

ORDINANCE NO. ORD-2020-009

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE PROPERTIES LOCATED AT 3111 AND 3119 SANTA ROSA AVENUE INTO THE CG (GENERAL COMMERCIAL) ZONING DISTRICT, AND THE PROPERTIES LOCATED AT 3110, 3114 AND 3122 INTO THE R-3-18 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT; FILE NO. ANX19-001

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council finds, based on the evidence and records presented, that the CG (General Commercial) zoning district is appropriate for Assessor's Parcel Numbers 043-143-018 and 043-143-002, and that the R-3-18 (Multi-family Residential) zoning district is appropriate for Assessor's Parcel Numbers 044-101-002, 044-101-003 and 044-101-004. The Council further finds and determines that:

- A. The proposed Prezoning is consistent with the goals and policies of all elements of the City's General Plan in that the proposed Prezoning of Assessor's Parcel Numbers 043-143-018 and 043-143-002 to the CG (General Commercial) zoning district is consistent with the properties' General Plan land use designation of Retail and Business Services; and that the Prezoning of Assessor's Parcel Numbers 044-101-002, 044-101-003 and 044-101-004 to the R-3-18 (Multi-family Residential) zoning district is consistent with the properties' General Plan land use designation of Medium Density Residential; and
- B. The proposed Prezoning would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that no new construction is proposed at this time and any new construction will be required to be consistent with uses permitted either by-right or conditionally that were anticipated in the adoption of the Santa Rosa General Plan 2035; and
- C. The proposed Prezoning is physically suitable including absence of physical constraints, access and compatibility with adjoining land uses, and provision of utilities for Assessor's Parcel Numbers 043-143-018 and 043-143-002 to the CG (General Commercial) zoning district and for Assessor's Parcel Numbers 044-101-002, 044-101-003 and 044-101-004 to the R-3-18 (Multi-family Residential) zoning district in that the properties are located in a developed area where all services are available.

Section 2. All conditions required by law have been satisfied and all findings with relation thereto have been made. Title 20 of the Santa Rosa Code is amended by amending the "Zoning Map of the City of Santa Rosa," as described in Section 20-20.020, so as to change the classification of Assessor's Parcel Numbers 043-143-018 and 043-143-002 to the CG (General Commercial) zoning district and for Assessor's Parcel Numbers 044-101-002, 044-101-003 and 044-101-004 to the R-3-18 (Multi-family Residential) zoning district.

Section 3. In addition to any other conditions that are deemed appropriate or necessary, any development approval for this property shall be expressly conditioned to require the applicant to fulfill the following condition:

Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time that the building permit(s) for this development, or any part thereof, are issued.

Section 4. Environmental Determination. The proposed Rezoning amendment has been reviewed in compliance with the California Environmental Quality Act (CEQA). As the rezoning action is consistent with the General Plan, for which an Environment Impact Report (EIR) was certified by Council in 2009, no additional environmental review is required except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site.

No further environmental review is necessary for the Project as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the subject parcels or the project that were not analyzed and addressed in the prior EIR.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on August 25, 2020.

IN COUNCIL DULY PASSED AND ADOPTED this 1st day of September, 2020.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Olivares, Rogers, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: Stephanie A. Williams
City Clerk

APPROVED: J Schwedhelm
Mayor

APPROVED AS TO FORM:

Sue Gallagher
Sue Gallagher (Oct 5, 2020 14:27 PDT)
City Attorney