

**From:** [Andy Newkirk](#)  
**To:** [Andy Newkirk](#)  
**Subject:** FW: Suggested Planning Commission Motions to provide Senior Housing  
**Date:** Saturday, September 07, 2019 7:50:46 AM  
**Attachments:** [Hersel Mikaealian Planning Commission Recommendations 9-4-2019.pdf](#)

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**From:** I [herseld@aol.com]  
**Sent:** Wednesday, September 04, 2019 10:13 PM  
**To:** Jennifer Smith  
**Subject:** Suggested Planning Commission Motions to provide Senior Housing

Dear Planning Commissioners

After receiving some feed back regarding the senior comments I previously sent to you, I thought it would be helpful to clearly identify suggested Planning Commission motions.

On the first page of the attachment, please find several recommendations for you to consider to help the City of Goleta attain senior care and supportive housing.

Hersel Mikaealian.

## **Recommended Planning Commission Revisions to Draft Zoning Ordinance To provide Senior Care and Supportive Housing:**

### **17.72.010 Residential Uses Residential Housing Types:**

1 –Change the definition of Supportive Housing to read as follows (revisions are underlined):

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by the target population as defined in California Government Code, Section 65582, and that is linked to an on-site or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. A minor conditional use permit (Planning Director approval) may be required for the on-site or offsite building that provides the support services (kitchen, lounge, recreation room, etc.). In addition to the Target Population, Supportive housing and services may also be occupied by all elderly persons regardless of income (i.e. no income restrictions).

### **2 -Changes to Senior Care in single family home:**

Eliminate 6 senior care per house limitation and raise it to maximum of 14 seniors per house as it was in previous zoning Ord.#292.a,4.

### **3 - Alternative approach:**

Delete the limitation of 6 seniors per house. Instead provide 300 SQ. FT. per each senior (300 SQ. FT). (e.g.: A house with 3600 SQ. FT. is allowed to have 12 seniors. A 4200 SQ FT house can have 14 seniors.

### **4 - Large Senior Care Facility** in residential zone (which look like single family house design):

Change the zoning ordinance to allow large facilities for senior care with a Conditional Use Permit.

### **5. Supportive Care in Single Family Neighborhoods:**

Change the definition of Single Family Zoning District to read as follows

**RS Single-Family Residential.** This District is intended to protect land areas for families living in low density residential environments by implementing the Single-Family Residential Use Category (R-SF) land use designation established in the General Plan. Supportive housing is allowed in all (R-1 zone) which include unlimited number of elderly persons in any single family zone. This is also true with 6 unrelated seniors for proposes of senior care.

## Background:

On August 9th 2019 I was informed by the city staff as follows:

"Senior care falls under the category of "Supportive Housing". Supportive Housing does not restrict number of residents in the single-family zone district. The New Zoning Ordinance will have the same provisions". I can proceed with providing elderly care housing.

The operators/ investors met with the city staff and discussed the Supportive Housing and their operation. It seems everything can go forward except a certain language in the Supportive Housing. They are waiting for some clarity regarding a certain language in the Supporting Housing.

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On July 5, 2019 I was informed by the city Planning Director the following:

"Attached I am sending you the relevant provisions in the Inland Zoning Ordinance pertaining to Special Care Homes. They should be read in conjunction with applicable State law."

The Ordinance Sec. 35-292a.4. Special Care Home. "Special Care Homes that serve 14 or fewer persons". The operators and investors agreed to move forward by following this ordinance.

Two weeks later we received bad news from the planning director:

On July 16, 2019 I was informed by the city Planning Director the following:

" Further to my email yesterday, PER staff has informed me that the attached ordinance (Ord No. 15-03), adopted by the City of Goleta in February 2015, repealed and replaced the definition and provisions related to "Special Care Homes" in the Inland Zoning Ordinance. The senior care project you are proposing would most likely fall within the new "Residential Care Facilities" or "Supportive Housing" definitions. I was not previously aware of this ordinance and apologize for the oversight". With this information the operators and investors walked away.

On January 9th 2019 I was informed by the city staff the following:

" Thanks for the follow-up question. The short answer is our current Zoning ordinance does not have a specific buffer standard separation for either small (6 or fewer residents) or large (more than 6 residents) senior care facilities. That said, the large senior care facility is subject to approval of a Major CUP, which includes findings of neighborhood welfare and compatibility with the surrounding area. Any large facility (or facilities) proposed would still have to be consistent with that finding." The operators and investors filed for Planner Consultation project.

One month later, the staff informed us we can go forward, "you need to file for GP change." At this news the operators and investor abandon the Senior Care project.

So far we have lost time and money and no senior care policies to be found in the city zoning ordinance that will work.

## **1- Supportive Housing: It must Include Elderly regardless of their income (no income restrictions).**

Existing Supportive Housing definition includes a reference to "Target Population" (California Government Code, Section 65582), person with low income who have one or more disabilities including mental illness, HIV, AIDS, substance abuse or other chronic health condition, etc. Thereafter there is further language which states: "and may include, among other populations, which one of those population is elderly."

No operators of senior care have built **low income** Supportive Housing in the Santa Barbara area.

The operator of senior care facilities wants to make sure that the elderly are the "other populations" **regardless of their income**. They do not want an ambiguity, they want to be sure they can offer market rate otherwise they will not get involved. Therefore, the language needs a little revision or addition.

If the Planning Commission only supports Supportive Housing if it will be based on low income, the Commission will kill further Senior Care housing like throwing the baby out with the bath water.

**2 - Senior Care in single family home: Eliminate 6 senior care per house limitation and raise it to maximum of 14 seniors per house as it was in previous zoning Ord.#35- 292.a,4.**

No operator or investor is financially capable of providing senior care facility or operating it with only 6 seniors. The number needs to be double that or higher.

In addition, it is Unconstitutional (prejudicial, equal protection) to dictate how many people can live in a house unless is health hazard.

Presently in single family houses there are many more than 6 unrelated people living in a house (8, 10, 13) and the City of Goleta has no restrictions ... and cannot. Why not the same for elderly that are cared for? Certainly less impact than the other population group such as students and two or three families (or group of families) who reside in a single family home.

Seniors are people just like us and they have every right to live in residential neighborhoods as any of us. Senior Care projects in Commercial or industrial zones shouldn't be the place for our elderly to live.

The character of the neighborhood doesn't change because the people who are residing in a house are seniors. It is hypocrisy to allow under Supportive Housing as many elderly with low income (no limit) but not other senior if their income is higher. Residents of market rate senior projects would have less impact on the character of our neighborhoods than low income seniors, if any.

There is no land left for these types of projects. The G-2012 restricts any new entitlement until 2032, and lets not forget no new water hookups. So, what we have left with in order to take care of the elderly is residential zones with minimum restrictions and a secure water supply. It is time to wake up!

**3 - Senior Care in single family home: An alternative approach Delete the number 6 per house (6 senior care per house) and based the number of seniors living in one house on the size of the house. 300 SQ. FT. per each senior. That means in a 3600 SQ. FT. 12 seniors allowed, in a 4200 SQ. FT. 14 senior allowed. Common sense a minimum interference by the politicians, red tape and no-nonsense policies and power seekers**

#### **4 - Large Senior Care Facility building in residential zone (which look like single family house designs): To allow large facilities for senior care with CUP and change of GP.**

Today, a large Senior Care Facility can be designed and built in residential zones even more attractive than existing single family home. We have churches, schools, Elks Lodge, senior retirement home (Encino Royal, over 350 houses) athletic club, all adjacent (property to property) to each other, why can't we do the same for a population of humans called the elderly, our seniors, our fathers and mothers? Again, it is time to wake up. You should be leading the way and setting the example not waiting for other cities to teach you!

#### **5. Supportive Care in Single Family Neighborhoods:**

Change the definition of Single Family Zoning District to read as follows:

**RS Single-Family Residential.** This District is intended to protect land areas for families living in low density residential environments by implementing the Single-Family Residential Use Category (R-SF) land use designation established in the General Plan. Supportive housing is allowed in all (R-1 zone) which include unlimited number of elderly persons in any single family zone. This is also true with 6 unrelated seniors for proposes of senior care.