

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF PROPERTY LOCATED AT 433 FULTON ROAD TO THE MOBILE HOME PARK (MH) DISTRICT – FILE NUMBER MJP13-001

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 Mobile Home Park District is appropriate for the property located at 433 Fulton Road (“Subject Property”), and that the reclassification to the Mobile Home Park 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 any applicable specific plan, in that it proposes rezoning of an existing mobile home park developed with mobile home units to the Mobile Home Park (MH) zoning district, consistent with the Mobile Home General Plan designation for the site;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that no new development is proposed and the existing units will be serviced by City utility services; and
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 19 Categorical Exemption, under Section 15319 in that the proposal is the annexation of a parcel containing existing “...private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities”; and
4. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code in that it is proposed to be rezoned to the Mobile Home Park (MH) zoning district and the existing use on site, a 191 unit mobile home park, is consistent with the MH zoning district.

Section 2. All conditions required by law having 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 134-110-066 to the Mobile Home Park 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:

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 project qualifies for an exemption under Section 15319 of the California Environmental Quality Act and that adoption and implementation of this ordinance will not have a significant impact on the environment.

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.

IN COUNCIL DULY PASSED AND ADOPTED this 5th day of November, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney