

RESOLUTION NO. RES-2019-002

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A NEGATIVE DECLARATION FOR ZONING CODE TEXT AMENDMENT TO AMEND ZONING CODE CHAPTER 20-31, DENSITY BONUS AND OTHER DEVELOPER INCENTIVES, TO BE CONSISTENT WITH UPDATES TO CALIFORNIA GOVERNMENT CODE SECTION 65915, STATE DENSITY BONUS LAW, AND TO EXTEND STATE LAW WITH A SUPPLEMENTAL DENSITY BONUS OF UP TO 100% WITHIN THE BOUNDARIES OF THE DOWNTOWN STATION AREA SPECIFIC PLAN AND THE NORTH SANTA ROSA STATION SPECIFIC PLAN - FILE NUMBER REZ18-004

WHEREAS, since the Santa Rosa Code Chapter 20-31, Density Bonus and Other Developer Incentives was adopted in 2010 and last amended in 2012, several amendments have been made to State Density Bonus law, California Government Code Section 65915, including the adoption of Assembly Bill 2222 on September 27, 2014, Assembly Bill 744 on October 09, 2015, Assembly Bills 2501, 2556, 2442, and 1934 on September 28, 2016; and Senate Bill 1227 and Assembly Bills AB 2372, 2753, and 2797 on September 29, 2018; thus making Chapter 20-31 inconsistent with State law; and

WHEREAS, in 2016 the City Council accepted the Housing Action Plan to address local ongoing unmet housing needs and to implement the City's General Plan Housing Element. Program #1 of the Plan directs development of a Zoning Code Text Amendment to address inconsistencies between Zoning Code Chapter 20-31 and recent changes to State Density Bonus law, and to consider appropriate additional density above the State-provided 35%, with consideration of up to 100% supplemental density bonus; and

WHEREAS, the City's Environmental Coordinator, with assistance from environmental consulting firm M-Group, has conducted an Initial Study on the possible environmental consequences of the proposed Project, which study was completed on June 28, 2018; and

WHEREAS, a notice of Negative Declaration was thereafter duly posted July 5, 2018 through July 24, 2018, and an opportunity for comments from the public was given; and

WHEREAS, the final Initial Study, dated September 14, 2018, did not identify any significant effects on the environment which would result from the proposed project and based upon this determination, a Negative Declaration was prepared for the subject project; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the Initial Study, the findings and determinations of the Environmental Coordinator, the proposed Negative Declaration dated June 28, 2018 and revised on September 14, 2018, attached hereto and incorporated herein as Exhibit A, the staff reports, oral and written, and the comments, statements, and other evidence presented into the record by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearings held on July 26, 2018, and on October 25, 2018, and all comments and materials submitted prior thereto; and

WHEREAS, the Council of the City of Santa Rosa has reviewed and considered the Initial Study, the findings and determinations of the Environmental Coordinator, the proposed Negative Declaration dated June 28, 2018 and revised on September 14, 2018, attached hereto and incorporated herein as Exhibit A, the staff reports, oral and written, and the comments, statements, and other evidence presented into the record by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearings held on July 26, 2018, and on October 25, 2018, and who appeared and addressed the Council at a public hearing held on January 8, 2019; and

WHEREAS, the Council of the City of Santa Rosa has all of the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, based upon the findings and the records and files herein, hereby determines that the proposed ordinance amending Zoning Code Chapter 20-31, Density Bonus and Other Developer Incentives, will not have a significant effect upon the environment, and hereby certifies the Negative Declaration.

IN COUNCIL DULY PASSED this 8th day of January 2019.

AYES: (6) Mayor Schwedhelm, Vice Mayor Rogers, Council Members Combs, Fleming, Olivares, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A – Initial Study/Negative Declaration for the Santa Rosa Zoning Code Text Amendment to amend Chapter 20-31, Density Bonus and Other Developer Incentives, dated June 28, 2018 and revised September 14, 2018