

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: GABE OSBURN, DIRECTOR OF THE PLANNING AND
ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: SENIOR HOUSING (-SH) COMBINING DISTRICT FOR MOBILE
HOME PARKS

AGENDA ACTION: STUDY SESSION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council hold a Study Session to provide direction to staff on whether to proceed with a Senior Housing (-SH) Combining District for 12 existing mobile home parks, pending resolution of related local litigation. This item is provided for Council's information and no action will be taken except for possible direction to staff.

EXECUTIVE SUMMARY

Mobile home park residents have requested that the City's existing Senior Housing (-SH) Combining District, which restricts occupancy to residents who are aged 55 and older, be applied to twelve of the sixteen mobile home parks in Santa Rosa that currently operate as senior parks. If directed by Council to proceed, staff would initiate the process that would include outreach to mobile home park owners and residents, research, and drafting of rezoning and Zoning Code text amendment ordinances, which would require a recommendation by the Planning Commission and final action by the City Council. It should be noted that staff is currently tracking existing litigation in the Cities of Petaluma and Cotati related to similar mobile home park restrictions.

BACKGROUND

On September 16, 2009, the owner of a residential condominium development on La Esplanada Place in southeast Santa Rosa filed a complaint with the Department of Housing and Urban Development (HUD) against the City and the Homeowners Association alleging familial status discrimination. The complaint was related to the City's requirement that the property owner comply with the adopted Declaration of Covenants, Conditions and Restrictions (CC&R's) that limited residents to age 55 or older.

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On September 1, 2011, the City was charged by the Secretary of HUD with engaging in discriminatory practices in violation of the Fair Housing Act (FHA).

On November 21, 2011, the United States initiated an action against the City of Santa Rosa and the Homeowners Association alleging a violation of the FHA.

On August 1, 2012, a Consent Order was filed by the United States District Court, which listed a number of obligations that the City and the Homeowners Association were required to address. Among other things, the City was required to bring the zoning for the subject site into compliance with the Federal Housing for Older Persons Act (HOPA), and implement new regulations, in compliance with HOPA, that would apply to future senior housing developments.

On October 30, 2012, pursuant to the requirements of the Consent Order, the City Council adopted Ordinance Nos. 3996 and 3997, amending the Policy Statement for the PD zoning district for the subject site to eliminate the age restriction, and amending the text of the Zoning Code to add a new Senior Housing (-SH) Combining District and a definition for "senior housing" and "senior housing regulatory agreement".

In the last year, several mobile home park residents have attended numerous City Council meetings requesting that the City initiate a rezoning to add the -SH Combining District to existing mobile home parks within the City that currently operate as senior parks, restricting the age of residents to 55 or older.

There are sixteen mobile home parks, totaling 2,154 spaces, within the City of Santa Rosa. Currently, twelve of these parks, which include 1,753 spaces for mobile homes, operate as senior mobile home parks. At this time, there are no City regulations which require these parks to be age restricted for seniors.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

The requested action by mobile home park residents includes the application of a Senior Housing (-SH) Combining District to twelve of the sixteen mobile home parks in Santa Rosa that currently operate as senior parks (see Attachment 1). The existing -SH Combining District, outlined in Zoning Code [Section 20-28.080](#), requires that 80 percent of housing units are occupied by a resident that is 55 years or older.

To implement this request, a Zoning Code text amendment would be required to modify the language in the existing -SR Combining District to apply to mobile home parks. In addition, a Zoning Map amendment would be required to apply the -SH Combining District to the twelve mobile home parks. Further, each mobile home park would be required to execute a senior housing regulatory agreement with the City's Housing Authority which would be subject to biennial verification.

