

ORDINANCE NO. ORD-2019-011

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE PROPERTIES LOCATED AT 4200 AND 4224 SONOMA HIGHWAY, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NOS. 032-010-023 AND 032-010-005, RESPECTIVELY, TO THE CG (GENERAL COMMERCIAL) ZONING DISTRICT; FILE NO. PRJ18-050

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 032-010-023 and 032-010-005. The Council further finds and determines that:

The proposed Prezoning is consistent with the goals and policies of all elements of the City's General Plan in that the proposed Prezoning to CG (General Commercial) zoning district is consistent with the properties' General Plan land use designation of Retail and Business Services; and

The proposed Prezoning would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the approved project to develop two residential structures offering 14 new residential units and a 124,000-square foot self-storage facility on the property at 4224 Sonoma Highway are uses that were anticipated in the adoption of the Santa Rosa General Plan 2035. That property is surrounded by similar residential and commercial development to the east, north and west, and is designed with an eight-unit residential structure overlooking the Santa Rosa Creek Trail, making it a safer path for pedestrians and cyclists. Should the approved project not be developed, any future proposal would be reviewed on its own merits. No physical change is proposed to the property at 4200 Sonoma Highway; and

The site is physically suitable including absence of physical constraints, access and compatibility with adjoining land uses, and provision of utilities for the proposed Prezoning to the CG (General Commercial) 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 Nos. 032-010-023 (4200 Sonoma Highway) and 032-010-005 (4224 Sonoma Highway) to the CG (General Commercial) 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). The Planning Commission, at its August 8, 2019, meeting approved Resolution No. 11972 adopting a Mitigated Negative Declaration for the project.

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 September 24, 2019.

IN COUNCIL DULY PASSED AND ADOPTED this 1st day of October, 2019.

AYES: (5) Mayor Schwedhelm, Vice Mayor Rogers, Council Members Combs, Fleming Sawyer

NOES: (0)

ABSENT: (2) Council Members Olivares, Tibbetts

ABSTAIN: (0)

ATTEST: *Sana Manis*
Acting City Clerk

APPROVED: *J Schwedhelm*
Mayor

APPROVED AS TO FORM:

J. D. Kelly
City Attorney