

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

IN THE MATTER OF:

An ordinance of the City Council of the City of Lafayette,) )  
California recommending approval of a Zoning Text ) )  
Amendment ("ZT06-14") to Chapter 6-4 ) )  
"Activity Classifications", Chapter 6-5 "General ) Ordinance 635  
Provisions", Chapter 6-6 "Off-street Parking", Chapter ) )  
6-7 "Single-family Residential Districts", Chapter 6-8 ) )  
"Multiple-family Residential Districts" and Chapter 6-9 ) )  
"Business and Commercial Districts" of the Lafayette ) )  
Municipal Code. ) )

The City Council of the City of Lafayette does ordain as follows:

**Section 1. Findings.** The City Council finds the following:

**WHEREAS**, the Housing Element of the Lafayette General Plan was updated and approved in 2011 by the City Council; and

**WHEREAS**, the City's Housing Element includes a program to review the zoning regulations and consider revisions to governmental constraints on the development of housing. By defining the uses and identifying the locations where the uses are permitted the City is removing constraints to the development of housing; and

**WHEREAS**, providing housing to all segments of the population including those with supportive needs is outlined in the General Plan and the updates are consistent with the General Plan. While certain types of supportive care are currently allowed in all zoning districts, some of the specific types outlined in the California Health and Safety Code and Government Code are not included. The City is therefore amending the activity classifications and general provisions to include additional types of supportive care in all zoning districts in which residential dwelling units are a permitted use, which include the multifamily and single-family zoning districts, and business and commercial districts.

**WHEREAS**, California state law requires allowance of the proposed uses and the changes to the municipal code and zoning regulations are consistent with state law; and

**WHEREAS**, the City prepared Zoning Text Amendment ZT06-14 to amend Chapter 6-4 "Activity Classifications", Chapter 6-5 "General Provisions" and all of the zoning districts classified as single-family and multi-family, and business and commercial districts to define and allow "Foster home", "Group home", "Health care", "Senior residential care", "Supportive housing", and "Transitional housing"; and

**WHEREAS**, on September 2, 2014, the Planning Commission of the City of Lafayette conducted a duly noticed public hearing pursuant to Government Code section 65854, at which time all persons wishing to testify in connection with ZT06-14 were heard and ZT06-14 was fully studied and the Planning Commission adopted Resolution No. 2014-20 forwarding a recommendation of approval to the City Council; and

**WHEREAS**, on September 22 and October 14, 2014, the City Council of the City of Lafayette conducted a duly noticed public hearing pursuant to Government Code section 65854, at which time all persons wishing to testify in connection with ZT06-14 were heard and ZT06-14 was fully studied;

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAFAYETTE CITY COUNCIL THAT:**

**Section 2. Zoning Text Amendment Findings.** Pursuant of Lafayette Municipal Code Section 6-213 and based on the entire record before the City Council and all written and oral evidence received at the public hearing on this matter, the City Council hereby makes and adopts the following findings:

- (a) The zoning text amendment is compatible with the General Plan and each of its elements and all components therein because the General Plan includes a stated goal to “adopt and implement a Housing Chapter that is in compliance with state law.” (Goal H-5); and
- (b) The Amendment is compatible with the uses authorized in, and the regulations prescribed for, the land use districts for which it is proposed and with the regulations for each land use district; and
- (c) There is community need to amend the zoning text to allow supportive care in all zoning districts in which residential dwelling units are a permitted use in order to provide housing for all segments of the community and to comply with state law.

**Section 3. CEQA.** The City finds and determines with certainty that the amendments described in ZT06-14 are not considered a project under the Environmental Quality Act Sections 15061(b)(3) and 15378(b)(5) as the ordinance is an administrative activity that only implements existing state law and would not, itself, allow any construction or propose any projects, and each proposed project would be subject to individual CEQA review.

**Section 4. Adoption of Amendment.** Based on the record before the City Council, all written and oral evidence presented to the Planning Commission, and the findings made in this Resolution, the Planning Commission hereby recommends that the City Council approve ZT06-14 amending Chapter 6-4 “Activity Classifications”, Chapter 6-5 “General Resolution 2014-20 Provisions”, Chapter 6-7 “Single-Family Residential Districts”, Chapter 6-8 “Multiple-Family Residential Districts” and Chapter 6-9 “Business and Commercial Districts” of the Lafayette Municipal Code, as described in Exhibit “A” attached hereto and incorporated herein by reference.

**Section 5. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Ordinance are declared to be severable.

**Section 6. Public Records.** The location and custodian of the documents and any other material which constitute the record of proceedings upon which the City Council based its decision is as follows: City

Clerk, City of Lafayette, 3675 Mt. Diablo Blvd #210, Lafayette, CA 94549.

**Section 7. Publication.** The City Clerk shall either (a) have this Ordinance published in a newspaper of general circulation once within fifteen (15) days after its adoption, including the names of the city council members voting for and against its passage, or (b) have a summary of this Ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within fifteen (15) days after adoption, including the names of the city council members who voted for and against its passage.

**Section 8. Effective Date.** This Ordinance becomes effective thirty (30) days after its adoption.

**Section 9. Certification.** The City Clerk shall certify to the adoption of this Ordinance.

**PASSED AND ADOPTED** by the City Council of the City of Lafayette at a regular meeting on October 14, 2014, by the following vote:

**AYES: Tatzin, B. Andersson, and Mitchell**

**NOES: None**

**ABSTAIN: None**

**ABSENT: M. Anderson and Reilly**

**ATTEST:**

**APPROVED:**

  
\_\_\_\_\_  
Joanne Robbins, City Clerk

  
\_\_\_\_\_  
Don Tatzin, Mayor

**Attachments**

Exhibit "A" Zoning Modifications

**EXHIBIT "A"**

Proposed Amendments to Chapter 6-4 "Activity Classifications", Chapter 6-5 "General Provisions", Chapter 6-6 "Off-street Parking", Chapter 6-7 "Single-family Residential Districts", Chapter 6-8 "Multiple-family Residential Districts" and Chapter 6-9 "Business and Commercial Districts" of the Lafayette Municipal Code

[Amendments begin on following page]

## PROPOSED AMENDMENTS TO CHAPTER 6-4 "ACTIVITY CLASSIFICATIONS"

- Strike Section 6-422 Health care activity.
  - 6-422 Health care activity.

"Health care activity" means and consists of the activities typically performed by the following institutions:

    - (a) Health clinics;
    - (b) Hospitals and convalescent hospitals;
    - (c) Nursing homes, rest homes and homes for the aged, with seven or more patients.
- Add Section 6-441:
  - Section 6-441 Hospital.

"Hospital" means an institution providing medical or surgical treatment and care for the recovery of people with major illnesses or injuries on an inpatient and outpatient basis including ambulance bays, trauma units, maternity wards, intensive care units or pharmacies.
- Add Section 6-442:
  - Section 6-442 Supportive care.

"Supportive care" means the provision of accommodations for a number of unrelated people that live together in need of care, support, or supervision.

**PROPOSED AMENDMENTS TO CHAPTER 6-5 "GENERAL PROVISIONS"**  
**ARTICLE 1 "MISCELLANEOUS"**

Add Section 6-534: Supportive care criteria.

- (a) Foster home – The provision of 24-hr residential care for six (6) or fewer minors, including those who are mentally, developmentally or physically disabled and/or handicapped requiring special care and supervision as a result of such disabilities (also known as a small family home), residing in the residence of the foster parents as further defined in the California Health and Safety Code 1502.
- (b) Group home – The provision of 24-hr residential care for six (6) or fewer minors, by licensed staff in a structured environment as further defined in the California Health and Safety Code 1502.
- (c) Health care – The provision of residential care for six (6) or fewer patients for temporary rehabilitation of an injury or illness.
- (d) Senior residential care – The provision of residential care for six (6) or fewer senior residents, 60 years or older and are in need of 24-hour care pursuant to Chapter 6-11.5 of the LMC.
- (e) Supportive housing – The provision of residential care which includes supportive services that help residents improve their health and maximize their ability to live and work in the community and may include treatment for developmental disabilities, chronic illnesses, or substance abuse as further defined in the Government 65582 and shall be considered a residential use of the property and subject only to the restrictions that apply to other dwelling units of the same type in the same zone.
- (f) Transitional housing – The provision of residential care for a minimum of 6 months and a maximum of 2 years, for homeless individuals and families transitioning to permanent housing as further defined in the Government Code 65582 and shall be considered a residential use of the property and subject only to the restrictions that apply to other dwelling units of the same type in the same zone.

