

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING THE APPEAL OF THE PLANNING COMMISSION RECOMMENDATION AND AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE - RECLASSIFICATION OF PROPERTY LOCATED AT 408 CALISTOGA ROAD TO THE R-1-6 DISTRICT - CALISTOGA COTTAGES - FILE NUMBER MJP13-007

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-1-6 Single Family Residential District is appropriate for the property located at 408 Calistoga Road (“Subject Property”), and that the reclassification to the R-1-6 district is appropriate for the property identified in Section 2, due to Subject Property’s physical configuration and its location adjacent to established development.

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 increase the supply of housing along an arterial street where public transportation, utilities, a commercial center, schools and recreation areas are readily available and within walking distance;
- B. The proposed amendment 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
- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA); and
- D. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use and residential development in that the site is currently developed with an approximately 1,630-square-foot residence, and is surrounded on three sides by similar single family residential uses, and Sequoia Elementary School on the fourth.

Section 2. All conditions required by law having been satisfied and all findings with relation thereto having been made, Title 20 of the Santa Rosa City 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 153-430-032 to the R-1-6 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 Mitigated 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 Mitigated 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.

IN COUNCIL DULY PASSED AND ADOPTED this 18<sup>th</sup> day of November, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney