

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – TABLE 2-6 OF SECTION 20-23.060 (COMMERCIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS) – FILE NUMBER REZ16-001

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

Section 1. The Council finds, based on evidence and records presented, that amending Title 20 (Zoning) of the Santa Rosa City Code, as follows, is appropriate to allow the Lodging-Hotel or Motel land use within the CO (Office Commercial) zoning district upon approval of a Minor Conditional Use Permit.

Section 2. Section 20-23.030, Commercial District Land Uses and Permit Requirements, of the Santa Rosa Zoning Code shall be amended to allow Lodging-Hotels and Motels as a permitted use upon approval of a Minor Conditional Use Permit in the (CO) Office Commercial Zoning District as follows:

“TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Conditional Use Permit required CUP Conditional Use Permit required S See Specific Use Regulations for permit requirement — Use not allowed							
	PERMIT REQUIRED BY DISTRICT							
LAND USE (1)	CO	CN (7)	CG	CV	CD (3)	CSC (2)	TV-M	Specific Use Regulations

**SERVICES—
GENERAL**

Accessory services	P	P	P	P	P	P	P	20-42.030
Adult day care	—	P	MUP	—	MUP	P	MUP	
Catering service	—	—	P	—	—	—	—	
Child day care—Large family day care home	MUP	MUP	MUP	—	MUP	MUP	MUP	20-42.050
Child day care—Small family day care home	P	P	P	—	P	P	P	20-42.050
Child day care center	MUP	MUP	MUP	—	MUP	MUP	MUP	20-42.050
Drive-through service	—	CUP	CUP	—	—	CUP	—	20-42.064
Equipment rental	—	—	P(4)	—	—	—	—	
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	—	MUP	MUP	—	P	MUP	MUP	
Lodging—Bed & breakfast inn (B&B)	—	—	MUP	—	P	—	MUP	
Lodging—Hotel or motel	MUP	—	MUP	—	P(4)	—	P	
Mortuary, funeral home	—	—	CUP	—	—	—	—	
Personal services	P	P(2)	P	—	P	P	P	

Key to Zoning District Symbols

CO	Office Commercial	CV	Motor Vehicle Sales	TV-M	Transit Village—Mixed
CN	Neighborhood Commercial	CD	Downtown Commercial		
CG	General Commercial	CSC	Community Shopping Center”		

Section 3. 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 would encourage the reoccupation of vacant commercial buildings Citywide, or within the downtown. Further, the Zoning Code Text Amendment would allow the City to encourage more meetings and conventions, attract tourism, drive activity in appropriate areas of the City, and further promote Santa Rosa as the regional center, while utilizing the City's existing labor pool. As indicated in the land use policy LUL-J-3, "limited support retail and business services," are allowed in Office designated properties, demonstrating the primary Office land use is intended to be supported by commercial uses, including lodging.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that a Minor Use Permit would be required prior to the approval of a Lodging-Hotel or Motel Land Use at a specific site, thus reducing any project or site specific effects. During the Minor Use Permit process, City Staff and requisite outside agencies would ensure that health and safety standards were met, environmental analysis occurred, and neighborhood input was solicited.
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). Because the proposed Zoning Code text amendment is consistent with General Plan 2035, the project relies upon the General Plan 2035 Environmental Impact Report (November 3, 2009, SCH No. 2008092114), and is consistent with CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). The Environmental Impact Report for the General Plan 2035 analyzed impacts to Traffic, Air Quality and Green House Gases, and Noise for the implementation of the General Plan. Based on the similar level of intensity of development analyzed under the Office Land Use designation, including general office, restaurants, gas stations and additional retail, in the General Plan Environmental Impact Report, Staff has determined the analysis to be adequate for the scope of change proposed by this project.

Potential traffic and noise impacts specific to Lodging were reviewed by City staff. A trip generation, based on the 9th Edition Institute for Transportation Engineers Manual, was produced to compare the average trips per A.M. and P.M. peak hour for a General Office and Medical Office Use with a Hotel and a Motel Use based on a building of 50,000 square feet that included 101 rooms. Both Office Uses generated more peak trips per hour than either Lodging Use. Specifically, a Hotel Use generated 54 A.M. and 61 P.M. peak hour trips and a Motel Use generated 45 A.M. and 47 P.M. peak hour trips. A General Office Use produced 67 A.M. and 74 P.M. peak hour trips and a Medical Office Use produced 120 A.M. and 179 P.M. peak hour trips. Therefore, staff determined impacts to traffic would be less significant than the currently permitted office land uses.

Impacts to noise were reviewed based on the projected noise contours based on the implementation of the General Plan 2035. Parcels within the City zoned CO (Office Commercial) parcels are located within noise contours anticipated to be at higher levels than the less intense, primarily residential areas of the City. The affected properties are mostly surrounded by commercial uses and higher density housing. In addition, the City's Noise Ordinance categorizes office and commercial uses with the same acceptable sound levels.

Further, if needed, any site specific proposal may be required to submit a sound study to demonstrate compliance with the City's standards during project construction and operation.

- 4. The proposed amendment is internally consistent with other applicable provisions of the Zoning Code. The Zoning Code defines the CO (Office Commercial) Zoning District as appropriate for administrative, business, financial, medical, professional, and public office uses, together with similar and related compatible uses. Residential uses may also be accommodated as part of mixed use projects. The Lodging-Hotel and Motels land use has been determined as a related and compatible supportive use with the currently permitted offices, restaurants, personal services allowed within the CO district. The Zoning Code defines Hotels and Motels as facilities that typically provide meeting facilities, restaurants, and personal services, all of which are elements currently permitted in the Office Commercial Zoning District. In addition, each proposed Hotel or Motel would be subject to approval of a Minor Use Permit to ensure compatibility with the surrounding area, and the less intense development standards that exist in the CO Zoning District.

Section 4. 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 5. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

IN COUNCIL DULY PASSED AND ADOPTED this 29th day of November, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney