

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
**NOVEMBER 13, 2025**

**PROJECT TITLE**

Pura Vida Recovery Services

**APPLICANT**

Alex Wignall

**ADDRESS/LOCATION**

5761 Mountain Hawk Dr

**PROPERTY OWNER**

Pura Vida Recovery Services LLC

**ASSESSOR'S PARCEL NUMBER**

153-180-029

**FILE NUMBERS**

PLN25-0136

**APPLICATION DATES**

May 5, 2025

**APPLICATION COMPLETION DATES**

May 7, 2025

**REQUESTED ENTITLEMENTS**

Minor Conditional Use Permit

**FURTHER ACTIONS REQUIRED**

None

**PROJECT SITE ZONING**

Neighborhood Commercial – Scenic Road  
(CN-SR)

**GENERAL PLAN DESIGNATION**

Very Low Density Residential

**PROJECT PLANNER**

Sachnoor Bisla

**RECOMMENDATION**

Approval

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE PLANNING  
COMMISSION

FROM: SACHNOOR BISLA, CITY PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: PURA VIDA RECOVERY SERVICES

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve a Minor Conditional Use Permit for a 24-bed Community Care Facility located at 5761 Mountain Hawk Drive, Suites 201-207.

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BACKGROUND

1. Project Description

Pura Vida Recovery Services includes a request for a Minor Conditional Use Permit to operate a 24-bed Community Care Facility on the second floor of an existing commercial mixed-use building. The proposed facility is a monitored detoxification and withdrawal management/residential addiction treatment facility in units 201 through 207 at 5761 Mountain Hawk Drive. The facility would provide non-medical residential care for the addicted, including (but not limited to) monitoring and observing clients during the detoxification process, providing addiction education, and relapse prevention services.

Facility staff duties include: obtaining medical histories, monitoring health status, testing associated with detoxification from alcohol and/or drugs (urine toxicology screening), providing alcoholism or drug abuse recovery treatment services, overseeing patient self-administered medications, and treating substance abuse disorders, including detoxification.

2. Surrounding Land Uses

North: Skyhawk Creek, Skyhawk Park, and single-family residential  
South: Highway 12 and single-family residential  
East: Mountain Hawk Drive, Skyhawk Park, and single-family residential  
West: Skyhawk Creek, Skyhawk Park, and single-family residential

The project site, as shown in the image below (the subject site is denoted with a yellow star), is located at the northwest corner of Mountain Hawk Drive and Highway 12. The site is surrounded by Skyhawk Park on three sides, with Skyhawk Creek traversing along the north and west sides of the property. Beyond the park and creek is the Skyhawk single-family residential subdivision, and south of Highway 12 is an additional single-family residential area.



3. Existing Land Use – Project Site

The site is currently developed with a multi-tenant commercial, mixed-use building, known as Skyhawk Village. The first floor of the center is comprised of various commercial uses, including a restaurant/bar, a fitness center, coffee shop, offices and other small retail and service uses.

Pura Vida Recovery Services currently operates a six bed Community Care Facility in the second floor residential units, as allowed by-right with a Zoning Clearance. Units 203, 204, and 205 are used as living quarters, each with two private client bedrooms. Units 201, 202, 206, and 207 are used as client resource rooms and staff office spaces.

The proposed interior improvements for the 24-bed facility include combining units 206 and 207, which will have 8 beds total, as well as combining units 201-204, which will have 16 beds total. Unit 205 will be used as office spaces and a room for medicine storage. The proposed improvements would not eliminate the ability of the units to be converted back to individual apartments and be used for traditional residential use in the future.

### Project History

On July 22, 2022, pursuant to [Zoning Code Section 20-23.030, Table 2-6](#), a Zoning Clearance was issued for the operation of a Community Care Facility for 6 or fewer clients on the second floor of the existing mixed-use building in units 201 and 202 (ZC22-0202).

On August 1, 2022, an application for a Minor Conditional Use Permit was submitted to the Planning and Economic Development Department requesting approval of a 24-bed Community Care Facility on the second floor of the existing mixed-use building, utilizing seven existing residential units for non-medical residential care for the addicted, including, but not limited to, monitoring and observing clients during the detoxification process, providing addiction education and relapse prevention services (CUP22-045).

Pursuant to [Zoning Code Section 20-50.020, Table 5-1](#), the review authority for a Minor Conditional Use Permit is the Zoning Administrator.

Pursuant to [Zoning Code Section 20-50.020\(A\)\(1\)](#), the Zoning Administrator may defer action on any decision assigned to the Zoning Administrator and refer the request to the Planning Commission.

Pursuant to [Zoning Code Section 20-52.050\(E\)\(2\)](#), Zoning Administrator meetings are noticed as public meetings, unless a public hearing is requested in writing by any interested person before the specified date for the decision.

On October 10, 2022, a public meeting notice was sent for CUP22-045, identifying a Zoning Administrator meeting date of October 20, 2022.

On October 12, 2022, a written request was received for a public hearing for CUP22-045, and the item was continued to allow for the public hearing noticing.

On October 31, 2022, City staff met with several members of the adjacent residential neighborhood to discuss the proposal under application CUP22-045, at which time the neighbors stated their concerns and opposition to the proposed project.

Due to the amount of interest generated by the surrounding neighborhood, including concerns and opposition to the proposed project, the item was referred to the Planning Commission for action.

On December 8, 2022, the Planning Commission held a public hearing on the Minor Conditional Use Permit application. A motion was made to adopt the draft resolution of approval for the project. However, the motion failed by a vote of 0-5-2, with five Commissioners voting no and two Commissioners absent. Direction was provided to City staff to return to a future meeting with a resolution of denial based on the comments provided by the Commission during the meeting.

On January 26, 2023, the Minor Conditional Use Permit application was withdrawn due to a request from the applicant. As a result, a resolution of denial did not return to the Commission.

On April 12, 2023, a Zoning Clearance was issued for continuing operation of a Community Care Facility for 6 or fewer clients on the second floor of the existing mixed-use building in units 201 and 202, with the addition of an accessory office space and work space in unit 203 (ZC23-0099).

On February 27, 2025, a new Zoning Clearance was issued (ZC25-0073), expanding the use to all of the units, allowing for private client bedrooms and additional recreational and office space.

On May 5 2025, the Planning and Economic Development Department received a new Minor Conditional Use Permit application for a 24-bed Community Care Facility to be located at 5761 Mountain Hawk Drive, units 201-207.

## ANALYSIS

### 1. General Plan

The [General Plan](#) addresses issues related to the physical development and growth of Santa Rosa and guides the City's planning and zoning functions. The

Project site is designated Very Low Density Residential on the General Plan Land Use Diagram. The Very Low Density Residential land use allows residential development from 0.2 to 2.0 units per gross acre.

General Plan 2050 Chapter 2, Land Use and Economic Development, states the following: "In addition to the primary residential uses described in each land use, compatible accessory uses are also allowed, as identified by the City's Zoning Code. Some of these may require discretionary review by the City, and some are allowed by right. Such uses include, but are not limited to, certain recreation, education, and public assembly uses; certain medical, community care, and daycare facilities; supportive and transitional housing; and certain neighborhood-serving retail uses." Further, At the time the Zoning Code was adopted with the community care facility use locations and permitting requirements it was found consistent with the General Plan. Subsequent updates to the General Plan have not identified any inconsistencies with that original determination.

The proposed use supports the following General Plan 2050 goals and policies:

#### **LAND USE AND ECONOMIC DEVELOPMENT**

- Goal 2-1 Ensure that growth and change serve community needs, protect the environment, improve the City's fiscal stability, and enhance quality of life for all members of the community.
- Policy 2-1.1 Encourage development that supports community health and quality of life and fosters complete neighborhoods in both established and emerging neighborhoods.
- Goal 2-5 Create a business-friendly, diverse, and sustainable economy through the attraction of new business, and the expansion, retention, and support of existing business.

#### **HEALTH, EQUITY, ENVIRONMENTAL JUSTICE, AND PARKS**

- Policy 6-2.3 Prevent, disincentivize, and reduce harmful addictive behaviors.
- Goal 6-8 Foster environments that support families and community members of all ages with high-quality, equitably accessible amenities, programs, and services.

#### **HOUSING**

- Goal H-1 Encourage the development of housing to meet the needs of all Santa Rosa Residents.

The existing mixed-use commercial building on site was developed in 2006 as a

“neighborhood center”. The General Plan allows neighborhood centers in any land use designation where they can be supported (General Plan page 2-30). On July 17, 2005, the City Council adopted Ordinance No. 3732 rezoning the subject site from Planned Development – Scenic Road (PD-SR) to the current zoning of Neighborhood Commercial – Scenic Road (CN-SR), in order to facilitate the development of the mixed-use commercial center. At that time, the Council made findings for General Plan consistency allowing a commercial zoning district in a Very Low Density Residential General Plan land use designation.

Community care facilities are identified as a residential land use per the Santa Rosa Zoning Code, which would be consistent with all of the General Plan residential land use designations, including the subject site’s Very Low Density Residential land use designation. Specifically, the Zoning Code allows the proposed use (Community Care Facility – 7 or more clients) in the Rural Residential zoning district, which implements the Very Low Density Residential land use designation, with the approval of a Minor Conditional Use Permit. Although the site’s zoning district of Neighborhood Commercial, which also allows Community Care Facilities – 7 or more clients with the approval of a Minor Conditional Use Permit, and the General Plan land use designation of Very Low Density Residential are not generally consistent, the General Plan does allow neighborhood centers in any land use designation where they can be supported (General Plan 2050, page 2-30).

The proposed 24-bed community care facility would provide housing and non-medical treatment for people dealing with addiction, and would support both the existing business and the health of the community by expanding the existing 6-bed facility, allowing increased access to addiction treatment and services.

## 2. Zoning

The [Zoning Code](#) implements the goals and policies of the General Plan by classifying and regulating the use of land and structure development within the City.

The project site is zoned CN-SR (Neighborhood Commercial – Scenic Road). According to Section [20-23.020](#) of the Zoning Code, the CN zoning district is applied to areas within and adjacent to residential neighborhoods appropriate for limited retail and service centers for convenience shopping. Uses in these centers are intended to provide for the day-to-day needs of local neighborhoods and workplaces, but not to be of such scope and variety as to attract substantial traffic volumes from outside the neighborhood. New development is encouraged to include both a residential and nonresidential component as noted by Section [20-23.030](#) (Commercial district land uses and permit requirements).

[Zoning Code Section 20-23.030, Table 2-6](#), further identifies the specific land uses that are allowed within the City’s commercial zoning districts, including in

the CN district. The allowed land uses and permitting requirements for the CN zoning district were established based on the above stated purpose of the zoning district. Consistent with State law, the Zoning Code allows Community Care Facilities – 6 or fewer clients by right and Community Care Facilities – 7 or more clients with the approval of a Minor Conditional Use Permit in the CN district, as well as all residential, commercial and industrial zoning districts, with the exception of the Motor Vehicle Sales (CV) district.

State law preempts local zoning controls over licensed residential care facilities. If a licensed facility serves six or fewer persons, the law states it is a residential use and therefore, cannot be treated any differently than a typical family living situation. For larger care facilities, the City found that additional analysis, through the Minor Conditional Use Permit process, would provide the necessary review for these larger facilities, while continuing to allow them throughout the City.

As noted in the Project History section of this report, based on Zoning Code Section 20-23.030, Table 2-6, the applicant was granted a Zoning Clearance to operate a community care facility for 6 or fewer clients at the subject site. If approved, the 24-bed facility would replace the 6-bed facility such that the total number of beds on site would not exceed 24.

Staff has analyzed the current proposal and found that the community care facility is an appropriate use at this location within the CN zoning district, as it would provide services to local neighborhoods and would not attract substantial traffic volumes from outside of the area. As discussed in the applicant's project description, their existing 6-bed facility has provided addiction treatment services to several members of the Skyhawk community, and plans to continue to meet the needs of the local neighborhood as they expand their operation to 24 beds.

### **Community Care Facility Definition**

Zoning Code Section 20-70.020, Definitions of Specialized Terms and Phrases, defines Community Care Facility as follows: *"A facility, place, or building that is maintained and operated to provide non-medical residential care, which may include home finding and other services, for children and/or adults, including: the physically handicapped; mentally impaired, mentally disordered, or incompetent; developmentally disabled; court wards and dependents; neglected or emotionally disturbed children; the addicted; and the aged. Notwithstanding the above, end of life care, including palliative care, shall be allowed at senior care facilities."*

The proposed use has been found to meet the Zoning Code's definition of Community Care Facility. As explained in the applicant's project description, (Attachment 3) the proposed use does not meet the definition of any of the "Medical Service" uses described in the Zoning Code.

Pura Vida Recovery Services is licensed by the California Department of Healthcare Services to provide detoxification and residential addiction treatment. The California Health and Safety Code (HSC) defines the program as a “alcoholism or drug abuse recovery or treatment facility” which is a place that “provides residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services” (HSC Section 11834.02).

HSC Section 11834.026(a) defines “incidental medical services” as “services that are in compliance with the community standard of practice and are not required to be performed in a licensed clinic or licensed health facility... to address medical issues associated with either detoxification from alcohol or drugs or the provision of alcoholism or drug abuse recovery or treatment services, including...:

- 1) Obtaining medical histories.
- 2) Monitoring health status to determine whether the health status warrants transfer of the patient in order to receive urgent or emergent care.
- 3) Testing associated with detoxification from alcohol or drugs.
- 4) Providing alcoholism or drug abuse recovery or treatment services.
- 5) Overseeing patient self-administered medications.”

Section 11834.026(e) goes on to specify that facilities “shall not by offering approved incidental medical services be deemed a clinic or health facility within the meaning of Section 1200 or 1250”.

The medical services offered by Pura Vida Recovery Services fall under the HSC definition of “incidental medical services”, which may be offered as a part of an alcoholism and drug abuse treatment facility and therefore do not constitute a medical clinic or health care facility use. By the HSC’s definition, they are still providing “residential nonmedical services” for alcoholism and drug abuse treatment, and therefore fit the Zoning Code’s definition of Community Care Facility.

### **Parking Requirements**

[Zoning Code Section 20-36.040](#), Table 3-4, Automobile and Bicycle Parking Requirements by Land Use Type, requires one vehicle parking space for each three beds within the facility, and bicycle parking is determined through the Minor Conditional Use Permit process.

The existing commercial complex includes a total of 93 vehicular parking spaces, with an additional 25 parking spaces located on Highway 12. The subject units have 30 of the existing onsite spaces dedicated for their use, as well as 12 of the spaces located along Highway 12. The proposed community care facility, with 24

beds, will require 8 of those spaces. In addition, the proposed project has been conditioned to provide 7 bicycle parking spaces, which has been determined to be sufficient for the proposed use.

As stated in the project description, clients of the facility will not have their own vehicles on site, and will not leave the facility without staff present. Transportation will be provided in vans.

### **Community Care Facility Regulations**

[Zoning Code Section 20-42.060](#) provides additional, specific, regulations for community care and health care facilities. The purpose of the additional regulations is to facilitate the integration of mentally and physically handicapped persons who are in family residential situations into community life, as mandated by State law applicable to a chartered city, while avoiding the over-concentration of these facilities in any particular neighborhood. The Zoning Code, [Section 20-70.020](#), further defines community care facility as “a facility, place, or building that is maintained and operated to provide non-medical residential care, which may include home finding and other services, for children and/or adults, including: the physically handicapped; mentally impaired, mentally disordered, or incompetent; developmentally disabled; court wards and dependents; neglected or emotionally disturbed children; the addicted; and the aged. Notwithstanding the above, end of life care, including palliative care, shall be allowed at senior care facilities.”

The purpose of regulating the location of community care and health care facilities is to permit these services to be available at locations within Santa Rosa, as mandated by State law applicable to a charter city, that are convenient to the public, while requiring the mitigation of or avoiding any adverse effects of the facilities upon surrounding properties to the extent permitted by law.

This Zoning Code Section identifies spacing and concentration of community and health care facilities from other similar facilities. Specifically, the Code prohibits such uses from being located closer than 300 feet from another such facility, as measured from any point on the exterior walls of both structures. The Code also states the following:

- “The over-concentration of community care/health care facilities in an area shall constitute cause for the denial of a Minor Conditional Use Permit, where it is determined that over-concentration will not be mitigated by conditions that might be imposed upon the Minor Conditional Use Permit and other measures instituted by the applicant. As used in this Section, a condition of ‘over-concentration’ arises wherever two or more community care facilities would be located at a distance of 1,000 feet or less from

each other, as measured from any point upon the outside walls of the structures housing the facilities.”

The closest large community care facility (7 or more clients) is located approximately 2 miles west of the subject site. However, there is a small community care facility (6 or fewer clients) located approximately 500 feet south the subject site. While this is greater than the noted 300-foot distance requirement, it is within the 1,000-foot distance. The small facility is located across Highway 12, in a separate residential neighborhood, and serves a different clientele than the proposed use (the small facility serves adults in need of transitional housing, it is not a facility for the addicted).

The applicant has provided a detailed project description that outlines the program and the ways in which it will be run to avoid negative impacts on the surrounding neighborhood. In addition, the following conditions of approval have been included in the draft resolution to address potential issues of over concentration:

- Sufficient parking shall be accommodated and maintained on site for staff and client drop-off/pickup.
- Staff shall be available on site 24 hours a day, which shall include no less than three staff members on site for overnight shifts and no less than six staff members on site during daytime hours.
- The applicant shall establish a 24-hour hotline for neighbors or visitors to call in the event of complaint or concern, which shall be posted on site in a location visible to the general public.
- Clients of the program shall be supervised at all times by program staff when outside of the facility.
- Clients of the program shall be sober while in the treatment program, and shall be tested for drugs and alcohol daily. Any clients not meeting the sober requirements shall be removed from the facility.

In addition to the concentration requirements, Section 20-42.060 also includes the following findings that must be made by the review authority, in addition to those required for the approval of a Minor Conditional Use Permit:

- a. The facility complies with all applicable requirements of this Section; and
- b. The facility complies with all applicable building and fire code provisions adopted by the State and administered by the City Fire Marshal, and California Department of Social Services licensing requirements.

Over-concentration would be mitigated by the physical separation of the small facility across Highway 12, the fact that the two facilities serve different clientele, and well as the proposed conditions of approval. Additionally, other measures instituted by the applicant and outlined in their project description help to minimize the impacts of over-concentration: clients do not have vehicles while at the facility and therefore will not impact parking or traffic; clients are required to stay within the facility and only leave for off-site activities transported by vans and accompanied by staff; and new clients will only arrive during normal business hours or early evening. Further, the proposed facility has been reviewed and conditioned by the City's Fire Department, and the applicant is licensed under the State of California Department of Health Care Services, License #490041BP.

### **Minor Conditional Use Permit**

As described above, pursuant to [Zoning Code Section 20-23.030](#), Commercial District Land Uses and Permit Requirements, a community care facility with 7 or more clients is allowed in the CN zoning district with the approval of a Minor Conditional Use Permit. Pursuant to [Zoning Code Section 20-50.020, Table 5-1](#), the review authority for a Minor Conditional Use Permit is the Zoning Administrator. However, there is an opportunity for the Zoning Administrator to refer the request to the Planning Commission. As discussed in the Project History section, the prior Minor Conditional Use Permit request in 2022 was elevated to the Commission due to a high amount of neighborhood input and concerns. For consistency, the current proposal has again been elevated to the Commission.

Pursuant to [Zoning Code Section 20-52.050\(F\)](#), the review authority may approve a Conditional Use Permit or Minor Conditional Use Permit only after first making all of the following findings:

- a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- b. The proposed use is consistent with the General Plan and any applicable specific plan;
- c. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- d. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

- e. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- f. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff has analyzed the required findings and has included recommended language in the attached resolution. Specifically, the property is zoned CN-SR, which allows the proposed 24-bed community care facility with the approval of a Minor Conditional Use Permit, and the proposed facility has been found in compliance with the City's General Plan. While the site is surrounded by single-family residential development, the Zoning Code identifies community care facilities as a residential use and the proposed use has been conditioned to limit potential impacts to the adjacent neighborhood.

3. Design Guidelines

There are no exterior changes proposed to the existing structure.

4. Summary of Public Comments

Staff has received numerous comments from neighbors regarding the proposed project following the mailed notice of the public hearing. Copies of all written comments are attached to this report in Attachment 8.

To summarize and address the primary concerns:

- The proposed use is being misleadingly represented as a 'community services center'.

[Zoning Code Chapter 20-70](#) provides standardized definitions for land uses. When a new use is proposed, City staff reviews the operational details of the proposal to determine which of the Zoning Code's defined land use categories most closely corresponds to the proposed activity.

As discussed in the "Zoning" section of this staff report, the proposed use has been found to directly meet the Zoning Code's definition of Community Care Facility; the facility will provide non-medical residential care to the addicted. Staff has carefully reviewed all definitions and found no other land use category to be appropriate for this use.

- The site is within close proximity to Austin Creek Elementary School and may compromise safety for the neighborhood.

No evidence has been submitted to suggest that the proposed use will negatively impact the safety of the neighborhood. State law and City Municipal Code regulations do not limit proximity between schools and community care facilities. However, City staff did route the proposed project to the Santa Rosa Police Department for their review and comment. The Police Department does not have any concerns or issues with the proposed use in this location.

Furthermore, Pura Vida Recovery Services has been operating as a 6-bed community care facility since approval of their initial Zoning Clearance in 2022. As discussed in the applicant's project description, there have been no negative impacts on the community, nor have there been any calls for service regarding the facility's clients or staff; the applicant plans to continue to operate safely and maintain a positive impact on the neighborhood as they expand their operation.

- The project would result in traffic and parking issues.

Pursuant to the Trip Generation Memo prepared by W-Trans, dated November 16, 2022 (Attachment 6), the proposed use would have an insignificant impact on the amount of traffic entering and exiting the commercial center, particularly in comparison to 7 residential apartment units. The City's Traffic Engineering Division has reviewed the Trip Generation Memo and is in agreement with these findings; Traffic Engineering staff has found that the number of anticipated trips does not raise any concerns related to traffic.

As discussed in the "Zoning" section of this staff report, there is a significant amount of both onsite and street parking available for the proposed use in comparison to the Zoning Code requirement of 8 spaces. The facility has 30 of the onsite spaces and 12 of the spaces along Highway 12 dedicated to their operation (see Attachment 5 – Parking Map). Clients are not permitted to have their own vehicles onsite for the duration of their stay; therefore, the parking is anticipated to be used by staff and when clients are dropped off to check in to their stay.

- The use would negatively impact the vitality of local small businesses.

The applicant has noted supportive and positive relationships from neighboring businesses and their plan to continue to foster these relationships as they expand their level of service. Additionally, the City does not have any documentation that the proposed use, which is allowed in the Zoning District with the approval of a Minor Conditional Use Permit, would have a negative impact on the neighboring businesses on site. Further, the regulations within the Zoning Code related to community care facilities, and the findings required for the approval of a Minor Conditional

Use Permit, do not include requirements for ensuring economic vitality of neighboring businesses.

- The facility is incompatible with the neighborhood as it does not serve members of the Skyhawk community, and would be better suited in areas zoned for medical, institutional, or commercial services rather than a residential neighborhood. Additionally, the proposed facility violates the General Plan.

In the attached Project Description (Attachment 3), the applicant has noted that their existing 6-bed facility at 5761 Mountain Hawk Drive has successfully served several members of the Skyhawk community in need of addiction treatment, and plan to continue to meet the needs of the neighborhood as they expand.

As discussed in the Zoning section of this staff report, pursuant to the California Health and Safety Code this use is classified as a non-medical residential treatment facility, and providing incidental medical services does not deem it a medical facility. The proposed use meets the City's definition of Community Care Facility; Table 6-6 of the [Housing Element](#) and [Table 2-2](#) of the Zoning Code both identify community care facilities as a residential housing type. Furthermore, Chapter 2 of the [General Plan](#) (Land Use and Economic Development) states that "in addition to the primary residential uses described in each land use, compatible accessory uses are also allowed, as identified by the City's Zoning Code. Some of these may require discretionary review by the City, and some are allowed by right. Such uses include, but are not limited to, certain recreation, education, and public assembly uses; certain medical, community care, and daycare facilities; supportive and transitional housing; and certain neighborhood-serving retail uses." The proposed use also supports several goals and policies of the General Plan, as discussed in the General Plan section of this staff report.

- There may not be a sufficient amount of staff onsite at all times.

As a condition of approval, no less than three staff members on site for overnight shifts and no less than six staff members on site during daytime hours.

#### 4. Public Improvements

Not applicable.

#### FISCAL IMPACT

Approval of the Project will not have an effect on the General Fund.

### ENVIRONMENTAL IMPACT

The Project has been found in compliance with the California Environmental Quality Act (CEQA) and qualifies for the following exemptions:

Class 1 Categorical Exemption under CEQA Guidelines Section 15301 in that the project is located within an existing structure involving a negligible expansion of an existing use that will not result in significant impact(s).

