

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL

FROM: ERIC GAGE, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: URGENCY ORDINANCES RESILIENT CITY (-RC) COMBINING
DISTRICT

AGENDA ACTION: ORDINANCES

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council 1) adopt an urgency ordinance amending Title 20 of the Santa Rosa City Code, adding residential small lot development standards to the Resilient City (-RC) Combining District; and 2) adopt an urgency ordinance reclassifying twenty-one additional properties, directly impacted by the Tubbs and Nuns Fires of October 2017, to the Resilient City (-RC) Combining District.

EXECUTIVE SUMMARY

Beginning on the evening of October 8, 2017, and continuing for days thereafter, a series of wildfire events damaged or destroyed thousands of residential and commercial structures within the City of Santa Rosa. On October 13, 2017, the City Council ratified a proclamation of local emergency in the City of Santa Rosa. To facilitate and expedite the reconstruction process, on October 24, 2017, the Council adopted an urgency ordinance establishing the Resilient City (-RC) Combining Zoning District, to be applied to the base zoning of each property most severely impacted by the Fires.

As field surveys and new information became available, twenty-one additional properties with destroyed or damaged structures were identified outside of the -RC Combining Zoning District boundaries. As a result, an urgency ordinance was prepared to add the -RC District to the base zoning district for these properties.

Also proposed is an urgency ordinance to amend Section 20-28.100, -RC Combining District, to add the option for applying residential small lot development standards for parcels less than 6,000 square-feet and within the -RC Combining District.

The proposed urgency ordinances would be effective immediately upon enactment.

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Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

BACKGROUND

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

On October 9, 2017, the City Manager, in his capacity as Director of Emergency Services, proclaimed the existence of local emergency in the City of Santa Rosa.

On October 9, 2017, the Governor of the State of California proclaimed a State of Emergency for Sonoma and other counties.

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.

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.

On October 24, 2017, the City Council adopted Ordinance No. ORD-2017-018 adding Section 20-28.100, Resilient City (-RC) Combining District, to the Zoning Code to facilitate rebuilding and implement resiliency initiatives to those parts of the City most severely impacted by the wildfires. The Council also adopted Ordinance No. ORD-2017-019 rezoning properties directly impacted by the wildfires to add the -RC Combining District to the base zoning district of each parcel.

Following the October 24, 2018 meeting, as field surveys and new information became available on structures within the fire areas, twenty-one additional properties with destroyed or damaged structures were identified outside the originally established boundary of the -RC Combining Zoning District.

At the April 3, 2018 City Council meeting, a letter was submitted by a resident of the Coffey Park neighborhood requesting that lots smaller than 6,000 square-feet in size be allowed to utilize the City's residential small lot development standards (see Attachment 1 to this report). At that time, the Council directed staff to meet with residents regarding the request, and to return to the Council with a proposal.

On April 23, 2018, City staff attended a meeting of the Coffey Strong group to address the proposed changes to the -RC Combining District.

PRIOR CITY COUNCIL REVIEW

See the background section of this report.

ANALYSIS

Section 8 of the City Charter authorizes adoption of an interim urgency ordinance, to take effect immediately upon passage, when deemed necessary by the Council to preserve the public peace, health or safety. In addition, Government Code sections 36937(b) and 36934 allow the Council to adopt an ordinance to take effect immediately, if it is an ordinance for the immediate preservation of public peace, health or safety, and it contains a declaration of the facts constituting the urgency. Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

Resilient City (-RC) Combining District Rezoning

A significant portion of residential and non-residential structures in northeast and northwest Santa Rosa were either destroyed or damaged in the October 2017 wildfires. With the approval of the -RC Combining District, the City has modified the building permit and planning entitlement processes to ensure that repair and reconstruction of damaged and destroyed structures is both efficient and expeditious.

The -RC combining district was applied to the base zoning district for properties within the City of Santa Rosa limits that were most impacted by the Fires of October 2017.

Ordinance number ORD-2017-019, adopted by the Council on October 24, 2017, included specific locations, along with associated maps, that identified the areas where the -RC District would apply. The locations and maps were developed based on the City's initial assessment of the fire damaged areas. However, in the months following the Fires, twenty-one additional properties with damaged or destroyed structures were discovered that are located outside of the initial assessment areas; the proposed urgency ordinance would add the -RC Combining District to those parcels.

Small Lot Development Standards in the -RC Combining District

At the April 3, 2018 City Council meeting, a letter was submitted by a resident of the Coffey Park neighborhood requesting that lots smaller than 6,000 square-feet in size be allowed to utilize the City's residential small lot development standards (see Attachment 1 to this report). At that time, the Council directed staff to meet with residents regarding the request, and to return to the Council with a proposal.

Several subdivisions in the Coffey Park area are composed of lots that are less than 6,000 square-feet in area, but were created before the residential small lot subdivision development standards were in effect. Providing the option to implement small lot development standards in the -RC District would provide regulatory flexibility and

facilitate residential rebuilding efforts.

The following is the specific text amendment as proposed:

Amend Section 20-28.100, Resilient City (-RC) Combining District, to add a new subsection F to address residential small lot development standards, to read and provide as follows:

“F. Residential Small Lot Development Standards. Existing residential properties, less than 6,000 square-feet in total lot area, within the -RC Combining District may apply either the development standards set forth in Section 20-42.140.F., Residential Small Lot Standards, as identified below, or the existing base zoning district standards, whichever is less restrictive:

1. Setback requirements.
 - a. Front setback. A minimum front setback of 10 feet shall be required, provided that a one-story covered porch may project up to six feet into the setback, and provided that no front porch shall have a depth of less than six feet.
 - b. Side setbacks. The one-story portions of a proposed structure shall be set back a minimum of four feet from side property lines, and the two-story portions of a structure shall be set back a minimum of eight feet from side property lines.
 - c. Rear setbacks. A minimum rear setback of 15 feet shall be required, except as provided for garages in Subsection A.d.2.
 - d. Garage.
 - (1) Garage facing or near the street. A garage entrance facing a street shall be set back as follows:
 - (a) 19 feet from the rear of the public sidewalk, or 19 feet from the street property line or street plan line, whichever is greater.
 - (b) 19 feet from the back of the driveway approach on a private lane with no sidewalks.
 - (2) Garage near the rear lot line.

- (a) A garage entrance facing an alley shall be placed either at a point three to five feet from the edge of the alley, or at a point 19 feet from the edge of the alley.
 - (b) A garage placed in a rear yard without alley access shall be placed a minimum of four feet from the rear or side property line.
- 2. Private open space. Each single-family parcel shall provide a minimum of 400 square feet of usable private open space with no dimension less than 15 feet.
- 3. Height limits. Proposed structures shall not exceed a maximum height of 35 feet for primary structures. Accessory structures shall comply with Section 20-42.030 (Accessory Structures and Uses). Proposed second dwelling units shall comply with Section 20-42.130 (Accessory Dwelling Units).
- 4. Site coverage. Proposed structures shall not cover more than 65 percent of the lot.
- 5. Two-story structures. Proposed dwellings shall be designed so that:
 - a. The floor area of a second story is no more than 50 percent of all the roofed first floor area of the dwelling (including covered porch area and an attached garage, but not a detached garage); or
 - b. All two-story units have one-story elements.”

FISCAL IMPACT

Incremental costs that the City will incur associated with the additional parcels added to the -RC Combining District will be funded by the General Fund. No additional fiscal impact is anticipated from amending the -RC Combining District to include residential small lot development standards.

ENVIRONMENTAL IMPACT

Amending the Zoning Code to add residential small lot development standards in the -RC Combining District, and rezoning of twenty-one parcels to the -RC Combining District through an urgency ordinance and amending the is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) regarding repairs and replacement work after a state-declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with

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Section 8550 of the Government Code, and Section 15269(c) regarding specific actions necessary to prevent or mitigate an emergency.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

On April 23, 2018, City staff attended a meeting of the Coffey Strong group to address the proposed changes to the -RC Combining District. As of the writing of this report, the meeting had not taken place; as such, staff will provide a verbal account of the meeting at the May 8, 2018 City Council meeting.

In addition, the proposed residential small lot development standards, as well as information about the May 8, 2018 City Council meeting, were added to the City's "Resilient City Permit Center & Rebuilding Information" website (srcity.org/rebuilding), information was sent out through Nextdoor.

ATTACHMENTS

- Attachment 1 – Letter from Curt Nichols, dated April 2, 2018
- Attachment 2 – Community Correspondence
- Urgency Ordinance -RC District Parcels
- Urgency Ordinance Small Lot Development Standards

CONTACT

Eric Gage, City Planner
Planning & Economic Development Department
egage@srcity.org
(707) 543-4351