

From: [Defend Granite Bay - A Community Association](#)
To: [Bonnie Gore](#); [Robert Weygandt](#); [Jim Holmes](#); [Suzanne Jones](#); [Cindy Gustafson](#)
Cc: [Megan Wood](#); [GBCA](#)
Subject: [EXTERNAL] Chapter 17 Zoning Text Amendments (PLN21-00153)
Date: Monday, September 12, 2022 12:14:04 PM
Attachments: [image.png](#)

DEFEND GRANITE BAY



Supervisors Gore, Weygandt, Holmes, Jones and Gustafson,

Thank you for the opportunity to comment on agenda item 8A CDRA Chapter 17 Zoning Text Amendments (PLN21-00153)

For more than a decade, the issue of Residential Care homes of 7+ has been a chronic and persistent problem in Granite Bay; resulting in 2 legal challenges and an appeal. The problem has yet to be corrected. The primary issue stems from a lack of formal definition of Residential Care Homes of 7+ and prior interpretations of the loose description available in the zoning ordinances which does not meet the California State definition or licensing requirements.

<i>Residential care homes, 6 or fewer clients</i>	C	
<i>Residential care homes, 7 or more clients</i>	MUP	
Senior housing projects	CUP	17.56.210

At this time, we respectfully request that staff complete its exercise of creating consistency with State requirements and provide a code/definition for Res Care 7+ and Residential Care Facilities for the Elderly 7+ (RCFE).

“The California Department of Social Services, Community Care Licensing Division (CCLD) and Continuing Care Contracts Branch enforces these laws and regulations through the initial licensing process and periodic inspections. RCFEs are regulated by the California Code of Regulations Title 22, Division 6, Chapter 8.”

Consistency with the State definition will eliminate confusion regarding licensing and staffing requirements.

We agree with the Planning Commission recommendation to remove Res Care 7+ as an allowed land use in Res Ag.

We agree with the Planning Commission findings that Res Care 7+ is a commercial enterprise with potentially multiple employees and services and should be allowed in Commercial, Office Professional or Multi-Family zoned districts. **This will prevent a conflict with home business operating standards for SFR zoned districts:** a single round trip per day commercial delivery, one employee besides owner occupant, hours of operation from 7am until 10pm and no more than three patrons visiting the site at any one time and a maximum of fifteen (15) patrons per day.

Staff findings that eliminating Res Care 7+ in Single family would be in violation of SB10 are unfounded as there is no proposed reduction in the number of parcels or units as there is not a 7+ Res Care facilities being proposed at this time. Res Care of 6 and under are being treated equally as per State requirements.

Should you side with staff interpretation, at minimum a CUP should be required to ensure that appropriate public input is received and that there are more stringent standards for parking, visitors and that mass/density/intensity are consistent with surrounding properties. Historically, this has not been the case- Placer Retirement Residences (155,000sq ft), Ovation (108,000sq ft) and Catuna (15,000sq ft) next to single family homes ranging from 1500-5000sq ft.

Regarding Chapter or plan amendments and rezonings (17.60.090)

Without following a set procedure of notifications, the Planning Director and impacted Supervisor(s) are making **capricious and arbitrary decisions based on individual discretion rather than a fair application of the law**. Perhaps it would be more appropriate to have the MAC's along with the Supervisor rather than Planning Director determine if more outreach is required as they are the pulse of their community.

The Defend Granite Bay Board and members