

COUNCIL AGENDA: 4/14/09

ITEM NO.: 4.3



## Memorandum

**TO:** City Council

**FROM:** Councilmember Rose Herrera

**SUBJECT:** Community Care License  
for a Residential Facility

**DATE:** April 13, 2009

Approved

Date 4/13/09

### RECOMMENDATION

Approve the recommendation to direct the Administration to recommend to the California Department of Social Services approval of the issuance of a community care license for a residential care facility for six (6) or few children (group home) at 3083 Remington Way.

### BACKGROUND

Community care facilities are vital to the quality of life of all that they serve. Easily accessible resources that cater to the special needs of many are imperative to maintaining a safe and sustainable community.

AB No. 411 was passed last year and amends Section 1520.5 of the Health and Safety Code, relating to residential facilities. The amendment is designed to allow local counties and cities to grant waivers for the proposed facilities based upon special local needs and conditions. In addition the Planning Department may also make the determination that the proposed facilities are greater than 300' away from existing group homes. A city or county may submit to the director additional documentation for consideration of granting the license.

The intent of the relevant code is good because it takes a look at the number of facilities in a given residential neighborhood. Overconcentration and congestion of many such facilities can change the character of a neighborhood. The amended code also is wise in that it allows for special needs and circumstances to allow for waivers. The waivers should be granted only after careful analysis of the proposed facility and its surrounding service area. The District 8 office has been approached by one such facility at 3083 Remington Way and after careful research finds the recommendation feasible.

### CONCLUSION

Recommending that the California Department of Social Services approve the issuance of a community care license for a residential care facility at 3038 Remington Way would; conform with the General Plan, not contribute to over concentration of the area, and serves a special local need as supported by the County of Santa Clara's Social Service Agency.