

**BOARD OF ZONING ADJUSTMENT
RESOLUTION NO. 2024-03**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT
TO WANDA JONES ALLOWING A RESIDENTIAL SERVICE
FACILITY (NOT STATE LICENSED) WITH A MAXIMUM OF
SIX (6) CLIENTS IN A R-1 (LOW DENSITY RESIDENTIAL)
ZONED PROPERTY LOCATED AT 1713 RADLEY PLACE**

WHEREAS, an application for a Conditional Use Permit for a Residential Service Facility (not State licensed) at 1713 Radley Place, was filed by Wanda Jones on June 24, 2024; and

WHEREAS, Section 10-9.102 of the Municipal Code authorizes the Board of Zoning Adjustment to grant Conditional Use Permits; and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on August 22, 2024; and

WHEREAS, the Board of Zoning Adjustment certifies it has received and reviewed the Notice of Exemption for the project, which states the project may be found categorically exempt under CEQA Guidelines Section 15301 (Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Adjustment of the City of Modesto that it hereby finds and determines as follows:

1. The proposed conditional use permit is consistent with the objectives and requirements of Title 10 (Zoning Regulations) because a Residential Service Facility (not State Licensed) is a land use that is allowed in the R-1 (Low Density Residential) zone with the approval of a Conditional Use Permit.
2. The proposed conditional use and the conditions under which it will operate is consistent with the General Plan because the use is allowed in

the R-1 (Low Density Residential) zone with the approval of a Conditional Use Permit.

3. The proposed conditional use will not be detrimental to the public health, safety, or welfare or materially injurious to uses, properties or improvements in the vicinity because the Residential Service Facility is located in a single-family home; limited to a maximum of six (6) clients; and requires, not less than, one (1) house manager on site at all times.
4. The proposed conditions of approval will ensure compatibility with the surrounding uses because no exterior changes are proposed to the existing single-family home; the number of clients is limited to a maximum of six (6) persons; and one (1) house manager is required to be on site at all times; and the property (including the front and rear yards) shall be maintained in a neat and orderly condition.
5. The proposed project may be found categorically exempt under CEQA Guidelines Section 15301 (Existing Facilities) as the facility would operate within an existing single-family home.

BE IT FURTHER RESOLVED by the Board of Zoning Adjustment that a conditional use permit for 1713 Radley Place be granted subject to the following conditions:

1. The Residential Service Facility (not State licensed) shall be limited to a maximum of six (6) clients.
2. Not less than one (1) house manager shall be on-site, at all times.
3. The applicant shall obtain a City of Modesto Business License.
4. No additions or modifications to the exterior of the single-family home are permitted.
5. The property, including front and rear yards, shall be maintained in neat and orderly condition.

Failure to comply with any of the above conditions is unlawful and will constitute grounds for revocation of the conditional use permit.

The foregoing resolution was introduced at the regular meeting of the Board of Zoning Adjustment held on the 22nd day of August 2024, by Vohra, who moved its adoption, which motion being duly seconded by Goriel and was upon roll call carried and the resolution adopted by the following vote:

Ayes: Blom, Goriel, Niskanen, Shanks, Vohra

Noes: None

Absent: Desai, Riddle

Recused: None

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF
MODESTO

Signed copy on file in CEDD
Tristan Osborn, AICP, Secretary