Housing Element

The City's Housing Element supports assisting senior households and increasing the supply of senior housing. The following is taken directly from the City's 2023-2031 Housing Element (page 3-26)

“The City of Santa Rosa has an interactive Affordable Housing Map available to the public on the City's website. The map displays Santa Rosa properties that are funded by or under agreement with the City of Santa Rosa Housing Authority and that are affordable to senior citizens. According to the Interactive Affordable Housing Map, there are about 1,119 units set aside exclusively for senior citizens. Based on the total number of units occupied by seniors (20,634 units), these dedicated units represent only a fraction of the potential demand for housing that is specifically designed for seniors. A majority of Santa Rosa's seniors reside in large, single-family homes or one of the 1,119 affordable housing units exclusively available to seniors.”

The Housing Element also includes goals, policies and programs dedicated to increasing senior housing and affordable housing, including the following:

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| Goal H-3 | Increase special needs housing opportunities and supportive services for lower income households, families with children, seniors, persons with physical and developmental disabilities, farmworkers, female-headed households, and people who are experiencing homelessness. |
| Program H-25 | Housing for Extremely Low-Income Households. Encourage additional housing resources for extremely low-income Santa Rosa residents, including seniors, young adults, female-headed households with children, and persons with physical or developmental disabilities, and equity priority populations through a variety of actions, including: (see Housing Element page 8-18 for the list of action items) |
| Program H-26 | Housing for Senior Households. Encourage the development of affordable housing for senior populations, particularly for those in need of assisted and skilled nursing care. Continue to provide funding and offer incentives such as density bonuses, reduced parking requirements, design flexibility, and deferred development fees. |

Staff Process

If Council directs staff to proceed with initiating the -SH Combining District to the identified mobile home parks, the following work would need to be completed by City staff:

- Outreach to both residents of mobile home parks and to mobile home park owners to inform them of the process and receive feedback.
- Research related to existing litigation (see Pending Litigation section below), changes that would need to be made to the Zoning Code, and any necessary environmental analysis.
- Drafting of the ordinances for both the Zoning Map Amendment and Zoning Code Text Amendment, and any documentation needed for compliance with the California Environmental Quality Act (CEQA).
- Public hearing with the Planning Commission for recommendation to the City Council.
- Public hearing with the City Council for action on the proposed amendments.

If proposed ordinances are adopted by Council, the following implementation by City staff would be necessary:

- Initial age verification of residents within the designated parks. Parks found in non-compliance with the Code would be subject to Code Enforcement action.
- Preparation and oversight of senior housing regulatory agreements recorded against the property.
- Biennial verification by all residents to confirm occupancy compliance, and any necessary follow-up for non-compliance.

Senior Overlay Considerations

In consideration of the request to add the -SH Combining District to twelve of the existing mobile home parks within the City, the following benefits and challenges have been identified:

- **Benefits:**
 - Would preserve units specifically for seniors; meeting goals and policies within the City's recently adopted Housing Element.
 - Ensures that these modular units, that are generally available at a lower cost, are available to seniors.
- **Challenges:**
 - Short-term staffing impacts related to outreach and the development of

policy and draft ordinances (Planning and Economic Development Department staff).

- Long-term staffing impacts related to policy implementation and administration (Housing and Community Services Department staff).
- Concerns of park owners related to compliance with regulatory agreements, and limiting future development potential in the event of a park closure (unless the sites are rezoned to remove the -SH combining district).

Pending Litigation

Litigation is currently pending against the cities of Petaluma and Cotati in connection with their recent adoption of senior housing overlay zoning designations for mobile home parks. The outcome of these cases may impact the City of Santa Rosa's direction on the proposed request for rezoning; City staff will continue monitoring the litigation and provide updates to Council.

FISCAL IMPACT

This study session does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

This study session is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

While notification of a study session is not required, in order to inform both mobile home park residents and park owners about the discussion, a notice, in English and Spanish, was mailed to owners and residents of the twelve mobile home parks currently operating as senior parks.

ATTACHMENTS

- Attachment 1 – Mobile Home Park List
- Attachment 2 – Mobile Home Park Map

PRESENTER

Christian Candelaria, City Planner