

Chapter 204 USE CLASSIFICATIONS

204.02 Applicability

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this title. The director may determine that a specific use shall not be deemed to be within a classification, if its characteristics are substantially different than those typical of uses named within the classification. The director's decision may be appealed to the Planning Commission. (3334-6/97, 4175-3/19, 4183-10/19)

204.04 Uses Not Classified

Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the zoning provisions by a Zoning and Subdivision Ordinance text amendment, as provided in Chapter 247. Such an incorporation shall not be effective unless certified by the Coastal Commission as a Local Coastal Program amendment. (3334-6/97, 4175-3/19, 4183-10/19)

204.06 Residential Use Classifications

A. Day Care, Limited (or Small-Family). Non-medical care and supervision of six or fewer persons, or eight or fewer persons if two of the persons are six years of age or older, on a less than 24-hour basis. Children under the age of 10 years who reside in the home shall be counted for purposes of these limits. This classification includes nursery schools, preschools, and day-care centers for children and adults.

B. Group Home. A facility that is being used as a supportive living environment for persons who are considered disabled under State or Federal law. A Group Home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility, whether the facility occupies one (1) or more dwelling units. Group homes shall not include the following: (1) residential care facilities; (2) any unit operating as a single housekeeping unit.

CB. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boarding houses, but excludes residential hotels or motels, and Group Homes.

DC. Multifamily Residential. Two or more dwelling units on a site. This classification includes manufactured homes.

E. Referral Facility. A Residential Care Facility, Group Home, or Sober Living Home where one or more person's residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

FD. Residential Care Facility. A residential facility licensed by the State where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include, but may not be limited to, the following: intermediate care facilities for the developmentally disabled (Health & Safety Code §§ 1267.8, 1267.9); community care facilities (Health & Safety Code § 1500 et seq.); residential care facilities for the elderly (Health & Safety Code § 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. §

87801(a)(5); Health & Safety Code § 1568.02); alcoholism and drug abuse facilities (Health & Safety Code §§ 11834.02—11834.30); pediatric day health and respite care facilities (Health & Safety Code § 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Safety Code §§ 1265—1271.1, 1250(i), 1250(e), (h)); family care home, foster home, group home for the mentally disordered or otherwise disabled persons or dependent and neglected children (Wel. & Inst. Code §§ 5115—5120).

~~**Residential Alcohol Recovery, Limited.** Twenty-four-hour care for no more than six persons suffering from alcohol problems in need of personal services, supervision, protection or assistance. This classification includes only those facilities licensed by the State of California.~~

~~**Residential Care, Limited.** Twenty-four-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.~~

FG. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes manufactured homes.

H. Sober Living Home. A Group Home for persons who are recovering from a drug and/or alcohol addiction and who are considered disabled under State or Federal law. Sober Living Homes shall not include the following: (1) residential care facilities; (2) any unit operating as a single housekeeping unit.

GI. Supportive Housing. Housing with no limit on length of stay that is occupied by the target population and is linked to on-site or off-site services that assist residents to retain the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. On-site and off-site services may include, but are not limited to, after-school tutoring, child care, and career counseling. Supportive housing uses are subject only to those restrictions and processing requirements that apply to other residential dwellings of the same type in the same zone.

HJ. Transitional Housing. Temporary housing (generally six months to two years) for a homeless individual or family who is transitioning to permanent housing. This type of housing includes multi-family unit developments and often includes a supportive services component to allow individuals to gain necessary life skills in support of independent living. Transitional housing uses are subject only to those restrictions and processing requirements that apply to other residential dwellings of the same type in the same zone. (3334-6/97, 3669-12/04, 3857-2/10, 4175-3/19, 4183-10/19)

204.08 Public and Semipublic Use Classifications

A. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery, business and administrative offices, chapels, flower shops, and necessary maintenance facilities.

B. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers.

C. **Community and Human Service Facilities.**

1. Drug Abuse Centers. Facilities offering drop-in services for persons suffering from drug abuse, including treatment and counseling without provision for on-site residence or confinement.
2. Primary Health Care. Medical services, including clinics, counseling and referral services, to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.
3. Emergency Kitchens. Establishments offering food for the “homeless” and others in need.
4. Emergency Shelters. Establishments offering food and shelter programs for “homeless” people and others in need. This classification does not include facilities licensed for residential care, as defined by the State of California, which provide supervision of daily activities.
5. ~~Residential Alcohol Recovery, General. Facilities providing 24-hour care for more than six persons suffering from alcohol problems, in need of personal services, supervision, protection or assistance.~~
~~These facilities may include an inebriate reception center as well as facilities for treatment, training, research, and administrative services for program participants and employees. This classification includes only those facilities licensed by the State of California.~~
6. Residential Care, General. Twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.

NO FURTHER CHANGES TO HBZSO CHAPTER 204 PROPOSED

REMAINDER OMITTED FROM LEGISLATIVE DRAFT