

**Murray, Susie**

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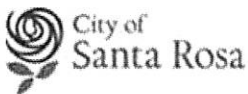
**From:** Murray, Susie  
**Sent:** Wednesday, October 08, 2014 1:26 PM  
**To:** scott@cswwland.com; 'Jeff Komar'; Ted Hollen; tdg@sonic.net  
**Cc:** Dillon, Molly; Hartman, Clare; Regalia, Chuck  
**Subject:** FW: Calistoga Cottages

Hello all –

Here's some more correspondence regarding the upcoming reconsideration.

Susie Murray | City Planner

Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404  
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



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**From:** Becky J Thurber Kuhlman [mailto:thurber\_becky\_j@elanco.com]  
**Sent:** Wednesday, October 01, 2014 7:47 PM  
**To:** Wysocky, Gary  
**Cc:** Carlstrom, Erin; Combs, Julie; Olivares, Ernesto; Ours, Jake; Swinth, Robin; sbartlet@srcity.org; Murray, Susie; paulebussard@gmail.com; ldenley-bussard@comcast.net; karinev@sbcglobal.net  
**Subject:** RE: Calistoga Cottages

Councilman Gary Wysocky,

I wanted to follow up from my email I sent on Sunday evening. Did you have a chance to review your schedule? Please let me know what your availability looks like so that I can plan accordingly.

Thanks so much,  
Becky Thurber Kuhlman  
707-758-4528

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**From:** Becky J Thurber Kuhlman  
**Sent:** Sunday, September 28, 2014 9:26 PM  
**To:** [gwysucky@srcity.org](mailto:gwysucky@srcity.org)  
**Cc:** [ecarlstrom@srcity.org](mailto:ecarlstrom@srcity.org); [jcombs@srcity.org](mailto:jcombs@srcity.org); [eolivares@srcity.org](mailto:eolivares@srcity.org); [jours@srcity.org](mailto:jours@srcity.org); [rswinth@srcity.org](mailto:rswinth@srcity.org); [sbartlet@srcity.org](mailto:sbartlet@srcity.org); [smurray@srcity.org](mailto:smurray@srcity.org); [paulebussard@gmail.com](mailto:paulebussard@gmail.com); [ldenley-bussard@comcast.net](mailto:ldenley-bussard@comcast.net); [karinev@sbcglobal.net](mailto:karinev@sbcglobal.net)  
**Subject:** Re: Calistoga Cottages

Councilman Gary Wysocky,

I wanted to thank you for personally calling me to acknowledge my communication sent last week as well as providing a call of action. I have been able to gather supporting documents that I think you may find interesting that help support our neighborhoods position on this issue. I would love the opportunity to present these findings to you in person. Please let me know what your availability looks like and we can coordinate our schedules to discuss.

Thank you again for your response,

Becky Thurber Kuhlman

On Sep 24, 2014, at 9:45 PM, "Becky J Thurber Kuhlman" <[thurber\\_becky\\_j@elanco.com](mailto:thurber_becky_j@elanco.com)> wrote:

Councilman Gary Wysocky,

Please let me take a moment to introduce myself. My name is Becky Thurber Kuhlman and I grew up in Santa Rosa. I have lived here the majority of my life, leaving for a quick stint for college and returning to raise my family where I believed to be an amazing place to grow up! Coming back to the community was amazing, as I have lived throughout the economic spectrum and all over the city in my 37 years. I have looked, experienced and finally found a home that my husband and I have decided to be our forever home for our family. Much of our decision was based on the location to local resources including the safety in the neighborhood, local schools, as well as the rural setting that existed in a very unique and sacred space within the city. I live at 5231 Monte Verde Drive with my husband, our 12 year old son and 1 1/2 year old daughter.

We purchased this home four years ago with a dream, a vision and a plan for our future. I ask of you as my city councilmen for whom I have supported due to your many associations, with what I believe to be favorable organizations, to support the sanctity of our neighborhood by opposing the current proposed and now reconsidered rezoning of the Monte Verde neighborhood. I have been at the heart of this issue in the background deferring to my neighbors wisdom and experience as they have resided within the area for longer than myself. It is now time that you heard directly from the younger generation with children at home that need your support for the safety of the area as well as preserving what brought us here in the first place.

As a voter I look to elected individuals to act as stewards to the local environment, community, businesses and most importantly the residents that make up the city. You have stated yourself "I feel an obligation to leave a better Santa Rosa for future generations. And as past President of the Junior College Neighborhood Association, I know the value of community input on important decisions".

We appreciate and applaud your support. I personally want to thank you for taking the time to meet with our neighbors, listen to our concerns, as well as read all the communication that has been sent. These types of issues bring neighborhoods and communities closer as I'm sure you experienced being the president of a neighborhood association yourself. We have created an informal community association within Monte Verde Drive and we definitely have something to stand up for and protect.

Understanding that you are supported by the CBSC gives me hope that the right decision will be made. The basic core principles of this organization stand for everything that we are asking of the city council to uphold. One of the most important principles I believe to be: 'Neighborhood character and history should be respected and reflected in any new development. Residents should be included in a meaningful way in changes that affect their neighborhoods.'

Please remember why your initial decision was made in support of our small rural community and please let us know what we can do to continue to get your support. Our families goal is to give you ours.

Thank you for your consideration,  
Becky Thurber Kuhlman & Benjamin Kuhlman  
5231 Monte Verde Drive  
Santa Rosa, CA 95409  
707-758-4528

## Murray, Susie

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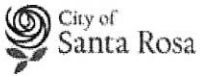
**From:** Griffin, Terri  
**Sent:** Wednesday, October 08, 2014 7:33 AM  
**To:** McGlynn, Sean; Regalia, Chuck; Fowler, Caroline; Dillon, Molly  
**Cc:** Murray, Susie; Williams, Stephanie; Griffin, Terri  
**Subject:** FW: Appeal Reconsideration Hearing -- Appellant supporting evidence  
**Attachments:** PlanningCommissionDEC1998.pdf; PreZoningOrdinance3405\_FEB1999.pdf; GeneralPlanChange\_Hilite.pdf; Housing Element Update\_JUL2014\_Hilite.pdf; MVPoll6.pdf

FYI – This communication will be included in the November 18<sup>th</sup> agenda packet for Calistoga Cottages.

Terri

**Terri A. Griffin | City Clerk**

City Clerk's Office | 100 Santa Rosa Avenue, Room 10 | Santa Rosa, CA 95404  
Tel. (707) 543-3015 | Fax (707) 543-3030 | [CityClerk@srcity.org](mailto:CityClerk@srcity.org)



**From:** Paul Bussard [mailto:paulebussard@gmail.com]  
**Sent:** Wednesday, October 08, 2014 12:14 AM  
**To:** Bartley, Scott; Swinth, Robin; Carlstrom, Erin; Combs, Julie; Olivares, Ernesto; Ours, Jake; Wysocky, Gary; Griffin, Terri; Murray, Susie  
**Subject:** Appeal Reconsideration Hearing -- Appellant supporting evidence

October 7, 2014

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa

File No. GPAM13-00/PRAP13-008

Honorable Mayor and City Council members,

The attached documents are in support of our appeal which is scheduled for a reconsideration hearing on November 18, 2014. Sections of these documents have been yellow highlighted to emphasize and support the key points summarized below. The intent is to draw attention to the salient portions of these documents to ease the burden of reading the full document. These documents are referenced by their descriptive file names in this summary.

1. The 1999/2000 City council promised to retain the rural nature of our neighborhood from Calistoga Road to St. Francis. Without that pre-zoning and promises to retain the rural character of the neighborhood, the neighborhood would

never have voted for annexation to the City. The reason some properties were allowed to subdivide while others are not is due to the annexation agreement for properties that border Spain Ave.

a. File: PlanningCommissionDEC1998.pdf (Planning Commission Prezoning hearing December 10, 1998, Pg3-5)

b. File: PreZoningOrdinance3405\_FEB1999.pdf (Annexation Ordinance No. 3405, February 2, 1999, pg1, Exhibit A (enhanced map))

2. The lot at 470 Calistoga Road was forced to split and annex to the City in 1982 to accommodate an overwhelming public need for a City water pumping station.

3. The applicant has not met the three criteria required for a General Plan Amendment. Adhering to this criteria is required by state law.

4. All portions of the General Plan have equal weight under state law.

5. The proposed development is in direct violation of specific General Plan policy GM-A-2.

c. File: GeneralPlanChange\_Hilite.pdf (2035 General Plan pg1-4, pg1-11, pg8-4)

6. The proposed development violates 12 General Plan provisions: LUL-E-2, LUL-E-4, 3-5 Neighborhood Design, UD-A, UD-F, UD-F-2, H-A-2, H-A-3, GM-A-2, UD-G, OSC-H-1, OSC-H-2.

7. The recent General Plan Housing Element Update indicates that no zoning changes are needed and no new sites were designated for higher density. Therefore, there is no need for the proposed development.

d. File: Housing Element Update\_JUL2014\_Hilite.pdf (Housing Element Update General Plan Amendment Resolution, pg2, para. 6; pg12, para. 2A)

8. The developer cannot show that the 408 Calistoga Road parcel has changed since the 1999 pre-zoning and annexation, when the City Council included it in the rural pocket. Therefore, there is no justification for changing its zoning.

9. The vast majority of the neighborhood supports our appeal and does not want the General Plan changed.

e. File: MVpoll6.pdf (Petition Summary 22SEP2014)

10. The project is not consistent with the General Plan so an amendment would violate state law. (Zoning Code §20-64.020,B,2, §20-64.050, CA Government Code §65358, §65860, §66473.5)



Sincerely,

Paul Bussard

Lynn Denley-Bussard



CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
SUBJECT: SUMMER 2014 GENERAL PLAN AMENDMENT PACKAGE:  
HOUSING ELEMENT UPDATE  
STAFF PRESENTER: ERIN MORRIS, SENIOR PLANNER  
COMMUNITY DEVELOPMENT  
AGENDA ACTION: RESOLUTION

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ISSUE

Should the Council approve the Housing Element Update General Plan Amendment?

BACKGROUND

1. Santa Rosa General Plan 2035, including the Housing Element, was adopted on November 3, 2009 and the Housing Element was certified by the State Department of Housing and Community Development (HCD) on March 4, 2010. Certification means that the State found the 2009 Housing Element to be in compliance with State law. The Housing Element was revised with adoption of the North Station Area Specific Plan on September 18, 2012 and recertified on October 25, 2012.
2. The proposed General Plan amendment would update the Housing Element of the General Plan to address housing needs in Santa Rosa from 2015 to 2023. The Housing Element focuses on achieving the goal of safe and affordable housing for all segments of the city's population. It contains a comprehensive assessment of current and projected housing needs and identifies programs and strategies for meeting those needs. It also contains an evaluation of the effectiveness of Santa Rosa's current housing programs, and sets quantified objectives for new housing development (based on regional housing need) by income category and rehabilitation and preservation of existing housing.
3. State law requires every jurisdiction in California to adopt a comprehensive, long-term General Plan to guide its physical development. The Housing Element is one of seven mandated elements of the General Plan. California housing element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups.

4. The Association of Bay Area Governments (ABAG) is responsible for developing and assigning these regional needs, or Regional Housing Needs Allocations (RHNA), to the jurisdictions in the nine county Bay Area region. Santa Rosa's RHNA is 4,662 residential units of which 1,528 must address housing needs for low, very low, and extremely low income households, 759 must address housing needs for moderate income households, and 2,375 must address housing needs for above moderate income households. Consistent with the current RHNA planning period, the proposed Santa Rosa Housing Element is an eight-year plan extending from 2015 to 2023.
5. California Government Code Section 65583(a)(7) requires "an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs." A housing element does not propose development of any residential uses, but serves as a planning document that establishes goals, policies, and objectives relative to the provision of housing needs for all income levels and identifies sites where existing zoning allows residential development.
6. In some jurisdictions, additional land could need to be designated or zoned for residential development to accommodate that jurisdiction's fair share of housing. The City has adequate land zoned for residential development to accommodate the City's RHNA, so no change is needed to the designation or zoning of any land to accommodate Santa Rosa's RHNA.
7. Work on the Housing Element update began in August 2013. Three Community Workshops were held in October 2013, December 2013, and January 2014. The Draft Housing Element has been available for public review and comment since March 5, 2014.
8. For the first time, State HCD has offered a streamlined review process for cities with certified housing elements. The streamlined review process allows cities to utilize the existing housing element as the starting point, recognizing that much of the information in housing elements found to be in compliance with the statute for the previous planning period is still current and/or particular conditions and circumstances have not significantly changed since the last update.
9. The City of Santa Rosa was found eligible for the streamlined process and has utilized it. The current revision process includes new public outreach to ensure public participation in the update. The State's review of the Housing Element was focused on the changes to the certified element and issues raised by members of the public. Santa Rosa has received pre-approval of the Draft Housing Element with a condition that the changes identified in Attachment 2 be made to the final document.
10. The Draft Housing Element document shows changes through a combination of highlighting and tracked changes (underline and strikeout). Section headers for sections in which there was significant change, including the needs assessment

and public outreach discussion, are highlighted in yellow to indicate that much of the data and analysis is new or updated. In sections showing tracked changes, the table heading for updated tables is highlighted. Tables do not show tracked changes.

11. Overview of Draft Housing Element

The Draft Housing Element is divided into seven substantive sections and includes detailed tables in the appendix. Since the Draft Housing Element was released for public review on March 5, 2014, City staff has discussed changes to the Draft with HCD staff that would ensure compliance with State law. In response to these discussions, City staff developed a list of proposed changes to the Draft (Attachment 2) that would ensure that the Housing Element is certified by HCD.

Each of the main sections of the Housing Element is described below with the recommended changes highlighted in each section description.

**Housing Needs Analysis** (pages 4-2 to 4-27)

This section was fully updated with new, current data about population and housing characteristics, employment and incomes, and housing costs. Most of the data came from the Association of Bay Area Governments (ABAG), which provided every city with a packet of data pre-approved by State HCD. Original main data sources include the 2000 and 2010 US Census and data from the 2007-2011 American Community Survey.

This section includes updated housing affordability and local housing supply analyses, updated information about persons with disabilities, special types of households such as female-headed, large families, and the elderly, and updated data about the local homeless population and analysis of housing needs for homeless people. Information is also provided about farmworker housing needs, and in response to recent state law changes, the Needs analysis includes data and discussion about the housing needs of persons with developmental disabilities.

*Proposed Changes*

**Housing Conditions.** HCD requested that the City provide additional information about the age and condition of housing in Santa Rosa. Neighborhood Revitalization Program (NRP) staff provided information about housing conditions in the eight NRP areas, which include Apple Valley, Aston Avenue, Corby/Beechwood, Heidi Place, Olive Corby, South Park, Sunset McMinn, and West Ninth. The City inspects approximately 2,000 units per year as part of NRP. Among units inspected, approximately 20 percent are in need of rehabilitation and, among those, 1 to 2 percent are severely deteriorated.

Proposed text changes to the Draft Housing Element are identified in Attachment 2.

Farmworker Housing Needs. HCD and a local interest group called Sonoma County Housing Advocacy Group requested that the housing element include additional information about farmworkers. It is difficult to obtain data about farmworkers in Santa Rosa because there is no definitive source to determine how many of Sonoma County's farmworkers live or seek housing in Santa Rosa. Staff contacted the Migrant Education program for Santa Rosa, housed in Butte County, and received data on the number of students from migrant families attending school in Santa Rosa which supplements the analysis by providing data about students from migrant families in Santa Rosa schools and related housing needs. Additional information is included in Attachment 2.

### **Constraints and Resources (pages 4-28 to 4-55)**

The major constraints to housing development are analyzed in this section, including infrastructure, development fees, application processing, land use controls, and natural resources. Since adoption of the Housing Element, the City amended the Housing Allocation Plan in 2012 to make fee payment the primary method of compliance, updated the Housing Allocation Plan impact fee in 2013, and adopted a new fee schedule for planning and building services in January 2014 to achieve partial cost recovery. The revised text and tables include current information about these three topics and include updated discussion of the development review process for affordable housing projects.

The zoning discussion was updated to reflect the 2011 changes regarding how homeless shelters, transitional housing, and supportive housing uses are regulated by the Zoning Code. Constraints to housing development such as land costs, construction, and financing were also updated.

The discussion of Affordable Housing Programs, beginning on Page 4-48, was updated to acknowledge the loss of Redevelopment Agency funds to support affordable housing development, to identify remaining funding sources, and to identify potential future sources. On page 4-51, the Real Property Transfer tax is discussed and a new policy identified that the City should consider increasing the amount of money allocated from the transfer tax to affordable housing development.

Preservation of existing housing units restricted for use as affordable housing is described on pages 4-53 to 4-55, including a list of 873 units that are at risk of converting to market rate between 2015 and 2025. City Housing staff is engaged in ongoing communications with the management and owners of these units in an effort to retain the units as restricted affordable housing units.

### **Regional Housing Needs Allocation (pages 4-56 to 4-57)**



This section provides information about Santa Rosa's housing needs allocation from ABAG. Santa Rosa's RHNA is 4,662 residential units of which 1,528 must address housing needs for low, very low, and extremely low income households, 759 must address housing needs for moderate income households, and 2,375 must address housing needs for above moderate income households. The proposed Santa Rosa Housing Element is an eight-year plan extending from 2015 to 2023.

**Sites Inventory and Analysis** (pages 4-58 to 4-73)

This section discusses the City's inventory of sites that are appropriately zoned, available, and suitable to provide opportunities for housing for all segments of the community. All vacant sites designated for residential land uses are inventoried in the Housing Appendix (pages 4-106 to 4-148) including site size, expected residential unit yield, and whether the sites are zoned consistent with the General Plan.

In this section of the Housing Element, the City must demonstrate that identified sites will allow the RHNA to be met. Table 4-34 (page 4-59) identifies how the City will meet its regional needs allocation by income category. HCD considers sites designated Medium High Density, Transit Village Medium, and Transit Village Mixed Use as the most likely locations for new affordable housing development in Santa Rosa since these sites accommodate residential densities of 30 to 40 units per acre, with no upper limit in the Transit Village Mixed Use designation. The City must demonstrate to HCD that there are enough vacant sites, and/or sites with approved development projects, with the higher density general plan designations and zoned consistent with the General Plan, to provide 1,528 units of housing that could be affordable to extremely low, very low, and low income households.

Figure 4-1 on page 4-65 shows the location of the higher density vacant sites and underutilized sites that could accommodate the units for extremely low, very low, and low income households. For moderate and above moderate income households, the City must demonstrate that lower density sites will provide 3,134 units by 2023. As indicated in Table 4-34, the City has sufficient sites to accommodate these units within the planning period.

This section was also updated to recognize that the City has five Priority Development Areas that are expected to provide opportunities for higher density residential development along transit corridors.

*Proposed Changes*

Table 4-38 identifies three Medium High Density sites as "not served" by sewer and water. The sites are within 300 feet of existing sewer and water lines, so

they are considered served. The table would be updated to reflect this, and the text on page 69 adjusted to reflect that all Medium High Density sites are served.

**Public Participation** (pages 4-74 to 4-83)

This section was fully updated to outline the public outreach conducted and public input gathered during development of the Housing Element. As described in greater detail in the Draft Housing Element, the City held three community workshops, conducted an online survey, and held a service-providers roundtable to seek input from a diverse list of groups and individuals. Table 4-39 on page 4-75 identifies the list of groups that were invited to participate. Comments from each meeting and from the online survey are summarized on pages 4-75 to 4-82.

**Housing Accomplishments** (pages 4-84 to 4-86)

The Housing Accomplishments section of the Draft Housing Element focuses on reviewing the progress toward accomplishing the seven main goals of the Housing Element. The seven goals are as follows:

- Goal H-A: Meet the housing needs of all Santa Rosa residents.
- Goal H-B: Maintain and rehabilitate, as needed, the existing affordable housing supply within Santa Rosa.
- Goal H-C: Expand the supply of housing available to lower-income households.
- Goal H-D: Provide housing for households with special needs.
- Goal H-E: Promote equal access to housing.
- Goal H-F: Remove constraints to very low- and low-income housing production.
- Goal H-G: Develop and rehabilitate energy-efficient residential units.

As discussed in this section, much has been accomplished between 2007 and 2014, the planning period addressed in the Housing Element. These accomplishments include adoption of the Downtown Station Area Specific Plan and North Santa Rosa Station Area Specific Plan, and associated rezonings, rezoning of other higher density sites outside of the station areas for consistency with the General Plan, implementation of various city programs to maintain and help renovate existing housing units, and issuance of 706 building permits for housing affordable to very low- and low- income residents.

The Housing Element Appendix, included on pages 4-149 to 4-163, offers a detailed analysis of housing accomplishments since 2007 related to these seven goals and related policies. This information, presented in the form of Table 4-53, identifies quantitative accomplishments where possible and indicates whether each policy is recommended to be deleted, kept, or modified.

### *Proposed Changes*

Staff is recommending that the text on page 85 be updated to clarify that the 706 issued permits includes both units that are deed-restricted for affordability to households within a certain income category, and unrestricted units that were determined to be affordable based on a review of rents and sales prices in comparison to affordability. 456 units were deed-restricted for long-term affordability, and the remaining 250 were unrestricted units. Of the 706 units, 684 received final inspection and 22 were not completed.

### **Goals and Policies** (pages 4-87 to 4-105)

This section has been updated based on the analysis of the goals and policies effectiveness presented in Table 4-53 and reflects public input gathered at the community workshops. The seven goals and associated policies are proposed for revision using ~~strikeout~~/underline text. In addition, a time frame is identified for each policy. The specified time frames provide a future work program for Community Development staff, particularly in the case of policies that call for additional study of a housing issue.

Many policies are recommended for modification to be consistent with changes to local and State laws since 2007. For example, H-B-2 pertaining to subdivision of mobile home parks was revised to eliminate reference to a local ordinance that was repealed and to reference compliance with State law, which was recently updated to clarify how resident surveys are considered in the conversion process. Policies H-C-1 and H-C-3 pertaining to the Housing Allocation Plan were deleted, since these policies have been implemented, and replaced with modified H-C-2 to reflect the updated Housing Allocation Plan ordinance.

Some policies are recommended for deletion. In some cases, policies are recommended for deletion because they include work items that were completed, such as updating the Housing Allocation Plan, updating the density bonus ordinance, and updating the Zoning Code to address supportive and transitional housing and to allow emergency shelters as a permitted use in the General Commercial (CG) zoning district. Other policies were modified or deleted to recognize the loss of redevelopment funding due to the dissolution of the City's redevelopment agency.

In other cases, several policies regarding a similar topic were consolidated and updated. For example, H-D-14, -15, and -16 pertaining to affordable senior housing were deleted and H-D-13 was updated and renumbered as H-D-11 to comprehensively address housing for seniors.

There are several new policies proposed to address special needs groups, including developmentally disabled persons and young adults including former foster children. New policy H-D-12 encourages the provision of housing for young adults. Another new policy H-D-13 is proposed to ensure that the City of Santa Rosa stays apprised of the potential closing of the Sonoma Developmental Center which provides housing for developmentally disabled persons in Glen Ellen. If the Sonoma Developmental Center closes, there will be a countywide need for housing for current center residents.

Other new policies support establishment of new funding sources for affordable housing, including Policy H-C-14 which requires that the City Monitor and support state and regional efforts to establish a permanent dedicated revenue source for affordable housing development. Policy H-B-9 was revised and renumbered as H-B-7 and includes new direction that the City shall consider increasing the portion of the City's real property transfer tax designated for affordable housing development.

Based on public input, a new policy H-C-15 has been added to support the inclusion of amenities in new affordable housing developments including child care. H-D-10 calls for the City to explore new models for providing temporary housing solutions in response to emerging needs and emergency situations.

#### *Proposed Changes*

State HCD has requested that the City include three additional policies, including Policy H-C-16, H-E-3, and H-C-17, and that the City modify Policy H-A-1. New Policy H-C-16 would require that the City evaluate the use of "boomerang" funds, an allocation of increased property tax from former redevelopment project areas, for affordable housing projects and programs. Policy H-E-3 would require that the Zoning Code be updated to amend the definition of "family" to be consistent with State standards. Policy H-C-17 would require the City to evaluate reinstatement of zoning code provisions exempting sites designated Medium Density Residential and Medium High Density Residential from rezoning when affordable housing is proposed. These proposed changes were reviewed by Housing and Planning staff and determined to be acceptable.

The State requested that Policy H-A-1 be modified to reflect that adequate sites for development of a variety of housing types for all income levels should be available throughout the City. This is intended to be supportive of dispersing affordable housing sites in all areas of the City, including northeast Santa Rosa.

## **Appendix (Pages 4-106 to 4-163)**

The appendix includes detailed tables identifying the location and size of vacant parcels by General Plan land use category and whether each site is zoned consistently with the General Plan, located within proximity to transit, and served by sewer and water.

### *Proposed Changes*

Minor corrections are needed to both tables to reflect that three sites in the Medium Density Residential land use designation are incorrectly listed as “not zoned.” These sites would be moved from Table 4-49 to Table 4-48 and the acreage and unit totals adjusted accordingly.

The Housing Accomplishments table would be amended to reflect that from 2007 to 2014, the City issued permits for 706 units affordable to very low- and low-income residents. This figure includes both units that are deed-restricted for affordability to households within a certain income category, and unrestricted units that were determined to be affordable based on a review of rents and sales prices in comparison to affordability. Out of the 706 issued permits, 684 were completed and finalized. Among the 684 completed during this time period, 456 were deed-restricted for long-term affordability.

Lastly, the planning period time frame throughout the document would be changed from “2014 to 2022” to “2015 to 2023,” consistent with direction from HCD.

## ANALYSIS

### 1. Key Issues

#### **Loss of Redevelopment Funds**

The loss of redevelopment funding has had a significant impact on City funding of affordable housing projects. This issue has been addressed in the updated Housing Element and it is acknowledged that additional funding sources are needed to ensure that the City continues to support housing development. As discussed in the Goals and Policies section above, potential funding sources include allocating a greater share of the real property transfer tax to affordable housing and exploring use of “boomerang” funds.

#### **Adequacy of Housing Sites**



Provision of adequate sites to accommodate housing for all income levels is one of the key issues for certification of the Housing Element by State HCD. Santa Rosa has vacant land planned for new housing, expected to yield 13,080 units overall within the planning period, but the State is especially interested in how the City will facilitate housing for very low and low income households. The City must demonstrate that there are sufficient sites designated and zoned for development at a minimum of 30 units per acre to achieve 1,528 units within the eight-year planning period. This is because the State believes that sites with the higher density land use designations are most likely to be developed with housing affordable to very low and low income families.

The State's streamlined Housing Element update process is beneficial because it allows the City to build on the current Housing Element by continuing to rely on currently identified vacant and underutilized sites to meet the RHNA, recognizing that housing development over the past planning period was stymied by the economic downturn and not by the City's land use policies. The vacant sites identified in Table 4-38 are already designated by the General Plan and zoned to develop at 30 units or more per acre. These sites are expected to yield 1,516 residential units. There are 196 units of approved affordable residential projects, as identified in Table 4-35, that would bring the total number of approved and planned units potentially affordable to very low and low income households to 1,712, which is above the City's RHNA requirement of 1,528 units. Further, there are a number of sites with higher density land use designations and zoning that are developed but underutilized; these sites would potentially yield an additional 829 units.

There have been public comments expressing concern that most of the sites listed in Table 4-38 for future affordable housing development are in west Santa Rosa. Figure 4-1 shows the dispersal of the sites and while there are less sites in east Santa Rosa, there are some sites in east Santa Rosa. Because this is a streamlined Housing Element update, staff found that it was possible to utilize the same sites that were approved in 2009 to meet State requirements. These vacant sites are mostly located in northwest and southwest Santa Rosa.

For future Housing Element updates, especially if the City's RHNA increases, there will be a need to find additional sites throughout the City, including in east Santa Rosa, for higher density residential uses. In response to public comments about this issue, Policy H-A-1 is proposed to be modified to reflect that adequate sites for development of a variety of housing types for all income levels should be available *throughout the City*. This supports further dispersal of affordable housing sites in all areas of the City, including northeast Santa Rosa.

### **Housing and Services for Homeless People**



During the public meetings for the Housing Element update, especially the service provider roundtable, it became clear that services and housing for homeless individuals and families remains a key concern in Santa Rosa. Pages 4-21 through 4-24 provide updated information about the homeless population in Santa Rosa, based on the best available data. As discussed in this section, there are a variety of existing services and programs available to homeless people, but funding and meeting all of the needs remains challenging. Policies H-D-1, H-D-8, and H-D-9 indicate that the City will continue to provide funding and support to groups providing shelter and services to the homeless, and will explore new models for providing temporary housing solutions (Policy H-D-10).

### **SB 812: Planning for Persons with Developmental Disabilities**

Senate Bill (SB) 812 requires that the City include an analysis of the special housing needs of persons with a developmental disability within the community. As discussed on pages 4-17 to 4-18, “developmental disability” means a disability that originates before an individual attains age 18 years, continues or can be expected to continue indefinitely, and constitutes a substantial disability for that individual, which includes mental retardation, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other conditions that are solely physical in nature.

In order to develop this section of the Housing Element, City staff met with the North Bay Regional Center (NBRC) and received and incorporated data and anecdotal information. The NBRC is one of 21 regional centers in California that provide a point of entry to services for people with developmental disabilities. The NBRC has a field office in Santa Rosa, which provides services to all of Sonoma County. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. Implementation of housing policies H-D-3 and H-D-4 is expected to improve access to housing for developmentally disabled individuals by evaluating and addressing issues of “visitability” and universal design in residential building design. As stated in Policies H-C-4 and H-D-1, the City will support and fund services and developments targeted for developmentally disabled persons and households when funds are available.

While plans and a specific time frame have not yet been finalized, the State is slated to close the Sonoma Developmental Center, which houses more than 400 developmentally disabled people. The closure will result in a need for new housing sites for center residents. Policy H-D-13 directs the City to monitor the potential closing of the Sonoma Developmental Center and work with the NBRC, relevant agencies, other local jurisdictions, and housing and service providers to provide support and assistance.

## Other Issues

Housing advocates and members of the development community have expressed similar and different concerns about governmental constraints including development services fees, the provisions of the revised Housing Allocation Plan that make fee payment the primary method of compliance rather than provision of onsite affordable units for new development projects, and the recently revised Housing Allocation Plan impact fee. The Draft Housing Element acknowledges that fees are necessary to provide planning and building services and that the revised fees help recoup a larger portion of the actual costs expended in providing these services. The Housing Allocation Plan and associated Housing Allocation Plan impact fee were recently amended by the City Council. Impact fee payments are anticipated to be especially important to the development of affordable housing given the loss of redevelopment funds.

### 2. General Plan Consistency

Adoption of the Draft Housing Element would amend the General Plan to include the updated element. The required findings for approval of the General Plan Amendment, followed by a brief staff response, are as follows:

- A. The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan.

*Response: The proposed Housing Element update is consistent with the land use chapter and diagram and all other elements of the General Plan. No new sites were designated for higher density housing as part of this Housing Element update. The General Plan will remain internally consistent.*

- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

*Response: The proposed amendment will ensure that the Housing Element continues to address important housing issues in Santa Rosa, and that the City's policies address emerging needs such as housing for the developmentally disabled.*

- C. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments; and

*Response: This finding is not that relevant to the proposed General Plan amendment to update the Housing Element, since the changes apply citywide and the proposed update does not involve change to the General Plan land use diagram.*

- D. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

*Response: An Addendum to General Plan 2035 Environmental Impact Report was prepared.*

Based on the above analysis, staff concluded that the findings can be made to approve the General Plan amendment.

3. Public Participation

As highlighted in the Public Participation section above, public outreach for the housing element update was comprehensive and resulted in public input about housing issues in Santa Rosa and about existing and new housing policies. All of the organizations and individuals identified in the Draft Housing Element were notified when the draft was released, and written comments were received from Sonoma County Housing Advocacy Group, the Greenbelt Alliance, and the North Bay Association of Realtors. Comments were considered and changes were made to the Draft Housing Element in several cases. In other cases, the comments relate to issues that are already addressed in the housing element.

4. Environmental Review

An addendum to the Santa Rosa General Plan 2035 Environmental Impact Report (EIR) demonstrates that the analysis contained in the EIR adequately addresses the potential physical impacts associated with implementation of the City's Housing Element update and that none of the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The General Plan includes land uses for residential development and the EIR analyzed the potential footprint effects of the development of those units and the demand for services and utilities that the additional population would generate. The EIR analyzed effects related to the location and intensity of the development of approximately 23,770 housing units in the urban growth boundary, which would increase the city's housing supply to a total of 94,840 housing units at build out. The proposed Housing Element update states that there is enough vacant land within the city limits to accommodate new housing units at all affordability levels. Therefore, the housing assumptions in the Housing Element would not exceed the assumptions for residential development in the General Plan EIR and no changes to the EIR would be required.

5. State Certification

The Housing Element is the only element of the General Plan that is required to undergo review and certification from the State of California. Review by State HCD commenced on March 5, 2014. During March and April 2014, Community Development staff had numerous conversations with State HCD about the Draft Housing Element and issues raised during the update process by community members. Based on these meetings, staff developed a list of changes to the Draft Housing Element (Attachment 2).

On May 1, 2014, State HCD provided a letter acknowledging that the Draft Housing Element has been found adequate and in compliance with State law with the changes identified in Attachment 2 incorporated into the final draft. Should the Council adopt the Draft Housing Element as amended by Attachment 2, it would be expected that the Housing Element would be certified within 90 days.

6. Planning Commission Action

On June 12, 2014, the Planning Commission held a public hearing regarding the proposed General Plan Amendment to update the Housing Element. Staff made a presentation, including highlighting two additional minor corrections to the Housing Element including acknowledging that the Social Advocates for Youth housing project is approved on page 4-24 and indicating that Policy H-B-4 is recommended for deletion on page 4-152. Also, staff provided the Planning Commission with a copy of a letter from the North Bay Association of Realtors received June 11, 2014.

Two speakers addressed the Planning Commission, including a representative of the North Bay Association of Realtors and an architect and city resident. The North Bay Association of Realtors was generally supportive of the Housing Element update and expressed support for two of the policies and concern about how other policies would be implemented. Staff explained to the Planning Commission that policies pertaining to energy efficiency were already part of the City's current Housing Element and that details of future programs will be determined at a later time when the programs are developed with additional public input. The Planning Commission discussed the item and adopted a resolution (7-0) recommending that the City Council approve the General Plan Amendment.

RECOMMENDATION

It is recommended by the Department of Community Development that the Council, by resolution, approve the General Plan Amendment to update the Housing Element.

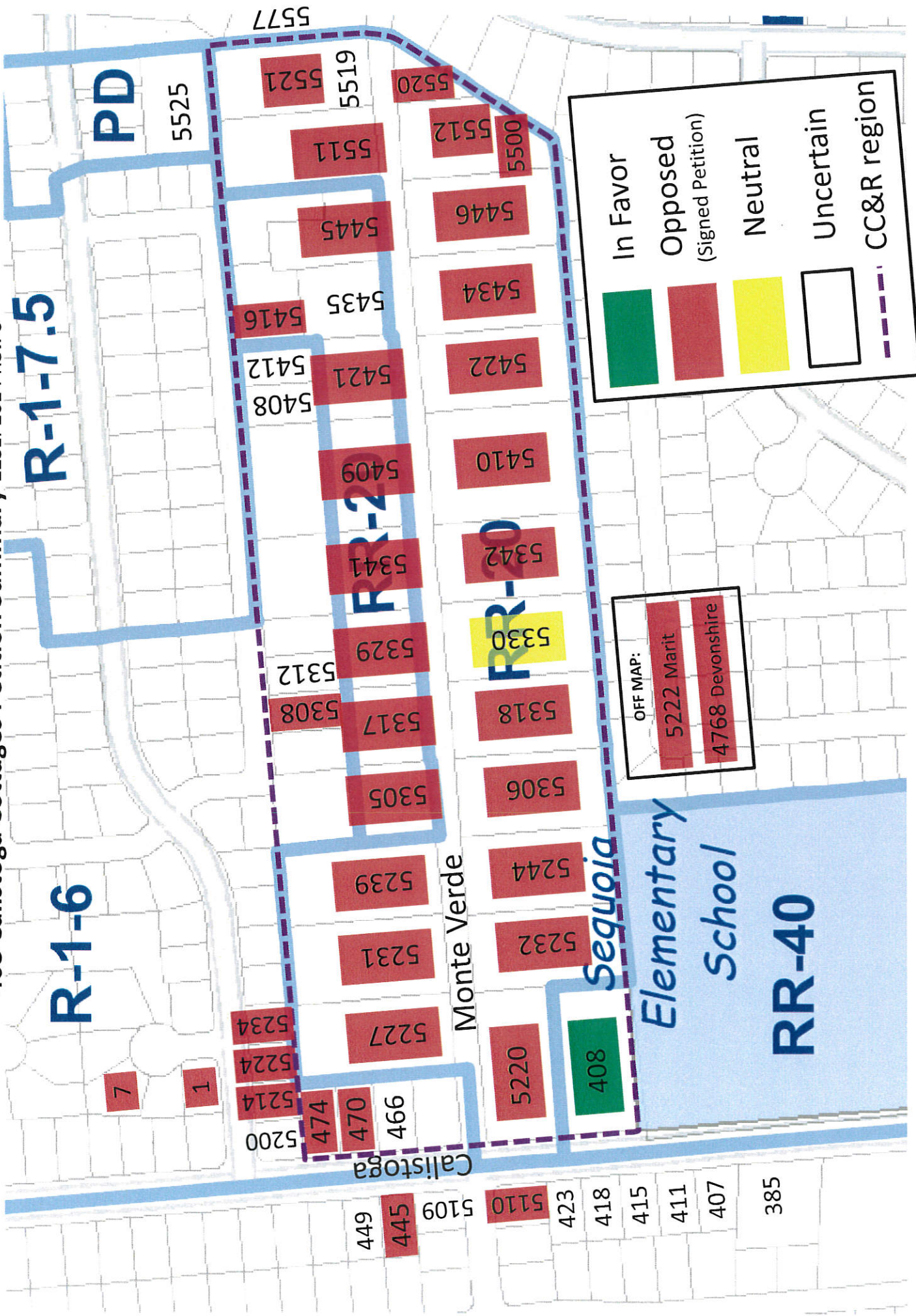
Author: Erin Morris

Attachments:

- Attachment 1 – Draft Housing Element
- Attachment 2 – List of Recommended Changes to the Draft Housing Element
- Attachment 3 – Addendum to Santa Rosa General Plan 2035
- Attachment 4 – Agency Correspondence
- Attachment 5 – Public Correspondence
- Attachment 6 – Planning Commission Minutes June 12, 2014
- Attachment 7 – Planning Commission Resolution 11674
- Attachment 8 - Correspondence









**Prezones proposed annexation - Northeast Santa Rosa Reorganization 5-98 (Monte Verde Island)**

February 2, 1999

**ORDINANCE NO. 3405**

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE AREA INCLUDED WITHIN PROPOSED NORTHEAST SANTA ROSA 5-98 ANNEXATION (MONTE VERDE COUNTY ISLAND) - FILE NUMBER ANX98-010

THE PEOPLE OF THE CITY OF SANTA ROSA ENACT AS FOLLOWS:

Section 1. The Council finds, based on the evidence and records presented, that the rezoning designations of RR-20 (Rural Residential), RR-40 (Rural Residential), and R-1-6 (Single Family Residential) Districts are the appropriate classifications of the properties identified in Section 2 and such classifications are consistent with the Santa Rosa General Plan in that:

- The properties are situated within the Very Low Density Residential and Low Density Residential areas as shown on the Land Use Graphic of the City's General Plan, which designations permit rural residential and single family residential development and existing non-conforming uses.
- The rezoning provides rural and single family residential land uses in conformance with the policy of the Land Use Element of the City's General Plan.
- Adequate City services can be provided for the proposed annexation area.
- For the reasons set forth above, the proposed annexation would not adversely impact and would enhance the achievement of the Land Use goals and policies contained in the General Plan.

The Council has read, reviewed, and considered the approved and adopted Negative Declaration for this project and determines that this rezoning will not have a significant effect on the environment as shown by said Negative Declaration.

Section 2. All conditions required by law having been satisfied and all findings with relation thereto having been made, the "Zoning Map of the City of Santa Rosa," as described in section 20-01.010 of the Santa Rosa City Code, is amended so as to place the following rezoning designation on the following identified properties:

Sonoma County Assessor's Parcels numbered 030-160-009, -010, -013, -015 to -024, -033, -034, -043, -050, -057, -061 to -065, totaling approximately 24 acres, are rezoned to the City's RR-20 (Rural Residential), RR-40 (Rural Residential), and R-1-6 (Single Family Residential) Districts, as shown in Exhibit "A" attached hereto.

Section 3. In accordance with the provisions of section 20-02.287 of the Santa Rosa City Code, the rezoning designations set forth in Section 2 and Exhibit A of this ordinance shall become the zoning classifications of the parcels of real property, as therein identified, at the same time their annexation to the City of Santa Rosa is completed.

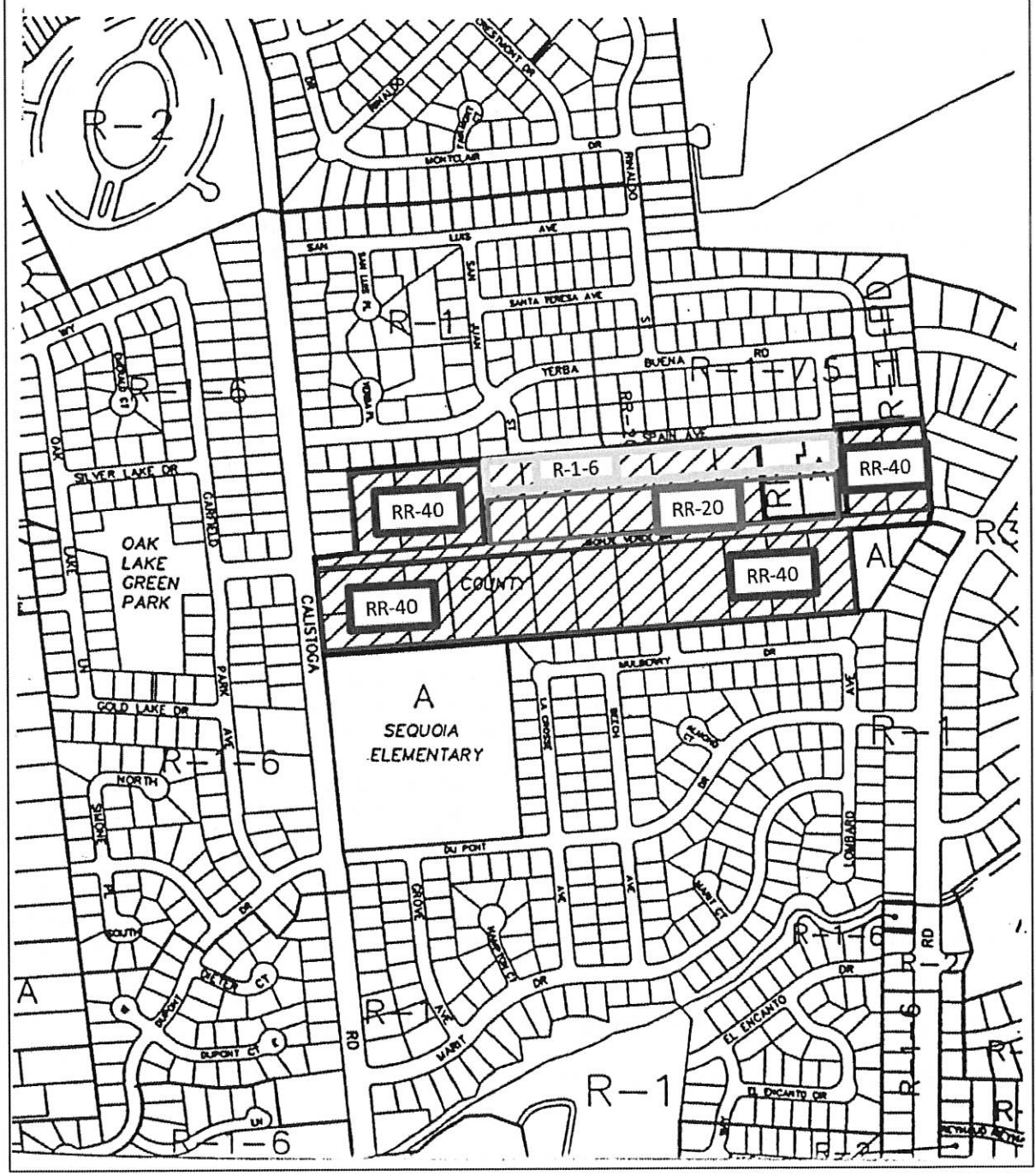
Section 4. This ordinance shall take effect on the 31st day following its adoption.

IN COUNCIL DULY PASSED AND ADOPTED this 2<sup>nd</sup> day of February, 1999.



**MAP OF BOUNDARIES  
OF  
NORTHEAST SANTA ROSA REORGANIZATION NO. 5-98**

The cross lines show the area included within pending Northeast Santa Rosa Reorganization No. 5-98. If the annexation is approved by the voters, all properties within the cross-lined area will become a part of the City of Santa Rosa.



**Exhibit A**

While they allow considerable flexibility, state planning laws do establish some requirements for the issues that general plans must address:

- *The General Plan Must Be Comprehensive.* The general plan must be geographically comprehensive – that is, it must apply throughout the entire incorporated area and include other areas that the city determines are relevant to its planning. Also, the general plan must address the full range of issues that affects the city's physical development.



*Twelve neighborhood meetings, and numerous Program Management Team workshops were held as part of the General Plan update process.*

- *The General Plan Must Be Internally Consistent.* The General Plan must fully integrate its separate parts and relate them to each other without conflict. "Horizontal" consistency applies to figures and diagrams, background text, data and analysis, and policies. All adopted portions of the general plan, whether required by state law or not, have equal legal weight.
- *The General Plan Must Be Long Range.* Because anticipated development will affect the city and the people who live and work there for years to come, state law requires every general plan to take a long-term perspective.

State law also requires that the city provide an annual report on the status of the plan and progress in its implementation. The Planning Commission and City Council hold a joint study session each March to review the General Plan annual report.

### 1-3 PUBLIC PARTICIPATION

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Santa Rosa 2035 depends largely on the extensive public participation program conducted for its predecessor General Plan, *Santa Rosa 2020*, since the revision process to develop Santa Rosa 2035 was focused on updating the Housing Element, incorporating policies from recently adopted planning efforts, and including policies related to climate protection. Public participation efforts were centered on the Housing Element and are described in greater detail there. In response to testimony at Planning Commission public hearings held regarding Santa Rosa 2035, commissioners reviewed the General Plan element by element to facilitate increased public participation, and dialogue between stakeholders.

Public participation in preparation of the 2020 General Plan occurred in a variety of ways. An oversight committee - the General Plan Program Management Team (PMT) - was formed of elected and appointed officials and members of the public. The PMT met throughout 2000

In preparation of the prior general plan, *Santa Rosa 2020*, various background reports were prepared. These reports may be reviewed at the City of Santa Rosa's Department of Community Development.

## **1-7 CHANGING THE GENERAL PLAN**

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As the city's premier policy document, the General Plan is not changed without good cause. The City Council, Planning Commission, or staff, in reviewing the General Plan, may find that certain portions should be changed due to circumstances which arise within the community. Amendment of the General Plan may be necessary due to changing policies of the City Council or if it is found through periodic review that certain portions of the Plan are inadequate or do not meet the needs of the community.

The General Plan Land Use Diagram or the text of any element may be amended. General Plan Amendment applications may be filed by individual applicants or may be initiated by the Community Development Director, Planning Commission or City Council. Concurrent processing of General Plan Amendments with other land use applications is permitted.

Applications for General Plan Amendment must address why an amendment is warranted, describe events which have rendered the General Plan inadequate or unattainable, and describe any studies which have brought policies or portions of the plan into question.

The General Plan may be amended three times per year. The Planning Commission shall conduct hearings regarding General Plan Amendment applications in February, June and October of each year. The City Council shall conduct hearings after consideration of the Planning Commission, in March, July and November. To meet this hearing schedule, the following application deadlines are established: February 1 for hearing in June; June 1 for hearing in October; and October 1 for hearing in February. When the first day of the month falls on a weekend, the following Monday is the final day for submittal.



*The current voter-approved Urban Growth Boundary (UGB) will expire in 2016. While it is likely that the General Plan will be comprehensively updated before then, current projections indicate that there is sufficient land available within the UGB to accommodate growth needs until 2035.*

GM-A-2 Clarify to project applicants that the low-intensity General Plan designations are not “interim” and that the intent of these designations is to accommodate a variety of housing types within the UGB, rather than reserve areas for future development.

*This applies specifically to the rural Very Low Density Residential designation, as rural residential pockets will be retained within Santa Rosa’s UGB to accommodate all lifestyles.*

GM-A-3 Work with the Local Agency Formation Commission (LAFCO) to amend the city’s Sphere of Influence to be coterminous with the adopted Urban Growth Boundary.

**GM-B** *Program infrastructure improvements to keep pace with new residential growth, and ensure that such growth incorporates affordable housing provisions and is balanced with conservation of resources.*

GM-B-1 Limit the number of new housing units granted allotments per year, as provided in Table 8-1.

**Table 8-1: Schedule of Housing Units Allotments**

<i>Timeframe</i>	<i>Maximum Housing Allotments per year</i>
2006-2010	900
2011-2015	850
2016-2020	850
2021-2025	800
2026-2030	800
2031-2035	800

GM-B-2 Ensure that the city’s Growth Management Ordinance continues to be a mechanism to achieve the community’s housing goals.



## **December 10, 1998**

The Planning Commission meeting of the City of Santa Rosa was called to order at 3:00 p.m. in the City Council Chamber at Santa Rosa City Hall, 100 Santa Rosa Avenue, Santa Rosa, California, with Chairman Blanchard presiding. Present were Planning Commission Chairman Blanchard and Commissioners Carlile, Cummings, Denietolis, Dias, Edwards, and Johnson. Also present were Assistant City Attorney Bruce Leavitt, Community Development Department Director Wayne Goldberg, Deputy Director Chuck Regalia and Senior Planner Marie Meredith. Recordings are on file in the office of the Department of Community Development. The Agenda was duly posted for public review at City Hall on Monday, December 7, 1998.

### **1. CALL TO ORDER**

Chairman Blanchard called the meeting to order at 3:00 p.m.

### **2. ROLL CALL**

Present: Commissioners Carlile, Cummings, Dias, Edwards, Johnson, and Chairman Blanchard.

Commissioner Denietolis was absent for the roll call but was seated at 3:32 p.m. as noted below.

### **3. APPROVAL OF MINUTES**

No minutes were submitted for approval.

### **4. PUBLIC APPEARANCES**

The following citizens spoke regarding item 9 of this agenda (Air Center East):

James Hummer, 703 2<sup>nd</sup> Street, Suite 110, representing the applicant, requested a continuance on this item

Donna Strom of 2730 Ash Drive spoke in opposition to the project, indicating that the soil on the subject property is contaminated and that the Southwest Area Plan Master Environmental Impact Report (EIR) is insufficient for a project of this size. She requested that the Planning Commission deny this project and order another EIR.

Duane De Witt, P.O. Box 3068 of Santa Rosa spoke in opposition to the residential development of the Southwest Area, indicating that construction in the area is occurring before the infrastructure is in place, resulting in unsafe traffic conditions. Mr. De Witt also noted his concern over the construction of a building in the Apollo Way area, apparently prior to permits being obtained.

Theodore Garcia, 1112 Yuba Drive, stated his opposition to this project because the EIR is incomplete, the site is considered toxic by the Regional Water Quality Control Board, and the infrastructure is insufficient to carry the load of increased traffic resulting from this proposed subdivision.

Jim Paschal of 4350 Price Avenue, President of the Southwest Area Citizen's Group, read a statement expressing concern that the Southwest Area Plan approved residential construction is taking place ahead of infrastructure and amenities such as shopping centers and parks, and that the open space approved in the Plan has been reduced.

Carolyn Dixon of 1027 Leddy Avenue distributed a statement to the Commissioners and indicated her opposition to this project. She stated the need for road improvements, including a connecting bike lane from Sebastopol Road to Fulton Road. Ms. Dixon also indicated that Southwest Area Plan goal NRC-1, Objective 1.1, and Policy 1.1.4 regarding preserving and maintaining open space have not been implemented, and expressed her concern over the City's lack of open space policies as listed in the Southwest Area Plan.

Alan Buchman of the State Department of Fish and Game reviewed the statement he distributed to the Commissioners in which the Department of Fish and Game notes its concern over the impact the proposed project may have on adjacent wetlands and recommends a larger setback along the Roseland Creek corridor.

Denis Crockett, 1200 Yuba Drive, expressed concern about the Roseland Creek channel, and wanted

confirmation that this project, if approved, will be required to widen and improve the channel. Additionally, Mr. Crockett requested that the bike lane proposed in this project be built early in the project, noting that several projects, including OCLI, have been completed without improvements being made to the bike path or channel.

Commissioner Denietolis arrived at 3:32 p.m.

## **5. PLANNING COMMISSIONER'S REPORT**

Commissioner Dias requested that a committee be formed to create a special residential zone for the downtown core area, this special zoning to include waivers of certain costs and assessments in order to encourage builders to develop downtown housing.

Commissioner Denietolis reported that one of the major concerns of the Sub-committee on Downtown Housing is land availability. Alan Strachan, a member of the Sub-committee has recommended, as has R/UDAT, that a joint venture between the City and private developers could provide buildable space above existing parking garages, as providing parking for future residents is an issue of downtown residential development.

Commissioner Dias stated that existing office buildings area commodity, and suggested that the existing committee be asked to look into the special zoning. The Commissioners concurred.

## **6. DEPARTMENT REPORT**

Deputy Director Chuck Regalia reminded the Commissioners that a regular meeting of the Planning Commission will take place on December 17, 1998, at 6:00 p.m., in the City Council Chamber at City Hall.

## **7. STATEMENTS OF ABSTENTIONS BY COMMISSIONERS**

Commissioner Edwards stated that she will abstain from items twelve, thirteen, fifteen and sixteen, as the entity involved in each of these items is either a client of her firm or clients of her firm are investors in the businesses represented.

Commissioner Carlile stated that he will abstain from items nine, eleven and thirteen, as his firm is working on those projects.

## **8. CONSENT AGENDA**

### **8.1 CONDITIONAL USE PERMIT - McRae Second Dwelling Unit - 1682 Greneich Avenue - File Number CUP98-304**

Staff noted in response to Commission questions that this project has been conditioned to put in a driveway cut, and that City Ordinance requires owner-occupation of second dwelling units, confirmation of which must be recorded prior to issuance of a building permit.

### **8.2 FINAL MAP MODIFICATION - Fountain Grove Corporate Center Arterial Vascular Engineering (AVE) Building 'C' - 3596 Round Barn Boulevard - File Number MJMD98-002**

Commissioner Carlile noted that the exchange of open space outlined in the conditions of this project has increased the overall open space on this property by 8,000 square feet.

**MOTION:** Commissioner Carlile moved and Commissioner Denietolis seconded approval of the Consent Agenda and waived reading of the text for:

**RESOLUTION NO. 9412:** Making Findings And Determinations And Approving a Conditional Use Permit For The McRae Second Dwelling Unit - Located at 1682 Greneich Avenue - File Number CUP 98-0304

**RESOLUTION NO. 9413:** Approving a Negative Declaration For The Fountaingrove Corporate Centre Final Map Modification (A. V. E.) Of Property Located at 3593 Round Barn Boulevard - File Number MJMD98-002

**RESOLUTION NO. 9414:** Approving a Final Map Modification for Fountaingrove Corporate Centre (A.V.E.), 3593 Round Barn Boulevard - File Number MJMD98-002

The motion carried by the following vote:

Ayes: (7) (Carlile, Cummings, Denietolis, Dias, Edwards, Johnson, Blanchard)

Noes: (0)

Abstentions: (0)

Absent: (0)

Commissioner Carlile abstained from discussion and vote on the following item.

**9. CONTINUED ITEM - MAJOR SUBDIVISION AND CONDITIONAL USE PERMIT Air Center East, Phase I - to Subdivide 45 Acres of the Old Naval Air Station Property into 207 Single Family Lots, Two Park Parcels, and Two Landscape Parcels - File Number MJP98-019**

Deputy Director Chuck Regalia stated that this item is a continuation of a request to subdivide a 45+ acre portion of the former Old Naval Air Station into 207 single family lots, two landscape parcels and two park parcels.

**MOTION:** Commissioner Denietolis moved and Commissioner Cummings seconded a motion to continue this item to a date certain of January 14, 1998. The motion carried by the following vote:

Ayes: (5) (Cummings, Denietolis, Dias, Edwards, Johnson, Blanchard)

Noes: (0)

Abstentions: (1) Carlile

Absent (0)

Commissioner Carlile resumed participation in the meeting.

**10. PUBLIC HEARING - ANNEXATION/PREZONING - MONTE VERDE ISLAND**

City Planner Sonia Binnendyk stated that this is a request to annex and prezone 23 lots consisting of approximately 24 acres to the RR-40 (Rural Residential), RR-20 (Rural Residential), and R-1-6 (Single Family Residential) Districts. It is proposed that 17 of the parcels are prezoned to the RR-40 District, with the remaining 6 parcels (5305, 5317, 5329, 5341, 5409, and 5421 Monte Verde Drive) being prezoned to the RR-20 and R-1-6 Districts.

The General Plan designates most of the annexation area for Very Low Density Residential land uses, permitting a maximum of 2 units per acre. The only area in a different land use category is the rear portion of 6 lots along Spain Avenue, which are designated Low Density Residential, with a permitted density range of 2 to 8 units per acre. The proposed pre zoning districts have been tailored to be consistent with these General Plan designations.

Residents in the annexation area have expressed a strong desire to preserve the rural character of the portion of Monte Verde Drive currently in the County by retaining the existing large lots and avoiding urban street improvements. The proposed zoning districts address these concerns by precluding future lot splits within the annexation area, except along Spain Avenue. The RR-40 District will not permit any of the 17 lots proposed for this designation to subdivide. The RR-20 and R-1-6 Districts proposed for the six lots with frontage on both Monte Verde Drive and Spain Avenue will allow these lots to subdivide in the future, but still retain a rural character along Monte Verde Drive. The intent is to permit the rear portion of these parcels to eventually develop with single family lots matching the lotting pattern and number of lots on the opposite side of Spain Avenue, but retain acre lots along Monte Verde Drive.

Residents are requesting annexation largely to obtain access to city sewer service. After annexation, residents intend to create an assessment district to pay for installation of a sewer line in Monte Verde Drive. A water line has previously been installed; therefore, city water service is already available

Paul Bussard, 5232 Monte Verde Drive, representing the neighborhood, explained that the reason that annexation is requested is to install a sewer line to protect the area wells from contamination. Some of the homeowners want to expand and improve their homes, but are prohibited from doing so because of County regulations regarding septic systems. The majority of the neighborhood supports the annexation and is in favor of creating an assessment district to pay for the sewer line as described by Ms. Binnendyk.

Chairman Blanchard opened the Public Hearing.

The following residents spoke in support of this annexation:

Charles Gordon, 920 Jack London Drive, soon to be a resident of 5521 Monte Verde Drive, is requesting rezoning to the RR-20 District to permit a future lot split for a home and granny unit.

James Hummer, representing the Grandalls of 5220 Monte Verde Drive, also requested rezoning to the RR-20 District to permit a future lot split, pointing out that his client's lot is twice as wide as the other lots along Monte Verde Drive and, if split, will be the same width as the other lots.

Charlene Bornstein, 5317 Monte Verde Drive supported the annexation and also indicated her support for the RR-20 District at 5220 Monte Verde Drive only, pointing out an open ditch which currently presents a safety hazard that could be fixed if the lot was subdivided.

David Hoffman, 5318 Monte Verde Drive referred to perk problems associated with the area's septic systems and how these problems complicate making home additions. He thought the proposal was a good compromise and wanted to see the rural character of the area preserved.

Doug Lawrence, 5421 Monte Verde Drive, indicated that the proposal was a good compromise which addressed past concerns about street improvement costs and loss of area character.

Larry Jefferson, 5330 Monte Verde Drive, stated his support of the proposal and indicated that rezoning 5220 Monte Verde Drive to the RR-20 District was acceptable. He opposed any street improvements beyond those currently existing.

Chairman Blanchard asked those members of the audience who supported the proposal to raise their hands. The majority of the Monte Verde Drive residents who were present raised their hands.

There being no one else wishing to speak, Chairman Blanchard closed the public hearing.

Ms. Binnendyk stated that staff would have no concerns about rezoning 5220 and 5521 Monte Verde Drive to the RR-20 District if it is supported by the neighborhood.

Commissioners Denietolis and Carlile indicated their opposition to allowing annexation while limiting the ability to subdivide and without requiring street improvements. Rezoning all of the island to the RR-20 and R-1-6 Districts will permit subdivision if desired, and those owners who subdivide but wish to defer improvements may pay the deferral fee.

Deputy Director Chuck Regalia clarified that the property owners have reached concurrence on the desire to annex to the City at the densities listed in the staff report. The property owners have worked with the City for the past five years to develop an annexation proposal, and two years ago had garnered support



for the annexation and assessment district among themselves, but before the annexation could move forward Proposition 218 was passed, delaying the application while the issues of the Proposition affecting the annexation and assessment district were worked out. The current application has now come before the Planning Commission, and if it is approved, the property owners must hold two elections: one to approve the annexation and a second to create the assessment district to pay for the sewer. The majority of property owners want to be annexed and still maintain the rural character of the neighborhood, however if the Planning Commission approves the annexation at a higher density than requested, the annexation and assessment district will not be supported by the property owners in their elections, and the island will not be annexed into the City.

Commissioner Johnson stated his preference to zone all of the lots in the island to the RR-40 District to maintain the status quo.

Commissioner Dias stated her support for the proposal, noting that it is City policy to eventually annex all of the County islands into the City, and that this Planning Commission makes every effort to comply with the wishes of the applicant(s) if possible. This item as proposed presents an opportunity to achieve these ends.

Commissioners Blanchard and Edwards expressed their concurrence with Commissioner Dias.

Ms. Binnendyk, responding to questions of Commissioner Cummings regarding installation of street improvements stated that, as the tentative maps for the subject area are presented for approval, it is anticipated that staff will require the street improvements to be installed along Spain Avenue at the time of the lot split, and that the improvements for lots fronting Monte Verde Drive will be deferred with a covenant recorded obligating those property owners to install the street improvements in the future.

Commissioner Denietolis expressed his opposition to the item, as the proposed zoning is inequitable and it is imprudent of the City not to require street improvements on Monte Verde Drive. Due to the island's need for sewer connections and the desire of some of its residents to enlarge their homes, the island will eventually annex without the conditions currently proposed.

Commissioners Johnson and Carlile indicated their agreement with Commissioner Denietolis.

Commissioner Cummings ask that the gravel path on the south side of Monte Verde Drive be extended over the Grandall property to Calistoga Road.

**RESOLUTION NUMBER 9415:** Commissioner Dias moved and Commissioner Edwards seconded a Resolution Recommending That the City Council Approve and Adopt a Negative Declaration for the Proposed Rezoning and Annexation of the Area Recommended to Be Included Within Northeast Santa Rosa 5-98, and Further Recommending That the Area Be Rezoned to the City's RR-40, RR-20, and R-1-6 Districts -File number ANX98-010 and waived the reading of the text. The motion carried by the following vote:

Ayes: (4) (Cummings, Dias, Edwards, Blanchard)

Noes: (3) (Carlile, Denietolis, Johnson)

Abstentions: (0)

Absent: (0)

Chairman Blanchard called a recess at 4:50 p.m.



## Murray, Susie

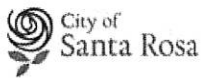
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**From:** Regalia, Chuck  
**Sent:** Thursday, September 25, 2014 2:31 PM  
**To:** Murray, Susie  
**Cc:** Hartman, Clare  
**Subject:** FW: Supplemental Information for Our Appeal of Calistoga Cottages

Susie & Clare

Here is information regarding the appeal of Calistoga Cottages.

Chuck Regalia | Assistant City Manager |  
Community Development Department | 100 Santa Rosa Avenue | Santa Rosa, CA 95403  
Tel. (707) 543-3189 | Fax (707) 543-3269 | [cregalia@srcity.org](mailto:cregalia@srcity.org)



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**From:** Stoddard, Laurie  
**Sent:** Tuesday, September 23, 2014 9:43 AM  
**To:** Regalia, Chuck  
**Subject:** RE: Supplemental Information for Our Appeal of Calistoga Cottages

I printed the pdfs and the Word file. They are in your inbox. Neither Debbie nor I could open the htms.  
Laurie

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**From:** Regalia, Chuck  
**Sent:** Tuesday, September 23, 2014 9:27 AM  
**To:** Stoddard, Laurie  
**Subject:** FW: Supplemental Information for Our Appeal of Calistoga Cottages

Laurie

Here is the attachments to be copied.

Chuck Regalia | Assistant City Manager |  
Community Development Department | 100 Santa Rosa Avenue | Santa Rosa, CA 95403  
Tel. (707) 543-3189 | Fax (707) 543-3269 | [cregalia@srcity.org](mailto:cregalia@srcity.org)



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**From:** Wysocky, Gary  
**Sent:** Tuesday, September 23, 2014 8:38 AM  
**To:** McGlynn, Sean; Regalia, Chuck  
**Subject:** Fwd: Supplemental Information for Our Appeal of Calistoga Cottages

Sean and Chuck, comments regarding the attached would be appreciated.

Gary

Sent from my iPad

Begin forwarded message:

**From:** "ldenley-bussard@comcast.net" <ldenley-bussard@comcast.net>  
**To:** "Carlstrom, Erin" <ecarlstrom@srcity.org>, "Combs, Julie" <jcombs@srcity.org>, "Swinth, Robin" <rswinth@srcity.org>, "Wysocky, Gary" <GWysocky@srcity.org>  
**Cc:** "Bussard-Gmail, Paul" <paulebussard@gmail.com>, "Denley-Bussard, Lynn" <ldenley-bussard@comcast.net>, "Villegiante, Karine" <karinev@sbcglobal.net>  
**Subject: Supplemental Information for Our Appeal of Calistoga Cottages**

Dear Council Members Carlstrom, Combs, Swinth and Wysocky,

We recently heard rumors that a reconsideration may be proposed regarding our appeal of 408 Calistoga Cottages. Here is some supplemental documentation for the key points discussed in our presentation at the City Council Meeting on Tuesday, September 16, 2014.

We hope this additional information will avoid the need for a reconsideration.

Supplemental Information

- \* City Council Promises and Actions 1989 to 2014
  - Sonoma County General Plan Land Use Diagram, March 23, 1989
  - City Council Minutes, August 11, 1998
  - \* Chuck Regalia's presentation to the City Council
  - \* Noreen Evans concern about how to protect the rural residential nature of the neighborhood
  - City Council Ordinance No. 3405 – Pre-zoned the Monte Verde County Island as RR-40, RR-20 and R-1-6.
  - Exhibit A – Map of Boundaries, overlay shows the location of the various zones
  - Annexation ballot with neighborhood arguments for and against the issue, February 29, 2000
- \* Applicant did NOT meet the criteria for a General Plan Amendment
  - Appeal presentation outlining the criteria required and the applicant's responses
  - This project violates 12 provisions of the General Plan 2035
  - GM-A-2 of the General Plan specifically protects Very Low Density enclaves from infill development
  - State law mandates that "...all elements of the general plan have equal legal status...no

element is legally subordinate to another.”

In addition, we have heard that the applicant has made allegations that other property owners in the neighborhood have violated the CC&Rs. This is our understanding and perspective on these issues.

- \* Our CC&Rs require approval of the entire neighborhood for any changes
  - In 2000, the neighborhood agreed to allow development along Spain Avenue in exchange for annexation to the City and access to sewer services along Monte Verde
  - The Calistoga Cottages project does not have the approval of the other property owners in our neighborhood, because it impacts the rural lifestyle of the adjoining properties
  - Map summarizing petitions by the homeowners to retain the rural nature of our neighborhood
- \* In the last 15 years, no other lots have split in the neighborhood
  - The parcel map of the rural residential properties remains unchanged
  - All parcels zoned RR-40 in 2000 are still one single-family residence on one acre
- \* Our CC&Rs allow for guest cottages
  - In 1960 the Bussard family home at 5232 Monte Verde Drive was in the county which allowed mobile homes as second units on one-acre lots. As a guest cottage, this does not violate the CC&Rs
- \* Our CC&Rs do prohibit commercial enterprises, but they do not prohibit a home office.
- \* We filed for an injunction to stop the applicant from applying for and gaining approval for a tentative parcel map
  - The judge did not grant the injunction because the applicant is only “planning” to break the CC&Rs; he hasn’t actually done it yet
  - If he ever files to change the county parcel map that action will violate the CC&Rs and an injunction can be requested at that time
- \* We offered several compromises to the owners of 408 Calistoga Road
  - At the neighborhood meeting in October 2013, we offered to gather support among the other property owners for an RR-20 zoning for 408 Calistoga Road. The applicants were not interested.
  - We made an offer to buy 408 Calistoga Road, so it could remain rural residential and the applicants could build on another property. Our offer was turned down.
- \* The only offer made by the applicants to us was a promise to build three homes behind the existing house instead of six.

– Since the proposed tentative parcel map was for three homes, this wasn't really a compromise offer; it was merely a re-statement of the proposed project.

Sincerely,

Paul Bussard and Lynn Denley-Bussard



**CITY OF SANTA ROSA**  
**SPECIAL ELECTION**  
**ON**  
**NORTHEAST SANTA ROSA REORGANIZATION 5-98**  
**FEBRUARY 29, 2000**

The following materials for the February 29, 2000, Special Election are enclosed in this envelope:

1. VOTER'S PAMPHLET
2. OFFICIAL BALLOT
3. BALLOT ENVELOPE, addressed to Santa Rosa City Clerk with first class postage pre-paid.

If this envelope does not contain each of these items, please call Audrey Hooper, Assistant City Clerk, at 707-543-3016 for a replacement.

CITY OF SANTA ROSA, CALIFORNIA

**VOTER'S PAMPHLET**

**Special Election  
Tuesday, February 29, 2000**

A Special Election to decide the question of whether the territory included within pending Northeast Santa Rosa Reorganization No. 5-98 will be annexed to the City of Santa Rosa and detached from two county service areas.

The following pages contain an Impartial Analysis of the pending reorganization approved by the Sonoma County Local Agency Formation Commission, a Map depicting the boundaries of the pending reorganization, an Argument In Favor of the reorganization, a Rebuttal to the Argument In Favor of the reorganization, an Argument Against the reorganization, a Rebuttal to the Argument Against the reorganization, Instructions to Voters, and a Sample Ballot.

