

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO CITY COUNCIL APPROVAL OF ZONING CODE TEXT AMENDMENTS TO INCORPORATE ZONING CODE INTERPRETATIONS MADE BY THE CITY'S ZONING ADMINISTRATOR AND OTHER TECHNICAL CORRECTIONS THAT ARE MINOR IN NATURE - FILE NUMBER ST21-001

WHEREAS, on August 3, 2004, the City Council adopted a comprehensive update of the Zoning Code; and

WHEREAS, Zoning Code Section 20-12.020.A., Rules for interpretation states "the Zoning Administrator shall have the responsibility and authority to interpret the meaning and applicability of all provisions and requirements of this Zoning Code," and Zoning Code Section 20-12.030, Procedures for interpretations, outlines the process for drafting and retaining all interpretations. The meaning and applicability of all provisions and requirements of the Zoning Code are referred to as Zoning Code Interpretations (Interpretations); and

WHEREAS, since August 2011, 30 Interpretations have been issued by the Zoning Administrator; and

WHEREAS, Planning staff reviewed each of the Interpretations to determine which Interpretations needed to be codified. Eight Interpretations have been codified or superseded through other Zoning Code text amendments and three Interpretations are temporary measures written in response to COVID-19 public health orders. As a result, 20 Interpretations are proposed to be codified listed as follows:

1. Interpretation #1: Definition of a Night Club
2. Interpretation #2: Cottage Food Operations
3. Interpretation #4: Fence Height
4. Interpretation #5: Distilled Spirit Production
5. Interpretation #6: Alcoholic Beverage Sales
6. Interpretation #7: Restaurants and Alcohol Clarifications
7. Interpretation #9: Water Efficient Landscape Ordinance Reference
8. Interpretation #10: LED Signs
9. Interpretation #13: Parking Reductions
10. Interpretation #14: Fences and Design Review
11. Interpretation #15: Parking Requirements for Garage Conversions
12. Interpretation #16: City Projects and Design Review
13. Interpretation #17: Creekside Setback Allowances
14. Interpretation #18: Definition of Abutting
15. Interpretation #19: Processing of Distilled Spirits
16. Interpretation #22: Definition of Habitable Structures
17. Interpretation #24: LED Menu Boards for Drive Through Restaurants
18. Interpretation #26: Hemp and Hemp Derived Products

19. Interpretation #27: Mobile Food Vending
20. Interpretation #31: Creekside Setback Exceptions

WHEREAS, additional text amendment needs have been identified over time to correct mistakes or add clarity that are technical in nature and do not alter the policy or intent of the regulations including; Chapter renaming for clarification purposes, Accessory Dwelling Unit Ordinance technical corrections, various amendments to Sections implementing the Downtown Station Area Specific Plan, amendments to the definition of supportive housing due to State law, the addition of a Resilient City Development Measures Code Section that was inadvertently removed, and other minor changes as discussed within this staff report; and

WHEREAS, the proposed text amendments, which are meant to clarify the original intent of the Zoning Code, are minor in nature and do not substantially change or alter the purpose of the Code. This project is exempt from CEQA under CEQA Guidelines section 15061 (b) (3), in that the Project does not have the potential for causing a significant effect on the environment; and

WHEREAS, after a public hearing on July 8, 2021, the Planning Commission of the City of Santa Rosa finds that, based on evidence and records presented, amending Title 20 (Zoning) of the Santa Rosa City Code is required for implementation of the City's General Plan and public convenience, necessity, and general welfare; and

WHEREAS, the Planning Commission, pursuant to City Code Section 20-64.050 (Findings), hereby find and determines:

1. The proposed amendments are consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that the amendments are comprised of technical corrections, which will not result in any changes to the General Plan goals and policies. Additionally, the amendments further implement the goals and policies of General Plan related to housing, economic vitality, and land use by providing clarity and consistency with the State and local regulations; and
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the amendments support approved Zoning Code land uses and regulations. As such, the proposed amendments will not result in any substantive changes to the Santa Rosa Zoning Code; and
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been found exempt pursuant to CEQA Guidelines Section 15061(b)(3) because the Project does not have the potential to cause significant environmental impacts. CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

4. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code in that the amendments include technical corrections, which do not result in any substantial changes to the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Santa Rosa recommends that the City Council adopt an ordinance to amend City Code Title 20, Zoning Code, as set forth in Exhibit A and incorporated herein.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 8th day of July 2021, by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
ANDREW TRIPPEL, EXECUTIVE SECRETARY

Exhibit A – Zoning Code Text Amendments