

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF BICENTENNIAL MARKETPLACE LOCATED AT 3366, 3380 MENDOCINO AVENUE AND ASSORTED PARCELS (APN(S): 173-050-004/005/006/007/008/010/011) AND APPROXIMATELY 15,000 SQUARE FEET OF 3340 MENDOCINO AVENUE (APN: 173-050-009) TO THE CG (GENERAL COMMERCIAL) DISTRICT - FILE NUMBER MJP10-003

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 CG (General Commercial) District is appropriate for the properties located at 3366, 3380 Mendocino Ave. and assorted parcels (APN(S): 173-050-004/005/006/007/008/010/011) and approximately 15,000 square feet of 3340 Mendocino Avenue (APN: 173-050-009) (collectively “Subject Property”), and that the reclassification to the CG 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 the reclassification of the Subject Property from the CO (Office Commercial) and RR-40 (Rural Residential) Districts to the CG (General Commercial) District is consistent with the Santa Rosa General Plan in that:

1. The Zoning authorizes General Commercial uses in conformance with the Land Use Element of the City’s General Plan which designates the site for Retail and Business Service uses.

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 Numbers 173-050-004/005/006/007/008/010/011 and approximately 15,000 square feet of Assessor’s Parcel Number 173-050-009 to the CG (General Commercial) 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 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 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 _____ day of _____, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney