

**EFFECTIVE DATE
OF ORDINANCE**

September 4, 2014

ORDINANCE NO. 2508 N.C.S.

1 Introduced by

Seconded by

2
3
4 Mike Healy

Kathy Miller

5
6
7
8 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA AMENDING THE ZONING**
9 **MAP CONTAINED IN SECTION 2 OF THE SMARTCODE AND THE ZONING MAP CONTAINED**
10 **IN IMPLEMENTING ZONING ORDINANCE, ORDINANCE NO. 2300 N.C. S. FOR THE**
11 **RIVERFRONT MIXED USE DEVELOPMENT**
12 **APN 136-010-027**
13 **FILE NUMBER 11-TSM-0130**
14

15 **WHEREAS**, Basin Street Properties submitted an application for a Zoning Map Amendment
16 and Tentative Subdivision Map for the Riverfront Mixed Development (File No.: 11-TSM-0130)
17 allowing for the future development of up to 273 residential units, 90,000 square feet of
18 commercial space, a 120-room hotel, approximately four acres of on-site parks, and a system of
19 multi-use trails located at 500 Hopper Street ("the Project" or the "proposed Project"); and,
20

21 **WHEREAS**, the Project is subject to the Central Petaluma Specific Plan ("CPSP") which
22 was approved by the City Council on June 2, 2003 and is implemented through zoning provisions
23 in Appendix A, the SmartCode, adopted on June 16, 2003 and amended on July 1, 2013; and,
24

25 **WHEREAS**, the Project remains subject to the 2003 SmartCode until July 1, 2019, because
26 it was deemed complete before the Amended SmartCode was adopted, except that it is
27 subject to the administrative procedures/warrants section of the Amended SmartCode, and is
28 subject to the Amendment procedures in Chapter 25 of the Implementing Zoning Ordinance
29 since amendments are not addressed in the SmartCode; and,
30

31 **WHEREAS**, the Project proposes to rezone the 35.7 acre development area from the
32 existing conceptual boundary area zoning of Urban Center (T-5), Urban Core (T-6) and Civic
33 Space (CS) to permanent zoning of General Urban (T-4), Urban Center (T-5), Urban Core (T-6)
34 and Civic Space (CS), as shown on attached Exhibit 1 which is incorporated herein by
35 reference; and,
36

37 **WHEREAS**, the City prepared a Draft Environmental Impact Report ("EIR") to assess the
38 potential environmental effects of the Project, including the rezoning, and the Draft EIR was
39 circulated for public review and the City prepared a Final EIR providing written responses to
40 comments received during the public review period (the Draft and Final EIRs are collectively
41 referred to as the EIR); and,
42

43 **WHEREAS**, a staff report, dated June 24, 2014 described and analyzed the Final EIR and
44 the Project for the Planning Commission reviewed conformity of the Project, including the
45 rezoning, with General Plan 2025 and the CPSP and recommended approval of the Project (the

1 staff report is incorporated herein by reference and available for public review in the Planning
2 Department at City Hall during normal business hours); and,

3
4 **WHEREAS** the Planning Commission held a duly noticed public hearing at which time all
5 interested parties had the opportunity to be heard, and following the public hearing, the
6 Planning Commission adopted Resolution 2014-15 recommending certification of the Final EIR,
7 Resolution 2014-16 recommending adoption of the proposed zoning amendments, and
8 Resolution 2014-17 recommending approval of the Tentative Subdivision Map, which resolutions
9 are incorporated herein by reference and available for public review in the Planning Division at
10 City Hall during normal business hours; and,

11
12 **WHEREAS**, the proposed rezoning would require amendments to the zoning maps in the
13 Central Petaluma Specific Plan SmartCode and the Implementing Zoning Ordinance; and,

14
15 **WHEREAS**, as described in the staff report, the proposed amendments to the zoning
16 maps are consistent with the General Plan 2025 and the Central Petaluma Specific Plan; and,

17
18 **WHEREAS**, the existing zoning shown within the Conceptual Area Boundary of the CPSP is
19 conceptual and only for the purposes of determining recommended zoning designations and
20 street layout, and is not intended to provide a detailed plan for future development in this area
21 and the proposed rezoning would establish permanent zoning for the Project site and would
22 provide the basis for developing the proposed mixed use community through the Tentative
23 Subdivision Map and future Site Plan and Architectural Review permits for individual components
24 on the Tentative Subdivision Map lots; and,

25
26 **WHEREAS**, on July 21, 2014, the City Council considered the CEQA evaluation for the
27 Project and certified the Environmental Impact Report and Mitigation Monitoring and Reporting
28 Program, in accordance with the California Environmental Quality Act and the City of Petaluma
29 Environmental Guidelines; and

30
31 **WHEREAS**, on July 21, 2014, the City Council held a duly noticed public hearing to
32 consider the proposed Zoning Amendment; and,

33
34 **WHEREAS**, the City Council hereby finds as follows:

35
36 A. The proposed amendments to the Zoning Maps and rezone of the property located
37 at 500 Hopper Street (APN 136-010-027) to T-4, T-5, T-6, and CS are in conformance with the
38 General Plan 2025 and implement the Mixed Use land designation. Additionally, the
39 amendments are in conformance with the Central Petaluma Specific Plan and implement the
40 vision of mixed use development and pedestrian friendly neighborhood character envisioned in
41 the Central Petaluma Specific Plan.

42
43 B. The proposed rezoning is consistent with the public necessity, convenience, and
44 general welfare in that it would allow development of the Riverfront Mixed-Use Development,
45 which is an appropriate implementation of the Central Petaluma Specific Plan. As further
46 described in the staff report, the Project provides a compatible and complementary mix of uses
47 on an infill site with an extensive network of sidewalks, multi-use paths, and a new bus shelter
48 nearby. These improvements provide convenient and effective bicycling, walking and transit
49 alternatives to automobile travel within and around the Project site. Zoning standards would be
50 implemented through the Tentative Subdivision Map to establish the infrastructure necessary to
51 provide public services and to support the Project as a walkable community. The zoning
52 standards would be further implemented through future Site Plan and Architectural Review
53 permits to ensure that each future structure, park or other improvement is an attractive element
54 that integrates with the rest of the community both on- and off-site. Through the proposed

1 public parks, trails and paths, and the linear Riverfront Park, the Project provides public access to
2 the river while also providing protections to the river environment.
3

4 C. The City Council finds that an Environmental Impact Report and Mitigation Monitoring
5 and Reporting Program for this project have been prepared, circulated and adopted by the
6 City Council in accordance with State Law.
7

8 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETALUMA AS**
9 **FOLLOWS:**

10
11 **Section 1.** The Zoning Map contained in the Implementing Zoning Ordinance and
12 SmartCode is hereby amended to modify the zoning districts of the property located at 500
13 Hopper Street (APN 136-010-027) from Urban Center (T-5), Urban Core (T-6) and Civic Space (CS)
14 to permanent zoning of General Urban (T-4), Urban Center (T-5), Urban Core (T-6) and Civic
15 Space (CS) as shown in Exhibit 1, based on the findings made above.
16

17 **Section 2. Severability.** If any provision of this ordinance or the application thereof to
18 any person or circumstance is held invalid, the remainder of the ordinance, including the
19 application of such part or provision to other persons or circumstances shall not be affected
20 thereby and shall continue in full force and effect. To this end, provisions of this ordinance are
21 severable. The City Council hereby declares that it would have passed each section,
22 subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact
23 that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or
24 phrases be held unconstitutional, invalid, or unenforceable.
25

26 **Section 3.** This ordinance shall become effective thirty (30) days after the date of its
27 adoption by the Petaluma City Council.
28

29 **Section 4. Posting / Publishing of Notice.** The City Clerk is hereby directed to post and/or
30 publish this ordinance or a synopsis of it for the period and in the manner required by the City
31 Charter.
32


33 **INTRODUCED** and ordered posted/published this 21st day of July, 2014.
34

35 **ADOPTED** this 4th day of August, 2014 by the following vote:
36

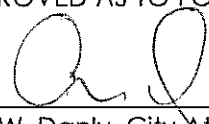
37 Ayes: Albertson, Harris, Healy, Vice Mayor Kearney, Miller
38 Noes: Barrett, Mayor Glass
39 Abstain: None
40 Absent: None
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David Glass, Mayor

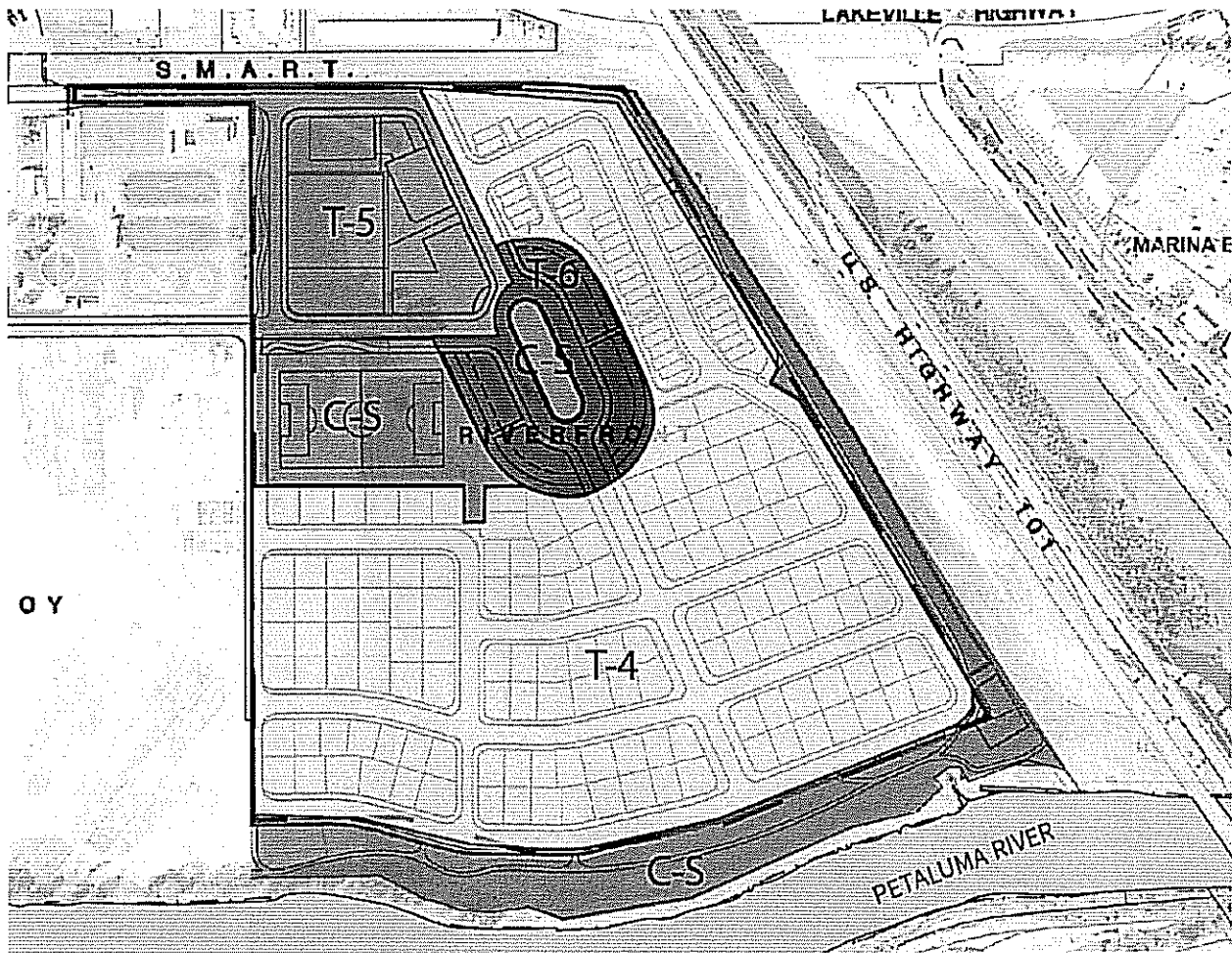
ATTEST:


Claire Cooper, CMC, City Clerk

APPROVED AS TO FORM:


Eric W. Danly, City Attorney

ZONING MAP DIAGRAM



O Y

ZONING MAP AMENDMENT
FOR THE
RIVERFRONT PROJECT
LOCATED WITHIN THE CONCEPTUAL AREA BOUNDARY OF THE CENTRAL
PETALUMA SPECIFIC PLAN