

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF PROPERTY LOCATED AT 413 SOUTH A STREET TO THE CG (GENERAL COMMERCIAL) DISTRICT - ASSESSOR’S PARCEL NUMBER 010-221-018; FILE NUMBER MJP14-018

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

Section 1. The Council finds, based on the evidence and records presented, that the CG (General Commercial) District is appropriate for the property located at 413 South A Street, Assessor’s Parcel Number 010-221-018 (“Subject Property”), and that the reclassification to the CG (General Commercial) District is appropriate for the property identified in Section 2, due to Subject Property’s physical configuration and its location adjacent to established development.

The Council further finds and determines that:

1. The proposed amendment is consistent with the goals and policies of all elements of the General Plan and the Downtown Station Area Specific Plan in that the rezoning to CG will allow for retail, commercial and service uses as envisioned by the land use designation in both plans, which calls for Retail & Business Services, Medium Density Residential, or a combination of both uses in the project area;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA);
4. The proposed amendment is internally consistent with other applicable provisions of the Santa Rosa Zoning Code in that all procedural requirements have been met and the proposed zoning modifications are consistent with the requirements and findings necessary to support the subject zoning changes; and
5. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments in that the site has previously been developed, and one of the two currently developed parcels on which the proposed development will take place is already zoned CG (General Commercial).

Section 2. All conditions required by law have been satisfied and all findings with relation thereto having been made, Title 20 of the Santa Rosa City Code is amended by amending the “Zoning Map of the City of Santa Rosa”, as described in Section 20-20.020, so as to change the classification of Assessor’s Parcel Number 010-221-018 to the CG (General Commercial) District.

Section 3. In addition to any other conditions that are deemed appropriate or necessary at the time a Use Permit or other development permit is applied for, any development approval for this property shall be expressly conditioned to require the applicant to fulfill the following condition:

1. Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time that the building permit(s) for this development, or any part thereof, are issued.

Section 4. Environmental Determination. The Council finds that the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The project qualifies for a statutory exemption from CEQA under Section 21155.4 of the California Public Resources Code as it is a mixed-use project, taking place in a transit priority area for which a specific plan and environmental impact report (EIR) have been prepared. Since the project will not result in impacts not already identified in the Downtown Station Area Specific Plan Program Environmental Impact Report, additional environmental review is not necessary.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on September 15, 2015.

IN COUNCIL DULY PASSED AND ADOPTED this ___ day of _____, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney