

ORDINANCE NO. ORD-2020-021

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING THE PROPERTY FOR THE T&L MICRO CANNABIS FACILITY, LOCATED AT 3515 and 0 INDUSTRIAL DRIVE – ASSESSOR’S PARCEL NUMBERS 148-050-027 AND 148-041-049 – TO LIGHT INDUSTRIAL (IL) ZONING DISTRICT - FILE NUMBERS PRJ19-039 AND REZ19-010

WHEREAS, on December 8, 2020, the Council approved a General Plan Amendment to change the land use designation for the subject two parcels from Retail and Business Services to Light Industry; and

WHEREAS, after public hearing, the Council determined that the current CG (General Commercial) zoning for the properties at 3515 and 0 Industrial Drive, also identified as Assessor’s Parcel Numbers 148-050-027 and 148-041-049, is no longer consistent with the General Plan; and

WHEREAS, rezoning the two parcels into the Light Industrial (IL) zoning district is consistent with the Light Industry land use designation of the General Plan.

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

Section 1. The proposed Rezoning is consistent with the goals and policies of all elements of the General Plan in that it implements the General Plan land use designation of Light Industry. At its meeting on December 8, 2020, the City Council approved a General Plan Amendment to change the land use designation for the subject two parcels to Light Industry. Rezoning the properties to the IL (Light Industrial) zoning district will maintain General Plan consistency. The area proposed to be rezoned is not located within a specific plan area; and

Section 2. The proposed Rezoning would not be detrimental to the public interest, health, safety, convenience or welfare of the City in that the proposed zoning would allow for industrial uses that would align the property with its neighbors, as well as the actual current intensity of use of the building, the change to a closed, secured facility that is not open to the public would reduce traffic impacts to surrounding properties, the proposed rezoning would not foreseeably increase the intensity of the property’s use, and the project plans have been reviewed by City staff, outside agencies, and approval authorities and conditioned to minimize any potential impacts to less than significant level; and

Section 3. The rezoning area is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested Light Industrial zoning designation in that the Project site is adjacent to a large swath of industrially-zone parcels, and surrounding it are a wide array of commercial and light industrial uses, and rezoning the property will render it more compatible with its neighbors, allowable manufacturing uses are “light” in nature and the property is currently developed with a two-story commercial/industrial building, which could accommodate a wide variety of light industrial uses while maintaining compatibility with neighboring properties, and a change to this property’s zoning is necessary to better utilize the space, industrial uses better reflect the property’s current occupancy as a furniture warehouse, the changed character of the overall

neighborhood, and the property's adjacency to one of the City's largest industrial zones;

Section 4. Environmental Determination. The proposed Rezoning has been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study was conducted that resulted in the preparation of a Mitigated Negative Declaration, for which the project description included analysis of the proposed Rezoning, and determined that proposed project would result in potentially significant impacts in: Air Quality, Greenhouse Gases, and Transportation. The project impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures contained the Mitigated Negative Declaration and 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 November 12, 2020, the Planning Commission approved a resolution adopting a Mitigated Negative Declaration (MND) for the T&L Micro Cannabis Facility, for which the project description included analysis of the proposed Rezoning; and

Section 6. 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 7. 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 the 8th day of December, 2020.

IN COUNCIL DULY PASSED AND ADOPTED this 15th day of December, 2020.

AYES: (5) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Fleming, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Tibbetts

ABSTAIN: (1) Council Member Alvarez

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney