

ORDINANCE NO. ORD-2021-009

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING THE PROPERTY LOCATED AT 1225 FULTON ROAD FROM THE PD (PLANNED DEVELOPMENT) TO THE RR (RURAL RESIDENTIAL) ZONING DISTRICT, FILE NO. REZ20-004

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 reclassification from the PD (Planned Development) to the RR (Rural Residential) Zoning District is appropriate for the property located at 1225 Fulton Road, also known as Assessor's Parcel No. 034-460-032 (Subject Property), to achieve General Plan consistency. The Council further finds and determines that:

1. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, in that the subject property is designated as Very Low Residential on the General Plan Land Use Diagram, and the RR – Rural Residential Zoning District implements that land use.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City, in that the proposed change would allow for the operation of a Child Day Care Facility and the property will be zoned consistent with the General Plan land use designation.
3. The proposed amendment has been reviewed in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15183, the proposed amendment is consistent with the City's General Plan for which an Environment Impact Report (EIR) was certified by Council in 2009, any rezoning action consistent with the General Plan shall not require additional environmental review except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site. No further environmental review is necessary for the proposed amendment as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the Subject Property or the proposed amendment/rezoning that were not analyzed and addressed in a prior EIR.
4. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.
5. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments in that the properties are currently developed with a church complex and will be occupied by a Child Day Care Facility, and there are no physical changes being proposed as part of this rezoning.

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 No. 034-460-032 to the RR (Rural Residential) Zoning District.

Section 3. Environmental Determination. The Council finds that pursuant to CEQA Guidelines Section 15183, the proposed amendment is consistent with the City’s General Plan for which an Environment Impact Report (EIR) was certified by Council in 2009, any rezoning action consistent with the General Plan shall not require additional environmental review except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site. No further environmental review is necessary for the proposed amendment as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the Subject Property or the proposed amendment/rezoning that were not analyzed and addressed in a prior EIR.

Section 4. 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 5. 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 September 14, 2021.

IN COUNCIL DULY PASSED AND ADOPTED this 28th day of September, 2021.

AYES: (7) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney