

**From:** [Gillian Fennessy](#)  
**To:** [Gillian Fennessy](#)  
**Subject:** FW: Revised. Senior Care, Supporting Housing, proposed changes to the Goleta Zoning Ordinance  
**Date:** Wednesday, August 28, 2019 11:35:47 AM

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**From:** I <[herseld@aol.com](mailto:herseld@aol.com)>

**Sent:** Wednesday, August 28, 2019 10:55 AM

**To:** Jennifer Smith <[jsmith@cityofgoleta.org](mailto:jsmith@cityofgoleta.org)>; Robert Miller <[rmiller@cityofgoleta.org](mailto:rmiller@cityofgoleta.org)>; Katie Maynard <[kmaynard@cityofgoleta.org](mailto:kmaynard@cityofgoleta.org)>; Ed Fuller <[efuller@cityofgoleta.org](mailto:efuller@cityofgoleta.org)>; Bill Shelor <[bshelor@cityofgoleta.org](mailto:bshelor@cityofgoleta.org)>; Peter Imhof <[pimhof@cityofgoleta.org](mailto:pimhof@cityofgoleta.org)>; Lisa Prasse <[lprasse@cityofgoleta.org](mailto:lprasse@cityofgoleta.org)>; Mary Chang <[mchang@cityofgoleta.org](mailto:mchang@cityofgoleta.org)>; Anne Wells <[awells@cityofgoleta.org](mailto:awells@cityofgoleta.org)>; Michelle Greene <[mgreen@cityofgoleta.org](mailto:mgreen@cityofgoleta.org)>

**Subject:** Revised. Senior Care, Supporting Housing, proposed changes to the Goleta Zoning Ordinance

Please disregard my earlier message and instead focus on the enclosed letter which has been edited by my attorney.

## Members of the Planning Commission

I have reviewed the proposed changes to the Goleta Zoning Ordinance, and I am asking for you to make further revisions to make it economically feasible to develop senior care housing in the City of Goleta. Let me also state that I have been deeply engaged with City staff to look more closely and creatively at this topic and despite the City's support and encouragement, the limitations of the City's current zoning ordinance make developing senior care housing financially infeasible and therefore unachievable.

Since Goleta became incorporated 17 years ago, the City has only approved one (1) senior care project (Mariposa: 99 beds on 2.9 acres in an industrial zone). That means less than 6 elderly housing units per year (6 beds/ year) and locating them in a commercial industrial zone.

The elderly are our mothers and fathers. They deserve to live in residential neighborhoods, just like the rest of us. I believe the City needs to make it feasible to develop housing for the elderly in locations better suited for residential living, just as the rest of us enjoy. Please take a few minutes and think about your mother and father and perhaps other fathers, mothers, widows who still have a zest for life and need to be loved and recognized in a nice place and in a good neighborhood.

I have been trying for several years to create such a place. I have learned that building such senior housing is possible and achievable in communities throughout the State, however, it is nearly impossible in the City of Goleta because of zoning restrictions and the lack of accurate economic feasibility data given to the Planning Commission and City Council by its hired consultant. Now, as stewards of Goleta's future, you have an opportunity to establish a zoning code that is balanced, equitable, and achievable while still being true to the nature of our neighborhoods and

surrounding open spaces.

The kind of senior care or supportive housing that can be developed under the City's current ordinance is inadequate and infeasible to create. I have asked several senior care developer/operators to get involved with me to build a senior care project pursuant to the City's policies. After reviewing the policies carefully, they all declined to get involved and walked away due to economic infeasibility ... The projects just don't pencil out. Some of the city staff met with these operators and can tell you that after they spent money and filed pre-applications ... they abandoned their efforts.

Under the City's codes, in the R-1 zone residential care facilities are not permitted and supportive care for the elderly is allowed but only for the "targeted population" which is restricted to low income occupants. The income of elderly should not be an issue in order to provide senior care. When an elderly person is helpless, whether he is low income or not it makes no difference. Just being elderly is a category by itself regardless. It is just like someone with HIV or mental illness.

Some relevant information: Less than 100 yards from my house (R-1) there are seven (7) rental homes that the owners bought and put up for rent. Some of these houses are rented to 2 families with up to 10 people living in one house. Some other houses rented to students with up to 8 unrelated individuals living in one house. Some of these houses are just 1700 to 2400 SQ.FT.

In 2015, the city of Goleta adopted a policy that only 6 seniors can live in one house (within an R-1 zone) regardless of how small or large a house may be. You can have as many non-seniors in any given house (i.e. students, 2 unrelated families, individuals) without restriction, but not seniors.

15 years ago, the City of Santa Barbara lost a case in Superior Court which became a bench mark. The City has no jurisdiction over the number of people living in a household. But now the city of Goleta doesn't allow the same for the elderly. Students, multiple families are ok ... but not seniors, who tend to have the smallest environmental footprint on a neighborhood.

Suppose, a house is 3500 SQ.FT. Doesn't it makes sense to have more seniors in the house when there is a shortage of senior housing? The current Zoning Code says it is ok to fit 6 seniors in a small, 1800 SQ. FT home but no more in a house twice as large? Wouldn't a far superior and equitable solution be to base the limits on the size of a dwelling unit, not a fixed number regardless of housing size?

The City does allow under supportive housing an unlimited number of people per house, but that is limited to the "target population," which in turn may be limited to low income people. However, there is a serious problem. First there is an ambiguity in the language when it comes to elderly housing, for it is not clear if "elderly" need to be in a low income group or whether any seniors have the right to live in a supportive housing project.

If the City expects to see an elderly care provider develop and operate under low

income restrictions this would not be realistic. As I mentioned before I tried for several years. No operator will work with me under the current zoning ordinance. If we need senior care housing in our City, it must be market rate with no income restrictions. Therefore, the proposed language in the supportive housing section under "and may include other populations," should clearly include market rate supportive housing.

Under Special Care Homes, the State of California has mandated that 6 seniors can occupy a single family home without any kind of local discretion. However, the State has left it open to cities if they chose to have more than 6 elderly. The Commission and Council have a compelling opportunity to examine that fixed standard and either expand it or, more appropriately, consider a formula based on housing size. Nobody wants a dozen seniors living in a 1,800 SQ FT home, but similarly restricting the number to 6 in a 3,500 SQ FT home is equally problematic and unrealistic. This could be accomplished by amending the zoning ordinance adding language allowing for a Minor CUP for more than 6 senior residents. Or a practical way would be using a square footage formula that instructs the City's Planning Department to allow, but not exceed, a maximum number of residents based on the size of the dwelling unit.

Seniors are quiet tenants and neighbors, most don't drive, want a peaceful quality of life and deserve to live among family and residential zones. Their impact in the neighborhood is far less than regular single-family occupancy. HCD encourages local jurisdictions to provide senior housing. When it comes to decision making, especially for providing senior care housing, HCD defers to and will support local jurisdictions.

You have an excellent opportunity before you to make it possible and easier to make senior care housing become a reality in Goleta by increasing the maximum number of elderly residents. Creating any kind of senior care housing or facilities is a noble endeavor. I implore you to look at more realistic models for senior living which would be economically feasible for investor/operators in order to encourage them to provide market-rate senior care housing. In that way, Goleta can realize a balanced housing experience for all ages!

Hersel Mikaelian