**TO BE COUNTED**, your marked Official Ballot, sealed within the Ballot Envelope, the back of which has been properly filled in and executed by you, must be received by the Santa Rosa City Clerk, Room 10, 100 Santa Rosa Avenue, Santa Rosa, **no later than 8:00 p.m. on Tuesday, February 29, 2000.**



ANALYSIS OF NORTHEAST SANTA ROSA REORGANIZATION  
NO. 5-98 (DALY) INVOLVING ANNEXATION TO CITY OF  
SANTA ROSA AND DETACHMENT FROM COUNTY SERVICE  
AREA NO. 41 (MULTI-SERVICES) AND RINCON VALLEY FIRE  
PROTECTION DISTRICT

This proposition consists of the annexation of approximately 24.2 acres to the City of Santa Rosa. The subject territory represents the entirety of an unincorporated island located on Calistoga Road and along both sides of Monte Verde Drive, just east of Calistoga Road.

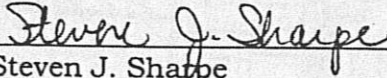
If this annexation is approved, property owners within the annexation area will have access to City water and sewer services. To finance sewer improvements, the City is proposing to form an assessment district. Proceedings to form the assessment district will begin subsequent to annexation of the subject territory.

The City would provide fire protection with first response from the City fire station located in the vicinity of Stony Point Road and College Avenue. The Rincon Valley Fire Protection District currently provides fire protection. The City rather than the county would provide police protection and certain other municipal services. Registered voters would be eligible to vote in City elections.

Property taxes would not increase as a result of annexation to the City. City residents, however, are subject to a utility users tax equal to five percent (5%) of their utility bills. Garbage pick-up is also mandatory in the City.

The vote to confirm the order for annexation requires a 50% majority vote on the question.

January 5, 2000  
Date

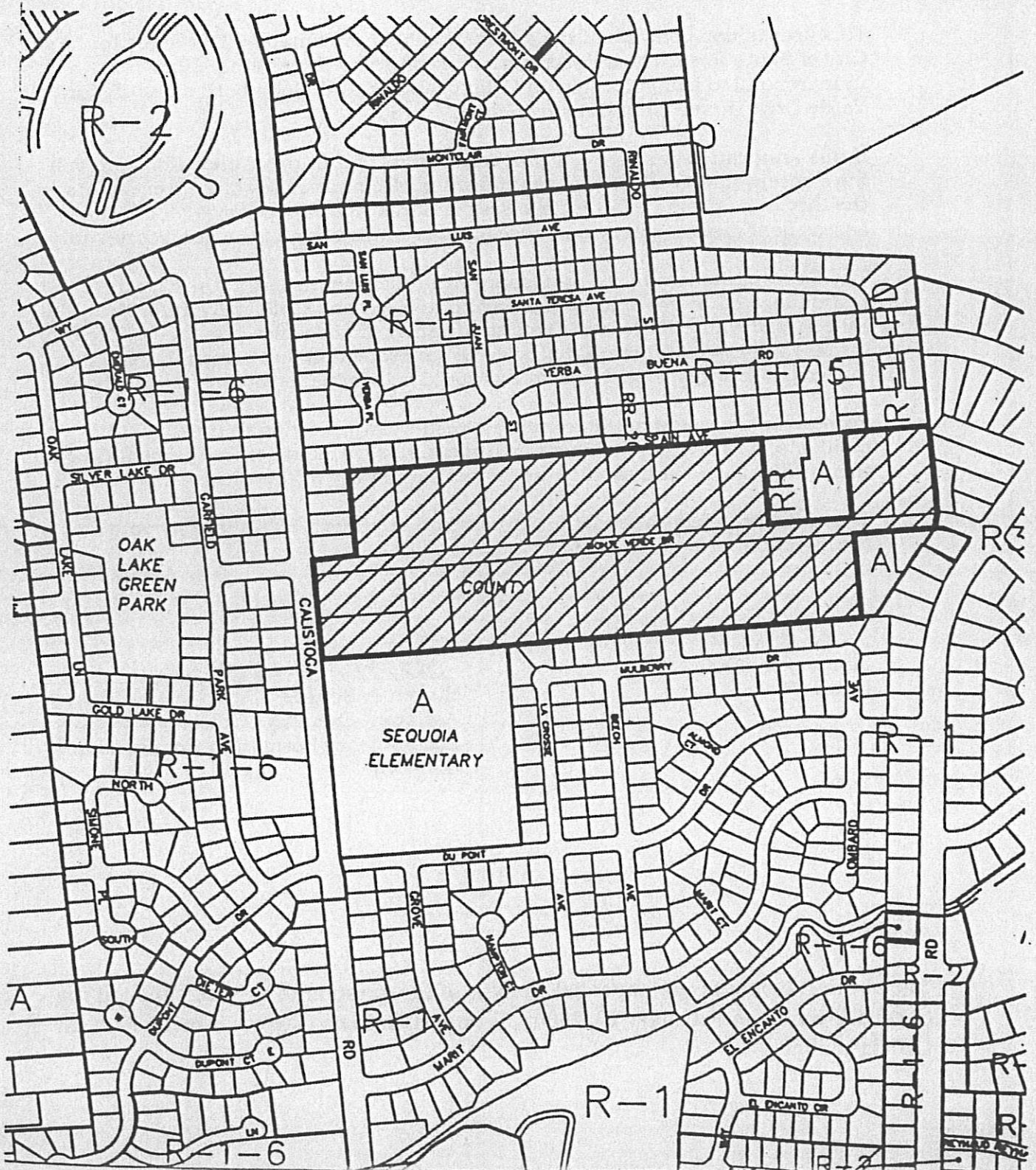
  
\_\_\_\_\_  
Steven J. Sharpe  
Assistant Executive Officer  
Local Agency Formation Commission  
(LAFCO)

1-4-00

**The above statement is an impartial analysis of the question to be voted upon at the Special Election on February 29, 2000. The question in its entirety is printed on the Official Ballot.**

**MAP OF BOUNDARIES  
OF  
NORTHEAST SANTA ROSA REORGANIZATION NO. 5-98**

The cross lines show the area included within pending Northeast Santa Rosa Reorganization No. 5-98. If the annexation is approved by the voters, all properties within the cross-lined area will become a part of the City of Santa Rosa.





## ARGUMENTS AND REBUTTALS

Arguments in favor of, or against, the reorganization are the opinions of the authors.

### ARGUMENT IN FAVOR OF NORTHEAST SANTA ROSA REORGANIZATION 5-98

The ballot before us today is the final step in a year long process which started in our Monte Verde neighborhood meeting where the majority of neighbors requested annexation. The City of Santa Rosa has agreed to keep street improvements to a minimum, thereby retaining the rural atmosphere and minimizing cost to the neighborhood. The primary purpose of annexation is to allow the neighborhood access to city services such as water and sewer (as well as City Police and Fire Prevention). These services will allow the replacement of inadequate and failing septic systems. Those not in favor of sewer and water installation will still benefit from increased property value. The cost to install these services will only go up, and we may not have such favorable agreement in the future to maintain our rural neighborhood.

s/John Daly  
s/Janet Jefferson  
s/Raymond H. Widdifield

s/Kathleen Wilcox  
s/Susan Jenkins

### REBUTTAL TO ARGUMENT IN FAVOR OF NORTHEAST SANTA ROSA REORGANIZATION 5-98

Those in favor of annexation are not looking at the facts. The proponents are prepared to vote yes on a project that they have no idea of the actual cost. The present city council has agreed to keep costs down by keeping street improvements to a minimum. However, future city council members can change these requirements at any time invoking mandatory street improvements. In previous letters from the city it clearly states; if property is to be divided to ½ acre lots facing Monte Verde Dr., street improvements would be mandatory. There is no record on file of any failing septic systems. Police and fire protection services provided by the county are adequate. Increased property values will not offset the high cost of the installation of the sewer and water systems. Annexation will only benefit those who stand to gain by subdividing and can only be accomplished by reaching into the pocketbooks of their opposed neighbors.

s/John C. Gotts



## ARGUMENT AGAINST NORTHEAST SANTA ROSA REORGANIZATION 5-98

The opposition to annexation is that there would be little, if any, benefit to most residents. An extreme financial burden of approximately \$50,000 will be charged to each property owner. There is also a monthly usage fee that is now \$75 per month and will always increase. Connection permits will cost an additional \$3000. The overall cost to replace water and sewage systems will not increase our existing property values.

The county already provides services that would be provided by the city. The only reason for replacing the existing sewage and water system is to subdivide lots for the financial gain of the few that can develop pre-zoned properties.

Once annexation is approved Monte Verde Drive will have to conform to all city requirements for street improvements, i.e. street lights, curbs, and gutters. This will greatly increase our costs above and beyond that of water, sewage, and permit costs for all property owners.

The annexation of Monte Verde Drive will create an extreme financial burden on all the residents who live on this street. Some residents who are on fixed and/or low income will not be able to meet the required financial costs.

New construction of property pre-zoned for development will increase the over impacted land usage of the local area and turn one of the last remaining heritage Sonoma County rural areas into another overdeveloped neighborhood.

The overall cost of construction, hookup, and monthly fees has not been fully considered by the people it will affect the most. The impact on the existing environment and the future esthetics of our neighborhood have not been considered and should be better evaluated and understood prior to any annexation.

s/Janice Memeo

s/Guido Pennato

s/Karine Villegiante

s/John C. Gotts

s/Emma A. Chance

## REBUTTAL TO ARGUMENT AGAINST NORTHEAST SANTA ROSA REORGANIZATION NO. 5-98

This election will determine if residents want to be annexed to the City. The total cost for annexation is \$7,740. To date \$6,540 have been paid by the residents in favor of annexation. Less than \$100 per household remains. So, a yes vote on annexation, does not create a financial burden for anyone.

The sewer project previously discussed by our neighborhood is a separate issue. If an assessment district is proposed at a later date, it will require a separate election. That election would be after bids were received, so we can decide the merits of the project based on facts, not speculation.



There are several benefits to joining the city at this time: 1) the city council has already unanimously approved our request to retain the rural character of the neighborhood; we do not have to widen the road, install streetlights, or curb and gutter (City Council Minutes, 8 August 1998); 2) we will also receive better police protection; County response times are slow, up to 30 minutes; the city police response time is closer to 5 minutes; 3) we can vote in city elections, especially in city school bond and school board elections; 4) annexation will increase our property values.

There are no lots pre-zoned for development along Monte Verde Drive. The only lots zoned for development exist along Spain Avenue. If these lots are developed it will not cause any impact to the rural character of homes along Monte Verde Drive.

s/Paul Bussard  
s/Janet Jefferson  
s/Congeta Aime

s/Charlene Bornstein  
s/John Daly





to \$5 million. Approximately \$2.5 of that would be refunded from the grant.

In response to Councilmember Condron, Mr. Dunbaugh indicated that all of the local legislators have been contacted and have acted on behalf of the Sonoma County agencies, as have some private, non-profit foundations.

Jack Osborne, 5636 Del Monte Court, said that he did not have concerns regarding the grant, but questioned whether the estimated \$5 million cost is the total for the entire County or just for the City of Santa Rosa. He indicated that he has not seen a costs-benefits analysis for the subject project.

Mr. Dunbaugh explained that the City's cost is \$2.5 million. Approximately \$800,000 is for Fire Department equipment costs which cannot be covered by this grant. Without that Fire Department need, the City's cost would be in the vicinity of \$1.7 million out of a \$12 million project. These amounts are based on the percentage of grant funding we are receiving.

MOVED by Councilmember Berto, seconded by Councilmember Evans, CARRIED UNANIMOUSLY TO ADOPT AND WAIVE THE READING OF THE TEXT OF:

RESOLUTION NO. 23666 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE APPROPRIATION OF GENERAL FUND RESERVES FOR THE COMPUTER-ASSISTED DISPATCH/RECORDS MANAGEMENT SYSTEM PROJECT.

#### **8.4 REPORT - NORTHPOINT APARTMENTS DEFERRAL OF IMPACT FEES**

Jeff Schwob, City Planner, made the staff presentation. On April 3, 1998, Bridge Housing Corporation requested a deferral of payment of the impact fees for the first phase (70 units) within the Northpoint Apartment project located at 1451, 1551, and 1651 Northpoint Parkway. The amount requested to be deferred totals approximately \$827,420.00 and consists of sewer, irrigation, water demand fees, Public Facilities Improvement Fees (PFIF), park dedication and improvement fees, Traffic Signal and Southwest Area Development Impact fees (SWADIF). A lien will be placed against each of the properties for the amount of the fees which will be due and payable upon funding of the permanent financing for the project.

It is recommended by the Department of Community

Development that the City Council, by resolution, approve the request for impact fee deferral for Northpoint Apartments project.

In response to Vice Mayor Runyan regarding the payment, Mr. Schwob clarified that the initial request was with the occupancy. However, it's been City's practice to require payment when permanent financing is obtained or within 24 months.

Jack Osborne, 5636 Del Monte Court, asked whether there will be a fee deferral for the second phase of this project and, if so, what the amount will be. He also asked whether interest would be charged.

Mr. Schwob explained that the second phase will involve 40 units. It is anticipated that a deferral will be requested at the time the financing is in place for that phase. No interest is being charged since this is an affordable housing project.

MOVED BY Councilmember Wiggins, seconded by Councilmember Condron, CARRIED UNANIMOUSLY TO ADOPT AND WAIVE THE READING OF THE TEXT OF:

RESOLUTION NO. 23667 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DEFERRING CERTAIN DEVELOPMENT FEES FOR BRIDGE HOUSING CORPORATION (NORTHPOINT HOUSING ASSOCIATES) ASSOCIATED WITH THE NORTHPOINT APARTMENTS PROJECT.

#### **8.5 REPORT - MONTE VERDE ISLAND ANNEXATION BOUNDARY/ASSESSMENT DISTRICT**

Chuck Regalia, Deputy Director of Community Development Planning, made the staff presentation. Property owners along Monte Verde Drive have requested annexation and the formation of an assessment district to fund construction of a sewer line. Approximately 23 of the registered voters have requested annexation and formation of the assessment district. Nine registered voters are opposed.

In their annexation application, the property owners made the following request:

1. To be annexed to the City of Santa Rosa.
2. To form an assessment district for the construction of a sewer main and laterals from the main to the property line to serve the residences located at 5227 to 5421 on the north



side and 5232 to 5446 on the south side of Monte Verde Drive.

3. Owing to the financial burden this request places on residents (many are on fixed incomes), it is being requested that reasonable efforts be made to minimize construction costs by limiting the project to work essential to the installation of the sewer main and laterals from the main to the property line.

4. For those property owners requesting it, inclusion of the sewer hook-up fees (approximately \$5,000) in their assessment.

5. For those property owners requesting it, the option of installing water laterals from the water main to the property line with the ability to include any water hook-up fees in their assessment.

6. To preserve the rural atmosphere on Monte Verde Drive (between the cross streets of Calistoga Road and St. Francis), exclusion of this neighborhood from urban street improvements such as sidewalks, curbs, gutters, streetlights, etc., as long as property improvements on Monte Verde Drive do not include lot splits.

The Monte Verde County Island is located along Monte Verde Drive between St. Francis Road and Calistoga Road in Rincon Valley. The area was subdivided and developed more than 40 years ago. Of the 27 total lots, 4 were previously annexed to the City of Santa Rosa while 23 remain in County jurisdiction. All of the residences in the County area are served by wells and septic systems, some of which are failing.

Over the last 20 years, there have been numerous attempts to annex the Monte Verde County Island. All of the previous attempts have failed because along with annexation came the requirement to install sewer, curb, gutter, and sidewalks, and to rebuild the roadway. The cost burden of these improvements was too much for the residents to bear and the annexations were dropped.

As an existing County Island within the urban boundary, the Monte Verde annexation clearly meets all four of the annexation criteria. It is an infill annexation. All land uses will be consistent with the Residential: Low and Very Low Density classification. The properties are being annexed so that a sewer line may be installed. Provision of sewer service to an Island area surrounded by existing City is good public policy.

It is recommended by the Department of Community

Development that the City Council, by motion, set the boundaries for annexation of the remaining properties within the Monte Verde County Island and refer the annexation to the Planning Commission for rezoning.

Councilmember Evans referred to an issue related to the interests on the part of the residents to preserve the rural atmosphere on Monte Verde Drive and exclude the neighborhood from urban street improvements. She referenced the staff report and questioned the deposit that would have to be made toward the cost of those improvements. Mr. Regalia responded that the deposit is the existing policy. While this issue is not before Council at this time, he explained that the residents want to annex the entire area. The residents living along Spain Avenue have a different land use designation; i.e., Low-Density v. Variable. It is their intent to subdivide the back portion of their property. They want, and would be asked, to make urban level improvements along Spain Avenue, which would be consistent with what is already in place there. However, the entire neighborhood wants to avoid urban level improvements along Monte Verde. Those residents are asking Council to give an indication of support to this matter so that when the sewer assessment district is designed it does not include street widening, curbs, gutters, sidewalks, etc. Mr. Regalia suggested that if Council concurs, they should so indicate and that is the direction in which staff will proceed.

Councilmember Evans questioned how the City would retain the rural atmosphere on Monte Verde if there is a policy requiring the homeowner to make a deposit toward the costs of future improvements if they improve their homes beyond a certain value. Mr. Regalia suggested that there must either be a Monte Verde-only policy or a something should be changed on a City-wide basis. At this time, he was not prepared to make a recommendation, but rather said that it would be necessary for Council to direct staff to study this matter and bring back a recommendation. He said the policy staff uses requires that when a certain level of improvements is made, the City has the right to require that the public improvements be made.

In response to Councilmember Evans, Mr. Regalia confirmed that Monte Verde is not identified as a scenic road in the General Plan. He explained that the reason for the recommendation from the neighborhood may have been because it was one of the things needed by the neighborhood to retain support for the annexation. He said if Council concurs with the six points reviewed by at this meeting, staff will pursue that direction and will provide Council with status reports. Councilmember Evans referred to the development of Skyhawk and the concerns raised by



residents related to increased traffic and the safety of neighborhood children. Since then, however, a walking path has since been built along Monte Verde. Mr. Regalia indicated that this matter has not become an issue at this time.

John Daly, 5306 Monte Verde Drive, spoke in support of the setting the boundary. He said that houses in the area have been prevented from expanding due to limits on septic system capacity. He read a statement indicating the support of residents for the assessment district because they want the ability to expand their homes. However, at the same time, residents are committed to retaining the present appearance of the street. He discussed the costs for installing sewers, as well as construction costs and street improvements, making the total cost impractical for most residents.

Charlene Bornstein, 5317 Monte Verde, said she has been actively involved in this project for a number of years. She spoke about the financial challenge to do this project, but stated that it must be done. She noted that residents cannot currently obtain permits through the County to do any type of expansion or any improvements (addition of a garbage disposal, etc.).

MOVED by Councilmember Martini, seconded by Councilmember Evans CARRIED UNANIMOUSLY TO SET THE BOUNDARIES AS PROPOSED.

## 8.6 PUBLIC HEARING - NORTHEAST SANTA ROSA 2-98

Sonia Binnedyk, City Planner, made the staff presentation. On June 25, 1998, the Planning Commission voted 6 to 0 to recommend the City Council annex/prezone approximately two acres at 5560 and 5664 Sonoma Highway to the RR-20-R (Rural Residential, Restricted) District. The applicant requests to be rezoned to the RR-20 (Rural Residential) District, without the "-R" combining designation.

City Council Policy 200-03 requires that the City Council make three findings in recommending approval of an annexation. These findings are: 1) the annexation represents a logical extension of the City limits; 2) the annexation and recommended rezoning are consistent with the General Plan; and 3) adequate urban services are or will become available to annexation area upon its development. These findings can be made for the proposed annexation.

The RR-20 zoning district requested by the applicant is consistent with the annexation area's General Plan designation of Very Low Density Residential. However, General Plan policies also encourage preservation of scenic

roadways. The two lots included in the annexation are located at the top of a slope adjacent Highway 12, a scenic highway. Future homes on these lots will be visible from Highway 12. Consequently, both the Planning Commission and the Department of Community Development recommend rezoning the properties to the RR-20-R District to minimize visibility of future homes. The "-R" combining district will restrict homes to one-story and a 20-foot height unless a greater height is approved by Conditional Use Permit. Most of the new subdivisions along Highway 12 east of Calistoga Road have included height restrictions on lots adjacent the highway.

It is recommended by the Planning Commission and the Department of Community Development that the City Council, by resolution, adopt a Negative Declaration and introduce an ordinance annexing/prezoning 5560 and 5664 Sonoma Highway to the RR-20-R (Rural Residential, Restricted) District.

Vice Mayor Runyan referenced the topography and asked whether the "-R" District will prevent a change to the contour. Ms. Binnedyk explained that both districts would require a 20' setback from the property line, but they do not contain policies regarding grading. The City has policies and criteria related to grading that apply throughout the City, but that is not part of the zoning designation. It is unlikely that anyone building on the site would change the banks along Highway 12, particularly because of the feasible building sites at the top.

Responding to Councilmember Evans, Ms. Binnedyk clarified the location of the lots being discussed, noting that they would eventually have access on Melita Road. However, they will not be bounded by Melita Road. She indicated that at this time it would be difficult to determine whether soundwalls will be installed in the subject area. She briefly discussed possibilities for the development of the sites, which would determine the need for soundwalls. This issue cannot be decided at this meeting.

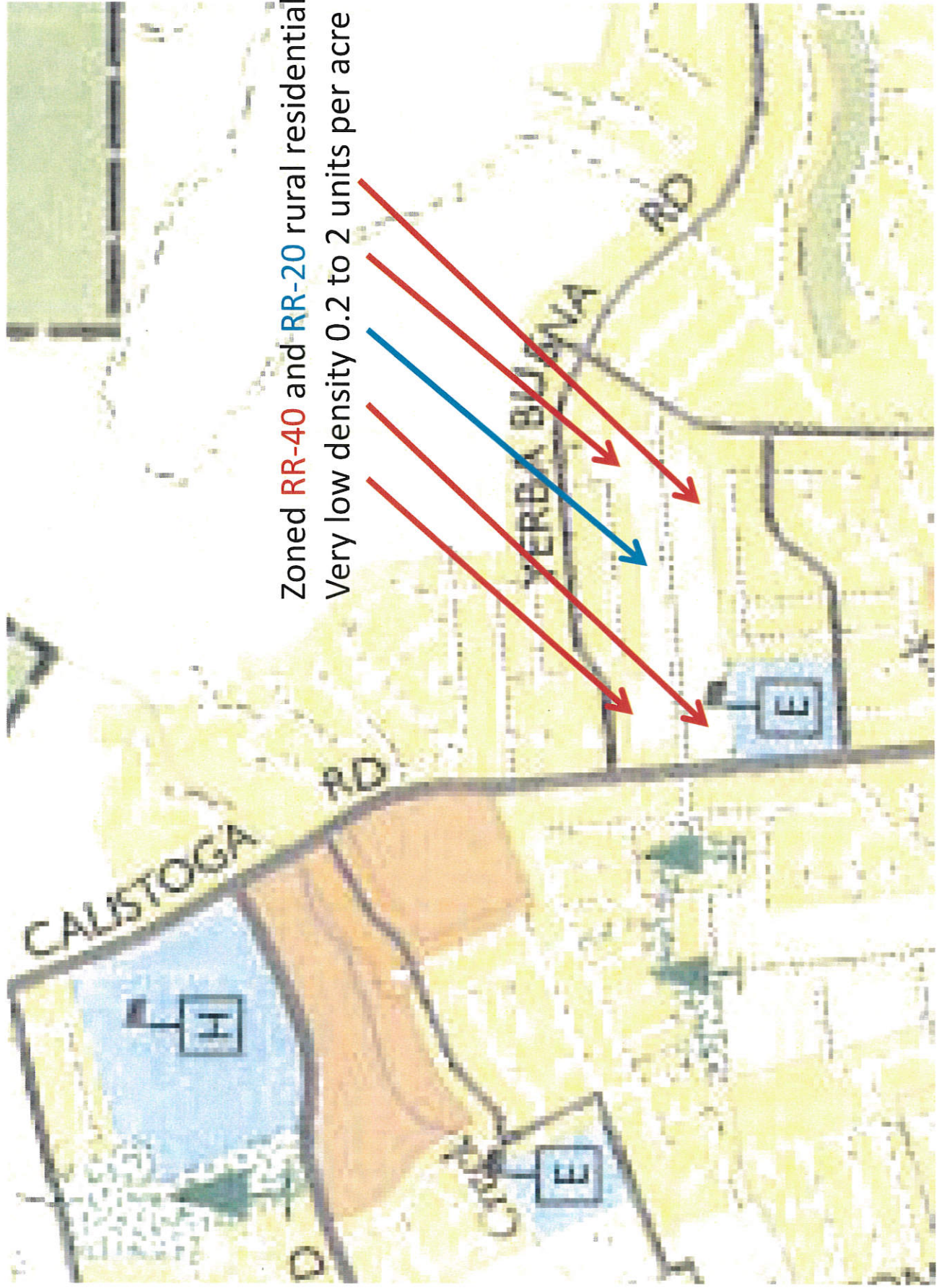
Mayor Wright opened the public hearing.

Jean Kapolchok, 144 South E Street, representing the owner, reiterated the issues outlined previously by staff. The only remaining point of contention is the inclusion of the "-R" District restricting the property to single-story homes only at this time. She pointed out other parcels owned by the applicant and discussed potential access to them. She briefly discussed design issues. She discussed a design condition applied to Redtail Estates, Lot 13, in which the development restricted single-story homes to a height of 25'. The lots in the proposed subdivision would be restricted to 20'. She





Sonoma County General Plan Land Use Map, March 23, 1989

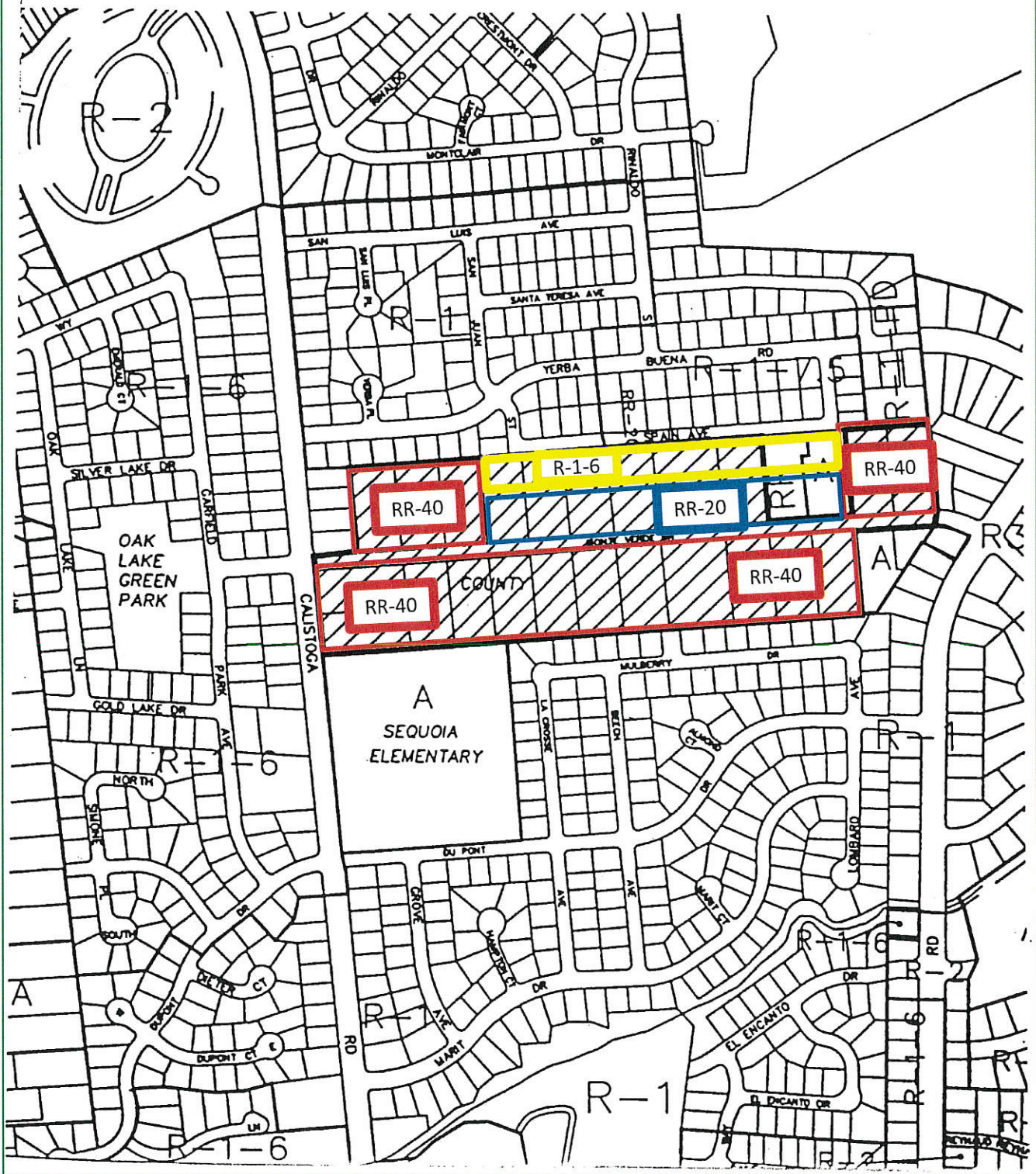






**MAP OF BOUNDARIES  
OF  
NORTHEAST SANTA ROSA REORGANIZATION NO. 5-98**

The cross lines show the area included within pending Northeast Santa Rosa Reorganization No. 5-98. If the annexation is approved by the voters, all properties within the cross-lined area will become a part of the City of Santa Rosa.





### **City Council Promises and Actions – 1998 to 2014**

The neighborhood agreed to allow development along Spain Avenue in exchange for annexation to the City and access to sewer services along Monte Verde.

In order to assure protection of the rural residential character of our neighborhood, Chuck Regalia suggested that we request designation as a Very Low Density neighborhood in the Sonoma County General Plan.

The neighborhood requested and was included in the Sonoma County General Plan Land Use Diagram, March 23, 1989 as a Very Low Density, rural residential neighborhood.

City Council Minutes, August 11, 1998

Item 8.5: Report – Monte Verde Island Annexation Boundary/Assessment District (pages 8 – 10)

It is clear by Chuck Regalia's presentation that the neighborhood would not vote for annexation unless they were promised that the City would retain the rural residential nature of our neighborhood.

***"To preserve the rural atmosphere on Monte Verde Drive between the cross streets of Calistoga Road and St. Francis), exclusion of this neighborhood from urban street improvements such as sidewalks, curbs, gutters, streetlights, etc., as long as property improvements on Monte Verde Drive do not include lot splits."***

*"Councilmember Noreen Evans referred to an issue related to the interests on the part of the residents to preserve the rural atmosphere on Monte Verde Drive and exclude the neighborhood from urban street improvements..."*

*In response to Councilmember Evans, Mr. Regalia confirmed that Monte Verde is not identified as a scenic road in the General Plan. He explained that the reason for the recommendation from the neighborhood (to retain the rural nature) may have been because **it was one of the things needed by the neighborhood to retain support for the annexation.**"*

So, it is clear that the neighborhood would not have voted for annexation without a promise from the City Council to retain the rural nature of our neighborhood.

City Council Ordinance No 3405 – Pre-zones proposed annexation – Northeast Santa Rosa Reorganization 5-98 (Monte Verde Island), February 2, 1999.

All properties in the neighborhood were zoned RR-40 rural residential, except those that backed along Spain. These parcels were pre-zoned RR-20 along Monte Verde Drive and R-1-6 along Spain Avenue. This allowed for development along Spain Avenue by neighborhood agreement of all property owners and therefore, legal under the Covenants, Conditions and Restrictions of the neighborhood.

Exhibit A shows the parcels with a zoning overlay, showing which properties were designated rural residential RR-40, RR-20 and R-1-6.

The arguments included with the annexation ballot, clearly refer to the promise made by the City Council to retain the rural residential nature of our neighborhood.

*"There are several benefits to joining the city at this time: 1) the city council has already unanimously approved our request to retain the rural character of the neighborhood; we do not have to widen the road, install streetlights, or curb and gutter (City Council Minutes, 8 August 1998); 2) we will also receive better police protection; County response times are slow, up to 30 minutes; the city police response time is closer to 5 minutes; 3) we can vote in city elections, especially in city school bond and school board elections; 4) annexation will increase our property values..."*

*"There are no lots pre-zoned for development along Monte Verde Drive. The only lots zoned for development exist along Spain Avenue. If these lots are developed it will not cause an impact to the rural character of homes along Monte Verde Drive."*

The re-zoning to RR-20 in 2005 did not change the density or rural nature of our neighborhood. In fact, no properties that were re-zoned RR-20 have split, **they are all still single-family residences on one-acre parcels** and match the rural residential nature of 408 Calistoga Road.

At the neighborhood meeting in October 2013, we told the planner of the Calistoga Cottages project that we could probably get the approval of the neighborhood for a zoning of RR-20 for 408 Calistoga Road. An RR-20 zoning would retain the Very low density and rural character of our neighborhood. The owners were not interested in our offer.

In conclusion, without a promise by the City to retain the rural lifestyle, the property owners in this neighborhood would never have voted for annexation.

Chuck Regalia spoke at the Appeal Hearing on September 16, 2014 and verified that the 2000 City Council promised to retain the rural residential nature of our neighborhood. All the properties designated rural residential at annexation are still zoned rural residential, Very Low Density.

We think it is important for the current City Council to uphold the promises made at the time of annexation to retain the rural-residential character of our neighborhood.

### **Applicant Did NOT Meet the Criteria for a General Plan Amendment**

State law requires a city to uphold all the provisions in its General Plan; it cannot pick and choose the provisions that support a specific project.

As outlined in the State of California, General Plan Guidelines page 12: *"All elements of the general plan have equal legal status...no element is legally*



*subordinate to another.*" So, infill development is not a more important provision than protecting Very Low Density, rural residential neighborhoods.

*"The general plan's text and its accompanying diagrams are integral parts of the plan. They must be in agreement."* (GPG, page 13) So, the zoning on the Land Use Diagram cannot be changed if doing so would violate other provisions of the General Plan.

The proposed development at 408 Calistoga Road violates 12 sections of the general plan which are intended to protect neighborhoods like ours which have a distinct identity, a rural quality, and special character.

It provides a scenic setting, with diverse character, stands of mature trees and would be severely intruded upon by the proposed development.

The quintessential provision GM-A-2 requires the city staff to *"Clarify to project applicants that the **low-intensity General Plan designations are not "interim"** and that the intent of these designations is to accommodate a variety of housing types within the UGB, rather than reserve areas for future development.*

*This applies **specifically** to the **rural Very Low Density Residential designation at 408 Calistoga**, as rural residential pockets are to be retained within Santa Rosa's UGB to accommodate all lifestyles."*

As the City's **premier** policy document the general plan is **not** changed without good cause, much like the Constitution.

Applications for general plan amendment must address **why** an amendment is warranted describe **events** which have rendered the general plan inadequate or unattainable, and describe any **studies** which have brought policies or portions of the plan into question.

To enforce these 3 criteria applicants are required to fill out a questionnaire. For the first question, this applicant cited infill development. However infill development is **not** planned in this region of the city and it is adequately provided by the plan in other regions of the city. So, this is hardly good cause to change the plan.

There are 185 acres of land designated medium density and 294 vacant parcels, totaling 602 acres, zoned Very Low Density in the plan.

The Housing Opportunity map clearly indicates that medium-density housing is intended to meet infill and density requirements.

Therefore, the applicant's response to question 1 is **insufficient to justify a general plan amendment.**

Question 2 is essentially not answered by the applicant since **no change** has been identified, **no event** has been cited, and **no evidence** is provided to support their assertion of the need for housing.

Therefore the applicant's response to question 2 is also **insufficient to justify a change to the general plan.**

By the applicant's own admission, question 3 is not met. **No plans or studies** have revealed the need for a General Plan Amendment. Note: the General Plan requires **all three** conditions to be fulfilled in order to justify amendment. Since this item is not fulfilled, **that alone** is sufficient to **deny amendment of the General Plan.**

In Question 4 the applicant claims negligible impact on neighbors. As evidenced by more than **40 signatures** of neighbors opposed to this development, the impact to the neighborhood is certainly not negligible.

The updated petition results from August and September of 2014 shows nearly unanimous opposition to changing the rural residential nature of our neighborhood.

Encroachment of R-1-6 homes for 300 feet, the length of a football field, into our neighborhood, is ***incompatible with this historic 66 year old rural residential neighborhood and would erode the character and lead to use conflicts.***

One incompatibility is that light and noise at night disturb the natural sleep pattern of animals. Prey animals, such as horses, goats, and sheep, are very sensitive to lights and noises at night and are easily traumatized.

The applicant has not met any of the 3 required conditions, so a **General Plan amendment is not justified.**

In conclusion, the proposed development violates 12 sections of the General Plan. The City Council should honor the promises made by the City in 2000 which established the zoning in this neighborhood at the time of annexation and **reject the proposed General Plan Amendment** to re-zone 408 Calistoga Road. The existing RR-40 zoning should be maintained.

## Prezones proposed annexation - Northeast Santa Rosa Reorganization 5-98 (Monte Verde Island)

February 2, 1999

### ORDINANCE NO. 3405

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE AREA INCLUDED WITHIN PROPOSED NORTHEAST SANTA ROSA 5-98 ANNEXATION (MONTE VERDE COUNTY ISLAND) - FILE NUMBER ANX98-010

THE PEOPLE OF THE CITY OF SANTA ROSA ENACT AS FOLLOWS:

Section 1. The Council finds, based on the evidence and records presented, that the prezoning designations of RR-20 (Rural Residential), RR-40 (Rural Residential), and R-1-6 (Single Family Residential) Districts are the appropriate classifications of the properties identified in Section 2 and such classifications are consistent with the Santa Rosa General Plan in that:

- The properties are situated within the Very Low Density Residential and Low Density Residential areas as shown on the Land Use Graphic of the City's General Plan, which designations permit rural residential and single family residential development and existing non-conforming uses.
- The prezoning provides rural and single family residential land uses in conformance with the policy of the Land Use Element of the City's General Plan.
- Adequate City services can be provided for the proposed annexation area.
- For the reasons set forth above, the proposed annexation would not adversely impact and would enhance the achievement of the Land Use goals and policies contained in the General Plan.

The Council has read, reviewed, and considered the approved and adopted Negative Declaration for this project and determines that this prezoning will not have a significant effect on the environment as shown by said Negative Declaration.

Section 2. All conditions required by law having been satisfied and all findings with relation thereto having been made, the "Zoning Map of the City of Santa Rosa," as described in section 20-01.010 of the Santa Rosa City Code, is amended so as to place the following prezoning designation on the following identified properties:

Sonoma County Assessor's Parcels numbered 030-160-009, -010, -013, -015 to -024, -033, -034, -043, -050, -057, -061 to -065, totaling approximately 24 acres, are prezoned to the City's RR-20 (Rural Residential), RR-40 (Rural Residential), and R-1-6 (Single Family Residential) Districts, as shown in Exhibit "A" attached hereto.

Section 3. In accordance with the provisions of section 20-02.287 of the Santa Rosa City Code, the prezoning designations set forth in Section 2 and Exhibit A of this ordinance shall become the zoning classifications of the parcels of real property, as therein identified, at the same time their annexation to the City of Santa Rosa is completed.

Section 4. This ordinance shall take effect on the 31st day following its adoption.

IN COUNCIL DULY PASSED AND ADOPTED this 2<sup>nd</sup> day of February, 1999.



## Murray, Susie

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**From:** Hartman, Clare  
**Sent:** Thursday, September 25, 2014 8:55 AM  
**To:** Murray, Susie  
**Subject:** FW: Calistoga Cottages

FYI

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**From:** Becky J Thurber Kuhlman [thurber\_becky\_j@elanco.com]  
**Sent:** Wednesday, September 24, 2014 9:45 PM  
**To:** Wysocky, Gary  
**Cc:** Carlstrom, Erin; Combs, Julie; Olivares, Ernesto; Ours, Jake; Swinth, Robin; [sbartlet@srcity.org](mailto:sbartlet@srcity.org); Murray, Susie; [paulebussard@gmail.com](mailto:paulebussard@gmail.com); [ldenley-bussard@comcast.net](mailto:ldenley-bussard@comcast.net); [karinev@sbcglobal.net](mailto:karinev@sbcglobal.net)  
**Subject:** Calistoga Cottages

Councilman Gary Wysocky,

Please let me take a moment to introduce myself. My name is Becky Thurber Kuhlman and I grew up in Santa Rosa. I have lived here the majority of my life, leaving for a quick stint for college and returning to raise my family where I believed to be an amazing place to grow up! Coming back to the community was amazing, as I have lived throughout the economic spectrum and all over the city in my 37 years. I have looked, experienced and finally found a home that my husband and I have decided to be our forever home for our family. Much of our decision was based on the location to local resources including the safety in the neighborhood, local schools, as well as the rural setting that existed in a very unique and sacred space within the city. I live at 5231 Monte Verde Drive with my husband, our 12 year old son and 1 1/2 year old daughter.

We purchased this home four years ago with a dream, a vision and a plan for our future. I ask of you as my city councilmen for whom I have supported due to your many associations, with what I believe to be favorable organizations, to support the sanctity of our neighborhood by opposing the current proposed and now reconsidered rezoning of the Monte Verde neighborhood. I have been at the heart of this issue in the background deferring to my neighbors wisdom and experience as they have resided within the area for longer than myself. It is now time that you heard directly from the younger generation with children at home that need your support for the safety of the area as well as preserving what brought us here in the first place.

As a voter I look to elected individuals to act as stewards to the local environment, community, businesses and most importantly the residents that make up the city. You have stated yourself "I feel an obligation to leave a better Santa Rosa for future generations. And as past President of the Junior College Neighborhood Association, I know the value of community input on important decisions".

We appreciate and applaud your support. I personally want to thank you for taking the time to meet with our neighbors, listen to our concerns, as well as read all the communication that has been sent. These types of issues bring neighborhoods and communities closer as I'm sure you experienced being the president of a neighborhood association yourself. We have created an informal community association within Monte Verde Drive and we definitely have something to stand up for and protect.

Understanding that you are supported by the CBSC gives me hope that the right decision will be made. The basic core principles of this organization stand for everything that we are asking of the city council to uphold. One of the most important principles I believe to be: 'Neighborhood character and history should be respected and reflected in any new development. Residents should be included in a meaningful way in changes that affect their neighborhoods.'

Please remember why your initial decision was made in support of our small rural community and please let us know what we can do to continue to get your support. Our families goal is to give you ours.

Thank you for your consideration,  
Becky Thurber Kuhlman & Benjamin Kuhlman  
5231 Monte Verde Drive  
Santa Rosa, CA 95409  
707-758-4528