

Maloney, Mike

From: Sonia Taylor <great6@sonic.net>
Sent: Thursday, February 08, 2018 11:28 AM
To: _PLANCOM - Planning Commission
Cc: Coursey, Chris; Rogers, Chris; Combs, Julie; Olivares, Ernesto; Sawyer, John; Schwedhelm, Tom; Tibbetts, Jack; Guhin, David; Hartman, Clare; Jones, Jessica; Kevin McCallum; Gullixson, Paul; Teri Shore; ADC Steering Committee; kerry@conservationaction.org; SCTLG list; HAG
Subject: Re: Item 8.2, 2/8/18 Meeting -- Resilient City Development Measures
Attachments: pc_2_8_18_resilient_citywide_ltr_final_1.pdf

Chair Cisco, and members of the Planning Commission:

Attached please find my letter on your Item 8.2 on today's agenda.

Please do not hesitate to contact me if you have any questions or would like additional information.

Sonia

Sonia Taylor
707-579-8875
great6@sonic.net

Sonia E. Taylor
306 Lomitas Lane
Santa Rosa, CA 95404
707-579-8875
Great6@sonic.net

6 February 2018

Patti Cisco, Chair
Casey Edmondson, Vice Chair
Vicki Duggan
Curt Groninga
Julian Peterson
Peter Rumble
Karen Weeks
Santa Rosa Planning Commission

Via email

Re: Planning Commission Agenda Item 8.2, 2/8/18 Meeting
Resilient City Development Measures

Dear Chair Cisco and Members of the Santa Rosa Planning Commission:

I have some very large problems with over half of this proposed ordinance.

As all of us know, there is nothing that upsets individual community members more, and which guarantees their instant political involvement, than when something that they were unaware of is suddenly being built/allowed in their neighborhood.

This proposed ordinance contemplates allowing a significant number of developments to be constructed/allowed “by right,” with only a Zoning Clearance required. There might be Design Review required, but only if there is a Building Permit required as part of the use, and many of the uses contemplated to be allowed “by right,” will often not have an associated Building Permit. (And, of course, design review is also contemplated to be limited by this proposed ordinance.)

I cannot understand how this proposed ordinance – originally to be about taking temporary measures to help address the housing crisis both in the fire areas and throughout the city – grew to be more about significant reductions in the opportunities for public input than about encouraging temporary housing.

It is essential that we develop a set of policies that encourage downtown growth and development over everything else, that legal affordability be demanded and required, and that we only move forward with the support of the entire community. This proposed ordinance achieves none of those goals.

My specific comments follow.

1. I believe that Section 20-16.030, Temporary Housing, is generally appropriate. We need the ability to legalize and quickly and safely site temporary housing.

However, I do not believe that this temporary housing should be allowed in “any zoning district.” I am beginning to sound like a broken record, but no housing of any sort – temporary or otherwise – should ever be allowed in any industrial zoning district. Industrial uses inevitably will conflict with housing, and when that happens, the industrial uses lose, and the housing uses drive limitations on the industrial uses resulting in noise limitations, etc.

No community can be healthy if it does not have industrial uses. Thanks to the new cannabis businesses, industrial uses are already being priced out of Santa Rosa, and are moving out of Santa Rosa. Without stringent protections to our necessary, valuable and essential industrial uses, we will find ourselves unable to – for example – process the trucks delivering all the Amazon packages we all so love.

My only other requested change to this section is to request the ability for a neighborhood to have a public hearing for input on these proposals. As it is now, the neighborhoods would be notified 10 days prior to a permit being issued, but have no ability to speak out and participate in a public forum, and that is unacceptable.

2. Which leads to one of the biggest issues I have with this entire proposed ordinance – there has been little to no public outreach to community members other than the development community. While we are in an urgent situation with regard to temporary housing, the proposals in this ordinance are extremely broad and would potentially have very long term impacts throughout Santa Rosa. The residents should have an opportunity to know and understand what is being proposed prior to adoption.

This proposed ordinance is moving so quickly that minutes for this week’s DRB board meeting on this subject have not yet been posted. I also understand that after whatever action you might take on this proposal, it is intended to send this to the City Council at their next available meeting.

If this ordinance only covered temporary housing, along with the ADU portion of this proposed ordinance (Section 20-16.050 – and I have no problems with that section, as long as any existing ADU is required to meet building codes for the health and safety of any resident), then I would be significantly less concerned about the speed.

But it doesn’t, and I am deeply concerned.

If you want to move swiftly, I would propose that you recommend to the City Council that they pass an ordinance containing only the first two provisions in this proposal, and that the remaining portions be sent out for broad community input – not just developer input – prior to passage. (BTW, asking that the CAB send these materials out to get input on 1/22/18, just 2 weeks prior to the DRB meeting, does not count as community outreach.)

3. This ordinance proposes extraordinary deregulation. I consider this unacceptable.

Section 20-16.060 A allows projects that now require a Minor Use Permit (MUP) to be built by right for a period of 3 years. First, although this is a time limited ordinance, every use in this section will be a permanent use, and will likely be around for a long time. The only review will be by staff in the obtaining of a zoning clearance. Although a zoning clearance is presumably still appealable to the Zoning Administrator, the fee for appeal is not insignificant, and the Zoning Administrator hearings are held during the day, at times when most people cannot easily attend.

Further, there is no community benefit required from applicants that would now receive these reduced fees/time periods for review, which is particularly egregious in light of the specific request of at least one City Council person that legally affordable units be demanded as a requirement of reduced fees/review periods.

Additionally, there is no requirement that applicants receiving these reduced fees/review periods have to prove their financial ability to actually perform. While I realize that the economy is a moving target, I am deeply tired of applications for projects that languish on the vine because of lack of funding, and of applicants who obtain entitlements with no intention of ever building the project, just to increase the value of the property so they can sell it.

Because this Section will indeed increase the value of property in every zoning district in Santa Rosa, there should be some requirement that those property owners give Santa Rosa (all of us who live and work here) something valuable in return, such as legally affordable housing, or another community benefit.

My final general concern about this Section is that there is nothing in the proposed ordinance anywhere that gives any preference to development in our city core. We need to prioritize development downtown, and this ordinance fails entirely to speak to that need.

I would request that you not approve this section going forward at this time.

With that said, I have the following specific comments about the “by right” uses proposed by this ordinance:

- a. Since, after the fire, we lost child care capability, which is very much a use we need in our community, I would find a much more limited proposal acceptable. Allowing a small child day care facility to temporarily expand to care for more children, with review to ensure that the facilities can safely accommodate more children, and that the additional traffic will not negatively impact the surrounding uses, would be something I could consider acceptable. I do believe, however, that any such proposed expansion should require notification to the neighbors, since – as we all know – there would be impacts from this expansion on the surrounding uses.
- b. I support duplexes being allowed by right in RR and R-1 zoning districts without a use permit being required, as long as the necessary parking is required, and there is review by the DRB.
- c. I would support Mobile Home Parks being allowed in a MH district with a MUP – in fact, they seem to be inappropriately located in this section since they currently require a Conditional Use Permit.
- d. As best as I can tell, after reviewing the zoning code, single family dwellings are already a permitted use in R-1 and RR residential Planned Development Districts.

As to the remainder of this Section, I believe that it is far too broad and over reaching, is unfair to people who currently live and work in Santa Rosa, and believe that it should be denied.

As to Section 20-16.060 B, which allows projects now requiring a full CUP to get approval with only a MUP, all of my comments, above, stand. As with subsection A of this proposed ordinance, I believe that this is also an egregious over reach, and should not be undertaken without a full and robust community outreach.

My specific comment to subsection B of this Section are as follows:

e. I can hardly wait until the public finds out that you are proposing that homeless shelters can be sited with a MUP and a Zoning Administrator approval in almost every single zoning district in Santa Rosa, from residential, through open space, through downtown and transit village. While I understand that the need for homeless shelters is extraordinary, I really don't think the way to achieve them is by sliding them in under the public's radar. Since I live within a couple of blocks of the needle exchange, the methadone clinic and the Gold Coin, I will admit to being very sensitive to this issue.

4. I have no idea why – in this time of urgency to replace housing lost in the fires – that this proposed ordinance gives any special preference to any type of lodging, whether bed & breakfasts or hotels/motels. I am absolutely opposed to their inclusion in this ordinance in any form. No evidence has been provided that shows any need for special favors to be shown to these commercial endeavors, and I believe that any reference to them should be removed from this proposed ordinance, and any future ordinance.

5. With regard to Section 20-16.070, I am opposed to reduced design review oversight for permanent structures – and particularly because the reduced oversight is proposed for large buildings that will have an impact on our city for decades into the future. Design review is an essential and critical component of our ability to grow successfully and be an attractive place both for current residents and to attract future investments.

Further, subsection B of this Section is a completely out of place proposal to wrest DRB's ability to do final design review away for every single project coming forward. This is not only not made clear – given the context of its insertion in this proposed ordinance, it appears that it could only reference projects contained in the ordinance – but it's just a bad idea.

While there may be ways to reduce the time burden on applicants of design review, it is often the only place where a member of the public can participate. It is unacceptable to remove public input from decisions that are being made about large permanent projects that will affect our city for decades to come.

Please remove this entire Section from the proposed ordinance.

6. I have no idea what the genesis of Section 20.16-080 is, but it, again, appears to favor developers of larger projects in Santa Rosa, with the intent of reduce the public's ability to understand what is being done in their city. I am opposed to this section being contained in this proposed ordinance.

Please remove this entire Section from the proposed ordinance.

In closing, I believe that this ordinance was poorly thought out, has had inadequate public input, and would request that your recommendation to the City Council be that they only consider the first two sections of the proposed ordinance at this time. The remaining sections should be fleshed out, fully vetted by the public, and the rationale for their existence should be thoroughly explained.

Again, it is essential that we develop a set of policies that encourage downtown growth and development over everything else, that legal affordability be demanded and required, and that we only move forward with the support of the entire community. This proposed ordinance achieves none of those goals.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Sincerely,

Sonia E. Taylor

Cc: Mayor Chris Coursey
Vice Mayor Chris Rogers
Councilmember Julie Combs
Councilmember Ernesto Olivares
Councilmember John Sawyer
Councilmember Tom Schwedhelm
Councilmember Jack Tibbetts
David Guhin, Director of Planning and Economic Development
Clare Hartman, Deputy Director, Planning
Jessica Jones, Supervising Planner
Kevin McCallum, Press Democrat
Paul Gullixson, Press Democrat
Greenbelt Alliance
Accountable Development Coalition
Sonoma County Conservation Action
Sonoma County Transportation and Land Use Coalition
Housing Advocacy Group