

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: ANDY GUSTAVSON, SENIOR PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
SUBJECT: INCLUSIONARY HOUSING ORDINANCE – CLERICAL  
CORRECTION

AGENDA ACTION: INTRODUCE ORDINANCE

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council introduce an ordinance to amend Title 21 of the Santa Rosa City Code to correct Section 21-02-050.B of the Inclusionary Ordinance to limit the Downtown Inclusionary Housing Incentive to multifamily residential or mixed use development projects located in the Downtown area of the City of Santa Rosa.

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EXECUTIVE SUMMARY

On October 1, 2019, the Council introduced amendments to the Housing Allocation Plan Ordinance (Chapter 21-02 of the City Code) including a reduced inclusionary provision (Section 21-02.050, Inclusionary requirement) intended to incentivize multifamily residential and mixed use development in the Downtown Area of the City of Santa Rosa. While the staff report and exhibits referenced “multifamily” residential and mixed use development, and as such the Council’s deliberation and approval was intended to incentivize “multifamily” residential and mixed use development, , the text in the relevant section of the ordinance inadvertently omitted the word “multifamily”. This clerical correction adds the word “multifamily” to Section 21-02.050 of the ordinance to correctly limit the incentive to multifamily residential and mixed use development in the Downtown Area and thus fully implements the Council’s intent to incentivize higher intensity residential development in the Downtown Area.

BACKGROUND

The Housing Allocation Plan was enacted in 1992 (and updated in 2012 and again in 2014) to meet the Santa Rosa General Plan goals to expand the supply of housing available to lower income households.

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In October 2016, the City Council accepted the Housing Action Plan, which includes a variety of programs aimed at addressing the City’s ongoing unmet housing needs. Program 1 of the Plan is to “increase inclusionary housing”.

In the summer of 2019, Planning and Economic Development held a series of public workshops and study sessions with the Council, Planning Commission, and the Housing Authority to get input on a draft update to the Housing Allocation Plan Ordinance.

On October 1, 2019, the amended Housing Allocation Plan Ordinance (now titled, Inclusionary Housing Ordinance) was introduced and then adopted by the Council on October 22, 2019 by a vote of 5-0-2 (Council Member Combs and Tibbetts absent).

### PRIOR CITY COUNCIL REVIEW

The Council acted on the ordinance based on the report and presentation exhibits presented by staff at the October 1, 2019 public hearing. The staff report recommended a reduced downtown inclusionary requirement (Staff Report pages 2 and 10) and noted the recommended reduced downtown housing impact fee would support this incentive (Staff Report page 13). Staff’s presentation clearly stated this incentive was limited to multifamily residential and mixed use development located in the Downtown Area (Presentation, slide 17). Furthermore, Council discussed the downtown inclusionary requirement reduction and agreed it would help to incentivize higher intensity residential development in the Downtown Area. However, the relevant part of Section 21-02.050 of the adopted ordinance unintentionally omitted the word “multifamily”. Thus the adopted ordinance does not limit the incentive to multifamily residential and mixed use projects in the Downtown Area as the Council intended.

### ANALYSIS

This action will correct a clerical error of the relevant part of Section 21-02.050 of the Inclusionary Housing Ordinance. This correction is consistent with the Council’s intent to limit the reduced inclusionary requirement or incentive to multifamily residential and mixed use development in the Downtown Area.

### FISCAL IMPACT

Adoption of the proposed ordinance would not have a fiscal impact on the General Fund. The direct cost of ordinance administration will continue to be covered by existing development review fees.

### ENVIRONMENTAL IMPACT

The Council’s adoption of the Inclusionary Housing Ordinance was found to qualify for two statutory exemptions pursuant to California Environmental Quality Act (CEQA) Guidelines sections 15061 (b)(3) and 15378. Specifically, the previously adopted ordinance is not a project which has a potential for resulting in either a direct physical

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change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The corrected ordinance continues to qualify for these statutory exemptions.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable

ATTACHMENTS

- Attachment 1 – Staff Report: Housing Allocation Plan Ordinance Update, October 1, 2019
- Attachment 2 – Presentation: Inclusionary Requirement Slide, October 1, 2019
- Attachment 3 – Ordinance ORD-2019-015, October 22, 2019
- Attachment 4 –Redline Ordinance
- Ordinance

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