

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REZONING PROPERTIES IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 036-061-028, 036-061-068, 036-061-069 (2199 MARLOW ROAD), AND 036-061-064 (2045 GUERNEVILLE ROAD) TO THE R-3-18 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT - FILE NUMBER MJP15-007

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-3-18 (Multi-family Residential) Zoning District is appropriate for Assessor's Parcel Numbers 036-061-028, 036-061-068, 036-061-069 (2199 Marlow Road), and 036-061-064 (2045 Guerneville Road).

The Council further finds and determines that:

- A. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan, in that it will allow higher density housing to develop along an arterial street within walking distance of a commercial center and several schools and recreation areas; and public transportation, emergency services and utilities are readily available; and
- B. The proposed Rezoning is consistent with the General Plan land use designation of Medium Density Residential (8-18 units per acre); and
- C. The proposed Rezoning would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that it would result in additional housing opportunities along an arterial street designed for this type and density of residential development; and
- D. The proposed Rezoning has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was conducted, which resulted in a Negative Declaration, dated January 5, 2016. The Negative Declaration was then circulated for a period of twenty days, from January 6, 2016 to January 27, 2016; and
- E. The site is physically suitable (including absence of physical constraints, access and compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use and residential development in that the site is generally flat, and has frontage on both Guerneville Road and Marlow Road.

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. 036-061-028, 036-061-068, 036-061-069 (2199 Marlow Road), and 036-061-064 (2045 Guerneville Road) to the R-3-18 (Multi-family Residential) zoning district.

Section 3. In addition to any other conditions that are deemed appropriate or necessary at the time a Use Permit or other development permit is applied for, 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 Council has read, reviewed and considered the Negative Declaration and finds that the adoption and implementation of this ordinance will not have a significant impact on the environment as shown by said Negative Declaration.

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 March 29, 2016.

IN COUNCIL DULY PASSED AND ADOPTED this ____ day of _____, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney