

**Public Correspondence**

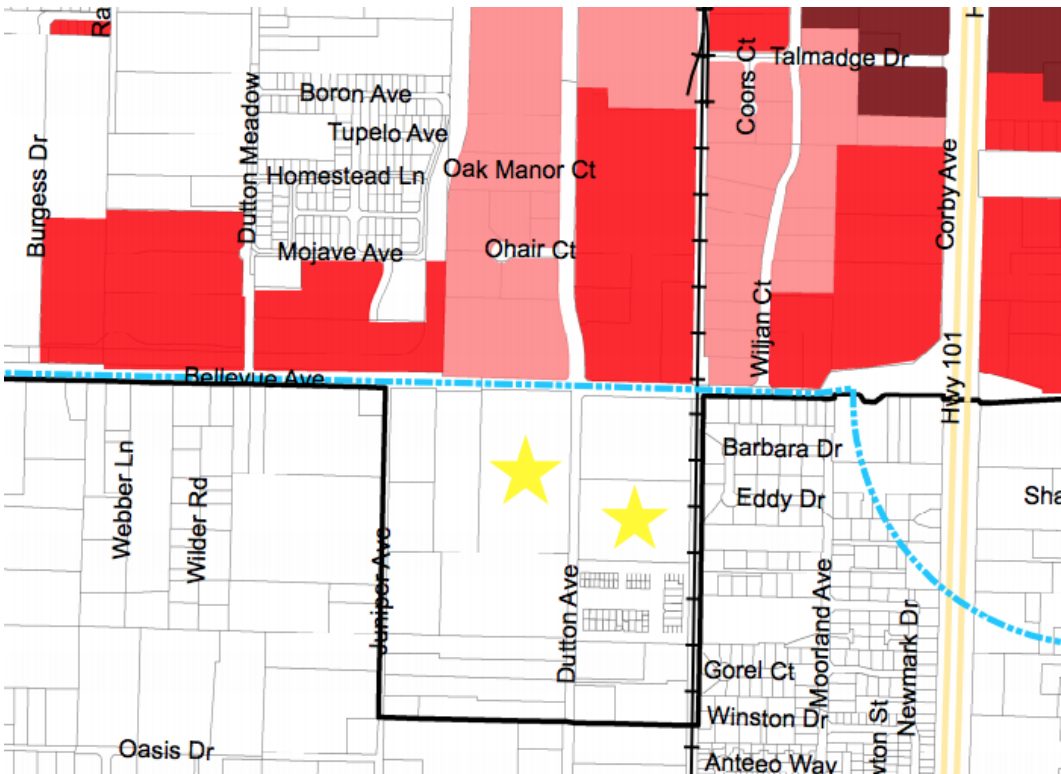
**From:** Narsai Tailo  
**To:** [Gustavson, Andy](#)  
**Cc:** [Jones, Jessica](#); [Guhin, David](#); [Hartman, Clare](#)  
**Subject:** Re: FW: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Wednesday, July 11, 2018 4:47:43 PM  
**Attachments:** [image.png](#)

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Hi Andy,

Thank you for the email notices. I would like to enquire about how we can get our property added designated for the density bonus in Sub Area 4.

Our property (denoted by the yellow star on the right), is a 6 acre site located at 3150 Dutton Avenue and is zoned for medium density residential housing. The 10 acre site across the street from our property, located at 310 Bellevue Avenue, is also zoned medium density residential. Given that these sites are zoned for medium density residential and will be developed into housing at some point in the future, and are already surrounded by other sites being given a maximum supplemental density bonus, they should also be included in the density map.



I am also happy to discuss further via phone. Thank you in advance for your consideration.

Regards,  
Narsai Tailo  
(650) 868-4584

On Tue, Jul 3, 2018 at 4:39 PM Gustavson, Andy <[AGustavson@srcity.org](mailto:AGustavson@srcity.org)> wrote:

| Interested Parties,

The Planning Commission public hearing notice and public review draft of the CEQA Negative Declaration for the Density Bonus Ordinance Update is attached for your review.

The public hearing on this matter will be held on Thursday, July 26, at or after 4 pm. Please direct your comments or questions regarding the Negative Declaration to me on or before 5 pm July 25<sup>th</sup>.

You can also review these documents by visiting the City's density bonus webpage [HERE](#)

Thank you for your continued interest in this project.

**Andy Gustavson | Senior Planner**

Planning and Economic Development

100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3236 | Fax (707) 543-3269

[AGustavson@srcity.org](mailto:AGustavson@srcity.org)

email signature cropped



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**From:** Gustavson, Andy

**Sent:** Monday, June 25, 2018 5:42 PM

**Subject:** City of Santa Rosa Density Bonus Ordinance Update Status

Interested Parties,

The proposed [Density Bonus Ordinance Update](#) ("Update") is now available for public review. A public hearing for the Update will be held by the **Planning Commission on July**

**26, 2018, at or after 4 p.m., in the Council Chambers.** The City Council will consider a zoning code text amendment to adopt the Update at a subsequent public hearing, which is anticipated in **late August or early September.**

Please direct any comments or questions to Andy Gustavson, Senior Planner at [agustavson@srcity.org](mailto:agustavson@srcity.org), or (707) 543-3236.

**Background:** The California State Density Bonus Law ([California Government Code Section 65915](#)) was adopted in 1976 to help address California's affordable housing needs. The City adopted a local Density Bonus Ordinance ([Zoning Code Chapter 20-31, Density Bonus and Other Developer Incentives](#)) that complied with State law at the time it was adopted in 2010, and through its last amendment in 2012. Several updates to State law have occurred since then necessitating an update to the ordinance.

In 2016, the City Council accepted the Housing Action Plan (Plan) to address local ongoing unmet housing needs and to implement the City's General Plan Housing Element. The Plan directed the preparation of a zoning code text amendment to address changes to State Density Bonus Law, and a proposal additional density above the State-allowed 35%, with consideration of up to 100% density bonus.

On December 4, 2017, a series of three workshops were conducted with housing developers, affordable housing providers, and the community to gather feedback and direction on the recommended supplemental density bonus as well as review State Law consistency amendments. The proposed Update responds to the following key workshop comments.

- Focus supplemental density bonuses on housing opportunity sites and within the City's Priority Development Areas (PDAs).
- Reduce potential land use conflicts between higher-density projects and adjacent, less-dense, neighborhoods.
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- Simplify the procedure for evaluating supplemental density bonus applications.

**Summary:** The proposed Update would amend Zoning Code Chapter 20-31 consistent with State law and would create a supplemental density bonus program in the City's PDAs, with the potential of up to 100% density bonus in certain areas. The key changes include the following.

## State Density Bonus Law Compliance

- Eligible projects, city-wide, may earn 35% density bonus and up to 3 concessions and incentives.
- The required affordability term expanded from 35 years to 55 years
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## Supplemental Density Bonus

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- The effectiveness of the supplemental density bonus regulation will be reviewed by the Council after a period of five years.

### **Andy Gustavson | Senior Planner**

Planning and Economic Development

100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3236 | Fax (707) 543-3269

[AGustavson@srcity.org](mailto:AGustavson@srcity.org)

email signature cropped



**From:** Sonia Taylor  
**To:** [Gustavson, Andy](#)  
**Cc:** [Jones, Jessica](#); [Guhin, David](#); [Hartman, Clare](#)  
**Subject:** Re: FW: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Wednesday, July 04, 2018 8:38:23 AM

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Thank you for this information, Andy.

At this point I have not had time to dig into this current version of the Density Bonus Plan, and am hoping to have that time well prior to the Planning Commission hearing current scheduled for 7/26, although, as you will see below, I am requesting that you put over the Planning Commission consideration until the public has had adequate time and the information to understand this proposal.

As this is an extremely complicated proposal to understand, I believe that the information so far provided by Santa Rosa, as well as the public outreach, is wholly inadequate.

First, providing static pdf maps of the proposed density bonuses is unacceptable. How this new proposal will interact with existing GP designations, existing zoning designations and other Santa Rosa laws such as the recently adopted Resilient City Ordinance (the one adopted in May) need to be made transparent to Santa Rosa residents, Planning Commissioners and City Council members prior to any consideration of adopting this new and very complicated ordinance.

Please see <http://arcg.is/WPL> for a GIS map that should be updated for this proposed ordinance to include the General Plan designations, zoning designations and Resilient City Ordinance rights as layers, as well as with any other layers that are relevant and important for the public, Planning Commissioners and City Council members to understand. Static pdf maps with just the new proposed density bonus designations make it difficult (if not impossible) for anyone to fully appreciate and understand the implications of this new proposed ordinance.

Second, to the best of my knowledge, you have held ONE general public meeting about this proposed ordinance, as well as other "stakeholder" meetings on that same day in December. I don't believe that is either adequate or acceptable public input for something this far reaching.

Right off the top, I see that the current proposal reduces the density bonus allowed on the commercial property directly adjacent to my single family neighborhood has been reduced from 100% to 45%, and that this proposed density bonus increase appears to be consistent throughout the PDA areas in the Junior College neighborhood, again, allowing a 45% density bonus on properties immediately adjacent to and/or in single family neighborhoods. While this is an improvement, obviously, I seriously doubt that the majority of the public understand the meaning and significance of the type of development that this will permit literally next to a single family home. (In fact, I see that all the density bonuses proposed have been reduced from 60%, 80% and 100% to 25%, 45% and 65% -- and that is an improvement.)

Also, this proposed ordinance is proposing 65% density bonuses throughout NW and SE Santa Rosa, also immediately adjacent to (or incorporating) neighborhoods of single family homes. In Roseland, which has been part of Santa Rosa for about 30 seconds (and the residents have not yet even had an opportunity to vote for City Council representation), this proposed ordinance is proposing a combination of 25% and 45% density bonus increases, also in and next to single family home neighborhoods.

Since this ordinance is so difficult to understand, I believe you need to select specific properties throughout each of the neighborhoods where this density bonus is proposed and inform the public -- well before adoption -- EXACTLY what could be built next to a single family home, often times by right.

I hereby request that you select a minimum of 20 locations where these density bonuses will be approved in, adjacent to and near existing single family residential neighborhoods (regardless of their GP designations or zoning) throughout SR and prepare specific examples of sample projects that could result from this proposed ordinance (in combination with all other relevant ordinances), including the process for approval of any said project, and that you clearly highlight the approvals the public will have NO ability to change or affect because -- after approval of this proposed density bonus ordinance -- said approvals will be "by right."

Further, I note that you are proposing density bonus increases of 65% in the INDUSTRIAL area at Frances/Russell and Cleveland. Right off the top of my head, without any assessment of what would be allowed under this proposed ordinance, I can tell you that I strongly oppose encouraging or allowing any residential development of any sort in or adjacent to any industrial area. Period. I opposed the current residential development directly adjacent to the industrial area on Russell, and was completely ignored -- and I have bets out about how long it will be before the new residential uses make that industrial area untenable. And I expect to win those bets.

I happen to know that that industrial area exists because of my previous opposition to the residential development approved right next to it, but because of the static pdf maps, I have no idea what other industrial areas in Santa Rosa are proposed to receive density bonuses under this proposed ordinance.

Therefore, I also request that you specifically identify every industrial area that is proposed to received density bonuses, and, further, give specific examples of the types of residential projects that could -- as a result of this (and other relevant City ordinances) proposed ordinance -- could be built in, adjacent to or around industrial areas.

Have we learned nothing from BoDeans?

Finally, I request that you prepare these specific examples and then hold public meetings throughout Santa Rosa neighborhoods to explain the probable consequences of this ordinance BEFORE this ordinance is considered for adoption by the Planning Commission or the City Council.

Of course, again, I haven't had the time to try to ascertain what would be allowed as a result of this ordinance, and, in fact, that shouldn't be my "job." That should be the job of Santa Rosa, to responsibly inform the public of the consequences of actions you propose to take. If you do not believe you have direction from the City Council to so inform the public, I am happy to take my requests to the City Council and attempt to obtain that direction.

Please let me know if you will comply with my requests, or if I should go to the City Council.

Thanks for your attention. Yes, I know it's the 4th of July, but the last time I wrote about this proposed ordinance it was the evening of October 8th. Knocking on wood, for obvious



reasons (yes, literally).

Thanks for your attention and consideration.

Sonia

Sonia Taylor  
707-579-8875  
[great6@sonic.net](mailto:great6@sonic.net)

On 7/3/2018 4:39 PM, Gustavson, Andy wrote:

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[AGustavson@srcity.org](mailto:AGustavson@srcity.org)



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**From:** Gustavson, Andy

**Sent:** Monday, June 25, 2018 5:42 PM

**Subject:** City of Santa Rosa Density Bonus Ordinance Update Status

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[AGustavson@srcity.org](mailto:AGustavson@srcity.org)



**From:** Kevin O'Malley  
**To:** [Gustavson, Andy](#)  
**Cc:** [Jones, Jessica](#); [Guhin, David](#); [Hartman, Clare](#)  
**Subject:** RE: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Tuesday, July 03, 2018 5:00:22 PM

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Andy,

Do I see the maps correctly that there is no supplemental density bonus for properties east of E Street in the downtown area? They would only have the 35% density bonus available to them?

If so that is a big missed opportunity area. I know a few property owner's that would have taken advantage of it in that area.

Thanks,

**Kevin P. O'Malley**, Principal  
**O'Malley Wilson Westphal-A/E Alliance**  
555 Fifth Street, Suite 200  
Santa Rosa, CA 95401  
P: 707.636.0828  
C: 707.292.8468

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**From:** Gustavson, Andy <AGustavson@srcity.org>  
**Sent:** Tuesday, July 3, 2018 4:39 PM  
**To:** Gustavson, Andy <AGustavson@srcity.org>  
**Cc:** Jones, Jessica <JJones@srcity.org>; Guhin, David <dguhin@srcity.org>; Hartman, Clare <CHartman@srcity.org>  
**Subject:** FW: City of Santa Rosa Density Bonus Ordinance Update Status

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**Sent:** Monday, June 25, 2018 5:42 PM  
**Subject:** City of Santa Rosa Density Bonus Ordinance Update Status

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Planning and Economic Development

100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3236 | Fax (707) 543-3269

[AGustavson@srcity.org](mailto:AGustavson@srcity.org)



**From:** Richard Deringer  
**To:** [Gustavson, Andy](#); [Hartman, Clare](#); [Guhin, David](#); [Rose, William](#); [rhonda deringer](#)  
**Subject:** Re: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Monday, July 09, 2018 10:36:38 AM

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Andy-Thanks for sending this to me. I am currently reviewing what it says and what is included. Now that you have gotten out I am wondering if you can now get back to me on the affordable calculation if we go to 100%. We are required to provide 15 very low income units based on 11% requirement for the 35%. So my first question is, since we meet the 100% category, what do we have to provide in affordable units for the 65% or 91 additional units? We plan to request a third concession so we can put the affordable units in one building. I assume that that clause has been included somewhere in the text? I see there are ways to reduce affordable units but I am not sure what can be used to get this benefit. You have a statement about open space but I do not see any definition since I can not tell is that open space for our project, or the local community of the City wide. City wide is a challenge but would like to understand your criteris. Thanks Rick Deringer

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**From:** Gustavson, Andy <AGustavson@srcity.org>  
**Sent:** Tuesday, July 3, 2018 4:39 PM  
**To:** Gustavson, Andy  
**Cc:** Jones, Jessica; Guhin, David; Hartman, Clare  
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[AGustavson@srcity.org](mailto:AGustavson@srcity.org)



**From:** Andrew Smith  
**To:** [Gustavson, Andy](#)  
**Subject:** Density Bonus Ordinance Update  
**Date:** Monday, July 16, 2018 5:53:49 PM

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Andy,

I got the email from the city of Santa Rosa today with other updates. On this issue, we are directed to send all comments to your attention.

<https://srcity.org/2555/Density-Bonus>

Against this new ordinance and here are my reasons why:

Having attended the original meeting last December, I was taken back by the impact of this ordinance. The outside consulting companies that Santa Rosa hired to gather and deliver information had a bias in favor of the new state law that took effect January 1, 2018.

I remember see the map of proposed places this higher density and I was appalled on where in the areas where I live it could be applied. On the map was even a red block located at the Southwest corner (literally) of Santa Rosa and no one could say why this place to use this new law.

This is a law that is misguided and another example of the city council determination to change the character of this city from a suburban-rural one to an urban setting. Make Santa Rosa more like San Francisco. And this has nothing to do with the rebuilding process of the homes burnt down during the fire.

It will only increase traffic and parking issues. It is being sold to help increase affordable housing in certain projects but it will be abused. That is what happens with bad laws!

Once you start the process, there is the next project using this formula and it starts to destroy neighborhoods. There is no doubt of the need for more housing including affordable house in our city. But the city council's focus on urbanization of Santa Rosa to accomplish it is a bad policy. I have asked the city council over the past few years how many

more people do they want to add to our city now that Roseland added 7,700 more people so the total is around 180,000. No answer given. If the city council wants 20,000 more residents, how many units is that and where do you put them?

Affordable housing unfortunately requires a government subsidy and that seems to be missing these days. Even a bond measure where for Santa Rosa or California will have limited impact on our city's affordable housing. **So I adamantly against this new ordinance** as it is just another example of the city council's policy for the urbanization of Santa Rosa. Instead of building more housing (all types) not just in certain areas but all over the city especially the western area where there is large open lots to build on, the city council wants higher density and increased concentration of housing.

I will see you there on July 26.

Andrew Smith  
Santa Rosa

**From:** Sonia Taylor  
**To:** [Gustavson, Andy](#); [Jones, Jessica](#)  
**Cc:** [Guhin, David](#)  
**Subject:** Re: Density Bonus Ordinance Questions  
**Date:** Monday, July 16, 2018 2:13:45 PM

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First, thanks to you both for attending the SCTLC meeting last week. I would also strongly suggest that you reach out to those neighborhoods concerned about their historic districts, since I've heard that they're concerned about this proposed ordinance.

Following are my requests, comments and concerns at this point. Of course, once the GIS map is available (and I have had the time to thoroughly review the proposed ordinance), I will have additional questions/comments, I'm certain.

1. I am glad to hear that you are going to put up a GIS map with layers, and the proposed density bonuses as a separate layer. Of course, since the PC hearing is coming right up, and since that GIS map is essential to understand what is being proposed here, I would request that you have the GIS map available for at least 7 days prior to the hearing, and if that is impossible, that you reschedule the PC hearing to allow adequate time for me and other interested parties (including the PC members themselves) to better understand these proposed density bonuses.

2. I am disturbed that the maps still available on the city's website for this proposed ordinance seem to indicate that you **REDUCED** the proposed density bonuses available from 100% to 65%, as was reflected in my email to you recently. Of course, now that you've explained it, and provided paper copies of maps that clearly state that the density increase total (state + SR bonus) still equal 100%, I understand that the maps on the website are just referencing the additional **SR** proposed density bonuses. **HOWEVER**, since I made that mistake (and I am paying attention), and since you saw fit to change the maps you actually provided us on paper, I would request that you fix the maps on the website to make sure that everyone understands that you are continuing to request approval for up to 100% density bonuses.

3. Can you please explain what I believe you said -- that these density bonuses will not be "fixed" to parcels shown on the maps, even when the approval of this ordinance and its maps may be final. Instead, I believe you indicated that as properties may redesignate/rezone, or as schools may be added or subtracted, or as transportation routes may be added or subtracted or improved/degraded, etc., new parcels would then be eligible for density bonuses....or may lose the density bonuses they might be approved for...or the percentage of density bonuses allowed would change. I want to confirm, first, that my understanding of this situation is correct. Second, if it is correct, I want to know specifically who will be monitoring these changes in designations/zoning, addition/subtraction of schools, increase/degradation of transportation availability, etc. Third, I want to know what public process, if any, will be followed when there are changes, specifically as to the addition/subtraction of density bonuses.

4. I have a number of questions regarding the CEQA review of this proposed ordinance, as follows:

How does this proposed ordinance avoid a citywide population increase by limiting the density bonuses approved to planned infrastructure capacity? So far I haven't found this in the proposed ordinance. Can you also explain how this would work during the individual approval processes?

In the definition of "Significant, Adverse Impact," can you please explain what this phrase means, provide examples, and explain how it would work (I believe that this is from State law, but still don't understand what it means, etc.):

"Inconsistency with the Zoning Ordinance or General Plan Land Use Designation shall not constitute a specific, adverse impact upon the public health or safety."

Further, can you explain explicitly what "CEQA review process" a proposed project will undergo? Since no staff report is required for a ZA meeting, what documentation will exist that shows any CEQA review prior to the ZA decision? Will this CEQA review cover all the CEQA considerations, as well as for consistency with the General Plan, for each and every density bonus request? If so, how will this review be documented?

How will this proposed ordinance address the inevitable cumulative impacts of more than one density bonus proposal being approved?

Is any identified Tiger Salamander habitat eligible for density bonuses under this proposed ordinance?

Finally, it appears that some proposed requests for density bonuses may also have a "by right" status at least for their underlying proposed uses as a result of Ordinance 2018-012 -- how will CEQA review for those possible projects occur, and how will that ordinance interact with this proposed ordinance? In particular, please explain how projects that now have been granted "by right" status will be reviewed for a density bonus request.

5. In fact, please explicitly state whether all projects that could be approved under this density bonus ordinance will be subject to Ordinance 2018-012, and how the two ordinances will work together, specifically with regard to the approval process.

6. As I have said multiple times, this ordinance is incredibly complex and difficult to understand, and requires a great deal of math to comprehend. My experience is that anything involving math (dividing a percentage by another percentage, for example) causes most people's eyes to glaze over. This is why I've asked for ACTUAL examples of what would be potentially permitted under this proposed ordinance, on ACTUAL pieces of property.

At our meeting, when you were explaining the one and only example of a supplemental density bonus application on page 21 of the proposed ordinance, it was very difficult to clearly understand how to calculate what would be permitted.

Further, the one thing we didn't get to is what the PHYSICAL proposed development would look like -- please give me an example of what that would be for this example, including evaluation of relevant zoning codes and other regulations. Such as, on a 1.7 acre site, 30 units would be buildings of what height/lot coverage? And then, on that same site, what would the 69 units under the 35% State density bonus look like as buildings of what height/lot coverage? Finally, on that same site, what would the 90 units under the additional SR proposed 42% (I think it's 42% supplemental density being asked for in this example -- ?) density bonus look like as buildings of what height/lot coverage?

This type of explicit example is what is needed so that the Planning Commissioners, City

Council and residents of Santa Rosa can understand what is being proposed. In fact, real life examples throughout the areas where this increased density bonus will be permitted are essential, I believe, so everyone can understand what this ordinance will do.

7. As I briefly stated, when I was reviewing an earlier version of this proposed ordinance in October, I was forced to consult not just the proposed ordinance, but multiple sections of the zoning code to try to determine what would be allowed on the property directly adjacent to my home/neighborhood. I have not reviewed this new proposal specific to that property (although I certainly will), but at that time it appeared to me that the proposed ordinance could permit a 67' building next to my R-1 zoned home/neighborhood with ZERO set back. To say that I and my neighbors would find that unacceptable is an understatement. And if my calculations are correct, this would be in direct violation of the goal to scale down density bonuses in close proximity to single family neighborhoods, and to provide buffers between high density development and single family residential areas.

I seriously doubt this is the only example of this type of "planning" that could result from this proposed ordinance, although I will only be able to adequately evaluate this situation once the GIS map is available.

I believe you need to very carefully review all the SR regulations in conjunction with this proposed ordinance to determine exactly what would be permitted to be built (the actual physical building/site coverage/setbacks required, etc.) on properties that will be eligible for these density bonuses.

8. Finally, we discussed two relatively "minor" concerns in the proposed ordinance. First, it is unclear that all "innovative community benefits" that might be proposed under this ordinance will have to be approved by the City Council, and I hope the proposed ordinance can make clear what approval process will be necessary for various types of requests.

Second, one of the possible "community benefits" is "Public Open Space." There should be a clear definition in the definition section of what "Public Open Space" is (not just contained in Table 3-12), and, further, that this "Public Open Space" must be clearly required to be maintained by the developer in perpetuity, and must be easily available for public use, also in perpetuity. As I said at the meeting, San Francisco has had significant problems with developer provided "public open space" -- developers have done their very best to make certain that said spaces are difficult to access by doing things such as "hiding" it, providing little and/or inadequate signage, limiting hours of access, etc. A clear and precise definition of this "Public Open Space" could help clear this potential problem up.

This is "all" I have at the moment, although, again, I'm sure I will have additional questions and many comments.

Since the Planning Commission hearing is scheduled for less than 2 weeks, your early response to this email will be appreciated. Of course, please do not hesitate to call if you have any questions.

Sonia

Sonia Taylor  
707-579-8875

[great6@sonic.net](mailto:great6@sonic.net)



**From:** Teri Shore  
**To:** [PLANCOM - Planning Commission](#); [Duggan, Vicki](#); [Weeks, Karen](#); [Cisco, Patti](#); [Groninga, Curt](#); [Peterson, Julian](#); [Kalia, Akash](#); [Edmondson, Casey](#)  
**Cc:** [Gustavson, Andy](#); [Jones, Jessica](#); [Guhin, David](#); [\\_CityCouncilListPublic](#); [City Clerk](#); [Rachel B. Hooper](#); [Laurel L. Impett](#)  
**Subject:** Housing Density Bonus - CEQA Concerns - July 26 - Item 10.2  
**Date:** Tuesday, July 24, 2018 10:43:46 AM  
**Attachments:** [GACommentsDensityBonusCEQA.pdf](#)  
[GreenbeltAllianceHAPcomments12.21.17.pdf](#)

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Dear Planning Commission of Santa Rosa,

Please find attached a comment letter from Greenbelt Alliance regarding the proposed Housing Density Bonus Ordinance, concerns about CEQA compliance, and solutions to improve the ordinance, with attachments.

Thank you for your consideration,

Teri Shore

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Teri Shore  
Regional Director, North Bay

**Greenbelt Alliance**  
555 Fifth Street, Suite 300 A | Santa Rosa, CA 95401  
1 (707) 575-3661 office | 1 (707) 934-7081 cell | [tshore@greenbelt.org](mailto:tshore@greenbelt.org)  
[greenbelt.org](http://greenbelt.org) | [Facebook](#) | [Twitter](#)

*Bay Area greenbelt lands are at risk of being lost to sprawl development. [Get the facts here.](#)*

**From:** Michael Hooper  
**To:** [Gustavson, Andy](#)  
**Cc:** [Jones, Jessica](#); [Guhin, David](#); [Hartman, Clare](#); [Robert Upton](#); [Myles Hooper](#)  
**Subject:** Re: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Tuesday, July 24, 2018 4:55:10 PM

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Andy. Thank you for bringing to my attention the Density Bonus Ordinance Update and for your time on the phone this afternoon.

Campus Properties has been using the State Density Bonus law and local ordinances now for several years to accomplish the goal of achieving increased density in return for a greater degree of affordability. Presently we have one project under construction in Corte Madera for 16 units, one in San Rafael going through the entitlement process for 44 units, another in Novato going through Design Review for 80 units as well as the 25 unit Acacia Village project in Santa Rosa. All these projects are Density Bonus projects.

I have reviewed the draft Density Bonus Update more for consistency with State law, than for the additional bonus's proposed to be offered but if I have time to do so before the hearing I will review the latter too. Having reviewed multiple local ordinances however, I can say that the proposed Ordinance is admirable in that it largely captures both the letter of the law and its spirit too while going beyond it to encourage more housing opportunities at a lower cost.

The one issue I have is the last sentence of s. 20. 30. 100. G. Modifications and Waivers: "Furthermore, the applicant shall be required to prove that the waiver or modification necessary results in identifiable and actual cost reductions to provide for affordable units economically feasible housing costs." The words "results in identifiable and actual cost reductions to provide for affordable units economically feasible housing costs" are in fact borrowed from s. 65915 (d) Incentives and Concessions and do not appear in s. 65915 (e) Modification and Waivers. Accordingly that standard is only applicable to Incentives and Concessions, not Modifications and Waivers. The correct standard for Modifications and Waivers is "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section." (s. 65915 (e))

In other words pursuant to the Sate Density Bonus law the standards for the grant of Incentive or Concession (e.g. a fee reduction, or omission of an otherwise required recreational facility) is all about cost reduction, whereas the standard for a Modification or Waiver (e.g. reduced setback, increased height) is all about the Project at the proposed density being physically precluded. These standards can't be commingled.

One other point. Pursuant to State law, the burden of proof is always on the agency, not the applicant. There is no reference in s.65915 requiring the production of a proforma or economic analysis, the only documentation required is "reasonable documentation to establish eligibility" which of course is merely evidence that the

Project is providing the required level of affordability.

I hope this helps. Let me know if you have any questions. Thanks.

Michael R. Hooper  
P. O. Box 564  
Larkspur, CA 94977

(415) 298 7571 cell

[mhooper@campusproperty.com](mailto:mhooper@campusproperty.com)

DRE License No. 01169564

Campus Property Group  
[www.campusproperty.com](http://www.campusproperty.com)

On Jul 3, 2018, at 4:39 PM, Gustavson, Andy <[AGustavson@srcity.org](mailto:AGustavson@srcity.org)> wrote:

Interested Parties,

The Planning Commission public hearing notice and public review draft of the CEQA Negative Declaration for the Density Bonus Ordinance Update is attached for your review.

The public hearing on this matter will be held on Thursday, July 26, at or after 4 pm. Please direct your comments or questions regarding the Negative Declaration to me on or before 5 pm July 25<sup>th</sup>.

You can also review these documents by visiting the City's density bonus webpage [HERE](#)

Thank you for your continued interest in this project.

**Andy Gustavson | Senior Planner**

Planning and Economic Development  
100 Santa Rosa Avenue | Santa Rosa, CA 95404  
Tel. (707) 543-3236 | Fax (707) 543-3269  
[AGustavson@srcity.org](mailto:AGustavson@srcity.org)

<image004.jpg>

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**From:** Gustavson, Andy  
**Sent:** Monday, June 25, 2018 5:42 PM  
**Subject:** City of Santa Rosa Density Bonus Ordinance Update Status

Interested Parties,

The proposed [Density Bonus Ordinance Update](#) (“Update”) is now available for public review. A public hearing for the Update will be held by the **Planning Commission on July 26, 2018, at or after 4 p.m., in the Council Chambers**. The City Council will consider a zoning code text amendment to adopt the Update at a subsequent public hearing, which is anticipated in **late August or early September**.

Please direct any comments or questions to Andy Gustavson, Senior Planner at [agustavson@srcity.org](mailto:agustavson@srcity.org), or (707) 543-3236.

**Background:** The California State Density Bonus Law ([California Government Code Section 65915](#)) was adopted in 1976 to help address California’s affordable housing needs. The City adopted a local Density Bonus Ordinance ([Zoning Code Chapter 20-31, Density Bonus and Other Developer Incentives](#)) that complied with State law at the time it was adopted in 2010, and through its last amendment in 2012. Several updates to State law have occurred since then necessitating an update to the ordinance.

In 2016, the City Council accepted the Housing Action Plan (Plan) to address local ongoing unmet housing needs and to implement the City’s General Plan Housing Element. The Plan directed the preparation of a zoning code text amendment to address changes to State Density Bonus Law, and a proposal additional density above the State-allowed 35%, with consideration of up to 100% density bonus.

On December 4, 2017, a series of three workshops were conducted with housing developers, affordable housing providers, and the community to gather feedback and direction on the recommended supplemental density bonus as well as review State Law consistency amendments. The proposed Update responds to the following key workshop comments.

- Focus supplemental density bonuses on housing opportunity sites and within the City’s Priority Development Areas (PDAs).
- Reduce potential land use conflicts between higher-density projects and adjacent, less-dense, neighborhoods.

- Ensure that supplemental density bonus requirements can be achieved by market-rate developers and housing providers.
- Remove or clarify subjective standards and expectations.
- Provide clear direction on application requirements.
- Adjust eligibility requirements to be more feasible.
- Simplify the procedure for evaluating supplemental density bonus applications.

**Summary:** The proposed Update would amend Zoning Code Chapter 20-31 consistent with State law and would create a supplemental density bonus program in the City’s PDAs, with the potential of up to 100% density bonus in certain areas. The key changes include the following.

#### State Density Bonus Law Compliance

- Eligible projects, city-wide, may earn 35% density bonus and up to 3 concessions and incentives.
- The required affordability term expanded from 35 years to 55 years
- Several definitions and new terminology added for consistency with State law and clarify supplemental bonus provisions.
- Specialized Housing and Commercial projects are eligible for density bonus.
- Replacement of existing units required and expanded parking reductions allowed.
- Certain concessions and incentives are “pre-approved” to streamline the density bonus review process.
- Eligible projects are required to integrate affordable units on-site according to location criteria.
- Waiver of simultaneous affordable unit development requirement within eligible projects may be granted if financing is infeasible.

#### Supplemental Density Bonus

- Eligible projects located within PDAs ([PDA map](#)) may earn 100% density bonus - depending on proximity to schools, transit facilities, and housing opportunity sites – and may earn up to three concessions and incentives.
- Eligible projects qualify for supplemental density based on provision of affordable housing and community benefits.
- Projects eligible for supplemental density bonus are subject to a Minor Conditional Use Permit (which is a public, discretionary, process).
- The effectiveness of the supplemental density bonus regulation will be reviewed by the Council after a period of five years.

**Andy Gustavson | Senior Planner**

Planning and Economic Development

100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3236 | Fax (707) 543-3269

[AGustavson@srcity.org](mailto:AGustavson@srcity.org)

<image003.jpg>

<PC Public Hearing Notice - Density Bonus Update DRAFT 20180702  
v2.docx><Public Draft  
SR.PI\_Den.Bonus.DRAFT\_SCNCHK.IS\_ND.6.28.2018.pdf>

Richard Deringer Manager DeTurk Village  
808 Donahue Street  
Santa Rosa, California 95476

To: Andy Gustavson  
City of Santa Rosa, Santa Rosa, Cal. 95401  
To: The Planning Commission and the City Staff

Re: Density Bonus hearing today at 4 p.m. before the Planning Commission

As Managing Member of Railroad Square Village, developer of DeTurk Winery Village gives its strong support on this hearing today and supports the Planning Commission approving this document, as currently written, and recommend direct transfer of this approved document directly to the City Council for final approval.

The State of California passed the underlining legislation on Density Bonus in December 2016, so this approval by the City is overdue and terribly needed to help increase density and substantially increase affordable units. I also recommend the Planning omission approve the amount of affordable housing required to match the new legislation since any additional affordable required will make it even more difficult to get financing on these projects.

The DeTurk Winery property currently is the "only" approve development in the station area plan that has already received density approval at the 35% rate. This creates 15 very low housing units. No other project in the station area plan area, since this "station area plan" was adopted has produced any affordable housing units, except for DeTurk Winery Village that committed 15 very affordable unit under its approval.

If the DeTurk project moves forward, requesting approval for a 100% density approval, it will create 34 low income units, which a great deal will be assigned for homeless, youth, and disabled veterans. We believe that we have the best project to request this increase especially since we will be able to meet the parking requirements without asking for any reduced parking under a concession.

We hope that today the Planning Commission will move this density bonus legislation forward with the hope by the end of the year the City Council will approve this legislation and let all qualified developers to move forward.

The City of Santa Rosa desperately needs additional housing and affordable housing. This new legislation is the best and only way currently to meet these goals. Housing is critical

Thanks Rick Deringer

A handwritten signature in black ink, appearing to read "Rick Deringer". The signature is fluid and cursive, with a large initial "R" and a long, sweeping tail.



Santa Rosa Office  
555 Fifth Street, Suite 300 A  
Santa Rosa, CA 95401  
(707) 575-3661

Oct. 23, 2018

Chair Casey Edmondson and  
Planning Commissioners  
City of Santa Rosa  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
VIA EMAIL

RE: Oct. 23 - 10.3 HOUSING DENSITY BONUS ORDINANCE UPDATE and NEGATIVE DECLARATION

Dear Chair Edmondson and Planning Commissioners,

Greenbelt Alliance fully supports the city of Santa Rosa's revised Housing Density Bonus and Negative Declaration which narrows the scope of the supplemental density bonus provisions to the Downtown Station Area Specific Plan or North Santa Rosa Station Area Specific Plan. This will allow the city to provide eligible projects to increase residential density up to 100% above the existing general plan limit.

By narrowing the scope of the supplemental density bonus, the City of Santa Rosa has addressed the concerns and questions we had raised in our previous comments related to review under California Environmental Quality Act. The revised ordinance relies on the provisions and environmental review of the Downtown Specific Area Plan and the North Santa Rosa Station Area Specific Plan. These are relevant and appropriate plans that had full public review and input from Greenbelt Alliance and many other allies, neighborhoods and stakeholders.

Narrowing the scope of the supplemental housing density bonus ordinance has the additional benefits of reducing fire and flood risk by focusing increased development and populations in the urban core away from the wildland urban interface and floodplains. These benefits were reflected in the revised CEQA document.

Greenbelt Alliance urges the Planning Commission to vote "yes" on the revised Housing Density Bonus Ordinance and Negative Declaration. We look forward to championing this important housing policy at the City Council.

Sincerely yours,



Teri Shore  
Greenbelt Alliance  
707 575 3661, [tshore@greenbelt.org](mailto:tshore@greenbelt.org)

**From:** [Michael Hooper](#)  
**To:** [Gustavson, Andy](#)  
**Cc:** [Jones, Jessica](#); [Guhin, David](#); [Hartman, Clare](#); [Robert Upton](#)  
**Subject:** Re: City of Santa Rosa Density Bonus Ordinance Update Status  
**Date:** Tuesday, October 23, 2018 4:37:14 PM  
**Attachments:** [page31image30688.png](#)  
[page31image30888.png](#)  
[page31image31088.png](#)  
[page31image31288.png](#)

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Andy. Thank you for including me on your list of Interested Parties. As I mentioned in my prior email, Campus Properties has been using State Density Bonus law for several years in multiple communities. Our experience has been that several communities that have adopted their own version of a Density Bonus law have run afoul of State law by commingling (lumping together) standards for the grant of a Concession or Incentive with those for Modifications and Waiver. That is clearly not appropriate. Concessions and Incentives are all about cost reduction, while Modifications and Waivers are about standards that would preclude the construction of a project at the density etc. Further there is no mention in s. 65915 of the applicant having to justify or prove anything, only to showing eligibility.

Thank you for making slight modifications to the Waiver or Reduction of Development Standard (new s. 20.31.100 G.) section, however the final sentence “Furthermore, the applicant is required to prove that the waiver or modification results in identifiable and actual cost reductions to provide for affordable housing costs” is inconsistent with State law.

Feel free to call me. Please recommend revising this sentence further, and please provide the Planning Commission with a copy of my two emails.

Thank you.

Michael R. Hooper  
P. O. Box 564  
Larkspur, CA 94977

(415) 298 7571 cell

[mhooper@campusproperty.com](mailto:mhooper@campusproperty.com)

DRE License No. 01169564

Campus Property Group  
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On Jul 24, 2018, at 4:55 PM, Michael Hooper <[mhooper@campusproperty.com](mailto:mhooper@campusproperty.com)> wrote:

Andy. Thank you for bringing to my attention the Density Bonus Ordinance Update and for your time on the phone this afternoon.

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In other words pursuant to the State Density Bonus law the standards for the grant of Incentive or Concession (e.g. a fee reduction, or omission of an otherwise required recreational facility) is all about cost reduction, whereas the standard for a Modification or Waiver (e.g. reduced setback, increased height) is all about the Project at the proposed density being physically precluded. These standards can't be commingled.

One other point. Pursuant to State law, the burden of proof is always on the agency, not the applicant. There is no reference in s.65915

requiring the production of a proforma or economic analysis, the only documentation required is “reasonable documentation to establish eligibility” which of course is merely evidence that the Project is providing the required level of affordability.

I hope this helps. Let me know if you have any questions. Thanks.

Michael R. Hooper  
P. O. Box 564  
Larkspur, CA 94977

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[mhooper@campusproperty.com](mailto:mhooper@campusproperty.com)

DRE License No. 01169564

Campus Property Group  
[www.campusproperty.com](http://www.campusproperty.com)

On Jul 3, 2018, at 4:39 PM, Gustavson, Andy  
<[AGustavson@srcity.org](mailto:AGustavson@srcity.org)> wrote:

Interested Parties,

The Planning Commission public hearing notice and public review draft of the CEQA Negative Declaration for the Density Bonus Ordinance Update is attached for your review.

The public hearing on this matter will be held on Thursday, July 26, at or

## Gustavson, Andy

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**From:** Tom Robertson <trobertsonsf@gmail.com>  
**Sent:** Wednesday, October 24, 2018 5:52 PM  
**To:** Teri Shore  
**Cc:** \_PLANCOM - Planning Commission; Duggan, Vicki; Weeks, Karen; Cisco, Patti; Groninga, Curt; Peterson, Julian; Kalia, Akash; Edmondson, Casey; Gustavson, Andy; Jones, Jessica; Guhin, David; \_CityCouncilListPublic; City Clerk; Rachel B. Hooper; Laurel L. Impett  
**Subject:** Re: Santa Rosa Revised Housing Density Bonus Ordinance - Support - Greenbelt Alliance

Teri:

Thanks for your and the Greenbelt Alliance's efforts. Let's hope we can use such methods to increase the housing stock in a way that creates or enhances liveable, transit-oriented communities. This is going to take time, but consider the advantages of greater density if only in terms of new levels of positive contact among neighbors. Advocates and theorists of new urbanism have singled out sprawl as reducing such contacts and the quality of our democracy.

Regards,

Tom

Tom Robertson, President  
San Francisco North Properties, Inc.  
2949 A Pacific Avenue  
San Francisco, CA 94115  
(415) 474-3882 (w)  
(415) 509-3220 (c)  
[trobertsonsf@gmail.com](mailto:trobertsonsf@gmail.com)

On Oct 24, 2018, at 5:29 PM, Teri Shore <[tshore@greenbelt.org](mailto:tshore@greenbelt.org)> wrote:

Oct. 23, 2018

Chair Casey Edmondson and  
Planning Commissioners  
City of Santa Rosa  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
VIA EMAIL

RE: Oct. 23 - 10.3 HOUSING DENSITY BONUS ORDINANCE UPDATE and NEGATIVE DECLARATION

Dear Chair Edmondson and Planning Commissioners,

Greenbelt Alliance fully supports the city of Santa Rosa's revised Housing Density Bonus and Negative Declaration which narrows the scope of the supplemental density bonus provisions to the Downtown Station Area Specific Plan and North Santa Rosa Station Area Specific Plan. This will allow the city to provide eligible projects to increase residential density up to 100% above the existing general plan limit.

By narrowing the scope of the supplemental density bonus, the City of Santa Rosa has addressed the concerns and questions we had raised in our previous comments related to review under California Environmental Quality Act. The revised ordinance relies on the provisions and environmental review of the Downtown Specific Area Plan and the North Santa Rosa Station Area Specific Plan. These are relevant and appropriate plans that had full public review and input from Greenbelt Alliance and many other allies, neighborhoods and stakeholders.

Narrowing the scope of the supplemental housing density bonus ordinance has the additional benefits of reducing fire and flood risk by focusing increased development and populations in the urban core away from the wildland urban interface and floodplains. These benefits were reflected in the revised CEQA document.

Greenbelt Alliance urges the Planning Commission to vote "yes" on the revised Housing Density Bonus Ordinance and Negative Declaration. We look forward to championing this important housing policy at the City Council.

Sincerely yours,

Teri Shore  
Greenbelt Alliance  
707 575 3661, [tshore@greenbelt.org](mailto:tshore@greenbelt.org)

--

Teri Shore  
Regional Director, North Bay

**Greenbelt Alliance**  
555 Fifth Street, Suite 300 A | Santa Rosa, CA 95401  
1 (707) 575-3661 office | 1 (707) 934-7081 cell | [tshore@greenbelt.org](mailto:tshore@greenbelt.org)  
[greenbelt.org](http://greenbelt.org) | [Facebook](#) | [Twitter](#)

*Bay Area greenbelt lands are at risk of being lost to sprawl development. [Get the facts here.](#)*

<GACommentsDensityBonusRevised10.23.18.pdf>

**From:** [Trish Tatarian](#)  
**To:** [Gustavson, Andy](#)  
**Subject:** Density Bonus Ordinance Update  
**Date:** Tuesday, October 30, 2018 8:44:47 AM

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Good Morning,

This email is in response to the density Bonus Ordinance Update. As a residence of the Southwest Area that was recently annexed into the City, we in the community are feeling pressured from the proposed development. The recently annexed area already has too much traffic, and we cannot withstand more high density development. Our area is lacking parks. There are currently several high density developments going into Roseland and the park acreage we have now is insufficient for the existing residences, let alone the proposed residences. Please consider the long term health of this neighborhood and set aside more parklands on Burbank Avenue, one of last remaining open space areas.

Thank you,

Trish Tatarian

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