closely aligned with a "community care facility" in table of permitted uses (Section 17.08.020), which allows up to 6 beds by right of zone. However, the applicant is proposing up to 26 beds which will have a greater impact on the site and on the adjacent properties. Therefore, staff has determined that it is more closely aligned with uses that are conditionally permitted such as a day care facilities, emergency shelters, fraternity houses and probationer homes.

Section 17.76.010 specifically states the purpose of a conditionally permitting certain uses, as stated below:

17.76.010 Purpose.

Many land uses are or can be made conditionally appropriate, depending on the circumstances at the site and surrounding area; these discretionary determinations are termed "conditional uses." Conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use shall be conducted by comparing the use to established

development standards and design guidelines. This review shall determine whether the proposed use should be permitted by weighing the public need for the benefit to be derived from the use against the impact which it may cause.

The findings for a similar use determination were made in the previous section. That said, staff has conducted a review of the project against the development standards of the land use district and made the following observations and added requirements:

- One portion of the building is within the front yard setback but is considered legal non-conforming and may be allowed to remain as long as there is no expansion of the structure in that setback area.
- There are also several parking spaces along the Calle Bolso street frontage which encroach into the public right-of-way. But, those are being conditioned to be removed and additional parking placed elsewhere on the site.
- There is an existing chain link fence that would no longer be allowed under the current code and which will be removed.
- The change in occupancy of the buildign will trigger the building coming up to current building code, including but not limited to current Fire Coeds and ADA requirements.

The City has evaluated the project and the associated impacts and has added certain conditions of approval to make the project more compatible with the surrounding land use. The City finds that the project, as modified and conditioned, will comply with all the applicable provisions of this Zoning Ordinance. 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 multiple family residential development as well as small-scale resort and motels. Other similar uses such as day care facilities, emergency shelters, fraternity houses, and probationer homes are also allowed, subject to approval of a Conditional Use Permit by the Planning Commissions. The proposed use will not have any greater impacts on the integrity and character of the land use district than other uses that could potentially be approved, in fact, the proposed use, as it is being conditioned will have comparatively reduced impacts on traffic and parking than the previous resort motel and spa, since no patient/residents will be allowed to drive or park their vehicle on site. The City has found that the proposed project is consistent with the intent of the land use designation and will not have a significant negative impact on the integrity and character of the land use district. Staff recommends this finding.

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

The proposed treatment facility will occupy an existing structure. Only minimal expansion is proposed and the resulting lot merger will create lower density, lot coverage and intensity than what currently exists. No change to the building massing, architecture is proposed. The City has found that the proposed use is compatible with adjacent land uses in scale, mass, coverage, density and intensity. Staff recommends this finding.

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

The proposed treatment facility will occupy the entire site within an existing structure. No other uses are present on the project site. The City has found that the proposed use will not impact any other on-site uses since none are present. 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 development under this designation includes land uses which are compatible with the predominately residential character of the land. This designation also accounts for compatibility with small scale spa-type facilities including resorts, motels and boutique hotels. This designation is also meant to foster development to serve permanent and seasonal residents, as well as the vacationing public visiting resort, hotels, motel and other similar facilities.

The project proposes to operate a drug and alcohol rehabilitation treatment facility 11 patient care stay units with 26 beds. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning. The Planning Commission has evaluated the project and found that the facility will help to service the larger community and is consistent with the goals & policies of the City's General Plan as outlined in this report.

The City has found that the proposed treatment facility will be compatible with existing and future land uses within the general area. Staff recommends this finding.

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

The proposed treatment facility will occupy an existing structure. Only minimal expansion is proposed and the resulting lot merger will create lower density, lot coverage and intensity than what currently exists. No change to the building massing or architecture is proposed. The City has found that the proposed use is compatible with adjacent land uses in scale, mass, coverage, density and intensity. 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 an existing motel and spa with associated structures. Water, sewer, electrical, gas, and other utilities are already provided to the site. The conversion of the building for use as a treatment facility with no patient/short-term resident parking allowed will not have a significant 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 northeast corner of Mountain View Road & Calle Bolso which are both paved and the site already has access provided by a wide driveway on the north side of the site on Mountain View Road. 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 single-story building which has a stucco finish and low-pitched roof with a mid-century modern

style architecture that is consistent with the neighborhood. The current proposal only changes the use and requires mostly interior improvements to bring the building up to current building, fire and ADA requirements. Staff recommends this finding.

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

The project proposes to operate a drug and alcohol rehabilitation treatment facility with 11 patient care stay units and 26 beds. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning. The managers of Affinity Recovery, Premier Health Group have been licensed since 2012, and are currently operating three (3) other licensed facilities in California, all of which have been in good standing with the Department of Health Care Services since their initial licensing. Although this is not a lock-down facility, residents, by rule, are not allowed to leave the facility at any time without a staff escort. The facility will have 11 residential type units with 2-3 beds per suite with an average length of stay will be anywhere from fifteen (15) to thirty (30) days. When treatment has been completed, transportation will be arranged for the resident to be transported to an airport of his/her choice, or to their former family residence. Any resident who breaks the rules of the facility will not be “dumped” or excluded without transportation being provided.

The business plan indicates that the staff will include a medical doctor, 2 licensed nurses (LVN's), 4 licensed counselors, 2 facility monitors, 2 van drivers, a cook and a maintenance worker. At least 3 staff members will be on site at all times, with up to 10 employees at the facility during normal business hours. A security company will also be hired to surveil the property 24 hours a day.

The City has found that the proposed use will serve the community by providing necessary services to those that need assistance. The community of Desert Hot Springs, the Coachella Valley and surrounding areas will benefit from having an additional facility with licensed professionals. Staff recommends this finding.

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

Appropriate development under this designation includes land uses which are compatible with the predominately residential character of the land. This designation also accounts for compatibility with small scale spa-type facilities including resorts, motels and boutique hotels. This designation is also meant to foster development to serve permanent and seasonal residents, as well as the vacationing public visiting resort, hotels, motel and other similar facilities.

The project proposes to operate a drug and alcohol rehabilitation treatment facility 11 patient care stay units with 26 beds. The facility will be licensed by the State of California Department of Health Care Services to provide treatment to adults in a residential setting. The licensed services are designed to promote treatment and maintain recovery from substance use disorder problems, which include one or more of the following: detoxification, group sessions, individual sessions, educational sessions and recovery or treatment planning. The Planning Commission has evaluated the project and found that the facility will help to service the larger community and is consistent with the goals & policies of the City's General Plan as outlined in this report. Staff recommends this finding.

ENVIRONMENTAL ANALYSIS

The Applicant proposes to complete a minimal expansion of the existing structure and change the use to a treatment facility. Only minor alterations, repairs, are proposed and the City is only going to require minor improvements so that the building and site can be brought up to current code and with the resulting change in occupancy. Staff has evaluated the project for compliance with the guidelines of the California Environmental Quality Act (CEQA) and found the project to be exempt from further environmental review, as a Class 1 exemption, pursuant to section 15301(Existing Facilities).

FISCAL IMPACT

The applicant has paid all required fees for review and potential Planning Commission entitlements. Development of this project will also 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 RVS-L (Residential Visitor Serving Low Density) Zoning District. Staff recommends that the Planning Commission approve Conditional Use Permit No. 06-19, subject to the Conditions of Approval, and the findings contained in this report.

EXHIBIT(S)

- 1) Draft Conditions of Approval
- 2) Existing/Proposed Site Plan
- 3) Existing Floor Plan
- 4) Proposed Floor Plan
- 5) Building Elevations
- 6) Existing Landscaping Plan
- 7) Site Aerial Photo
- 8) Site Photo from Mountain View Road
- 9) Site Photo from Calle Bolso
- 10) Site Photo Showing Existing Roof Sign
- 11) Business Plan
- 12) Affinity Recovery Commitment