**PROPOSED AMENDMENTS TO CHAPTER 6-6 "OFF-STREET PARKING"**  
**ARTICLE 3 "NUMBER OF PARKING SPACES"**

- Modify Section 6-641 (w): Health care activity
  - Section 6-641 (w) Hospital: Health care activity: such as health clinics and hospital services, ~~One space for each two beds.~~
    - ~~(1) Sanitariums, convalescent homes, rest homes and nursing homes: ten spaces, or one space for each four beds, whichever is the larger number.~~

## PROPOSED AMENDMENTS TO CHAPTER 6-7 "SINGLE-FAMILY RESIDENTIAL DISTRICTS"

### Article 1. Single-Family Residential District-6

6-703 Uses permitted

- Strike subsection (d): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

6-704 Uses requiring a use permit

- Modify subsection (b): Hospitals, and eleemosynary and philanthropic institutions, ~~and~~ convalescent homes;

### Article 2. Single-Family Residential District-10

6-722 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

### Article 4. Single-Family Residential District-15

6-762 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

### Article 5. Single-Family Residential District-20

6-782 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

### Article 6. Single-Family Residential District-40

6-7102 Uses permitted



- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

Article 7. Single-Family Residential District-65

6-7122 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

Article 8. Single-Family Residential District-100

6-7142 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

Article 9. Low Density Residential District- 5

6-7183 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC

Article 10. Low Density Residential District- 10

6-7203 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC

## PROPOSED AMENDMENTS TO CHAPTER 6-8 "MULTIPLE-FAMILY RESIDENTIAL DISTRICTS"

### Article 1. Two-Family Residential District

6-803 Uses permitted

- Strike subsection (c): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (d): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

6-804 Uses requiring a use permit

- Modify subsection (f): Hospitals, and eleemosynary and philanthropic institutions, ~~and convalescent homes;~~

### Article 2. Multiple-family Residential District A

6-823 Uses permitted

- Strike subsection (d): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (e): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

6-824 Uses requiring a use permit

- Modify subsection (e): Eleemosynary and philanthropic institutions, ~~convalescent homes, and boarding homes;~~

### Article 3. Multiple-family Residential District B

6-843 Uses permitted

- Strike subsection (d): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (e): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

6-844 Uses requiring a use permit

- Modify subsection (e): Eleemosynary and philanthropic institutions, ~~convalescent homes, and boarding homes;~~

Article 4. Multiple-family Residential/Professional Office District

6-863 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC

6-864 Uses requiring a use permit

- Modify subsection (e): Eleemosynary and philanthropic institutions, ~~convalescent homes,~~  
and ~~boarding homes;~~

Article 5. Multiple-family Residential Townhouse District

6-883 Uses permitted

- Strike subsection (b): Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons;
- Strike subsection (c): Residential care home for the aged, operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six aged persons reside on the premises with not more than two supervisory persons;
- Add subsection: Supportive care pursuant to §6-534 LMC

6-884 Uses requiring a use permit

- Modify subsection (b): Eleemosynary and philanthropic institutions, ~~convalescent homes,~~  
and ~~boarding homes;~~

Article 6. Multiple-family Residential/Professional Office, One-story District

6-8103 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC

6-8104 Uses requiring a use permit

- Modify subsection (e): Eleemosynary and philanthropic institutions, ~~convalescent homes,~~  
and ~~boarding homes;~~

## PROPOSED AMENDMENTS TO CHAPTER 6-9 "BUSINESS AND COMMERCIAL DISTRICTS"

### Article 1. Retail Business District

6-904 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC

### Article 2. General Commercial District

6-923 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC.

6-924 Uses requiring a use permit.

- Strike subsection (l): Health care;
- Add subsection: Hospital

### Article 4. Special Retail Business District

6-964 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC.

### Article 2. General Commercial District 1

6-983 Uses permitted

- Add subsection: Supportive care pursuant to §6-534 LMC.

# Contra Costa Sun

PO Box 599  
Lafayette, CA 94549  
(925) 284-4444

Legal No. 0005288473

*Dr L 635*

LAFAYETTE, CITY OF  
ATTN: ACCOUNTS PAYABLE, 3675 MT. DIABLO BLVD.,  
#210  
LAFAYETTE CA 94549-3793

## PROOF OF PUBLICATION

FILE NO. ZT06-14

In the matter of

Contra Costa Sun

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the Contra Costa Sun, a newspaper of general circulation, printed and published at 2640 Shadelands Drive in the City of Walnut Creek, County of Contra Costa, 94598

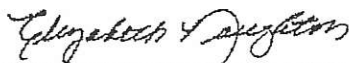
And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of November, 1938. Case Number 23392.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

9/12/2014

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 9th day of October, 2014.