- Class 32 Categorical Exemption under CEQA Guidelines Section 15332 (In-fill Development Projects) in that:
  1. The Project is consistent with Santa Rosa General Plan 2035 and the current City of Santa Rosa Zoning Code. The site is zoned Neighborhood Commercial and community care facilities (7 or more clients) are a permitted use through a Major Conditional Use Permit;
  2. The Project is located within the City of Santa Rosa jurisdiction, on a project site of no more than five acres substantially surrounded by urban uses;
  3. The project site is currently developed with a mixed-use commercial building and a parking lot, and does not have any habitat value for endangered, rare, or threatened species;
  4. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The Trip Generation Memo prepared by W-Trans, dated November 16, 2022, concludes the Project would result in a less-than-significant transportation impact on vehicle miles traveled (VMT), and the City's Traffic Division has reviewed the proposal and requested no additional Traffic Study. The proposed Project will occupy an existing building, and any work will take place inside the building. The facility will be required to meet the City noise ordinance, and the residential units will be lived in by clients of the facility and utilized in the same manner as a traditional residential use, therefore the use will not have any additional impacts on air or water quality; and
  5. The Project site is located in a developed area where it can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditioned the project appropriately.

The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.)

## BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

As noted in history section, on December 8, 2022, the Planning Commission held a public hearing for CUP22-045, a similar Minor Conditional Use Permit application to allow a 24-bed community care facility at 5761 Mountain Hawk Drive. After the public hearing, a motion was made to approve the resolution; however, that motion failed by a no vote of 0-5-2, with five Commissioners voting and no and two Commissioners absent. Direction was provided to staff to bring forward a resolution of denial; however, the applicant withdrew their Minor Conditional Use Permit application following the public hearing. The applicant has since revised certain aspects of their proposal, including the floor plan and site plan, as noted in the issues section below, and provided additional information on the proposed use to address the concerns raised during the December 8, 2022 meeting. The current proposal is a new Minor Conditional Use Permit request.

## PUBLIC NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners and occupants, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

Based on a request made for the prior public hearing in December 2022, the mailed public hearing notice and public hearing sign for the November 13, 2025 meeting were translated into Mandarin, and, similar to the prior public hearing, Mandarin interpreters will be provided at the meeting in November.

## LEVINE ACT

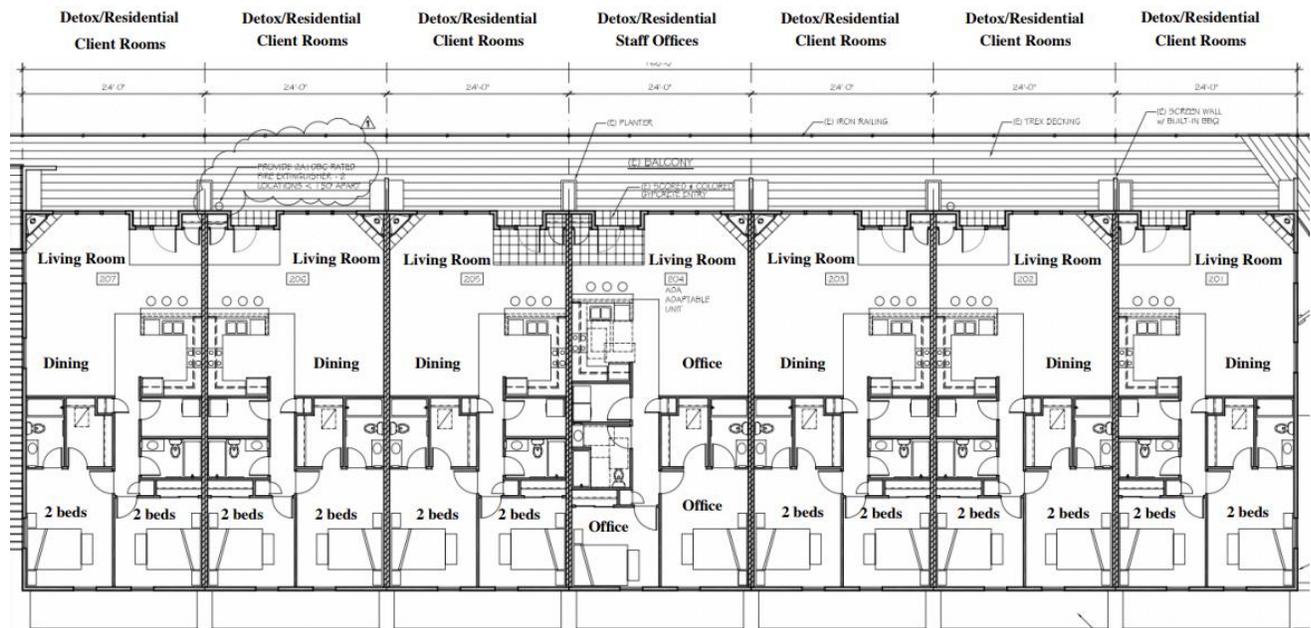
This project is subject to the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the FPPC website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

## ISSUES

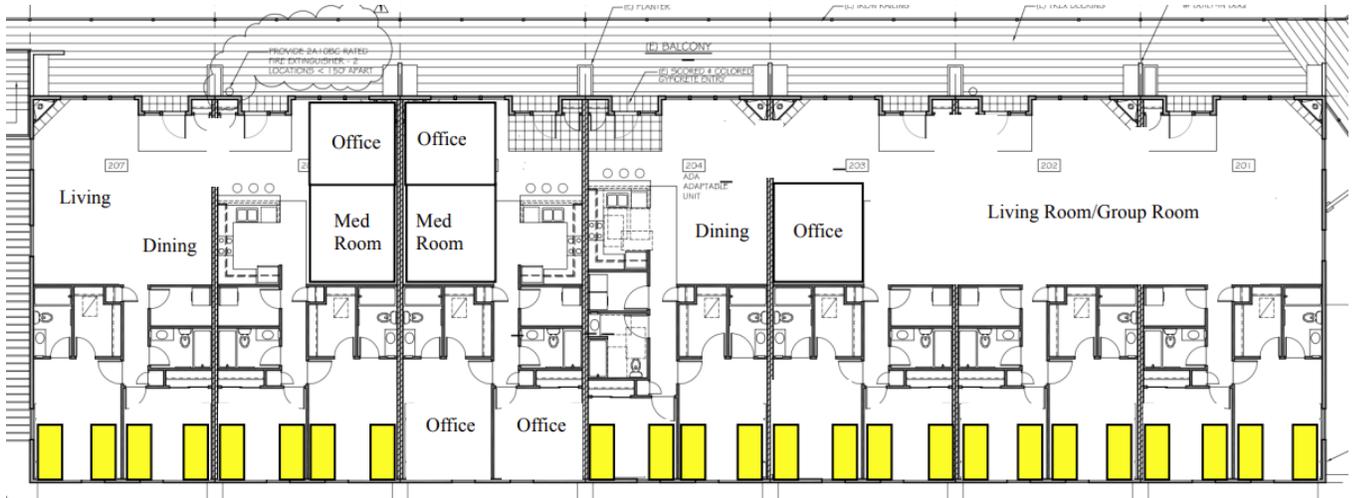
During the review of the prior proposal, concerns were raised regarding the location of

the proposed facility. Specifically, that the site was not physically suitable for the operating characteristics of the use being proposed, including the location of the proposed designated smoking area adjacent to Highway 12, which is designated as a scenic roadway.

Since the previous Minor Conditional Use Permit, the applicant has made changes to the proposed floor plan. The 2022 proposal included a floor plan which utilized the 7 residential units as built, with 4 beds each in unit (201 through 203 and 205 through 207). Unit 204, in the middle, was proposed to be an office space:



The current proposal includes major revisions to the floor plan: combining units 206 and 207 into one unit, which can house up to 8 clients; combining units 201 through 204 to create one larger space that can accommodate up to 16 clients; and utilizing unit 205 as office spaces for staff. Both of the newly created client units will include staff offices as well:



The revised layout, with integrated staff offices in larger client spaces, allows for increased staff oversight of the facility and efficiency in supervision and treatment of clients. The combined units also provide more space for group activities and recreation.

With regard to the previously proposed designated smoking area, because there is no requirement to provide such a space, the applicant has removed it from the project description and proposed plans. As a condition of approval, the applicant, clients and visitors of the facility will be required to comply with the smoking regulations as set forth in City Code Chapter 9-20.

## ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Neighborhood Context Map
- Attachment 3 – Project Description
- Attachment 4 – Floor Plan
- Attachment 5 – Parking Map
- Attachment 6 – Trip Generation Memo
- Attachment 7 – December 8, 2022 Planning Commission Meeting Minutes
- Attachment 8 – Community Correspondence Resolution

## CONTACT

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