

# State Mandated Residential Care Facility Text Amendments Proposed Changes

## 14.03.02, Table 3-1: Permitted Use Table

| Table 3-1: Lake Havasu City Permitted Use Table                             |                 |     |     |     |     |     |      |       |       |       |           |      |      |        |        |                 |     |     |    |   |     |         |     |                        |    |
|-----------------------------------------------------------------------------|-----------------|-----|-----|-----|-----|-----|------|-------|-------|-------|-----------|------|------|--------|--------|-----------------|-----|-----|----|---|-----|---------|-----|------------------------|----|
| P = Permitted Use   C = Conditional Use   A = Accessory Use   T = Temporary |                 |     |     |     |     |     |      |       |       |       |           |      |      |        |        |                 |     |     |    |   |     |         |     |                        |    |
| Proposed Zoning District                                                    | Residential Use |     |     |     |     |     |      |       |       |       | Mixed Use |      |      |        |        | Special Purpose |     |     |    |   |     |         |     | Use-Specific Standards |    |
|                                                                             | R-A             | R-E | R-1 | R-2 | R-3 | R-M | R-MH | R-UMS | R-CHD | R-SGD | C-CHD     | MU-N | MU-G | MU-UMS | MU-CRW | C-SGD           | C-1 | C-2 | LI | I | I-B | A-P [1] | P-1 |                        | GC |
| Land Use Category                                                           |                 |     |     |     |     |     |      |       |       |       |           |      |      |        |        |                 |     |     |    |   |     |         |     |                        |    |

| ACCESSORY USES                  |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |  |  |  |  |  |   |   |  |              |
|---------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|--|--|--|--|--|---|---|--|--------------|
| Accessory residential care home | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |  |  |  |  |  |  | A | A |  | 14.03.03.E.6 |

Use table amended to add Accessory Residential Care Home as accessory use to all zones with residential uses.

### 14.03.03.E.6 – Amended to permit up to 10 persons not including caregivers.

#### 6. ACCESSORY RESIDENTIAL CARE HOME

Accessory residential care homes may have one non-resident employee for each shift or the number of employees mandated by county, state, or federal law, in addition to the resident care giver; provided, the accessory residential care home complies with the following criteria:

- It has and maintains a current license as required by the county, state, or federal government;
- It conforms to all applicable Building and Fire Codes and Development Code requirements as determined in conjunction with the business license and home occupation compliance review procedure;
- The care provider is a resident of the facility;
- The maximum number of unrelated residents in an accessory residential care home is limited to six ~~persons~~ residents for each dwelling unit. This number does not include the operator or employees of the facility, but the total number of people living at the home cannot exceed eight. Except for “assisted living homes” as defined by **ARS § 36-401, and licensed by the State of Arizona, which are limited to 10 residents for each dwelling unit, not including the care provider and employees of the facility.**
- It complies with all other use-specific standards applicable to Accessory Home Occupations in Section 14.03.03.E.2 .

### 14.06.03 – Definitions

Definitions amended to conform with proposed amendments to 14.03.03.A.9 and 14.03.03.A.9

#### ACCESSORY RESIDENTIAL CARE HOME

A home occupation related to a residential dwelling that provides residential social or personal care, custody, or treatment for six or fewer ~~individuals~~ residents, or ten or fewer residents for “assisted living homes” as defined by **ARS § 36-401**, not related to the operator and with limited ability for self-care, but where medical care is not a major element. Convalescent homes, nursing homes, and similar facilities providing medical care are included under the definition of LONG-TERM MEDICAL CARE FACILITY.

#### FAMILY

An individual or 2 or more persons related by blood or marriage, legal adoption, foster placement, or a group of not to exceed 6 persons (excluding servants) living together as a single housekeeping unit in a dwelling unit. This definition shall not be construed to prevent the occupancy of a single dwelling unit by any persons entitled to live together under federal or state laws. (see ACCESSORY RESIDENTIAL CARE HOME).