Signature



## NOTICE OF PUBLIC HEARING

City Council

Don Tatzin, Mayor  
Brandt Andersson, Vice Mayor  
Mike Anderson, Council Member  
Mark Mitchell, Council Member  
Traci Reilly, Council Member

**BODY:** City Council

**DATE:** Monday, September 22, 2014

**TIME:** 7:00 p.m. (please see the agenda for estimated start time of each item)

**PLACE:** Lafayette Library & Learning Center, 3491 Mt. Diablo Blvd • Community Hall

**RE:** ZT06-14 City of Lafayette (Applicant): City-initiated zoning text amendment to (1) Amend Chapter 6-4 "Activity Classifications" Lafayette Municipal Code (LMC) by (a) establishing a new Activity Classification called "Supportive care" and (b) amending the existing Activity Classification called "Health care activity"; (2) Amend Chapter 6-5 "General Provisions" Article 1 "Miscellaneous" LMC by establishing new provisions called "Supportive care criteria" which include the provisions for "Foster home", "Group home", "Health care", "Senior residential care", "Supportive housing", and "Transitional housing"; and (3) Update all zoning districts to establish "Supportive care" as a use permitted by right. The proposed amendments are required to comply with state law. *Note: The above is a summary of the major highlights of the Ordinance. To obtain a full understanding of the Ordinance it should be read in its entirety, a copy of the full text of the Ordinance may be obtained from the City Clerk's office at 3675 Mount Diablo Blvd., Lafayette, California 94549.*

*\*On September 2, 2014, the Planning Commission adopted Resolution 2014-20 with a vote of 5-0-2 (Lovitt and Sayles absent), finding the project exempt from CEQA and forwarding a unanimous recommendation of approval to the City Council.*

Notice is given that on Monday, September 22, 2014 the City Council of the City of Lafayette will conduct a public hearing commencing at 7:00 p.m. in the Community Hall at the Lafayette Library & Learning Center, 3491 Mt. Diablo Blvd. If adopted, Ordinance 635 (ZT06-14) would amend Chapters 6-4 and 6-5 as described above.

You may review the agenda and staff report, posted the Wednesday before the hearing, by visiting the City Calendar on the City's website and clicking on the meeting date. The agenda includes a staff recommendation on each item. Any last minute changes or cancellations will be posted here. The Action Agenda, summarizing the Council's action on each item including, any continuance date, is posted to the same location on the City's web site the following day. If you would like to subscribe to receive agendas via email, sign-up for free on the home page of the City's website.

The application described above is available for public review at the City Offices during Planning Counter Hours.

You are invited to provide oral testimony at the meeting. Written comments received by 1:00 p.m. on the Monday prior to the hearing date will be included with the staff report provided to each Council Member prior to the hearing. Copies of comments submitted by 12:00 p.m. on the hearing date will be made available to the Council and public at the meeting; however there is no guarantee that there will be adequate time to read and discuss these comments at the meeting. Individuals who submit comments are encouraged to attend the hearing to answer any questions. Any comments received during the hearing will be distributed to the Council Members in the next packet if the item requires an additional hearing. Comments and questions should be directed to the Project Planner, listed below.

If you challenge the City's decision on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. California Code of Civil Procedure §1094.6 (review of administrative decisions) is applicable to the City of Lafayette and provides for the review of any decision of the City only if the petition for writ of mandate is filed within 90 days after the decision becomes final.

**Project Planners:** Sarah Allen, Assistant Planner & Megan Canales, Planning Technician I (925) 299-3208 | Email:

SAllen@lovelafayette.org

City Council Email: cityhall@lovelafayette.org.

Sarah Allen, Assistant Planner

Publish Date: September 12, 2014

City of Lafayette  
3675 Mount Diablo Boulevard, Suite 210, Lafayette, CA 94549  
Planning Counter Hours: 12:00 – 5:00 Monday – Friday

Planning Services Division  
Phone: 925.284.1976  
www.lovelafayette.org

CCT# 6288473 Sept. 12, 2014

# Contra Costa Times

PO Box 4147  
Walnut Creek, CA 94596  
(925) 935-2525

LAFAYETTE, CITY OF  
ATTN: ACCOUNTS PAYABLE, 3675 MT. DIABLO BLVD.,  
#210  
LAFAYETTE CA 94549-3793

## PROOF OF PUBLICATION

**FILE NO. ORDINANCE 635**

In the matter of

### Contra Costa Times

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the Contra Costa Times, a newspaper of general circulation, printed and published at 2640 Shadelands Drive in the City of Walnut Creek, County of Contra Costa, 94598

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of October 22, 1934. Case Number 19764.

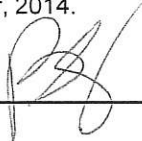
The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

10/20/2014

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 21th day of October, 2014.

Signature



Legal No.

