

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: GABE OSBURN, DIRECTOR
SUBJECT: PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
TEXT AMENDMENT TO THE OAKMONT PLANNED
DEVELOPMENT POLICY STATEMENT

AGENDA ACTION: ORDINANCE INTRODUCTION

RECOMMENDATION

It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by motion, introduce an ordinance adopting a text amendment to the Oakmont Planned Development (PD63-001) Policy Statement including modifications to 1) update the boundary maps, 2) default to the City's Zoning Code for land use permitting requirements consistent with the General Plan land use designation, and 3) establish compatible uses with the Parks and Recreation land use designation.

EXECUTIVE SUMMARY

The Oakmont Planned Development zoning district (PD63-001), and associated Policy Statement, was created in 1963. The applicant, the Oakmont Village Association (OVA), seeks to amend the Policy Statement to accomplish the following: 1) include an accurate district boundary map to reflect current build-out of the community; 2) remove language in the Policy Statement that requires all new uses to submit a Use Permit application, and instead default to the City's Zoning Code for land use permitting requirements based on the underlying General Plan land use designation; and 3) define the types of land uses that would be compatible with and permitted by right on Parks & Recreation-designated properties. On March 28, 2024, the Planning Commission held a public hearing and voted unanimously to recommend that the City Council adopt the text amendment.

BACKGROUND

1. Project Description

The PD63-001 zoning district and Policy Statement were created in 1963 during initial construction of the Oakmont Senior Living Community (Oakmont). Originally, it was zoned Planned Community (PC63-001); however, in 2004, the

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City eliminated the PC zoning district and reclassified all PC districts to Planned Development (PD) Citywide. While PD63-001 does not apply to the entirety of Oakmont, it covers a large portion of the community (approximately 2,975 parcels).

The current Policy Statement for PD63-001 regulates the maximum height limits allowed for buildings, sets minimum lot sizes for residential purposes, and mandates a Use Permit application for all new uses, including accessory uses.

Either the City or a private party may submit an application to modify, change or revise a Planned Development per Zoning Code Section 20-26.060(B), and such requests are processed as any other zone change in compliance with Zoning Code Chapter 20-64. For this particular application, the Oakmont Homeowners' Association (OVA) filed the application. The intent of this amendment is three-fold: 1) to provide a clearer and more precise map of the PD area; 2) to reduce regulatory and financial barriers for compatible uses by defaulting to the Zoning Code for permitting requirements and development standards; and 3) to allow dog parks, community gardens, and sport courts in areas with a General Plan land use designation of Parks and Recreation.

2. Project History

On May 24, 2023, the applicant submitted a Rezoning Application to amend the Policy Statement for PD63-001.

On January 12, 2024, a combined Notice of Application and Notice of Neighborhood Meeting was mailed to property owners and residents in PD63-001. Refinements to the draft Policy Statement were being made during this time.

On January 26, 2024, a Neighborhood Meeting was held at the Berger Center in Oakmont.

On March 14, 2024, the item was continued from the regular Planning Commission meeting to a date uncertain to allow time to further refine the proposed Policy Statement language. All noticing was updated and circulated again.

On March 28, 2024, the Planning Commission held a public hearing and unanimously adopted Resolution No. PC-2024-004 recommending that the City Council adopt a text amendment to the Oakmont Planned Development (PD63-001) Policy Statement.

ANALYSIS

General Plan

The majority of properties in this PD have a General Plan land use designation of Low Density or Very Low Density Residential. This PD also includes other parcels with General Plan land use designations of Parks & Recreation, Retail/Med Residential, Retail and Business Services, Public/ Institutional, and Office. This amendment would not change the General Plan land use designations of any property.

The following General Plan goals and policies are applicable to the project:

- PSF-A Provide recreational facilities and parks for all sectors of the community.
- PSF-A-1 Provide recreation and park facilities and services needed by various segments of the population – including specific age groups, persons with special physical requirements, and groups interested in particular activities — and make these facilities and services easily accessible and affordable to all users.
- PSF-A-17 Develop special purpose parks and facilities for each recreation and park planning area throughout the city, including but not limited to multigenerational recreational centers, aquatic centers, education and community service centers and other unique facilities, with priority given to areas experiencing high growth.
- LUL-J Maintain the economic vitality of business parks and offices, and Santa Rosa’s roles as a regional employment center.
- EV-A Maintain a positive business climate in the community.
- EV-B-7 Focus business attraction efforts on filling vacancies in commercial and industrial structures.

Based on a review of the above goals and policies, it is staff’s position that the proposed amendments to the Policy Statement are consistent with the General Plan Goals and Policies:

- The amendments would provide a more streamlined path for development of recreational activities on parcels designated as ‘Parks & Recreation’ on the General Plan Land Use Diagram.
- By eliminating the Use Permit requirement and deferring to the Zoning Code, this will reduce permitting requirements for uses that would otherwise be permitted by right on parcels designated office and commercial, and would encourage new, compatible uses to locate in appropriate areas, helping to fill vacancies.

- Allow compatible outdoor recreational uses, including dog parks, community gardens, and sport courts, in areas designated by the General Plan for those types of uses.

The intent of the amendment is to utilize properties' General Plan land use designation to determine land use permit requirements based on the implementing Zoning district. The Zoning Code implements the General Plan, and as such, amending the Policy Statement to create a document that provides a framework to evaluate uses based on the General Plan and Zoning Code creates a Policy Statement that is consistent with the City's General Plan.

Zoning

North: Not applicable (County)
South: Not applicable (County)
East: Not applicable (County)
West: R-3-18-SR-RC, PD93-002-RC

The site is currently zoned PD63-001. The current PD development standards for height, setbacks and lot coverage, which are contained within the Policy Statement, are largely consistent with the City's Zoning Code. This proposed text amendment would eliminate reference to those development standards in the PD Policy Statement and default to the Zoning Code for permitting requirements based on the parcel's General Plan land use designation and the implementing standard Zoning district. Additionally, the project proposes to amend the PD Policy Statement as follows:

- 1) Uses not listed in the amended Policy Statement shall be reviewed for permitting requirements based on the standard Zoning district consistent with the General Plan land use designation.
- 2) Define outdoor recreational uses allowed by right on properties with a 'Parks & Recreation' land use designation, as follows:
 - a. Uses allowed by right (without a Conditional Use Permit):
 - i. Outdoor recreational activities, including sport courts, community gardens, and dog parks would be allowed by right on OVA-owned parcels with a General Plan land use designation of Parks & Recreation.
- 3) Development standards for outdoor recreational uses permitted by right on parcels with a 'Parks & Recreation' land use designation shall default to the implementing Zoning District (OSR), with the exception of setbacks. Zoning

Code Table 2-13 requires setbacks to be determined by Conditional Use Permit. In order to implement the goals of the Parks & Recreation land use designation and allow anticipated and compatible recreation uses on these properties, a minimum of 15-foot setbacks shall be established for the front, side, and rear for outdoor recreational activities to include sport courts, community gardens and dog parks.

- 4) Development standards (including maximum height, lot coverage, and setbacks) for all other land use designations shall default to the implementing zoning district.
- 5) Design Review shall apply to new structures and exterior modifications to existing structures, where required by the City of Santa Rosa Zoning Code.

The applicant's proposed Policy Statement would allow for outdoor recreational activities or land uses to be allowed by right on parcels with a General Plan land use designation of 'Parks & Recreation'. While Zoning Code Section 20-26.060(2)(d) requires and allows Planned Developments to provide Policy Statements for subdivision-specific permitted uses, allowable accessory uses, and uses allowed with Conditional Use Permit approval, staff recommends remaining largely consistent with the implementing zoning district. The implementing Zoning District for the 'Parks & Recreation' land use designation is Open Space- Recreation (OSR). While this General Plan land use designation encourages recreational uses ("... land whose primary purpose is recreation", and "... parks land generally designated for single use such as golf courses, heritage museums, botanical gardens and environmental interpretive experiences"), few uses are listed in the OSR land use table. The lack of recreational land uses is likely the result of a majority of 'Parks & Recreation' land use-designated parcels being government-owned and not subject to land use permitting requirements.

There is discretion with PD Policy Statements, as Zoning Code Section 20-26.020(D) states that "The PD district is specifically envisioned as a mechanism to preserve and/or create distinctive, high quality, single or mixed-use development that meets or exceed the goals of the General Plan... . The PD district is intended to be used only where the other zoning districts established by this Zoning Code cannot achieve these goals." The OSR zoning district is limiting, and the proposed PD Policy Statement could meet or exceed the goals of the General Plan 'Parks & Recreation' land use designation by allowing community gardens, dog parks, and sport courts as outdoor recreational land uses.

As noted above, Design Review, which includes compliance with the California Environmental Quality Act, shall apply to new structures and exterior modifications to existing structures, where required by the Zoning Code.

Zoning Code Text Amendment Findings

Pursuant to Zoning Code Section 20-64.050(B), amendments to the text of the Zoning Code may be approved only if all the following findings are made. Please refer to the Ordinance for required finding responses.

- A. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan.
- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
- D. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

Neighborhood Meeting and General Comments

As of this writing, the following topics regarding this project have been received by the Planning and Economic Development Department:

- Support for defaulting to the Zoning Code for land use permitting and outlining allowed uses in the Parks & Recreation land use designation.
- Support for saving time and money for uses that are deemed compatible.
- Support for the OVA undertaking this project.
- Support for updated maps associated with the PD.
- Concern regarding future OVA improvements, impacts to homeowners' association dues, and OVA transparency/communication with residents.
- Questions regarding required entitlements and/or review for future projects.

Staff Response: Staff provided responses to questions regarding processing various application types. With regard to future improvements and increased dues, staff was made aware that a community planner had been retained to assess the functionality and future needs of the Central Complex Area (6633 Oakmont Drive and 310 White Oak Drive). However, development of this area is not part of this application, nor is any specific development project. While homeowners' association dues and assessments are not regulated by the City, they would be subject to any regulations in the applicable Covenants, Conditions and Restrictions, and State laws.

FISCAL IMPACT

The proposed Zoning Code text amendment was prepared with applicant paid fees. Approval of this action does not have a direct known fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

The project is statutorily exempt from CEQA pursuant to Public Resources Code 21083.3 which provides that if a proposed development project is consistent with the General Plan and an environmental impact report was certified with respect to that General Plan, environmental review “shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report. Similarly, CEQA Guidelines Section 15183 states that “projects which are consistent with the development density established by zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” The proposed amendment will allow the conversion of existing recreational facilities or the addition of small (10,000 square feet or less) outdoor recreation facilities in areas that are designated as Parks & Recreation on the General Plan Land Use Diagram. The proposed project has been found to be consistent with the Santa Rosa General Plan. Review of the project has revealed no significant environmental impacts which are peculiar to the parcel/area or to the project and which were not addressed in the General Plan EIR, nor is there any new information that shows that any environmental impacts will be more significant than as described in that EIR. Any future development subject to discretionary entitlement will require CEQA compliance.

In anticipation of future small facilities (less than 10,000 square feet) being constructed or converted on land designated as Parks and Recreation on the General Plan Land Use Diagram, the following categorical exemptions would also be applicable:

- Pursuant to CEQA Guidelines Section 15301, minor alterations, including the addition of up to 10,000 square feet to existing structures, are categorically exempt from CEQA provided that public services are available to allow for development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive.
- Pursuant to CEQA Guidelines Section 15302, replacement or reconstruction of structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced are categorically exempt from CEQA.

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- Pursuant to CEQA Guidelines Section 15303, the construction of new, small facilities or structures or the conversion of existing structures from one use to another where only minor modifications are made in the exterior of the structure are categorially exempt from CEQA.
- Pursuant to CEQA Guidelines Section 15311, construction or replacement of accessory structures accessory to existing facilities are categorially exempt from CEQA.
- Pursuant to CEQA Guidelines Section 15323 the normal operations of existing facilities for public gatherings for which the facility was designed, where there is a past history of the facility being used for the same or similar kind of use, are categorially exempt from CEQA.

No exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines section 15300.2.).

NOTIFICATION

Pursuant to Zoning Code Section 20-66.020(D), Alternative to Mailing, if the number of property owners to whom notice would be mailed would exceed 1,000, the City may, as an alternative to mailing and on-site posting, provide notice by placing an advertisement of one-eighth page in at least one newspaper of general circulation 10 days prior to the hearing. The proposed Zoning Code text amendments would affect more than 1,000 properties; therefore, a one-eighth page advertisement was placed in the Press Democrat. The notice was also sent out via GovDelivery email, through the City's various social media sites, and was posted at City Hall and the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ATTACHMENTS

- Attachment 1 – Application, including existing PD63-001 Policy Document
- Attachment 2 – Location Map
- Attachment 3 – General Plan Map
- Attachment 4 – Public Correspondence
- Attachment 5 – Planning Commission Minutes of March 28, 2024
- Attachment 6 – Planning Commission Resolution PC-2024-004
- Ordinance
- Exhibit A – Policy Statement
- Exhibit B – Boundary Map
- Exhibit C – Recreation Parcels Map

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PRESENTER

Sheila Wolski, City Planner