

RESIDENTIAL OCCUPANCY REGULATIONS

TYPE OF USE	DEFINED	APPLICABLE STATE LAW	LICENSED BY STATE	CITY ZONES PERMITTED	CUP/ MCUP	DISTANCE REQUIREMENTS
Community Care Facilities	Nonmedical residential care for children and/or adults defined in Health and Safety § 1502					
Group Homes:	Defined in RMC § 19.910.080(G)					
Minor Children	24-hour care and supervision of children 22 CCR 80001(g)(1)	H&S § 1500, et. seq. H&S § 1566.3, 1567.1 22 CCR 80001; 84000-84808	Yes*	Group homes for 6 or fewer permitted in RC, RA-5, RR, RE and R-1 zones	None	State licensing requires a 300' separation between group homes to avoid overconcentration (State may approve less than 300' with approval of City) H&S § 1520.5
Adult Community Care: (Adult Residential)	24-hour nonmedical care and supervision of adults, except elderly 22 CCR 80001(a)(4) and (5)	H&S § 1500, et. seq. H&S § 1566.3 22 CCR 80001 22 CCR 85000-85091.4	Yes*	Group homes for more than 6 permitted in RR, RE and R-1 zones Site Plan Review required for R-3 and R-4 zones	CUP Required	State does not consider foster family homes, residential care facilities for the elderly or transitional shelter care facilities in determining overconcentration H & S § 1520.5(f), (g)
Social Rehabilitation	24 hour nonmedical care and to adults recovering from mental illness 22 CCR 81001s(2)	H&S § 1500, et. seq. H&S § 1502(a)(7); 1566.3 22 CCR 81000-81088	Yes*	RMC § 19.150.020(A)		RMC § 19.315.040(A)(1) 300' separation between group homes, except as stated above
Small family home	24-hour care for foster children with mental, development or physical disorders H&S § 1502(a)(12)	H&S § 1500, et. seq.	Yes*			1000' separation between group home and parolee/probationer home

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Transitional Housing	Persons in placement under supervision of county dept. H&S § 1502(a)(12)	H&S § 1500 et seq.	Yes*	Group homes for 6 or fewer permitted in RC, RA-5, RR, RE and R-1 zones	None	State licensing requires a 300' separation between group homes to avoid overconcentration (State may approve less than 300' with approval of City) H&S § 1520.5
Mentally/Physically Disordered	Persons with mental or physical disabilities	W&I § 51115, et. seq.	Yes*	Group homes for more than 6 permitted in RR, RE and R-1 zones	CUP Required	State does not consider foster family homes, residential care facilities for the elderly or transitional shelter care facilities in determining overconcentration H & S § 1520.5(f), (g)
Family Care Home	24-hour care	W&I § 51115, et. seq.	Yes*	Site Plan Review required for R-3 and R-4 zones		
Elderly Residential Care	Persons over age 60	H&S § 1569, et. seq. H&S § 1569.85 22 CCR 87100-87731.4	Yes*	RMC § 19.150.020(A)		RMC § 19.315.040(A)(1) 300' separation between group homes, except as stated above
Chronically Ill Care	Terminally ill persons who are under hospice care	H&S § 1568, et. seq. H&S § 1568.0831 22CCR 87800-87924				1000' separation between group home and parolee/probationer home

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Pediatric Day Health/Respite Care Facilities	Day and limited 24-hour care to medically fragile/terminally ill children & their families H&S § 1760.2	H&S § 1760, et. seq.	Yes*	Group homes for 6 or fewer permitted in RC, RA-5, RR, RE and R-1 zones Group homes for more than 6 permitted in RR, RE and R-1 zones Site Plan Review required for R-3 and R-4 zones	None CUP Required	State licensing requires a 300' separation between group homes to avoid overconcentration (State may approve less than 300' with approval of City) H&S § 1520.5
Health Facilities: (Congregate Care)	Medical supervision/24-hour nursing care	H&S § 1250, et. seq. H&S § 1267.8, 1267.9 1267.16	Yes*	RMC § 19.150.020(A)		State does not consider foster family homes, residential care facilities for the elderly or transitional shelter care facilities in determining overconcentration H & S § 1520.5(F), (g)
Intermediate Care/ DD Developmentally Disabled	24-hour personal care personal need – development service; intermittent nursing	H&S § 1250, et. seq. H&S § 1267.8, 1267.9	Yes*			RMC § 19.315.040(A)(1) 300' separation between group homes, except as stated above
Intermediate Care/ DD-Habilitative	24-hour personal care for 4-15 persons; intermittent nursing	H&S § 1250, et. seq. H&S § 1267.8, 1267.9	Yes*			1000' separation between group home and parolee/probationer home
Intermediate Care/ DD Nursing	24-hour personal care for 4-15 persons; nursing supervision	H&S § 1250, et. seq. H&S § 1267.8, 1267.9				

*Community Care Licensing/Department of Social Services
**Department of Alcohol & Drug Programs

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Alcohol/Drug Treatment Facility	Residential nonmedical services to persons recovering from problems related to alcohol/drug use H&S § 11834.02 H&S § 11834.09	H&S § 11760, et. seq. H&S § 11834.02 H&S § 11834.20-11834.30 Gov't § 12900, et. seq. 42 U.S.C. § 3601, et. seq. 42 U.S.C. § 12101, et. seq. 9 CCR 10500-10631	Yes, if treatment and counseling is included**	Group homes for 6 or fewer permitted in RC, RA-5, RR, RE and R-1 zones Group homes for more than 6 permitted in RR, RE and R-1 zones Site Plan Review required for R-3 and R-4 zones RMC § 19.150.020(A)	None CUP Required	300' separation between group homes, except as stated above 1000' separation between group home and parolee/probationer home RMC 19.315.040(A)(1) §
Homeless Shelters	Emergency (permanent) shelter, supportive and transitional housing	H&S §'s 50675.2, 50675.14 and 50801	N/A	For 2 – 6 occupants, permitted in RR, RE, and R-1 zones For 6 or more occupants, permitted in RR, RE, and R-1 zones RMC §'s 19.150.020(A) and 19.400	MCUP Required CUP Required	5000' separation from other shelters RMC 19.0400.040(E) 300' separation from other group homes RMC 190400.040(G) 1000' separation from public or private schools – see RMC 19.400.040(F)

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**Department of Alcohol & Drug Programs

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Assisted Living Residential Care Facilities	Special combo of housing, supportive services, personalized assistance & health care designed to respond to individual needs of person who need help with daily living activities			Permitted only in R-1 and R-3 zones	CUP Required	300' separation requirement measured from walls to another assisted living facility
	RMC § 19.910.020(A)			RMC §'s 19.150.020(A) and RMC § 19.260	RMC § 19.150.020(A)	1000' separation requirement from walls next to building used as parolee/probationer home RMC § 19.260.040(A)(6)
Boardinghouse	Rental of room(s) in residence/dwelling to 5 or more individuals (except hotel/motel/long-term stay, assisted living facility & group homes)		N/A	Allowed only in R-3 zone	CUP Required	N/A
	RMC § 19.910.030(B)			RMC § 19.150.020(A)	RMC § 19.150.020(A)	
Student Housing Including fraternities, sororities & dorms	A structure specifically designed for long-term stay by students of a college/university w/ rooms for sleeping purposes		N/A	Allowed in R-3 and R-4 zones only	CUP Required	N/A
	RMC § 19.910.200(S)			RMC § 19.150.020(A)	RMC § 19.150.020(A)	

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<p>Parolee/Probationer Home</p>	<p>Two (2) or more parolees or probationers residing in any residential structure RMC § 19.910.170(P)</p>	<p>Subject to terms of probation/parole</p>	<p>N/A</p>	<p>For 2 – 6 occupants, permitted in RR, RE, and R-1 zones For 6 or more occupants, permitted in RR, RE, and R-1 zones RMC §'s 19.150.020(A) and 19.350</p>	<p>MCUP Required CUP Required RMC § 19.150.020(A)</p>	<p>1000' separation from: any other group housing, assisted living facility, public/private school (pre-school through 12th grade) university, college, student housing, senior housing, day care home or center, public park, library, business licensed for on or off-site sales of alcoholic beverages or drop-in permanent emergency, homeless or transitional shelter as measured from any point on outside walls of the parolee/probationer home to the nearest property line of noted use RMC § 19.350.040(A)(6) 5000' separation requirement between parolee/probationer homes as measured from nearest outside building walls between homes RMC § 19.350.040(A)(5)</p>

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Day Care Center – Child	A child day care facility other than a family any care home, including infant centers, preschools, extended day care facilities and school-age child care centers		Yes*	Allowed in RR, RE, R-1 and R-3 zones RMC §'s 19.150.020(A) and 19.290	CUP Required RMC 19.150.020(A)	600' separation from existing child day care center, measured from property lines RMC 19.290.030(A)(2)
Day Care Center – Adult	A facility that provides supervision and non-medical care to more than six (6) adults, including elderly persons, on a less than 24-hour basis		Yes*	Permitted in RR, RE, R-1 and R-3 zones RMC §'s 19.150.020(A) and 19.290	CUP Required RMC 19.150.020(A)	N/A
Small Family Day Care Home	Family day care for up to six (6) children, including children under ten (10) years who reside in home, can go up to eight (8) children if certain conditions are met	H&S § 1597.45	Yes*	Permitted in RC, RA-5, RR, RE, R-1, R-3 and R-4 (Permitted in all residential zones) RMC §'s 19.470 and 19.150.020(A)	None	N/A

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Day Care Home – Large Family	Family day care for seven (7) to twelve (12) children, including children under the age of ten (10) who reside at home and can go up to fourteen (14) children if certain conditions are met	H&S § 1597.45	Yes*	Permitted in all residential zones RMC §'s 19.470 and 19.860	Day Care Permit Required	300' from any other day care home RMC 19.470.030
Rental of Rooms	Procedure to permit owners of single family homes/dwellings to rent a room or rooms to more than two (2) but not to exceed four (4) individuals through a home rental permit process RMC § 19.895	RMC § 19.520	No	Rental of rooms to 2 or fewer permitted in RC, RA-5, RR, RE and R-1 zones Rental of rooms to 3 or 4 permitted in RC and RA-5 zones	None None	None
Runaway and Homeless Youth Shelter	Voluntary, short-term, shelter and personal services to runaway youth or homeless youth H&S §1502(a)(14)	H&S § 1500, et. seq. H&S § 1502.35	Yes*	N/A	N/A	N/A

*Community Care Licensing/Department of Social Services

**Department of Alcohol & Drug Programs