

RESOLUTION NO. PRJ23-016

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF A ZONING CODE TEXT AMENDMENT TO TITLE 20 OF THE SANTA ROSA CITY CODE, SECTION 20-42.060, COMMUNITY CARE AND HEALTH CARE FACILITIES, TO EXEMPT SENIOR CARE FACILITIES FROM THE COMMUNITY CARE FACILITY OVERCONCENTRATION LIMITATION AND SPACING REQUIREMENT, AND SECTION 20-70.020, GLOSSARY, TO MODIFY THE DEFINITION OF COMMUNITY CARE FACILITY TO ALLOW PALLIATIVE CARE AND END OF LIFE MEDICAL TREATMENTS – FILE NUMBER PRJ23-016

WHEREAS, an application was submitted on August 3, 2023, requesting the approval of a Zoning Code Text Amendment to amend Title 20 of the Santa Rosa City Code, Section 20-42.060, Community Care and Health Care Facilities, to remove the overconcentration and spacing requirement for age-restricted senior care facilities, and Section 20-70.020, Glossary, to modify the definition of Community Care Facility to allow palliative care and end of life medical treatments; and

WHEREAS, City Code Section 20-42.060 currently includes spacing and concentration limitations for all types of community care facilities that serve seven or more clients, which requires that community care facilities maintain a minimum distance of 300 feet in all directions from any other community care facility, including age-restricted facilities (senior care); and

WHEREAS, the California Health and Safety Code (enforced by the Department of Social Services) aims to prevent the overconcentration of residential facilities that, “impair the integrity of residential neighborhoods;” and

WHEREAS, the Department of Social Services (Department) may deny an application for a new residential facility license if the Department determines that the location would result in overconcentration to an existing residential facility; and

WHEREAS, the California Health and Safety Code defines “overconcentration” as residential facilities that are separated by a distance of 300 feet or less, as measured from any point upon the outside walls of the structures housing those facilities; and

WHEREAS, based on special local needs and conditions, the Department may approve a separation distance of less than 300 feet with the approval of the city or county in which the proposed facility will be located; and

WHEREAS, the State of California Health and Safety Code 1520.5(f) states that “foster family homes and residential facilities for the elderly shall not be considered in determining overconcentration of residential facilities, and license applications for those facilities shall not be denied upon the basis of overconcentration;” and

WHEREAS, amending City Code Section 20-42-060 to exempt age-restricted senior care

facilities would be consistent with current California Health and Safety Code permits; and

WHEREAS, City Code Section 20-70.020, Glossary, defines Community Care Facility and limits such facilities to provide only non-medical residential care. Because senior community care facilities often include palliative or end of life care, the proposal includes a modification to the definition of Community Care Facility to allow palliative care and end of life medical treatments; and

WHEREAS, on January 11, 2024, the Planning Commission held a duly noticed public hearing to consider recommending to the City Council adoption of Zoning Code text amendments to Title 20 of the Santa Rosa City Code, Section 20-42.060, Community Care and Health Care Facilities, to exempt senior care facilities from the community care facility overconcentration limitation, and Section 20-70.020, Glossary, to allow palliative care and end of life medical treatments, at which time all those wishing to be heard were allowed to speak; and

NOW, THEREFORE, BE IT RESOLVED, that based on the evidence presented and the records and files herein, and pursuant to City Code Section 20-64.050 (Findings), the Planning Commission of the City of Santa Rosa finds and determines:

- A. Chapter 9 – Youth and Family (YF) section of the General Plans states that: “Senior citizens are valuable economic, social, and political contributors to our society, often with a unique set of needs and perspectives. The community service needs of the senior citizen population can be more substantial and specialized. The majority of senior citizens are retired or semi-retired. While senior citizens may enjoy more leisure time, they may also be limited by fixed incomes, less mobility, and health problems. It is important for the city to address these needs which arise due to aging. They include affordable housing, health and day care, transportation, recreation, and social services (9-4).” The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that the proposed Zoning Code Text Amendment would further General Plan Goal YF-E-1, which states: “Continue to develop, manage, and expand the city’s senior services and programs as an important social service within the community.” The proposed Zoning Code Text Amendment would remove the overconcentration and location requirements for Community Care Facilities serving seniors and allow for medical services in facilities providing palliative care and/or end of life medical care for seniors within those facilities, therefore, serving the citizens of Santa Rosa.
- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City in that the proposed amendment would allow more age-restricted care facilities to be established, as needed, for the aging population of the City. This would increase specialized housing that includes elderly care and would promote jobs in specialized elderly care. The State of California does not view residential facilities for the elderly as a use that will “impair the integrity of residential neighborhoods” and does not have an overconcentration or spacing requirement like it does for other types of residential care facilities. Removing the spacing and

overconcentration limit for age-restricted care would bring the City's Code in compliance with State Health and Safety Code.

- C. The proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15183 in that the proposed Zoning Code text amendment is consistent with General Plan 2035, the project relies upon the General Plan 2035 Environmental Impact Report (November 3, 2009, SCH No. 2008092114), and is consistent with CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). The Environmental Impact Report for the General Plan 2035 analyzed impacts to Traffic, Air Quality and Green House Gases, and Noise for the implementation of the General Plan.
- D. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code in that the proposed amendment creates opportunities for development of additional care facilities for seniors/the elderly who need assisted living or specialized care, while maintaining internal consistency with the Zoning Code. The proposed changes to Sections 20-42.060 and 20-70.020 would not allow any new land uses or regulations. The amendment would align the Zoning Code with current California Health and Safety Code requirements, while continuing to support multiple City Zoning Code and General Plan objectives of creating incentives for development of housing and services for seniors, promoting more environmentally sustainable urban infill, and reducing travel costs when seeking these types of uses.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa recommends that the City Council adopt a Zoning Code text amendment to amend Title 20 of the Santa Rosa City Code, Section 20-42.060, Community Care and Health Care Facilities, as set forth in Exhibit A attached hereto, to remove the overconcentration and spacing requirement for age-restricted senior care facilities, and Section 20-70.020, Glossary, to modify the definition of Community Care Facility to allow palliative care and end of life medical treatments.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 11th day of January 2024, by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

APPROVED:

 KAREN WEEKS, CHAIR

ATTEST:

JESSICA JONES, EXECUTIVE SECRETARY

Exhibit A – Proposed Zoning Code Text Amendment