0005326917

#### NOTICE OF ADOPTION OF ORDINANCE 635 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE

At its regular meeting on Tuesday, October 14, 2014 the City Council of the City of Lafayette adopted Ordinance 635. The recorded vote of the City Council was as follows:

Ayes: Tatzin, B. Andersson, and Mitchell

Noes: None

Abstain: None

Absent: M. Anderson and Reilly

ORDINANCE 635: City-initiated zoning text amendment to amend the following sections of the Lafayette Municipal Code:

- 1) CHAPTER 6-4 "ACTIVITY CLASSIFICATIONS"
- 2) CHAPTER 6-5 "GENERAL PROVISIONS"
- 3) CHAPTER 6-6 "OFF-STREET PARKING"
- 4) CHAPTER 6-7 "SINGLE-FAMILY RESIDENTIAL DISTRICTS"
- 5) CHAPTER 6-8 "MULTIPLE-FAMILY RESIDENTIAL DISTRICTS" AND
- 6) CHAPTER 6-9 "BUSINESS AND COMMERCIAL DISTRICTS"

THE LAFAYETTE MUNICIPAL CODE ESTABLISHES "SUPPORTIVE CARE" AS A USE PERMITTED BY RIGHT WITHIN ALL ZONING DISTRICTS IN WHICH RESIDENTIAL DWELLING UNITS ARE PERMITTED.

Note: The above is a summary of the major highlights of the ordinance. A reading of the entire ordinance is necessary to obtain a full understanding of the ordinance. Certified copies of the full text of the ordinances are posted in the City Clerk's office at 3675 Mt. Diablo Boulevard, Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of providing the copy.

Publish Date: October 20, 2014  
Joanne Robbins  
City Clerk

CCT# 5326917 Oct. 20, 2014



City Council

Don Tatzin, Mayor  
Brandt Andersson, Vice Mayor  
Mike Anderson, Council Member  
Mark Mitchell, Council Member  
Traci Reilly, Council Member

## NOTICE OF PUBLIC HEARING

**BODY:** City Council  
**DATE:** Monday, September 22, 2014  
**TIME:** 7:00 p.m. (please see the agenda for estimated start time of each item)  
**PLACE:** Lafayette Library & Learning Center, 3491 Mt. Diablo Blvd • Community Hall  
**RE:** **ZT06-14 City of Lafayette (Applicant):** City-initiated zoning text amendment to (1) Amend Chapter 6-4 "Activity Classifications" Lafayette Municipal Code (LMC) by (a) establishing a new Activity Classification called "Supportive care" and (b) amending the existing Activity Classification called "Health care activity"; (2) Amend Chapter 6-5 "General Provisions" Article 1 "Miscellaneous" LMC by establishing new provisions called "Supportive care criteria", which include the provisions for "Foster home", "Group home", "Health care", "Senior residential care", "Supportive housing", and "Transitional housing"; and (3) Update all zoning districts to establish "Supportive care" as a use permitted by right. The proposed amendments are required to comply with state law. **Note:** *The above is a summary of the major highlights of the Ordinance. To obtain a full understanding of the Ordinance it should be read in its entirety, a copy of the full text of the Ordinance may be obtained from the City Clerk's office at 3675 Mount Diablo Blvd., Lafayette, California 94549.*  
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You may review the agenda and staff report, posted the Wednesday before the hearing, by visiting the [City Calendar](#) on the City's website and clicking on the meeting date. The agenda includes a staff recommendation on each item. Any last minute changes or cancellations will be posted here. The Action Agenda, summarizing the Council's action on each item including, any continuance date, is posted to the same location on the City's web site the following day. If you would like to subscribe to receive agendas via email, sign-up for free on the [home page](#) of the City's website.

The application described above is available for public review at the City Offices during Planning Counter Hours.

You are invited to provide oral testimony at the meeting. Written comments received by 1:00 p.m. on the Monday prior to the hearing date will be included with the staff report provided to each Council Member prior to the hearing. Copies of comments submitted by 12:00 p.m. on the hearing date will be made available to the Council and public at the meeting; however there is no guarantee that there will be adequate time to read and discuss these comments at the meeting. Individuals who submit comments are encouraged to attend the hearing to answer any questions. Any comments received during the hearing will be distributed to the Council Members in the next packet if the item requires an additional hearing. Comments and questions should be directed to the Project Planner, listed below.

If you challenge the City's decision on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. California Code of Civil Procedure §1094.6 (review of administrative decisions) is applicable to the City of Lafayette and provides for the review of any decision of the City only if the petition for writ of mandate is filed within 90 days after the decision becomes final.

**Project Planners:** Sarah Allen, Assistant Planner & Megan Canales, Planning Technician | (925) 299-3208 | Email: [SAllen@lovelafayette.org](mailto:SAllen@lovelafayette.org)

**City Council Email:** [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org).



Sarah Allen, Assistant Planner

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