

RESOLUTION NO. PC-2024-021

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND RECOMMENDING TO CITY COUNCIL ADOPTION OF A CITY CODE TEXT AMENDMENT TO SECTIONS 19-28.270 AND 19-28.280 OF THE CITY CODE; FILE NUMBER REZ23-004

WHEREAS, on October 8, 2017, and continuing for days thereafter, a series of wildfire events, identified as the Tubbs and Nuns Fires burned over 90,000 acres in Sonoma County and damaged or destroyed approximately 3,000 homes and 100 commercial structures within the boundaries of the City of Santa Rosa; and

WHEREAS, on October 9, 2017, the City Manager, in their capacity as Director of Emergency Services, proclaimed the existence of a local emergency in the City of Santa Rosa; and

WHEREAS, on October 9, 2017, Governor Jerry Brown declared a State of Emergency for Sonoma and other counties because of multiple wildfires including the Tubbs and Nuns Fires; and

WHEREAS, on October 10, 2017, President Donald J. Trump declared the existence of a major disaster in the State of California and ordered Federal aid to supplement State and local recovery efforts in the areas affected by wildfires, beginning on October 8, 2017; and

WHEREAS, on October 13, 2017, the City Council adopted Resolution No, RES-2017-201, ratifying the City Manager's proclamation of the existence of a local emergency; and

WHEREAS, on October 24, 2017, the Council adopted Ordinance No. ORD-2017-018, an urgency ordinance, amending the Zoning Code to add Section 20-28.100, Resilient City (-RC) Combining District, to facilitate rebuilding and implementation of resiliency initiatives to those parts of the City most severely impacted by the Fires. The Council also adopted Ordinance No. ORD-2017-019, an urgency ordinance, adding the -RC Combining District to the base District of those parcels impacted by the Fires; and

WHEREAS, on December 5, 2017, the Council held a study session to discuss the Resilient City ordinance and how to streamline and expedite housing and other needed uses Citywide; and

WHEREAS, on April 10, 2018, the City Council adopted Ordinance No. ORD-2018-006, adding Chapter 20-16, Resilient City Development Measures; specifically, Sections 20-16.010 through 20-16.050, related to temporary housing, temporary structures and accessory dwelling units; and

WHEREAS, on May 22, 2018, the City Council, approved an amendment, ORD-2018-012, to Title 20 of the Santa Rosa City Code to add Chapter 20-16, Resilient City Development

Measures, Sections 20-16.060 through 20-16.110, related to reduced review authority for certain uses, modifications to the Design Review process, changes to an approved residential, lodging or child care facility project, Zoning Administrator meetings, appeal fees, and adding a requirement for an annual review; and

WHEREAS, on June 26, 2018, the City Council adopted Ordinance NO. ORD-2018-015, amending Section 20-28.100, the Resilient City Combining District (-RC), to allow projection into public and private easements to assist with the rebuilding process for areas affected by the fires; and

WHEREAS, on October 2, 2018, the City Council approved an amendment, ORD-2018-019, to Title 20 of the Santa Rosa City Code – Chapter 20-16, Resilient City Development Measures, adding Section 20-16.030 to address waiving of Capital Facilities, Housing, and Park Impact Fees for temporary housing; and

WHEREAS, on January 8, 2019, the City Council approved an amendment, ORD-2019-001, to Title 20 of the Santa Rosa City Code – Chapter 20-16, Resilient City Development Measures, adding Section 20-16.120 to Chapter 20-16, Resilient City Development Measures, to allow an automatic, one-time, 12-month extension for approved tentative subdivision maps and associated entitlements that were active as of October 9, 2017; and

WHEREAS, on June 25, 2019, the City Council adopted an Ordinance, ORD-2019-006, amending section 20-28.100, Resilient City (-RC) Combining District, to exempt construction activities associated with rebuilding from adherence to the City's Noise Ordinance and establish specific construction hours that may be modified by the City Manager as needed; and

WHEREAS, on October 1, 2019, the City Council adopted an Ordinance ORD-2019-013 amending Section 20-28.100, Resilient City (-RC) combining district, to add Mobile Home Park closure procedures for those severely impacted by the fires; and

WHEREAS, on February 25, 2020, the City Council adopted Ordinance ORD-2020-002 amending Title 20 of the Santa Rosa City Code, Chapter 20-16, Resilient City Development Measures, to allow a second automatic 12-month extension for tentative maps and associated entitlements that benefitted from the first automatic, 12-month extension; and

WHEREAS, on September 15, 2020, the City Council adopted an ordinance, ORD-2020-011, amending title 20 of the Santa Rosa City Code to extend section 20-28.100, Resilient City Combining District, for a period of three (3) years, until October 9, 2023; and

WHEREAS, on September 27, 2020, the Glass Fire burned multiple properties within the Santa Rosa City limits. The City Manager, in their capacity as Director of Emergency Services, proclaimed the existence of a local emergency in the City of Santa Rosa; and

WHEREAS, on September 28, 2020, the Governor of the State of California proclaimed a State of Emergency for the Glass Fire; and

WHEREAS, on September 29, 2020 the Council adopted Resolution No. RES-2020-157 ratifying the City Manager's proclamation of the existence of a local emergency; and

WHEREAS, on October 28, 2020, the City Council adopted an ordinance, ORD-2020-012, amending Title 20 of the Santa Rosa City Code to add recognition of new recovery needs as a result of the Glass Fire, rezoning impacted properties, and text amendments to section 20-28.100, Resilient City Combining District; and

WHEREAS, on December 1, 2020 the City Council adopted an ordinance, ORD-2020-017, amending Title 20 of the Santa Rosa City Code to extend and modify Chapter 20-16, Resilient City Development Measures; and

WHEREAS, on November 9, 2021, the City Council adopted an Ordinance, ORD-2021-012, amending Title 20 of the Santa Rosa City Code to incorporate Zoning Code interpretations made by the City's Zoning Administrator and other technical corrections; and

WHEREAS, the Housing Element was adopted in 2023. This element of the General Plan has programs that require updating streamlining processes for housing that are within the Resilient City Development Measures; and

WHEREAS, in July 2023, developer outreach was conducted to receive feedback from developers who have utilized the Modifications to the Design Review process; and

WHEREAS, from July 18, 2023, to August 18, 2023, a survey was open to the general public for feedback on both the Resilient City Development Measures and the Resilient City Combining District; and

WHEREAS, on July 20, 2023, staff received comments from the Design Review Board on sections of the Resilient City code that pertain to the Design Review process; and

WHEREAS, on September 13, 2023, staff received comments from the Cultural Heritage Board on proposed additions to the Resilient City code that pertain to the Landmark Alteration process; and

WHEREAS, On November 29, 2023, the Council adopted ORD-2023-015, amending Zoning Code Chapter 20-16, Resilient City Development Measures, and Zoning Code Section 20-28.100, Resilient City Combining District, extending the expiration date of the ordinances from December 31, 2023, to December 31, 2024; and

WHEREAS, on May 7, 2024, Council adopted the annual City Council Goals & Objectives which outlined goals for increasing housing, reducing homelessness, promoting economic development, and adopting/codifying the Resilient City Development Measures; and

WHEREAS, Between July 8 to August 8, 2024, the public draft of the proposed Zoning Code text amendment was open to the general public for comments and questions; and

WHEREAS, On August 15, 2024, staff received comments from the Design Review Board on the Resilient City public draft sections related to Design Review and Landmark Alteration; and

WHEREAS, the City of Santa Rosa desires to expand and implement Santa Rosa resiliency initiatives to ensure that the housing and economic development needs within the City following community emergency events are addressed; and

WHEREAS, on September 12, 2024, the Planning Commission of the City of Santa Rosa held a duly noticed public hearing to consider recommending to the City Council adoption of a City Code Text Amendment for Title 19 to add the first and second Tubbs/Nuns Fire tentative map extensions; and

WHEREAS, the Planning Commission has received, reviewed and given due consideration to the records and reports herein, and the oral and other evidence received at the public hearing, from the public and City staff; and

NOW, THEREFORE, BE IT RESOLVED that based on the evidence presented and the records and files herein, the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed amendments are consistent with the goals and policies of the Santa Rosa General Plan, and all applicable Specific Plans.
- B. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed amendments are for memorialization purposes for projects which utilized the one-time tentative map extensions.
- C. The proposed amendments have been reviewed in compliance with the California Environmental Quality Act (CEQA) and are exempt under the “common sense exemption” set forth in CEQA Guidelines Section 15061(b)(3), which provides that CEQA applies only to projects having the potential to cause a significant effect on the environment. The proposed amendments are for memorialization purposes and apply to projects which were previously reviewed in compliance with the requirements of CEQA.

WHEREAS, the Planning Commission of the City of Santa Rosa finds that amending the Santa Rosa City Code, as follows, is required for the implementation of the Resilient City Development Measures:

Section 1. Amend Title 19, Subdivisions, Chapter 19-28, Final Map Procedures, to read and provide as follows:

“19-28.270 First Tubbs/Nuns Fire Tentative Map Extension

A. On January 8, 2019, the City Council approved an amendment to allow an automatic, 12-month extension for approved tentative subdivision maps and associated entitlements that were active as of October 9, 2017.

B. One-time map extension. Notwithstanding any contrary provisions of this Code, the expiration date of any tentative subdivision map, vesting tentative subdivision map or parcel map for which a tentative map or vesting tentative map has been approved, that has not expired as of October 9, 2017, shall be extended by 12 months. This automatic extension shall substitute for one extension under Code Section 19-28.030 and shall not increase the total number of extensions allowed under the Code.

C. Concurrent land use approvals. Notwithstanding any contrary provisions of this Code, for maps extended pursuant to subsection (B), above, any discretionary land use approval that was granted in conjunction with the subdivision map, vesting tentative subdivision map or parcel map for which a tentative map or vesting tentative map has been approved, and that has not expired as of October 9, 2017, shall be extended by 12 months consistent with the extension granted pursuant to subsection (B) above.

19-28.280 Second Tubbs/Nuns Fire Tentative Map Extension

A. On February 25, 2020, the City Council adopted an amendment to allow a second automatic 12-month extension for tentative maps and associated entitlements that benefitted from the first automatic, 12-month extension.

B. Tentative subdivision maps, vesting tentative subdivision maps, and tentative parcel maps that have been approved or conditionally approved and have not expired as of October 9, 2017, and were extended by City Council Ordinance No. ORD-2019-001 for one year, would be automatically extended by one additional year, provided such extension would not exceed the maximum number of extensions allowed under the Subdivision Map Act and City Code.

C. Discretionary land use approvals that have been approved in conjunction with the map approval and have not expired as of October 9, 2017 and were extended by City Council Ordinance No. ORD-2019-001 for one year, would be automatically extended by one additional year, consistent with the extended tentative subdivision map, vesting tentative subdivision map or tentative parcel map.”

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa recommends that the City Council adopt a City Code Text Amendment to Sections 19-28.270 and 19-28.280 of the City Code.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 12th day of September 2024 by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
JESSICA JONES, EXECUTIVE SECRETARY