

*City of Sebastopol
Ordinance No. 1124*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
REZONING 6737 SEBASTOPOL AVENUE (APN 004-063-036) FROM DOWNTOWN CORE TO A
PLANNED COMMUNITY (PC) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF SEBASTOPOL does hereby ordain as follows:

SECTION 1. The City of Sebastopol City Council has adopted a Mitigated Negative Declaration (MND) for the “Davis Townhomes” Project (the “Project”) located at 6737 Sebastopol Avenue in a separate Resolution based on the findings of fact of the Adopting of Resolution No. 6239-2019.

SECTION 2. The City of Sebastopol City Council finds that the rezoning is consistent with the General Plan and the Municipal Code based on the following facts:

1. The proposal is consistent with Policy LU 1-7 as the site is located at the edge of the Downtown Core District and is surrounded on three sides by existing residential and commercial developments.
2. The proposal is consistent with Policy LU 6-2 as it provides much needed housing located in close proximity to various community services and transit.
3. As Conditioned, the proposal is consistent Policy COS 12-9 as only one tree is slated for removal. Additionally, Condition of Approvals have been added in regards to the 50’ Railroad Forest setback which require this area to be maintained in its natural state, and which requiring buffer plantings / mitigation planting in said 50’ setback.
4. As Conditioned, the proposal is consistent with Policy COS 12-12 as the development is clustered in the center of the project site, with the townhomes arranged in the three clusters with open space located in the center, and around the perimeter of the property. The southern edge of the site will have the largest open space, with a 50’ setback from the Railroad Forest property. A Condition of Approval has been added to require an open space easement on this section of the property which would prevent disturbance of this area with the exception of restoration and removal of invasive species.
5. As Conditioned, the proposal is consistent with Policy CD 1-7 as it is an infill development which provides much needed housing located in close proximity to pedestrian and bicycle trails and has convenient access to local amenities and transit. The project includes the requirement to construct a bicycle/pedestrian connection to the existing connector trail located at the west side of the site.

6. As Conditioned, the proposal is consistent with Policy CD 3-4 as the project was subject to a Cultural Resource Evaluation which found that the site did not contain any known or evident cultural, archeological or historic resources. A Condition of Approval was added to require that, in the event that any unanticipated artifacts or cultural features are discovered during grading or underground excavations all work in the vicinity of the find shall be stopped until the discovery area can be evaluated by an archaeologist and appropriate actions are taken.
7. The proposal is consistent with the City's Housing Element, in that the site is identified as a site in the Site Inventory as land suitable for residential development.
8. The proposal is consistent with the City's Housing Element, in that, as conditioned, the proposal would meet the City's Inclusionary Housing requirements by providing on-site Inclusionary Unit(s) and providing housing opportunities at a variety of income levels.

The project is consistent with the provisions of the Zoning Ordinance, in that:

9. The establishment, maintenance, and operation of the Use applied for, a solely residential development in a commercial zone, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; due to the following reasons:
 - a. The Zoning Ordinance allows for a solely-residential development on a commercially zoned parcel, provided it does not detract from the intent of the commercial spaces on the street. The property is located behind existing commercial and the residential development to the northeast and east. No commercial frontages are shared with this property or would be disrupted by the use of this site as solely residential.
 - b. The project site is unique as it is located on the edge of an urbanized area and is considered part of the City's Downtown but abuts an environmentally sensitive habitat.
 - c. The project will result in the removal of 1 existing tree and result in the planting of an additional 50+ trees, as currently proposed.
 - d. The proposed site is located within walking distance of existing commercial, recreational uses and will provide additional housing opportunities for locals.
 - e. It is not well suited for commercial development but does appear to be an appropriate location for much needed housing.
 - f. The proposed development is appropriate for the site.
10. With approval of a Use Permit, and adoption of an Ordinance to rezone the parcel from Downtown Core to a Planned Community zoning district, the project will be consistent with the subject property's General Plan Designation of Central Core and Zoning Designation of Downtown Core. The Project is consistent with the requirements of a Planned Community zoning district in that:

- a. The Project provides appropriate buffering, including fencing, landscaping and open space, between the project and the surrounding areas.
- b. The parcel meets the minimum 12,000 square foot lot size.
- c. The Project provides amenities on site to include landscaping and parking amenities for the residential units.
- d. The Project provides more than 10 percent of the gross site area in open space and community open space areas for passive or active recreation.
- e. With the approval of an Ordinance for a Planned Community the reduced FAR and lot sizes will be consistent with the Zoning Ordinance.
- f. The Development Standards for the project are as laid out in the following tables and in the application materials in the Planning File 2018-82.

Allowed Uses Table:

Allowed Uses	Downtown Core Requirements	Planned Community Proposed
Permanent residential uses that are allowed in the R7 District when not part of a mixed-use development	Conditional Use Permit	Conditional Use Permit
Nonresidential uses except for office uses	35,000 sf	Home office uses, subject to SMC 17.210
Common Area Accessory buildings	-	Conditional Use Permit
Residential Accessory buildings	-	Permitted, subject to 17.08.030, but limited 80 sq. ft. in size

Development Standards Table:

Development Standards	Downtown Core Requirements	Planned Community Proposed
Minimum lot area	6,000	1,260 – 1,801 sq. ft.
Maximum building height: Buildings and other facilities	40 ft., 3 stories/ 50 ft. 4 stories (1)	2 stories, and 40 ft. However per plans ~30 ft. (total may vary due to flood plain restrictions).
Front yard	0 ft.	5 ft.
Interior side yard (except for structures sharing a common wall)	0 ft.	5 ft. ¹
Rear yard, Main building	0 ft.	5 ft.
Rear yard, Main building when abutting residential district	20 ft.	5 ft.
Maximum residential density	1 DU/1,743 SF lot area (CD) 1 DU/ 1,000 SF lot area (RM-H)	18 residential units on 75,794.4 SF lot = 1 DU/4,210.8 SF lot

Maximum Floor Area Ratio (FAR), not including residential except for purposes of calculating minimum FAR	Minimum (new buildings); 1.0 Maximum; 2.5	Net FAR 0.39 FAR ²
Minimum residential density	1 DU/ 3,600 SF lot area	Net Density: 18 residential units on 54,103 SF lot = 1 DU/3,005.72 SF lot
Minimum usable open space	50 sq. ft. per DU	280 sq. ft. per DU in rear yard + front and rear porches and common area
Parking - Residential	2 parking spaces per 2 or 3 bedroom units. 18 units x 2 = 36	2 spaces per unit (36 spaces), one of which is in a carport, and 2 visitor spaces. 38 spaces total (8 spaces to be provided for Electric Vehicles ³)
Bicycle Parking Spaces	20% required vehicle parking requirement. 36 x 0.20 = 8 bicycle parking spaces.	Hook in rear closet space for a bike for each unit, 18 bike spaces.

¹ Lot 18 which has an angled rear property line: angled lot line shall be considered a side yard.

² No additions to habitable space shall be permitted.

³ Vehicle parking to comply with Ordinance 1111 (Section 17.110.040 Electrical Vehicles).

SECTION 3. The City of Sebastopol City Council hereby modifies the Zoning Map of the City of Sebastopol to re-zone 6737 Sebastopol Avenue (APN 004-063-036) from “Downtown Core” to the “Planned Community (PC)” Zoning designation and subject to the Allowed Uses and Development Standards as described above.

APPROVED FOR FIRST READING, WAIVING OF FURTHER READING AND INTRODUCTION by the City Council of the City of Sebastopol, California, at a regular meeting of the City Council held on the 7th day of May, 2019.

APPROVED FOR SECOND READING, WAIVING OF FURTHER READING, AND ADOPTION OF ORDINANCE on this 21st day of May 2019 by the following vote:

VOTE:

Ayes: Councilmembers Carnacchi, Glass, Gurney, Vice Mayor Slayter and Mayor Hinton
 Noes: None
 Absent: None
 Abstain: None

APPROVED: Neysa Hinton
Mayor Neysa Hinton

ATTEST: Mary E. Gourley
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: [Signature]
Larry McLaughlin, City Attorney