

ORDINANCE NO. ORD-2022-009

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE PROPERTY LOCATED AT 2210 BRUSH CREEK ROAD (BRUSH CREEK ROAD MINOR SUBDIVISION) INTO THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT, ASSESSOR'S PARCEL NUMBER 182-050-004; AND PREZONING THE PROPERTIES LOCATED AT 2200 BRUSH CREEK ROAD AND 0 BRIDGEWOOD DRIVE INTO THE RR-20 (RURAL RESIDENTIAL) ZONING DISTRICT, ASSESSOR'S PARCEL NUMBERS 182-050-005 & -014; FILE NO. PRJ20-008

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 R-1-6 (Single-Family) zoning district is appropriate for Assessor's Parcel Number 182-050-004, and that the RR (Rural Residential) zoning district is appropriate for Assessor's Parcel Numbers 182-050-005 & -014. The Council further finds and determines that:

1. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that, in accordance with Section 20-22.020(B), the R-1-6 zoning district is applied to areas of the City intended to be maintained as residential neighborhoods comprised of detached and attached single-family houses, clustered residential hillside projects, and small multi-family projects, together with compatible accessory uses. The maximum allowable density ranges from two to 13 dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the R-1 map symbol (see Section 20-22.040). The R-1 zoning district implements and is consistent with the Residential—Very Low Density (where residential clustered on hillsides is desirable), Low Density/Open Space, Low Density, and Medium Low Density land use classifications of the General Plan. The R-1-6 Zoning District permits 6,000-square-foot lot sizes. General Plan Section 1-2 requires that the General Plan be internally consistent; therefore, a proposed amendment to a zoning district that is consistent with a General Plan land use designation and implements that land use designation would be consistent with the goals and policies of all elements of the General Plan. Assessor's Parcels 182-050-005 and -014 would be rezoned to RR-20, which is consistent with the current General Plan designation of Very Low Density Residential. The parcels will be included in order to eliminate an existing County island, per consultation with Sonoma LAFCO (Local Agency Formation Commission); and
2. The proposed amendment of 2210 Brush Creek Road would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed zoning R-1-6 Zoning District would be consistent with the Low Density Residential General Plan land use designation. The R-1-6 Zoning District would permit 6,000-square-foot parcels. The applicant proposes to develop the property in a similar configuration as the Planned Development to the north. The proposed Tentative Parcel Map will result in parcel sizes that would range in size from 9,665 to 16,702 square feet. The average lot size is 13,260 square feet. The resulting density from the four-lot

subdivision, with one remainder lot, is 3 dwelling units per acre. The parcel backs up to Rincon Creek, which creates a physical development constraint toward the rear of the project site. Rezoning and amending the General Plan for four additional single-family residential units will not have any foreseeable effect on the public's health, safety, convenience, or welfare. The proposed amendment of Assessor's Parcels 182-050-005 and -014 would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed RR-20 Zoning District would be consistent with the Very Low Density Residential General Plan land use designation. The parcels will be included in order to eliminate an existing County island; and

3. The Project has been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA). The proposed project would result in potentially significant impacts in: Air Quality, Biological Resources, Cultural Resources, and Geology & Soils. The project impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures contained the Mitigation Monitoring and Reporting Program prepared for the project, which identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels, or through compliance with existing Municipal Code requirements or City standards. On August 23, 2022, the City Council adopted a resolution adopting a Mitigated Negative Declaration (MND) for the Brush Creek Minor Subdivision, for which the project description included analysis of the proposed Rezoning amendment; and
4. The proposed amendment is internally consistent with other applicable provisions of the Zoning Code. The R-1-6 (Single-Family Residential) zoning district implements the Low Density Residential land use of the General Plan, and any new development on the subject properties would be required to be in compliance with any standards listed in the Zoning Code. No development is proposed at this time. The proposed amendment of Assessor's Parcels 182-050-005 & -014 is internally consistent with other applicable of the Zoning Code. The RR-20 (Rural Residential) zoning district implements the Very Low Density Residential land use of the General Plan, and any new development on the subject properties would be required to be in compliance with any standards listed in the Zoning Code. The two additional parcels will be included in order to eliminate an existing County island; and
5. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments. The Project meets all required development standards for the R-1-6 Zoning District. Each newly created lot will be able to meet setback and parking requirements.

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 Number 182-050-004 to the R-1-6 (Single-Family Residential) Zoning District and change the classification of Assessor’s Parcel Numbers 182-050-005 and -014 to the RR-20 (Rural 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). On August 23, 2022, the City Council adopted a resolution adopting a Mitigated Negative Declaration (MND) for the Brush Creek Minor Subdivision, for which the project description included analysis of the proposed rezoning.

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 23, 2022.

IN COUNCIL DULY PASSED AND ADOPTED this 13th day of September, 2022.

AYES: (7) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, MacDonald, N. Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
Deputy City Attorney