

ORDINANCE NO. 804

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
AMENDING SECTION 17.16.030.C OF THE ROHNERT PARK MUNICIPAL CODE
REGARDING THE PARKING REQUIREMENTS FOR
SPECIFIED COMMERCIAL LAND USE CATEGORIES**

WHEREAS, Section 17.06.030 of the Rohnert Park Municipal Code contains the parking regulations that pertain to various commercial land use categories within the City;

WHEREAS, one of the City Council's five (5) identified goals is the promotion of sustainability within the City of Rohnert Park;

WHEREAS, the City Council has requested that Staff explore amendments to the City's current parking standards so as to achieve consistency with the standards of other Sonoma County communities and to reduce the amount of pavement required for parking facilities;

WHEREAS, Staff has researched the parking requirements of other Sonoma County cities and has noted that the standards for the following three (3) land use categories within Section 17.16.030.C that are noticeably higher and merit amendments: "Hardware Store/Home Improvement Center," "Retail Sales Not Listed Under Another Use Classification," and "Shopping Center";

WHEREAS, Staff has prepared proposed amendments for the parking standards for these three (3) uses that would reflect the Council's direction;

WHEREAS, on August 14, 2008, the Planning Commission reviewed Planning Application No. PL2008-014MC, the proposed amendments to Section 17.16.030.C of the Rohnert Park Municipal Code regarding the parking requirements for specified commercial land use categories and recommended their adoption by the City Council; and

WHEREAS, at the September 23, 2008 City Council meeting, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Council considered all the facts relating to Planning Application No. PL2008-014MC, the proposed amendments to Section 17.16.030.C of the Rohnert Park Municipal Code regarding the parking requirements for specified commercial land use categories.

NOW, THEREFORE, the City Council of the City of Rohnert Park does hereby ordain as follows:

SECTION 1. The above recitations are true and correct.

SECTION 2. Findings.

The City Council finds that:

- A. A duly noticed public hearing regarding the proposed amendments to the Municipal Code was held by the City Council on September 23, 2008; and
- B. The proposed amendments would be consistent with the General Plan's direction to ensure the continued protection of the City's natural resources, in that a reduction in parking lot

pavement would decrease the local “heat island” effect. The proposed amendments would also be consistent with General Plan Policy CD-29 related to flexibility in parking standards and General Plan Policy CD-55 related to the improvement of pedestrian safety and circulation and the facilitation of walking to and from adjacent sites; and

- C. The proposed amendments would benefit the public’s overall health, safety and welfare, in that the amendments would further the City’s promotion of smart growth principles by reducing the reliance on the automobile; thereby decreasing dependence on the automobile and reducing the quantity of asphalt that can contribute to the heat island effect and the generation of greenhouse gases; and
- D. The proposed amendments would improve water quality and achieve compliance with the Best Management Practices established by Sonoma County Water Agency, as a reduction in pavement would contribute to a corresponding reduction in pollutants that contaminate storm water; and
- E. The proposed ordinance amendments would not impact parcels that have been zoned for housing developments that have been targeted to meet state and regional housing requirements.

SECTION 3. Environmental Clearance. In accordance with CEQA Section 15061(b)(3), “[C]EQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The proposed amendments, which would permit the construction of smaller parking lots for new commercial development, would result in positive benefits to the environment as set forth above. The City Council finds and determines that there is no possibility that the amendment would have a significant adverse impact on the environment and the activity is therefore exempt from CEQA.

SECTION 4. Section 17.16.030.C of the Rohnert Park Municipal Code regarding the specific parking requirements for the land use categories of “Hardware Store/Home Improvement Store,” “Retail Sales Not Listed Under Another Use Classification” and “Shopping Center” are amended to read as follows:

Land Use	Required Off-Street Parking (Spaces)
Hardware Store/Home Improvement Store	1 space per 300 square feet of gross floor area, plus 1 space per 1,000 square feet of outdoor storage and/or interior warehouse area

Land Use	Required Off-Street Parking (Spaces)
Retail Sales Not Listed Under Another Use Classification	1 space per 300 square feet of gross floor area

Land Use	Required Off-Street Parking (Spaces)
Shopping Center	1 space per 300 square feet of gross floor area

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections subsections, sentences, clauses or phrases may be declared unconstitutional.

SECTION 6. Effective Date. This ordinance shall be in full force and effective thirty (30) days from and after its adoption, and published and posted as required by law.

This ordinance was introduced on the 23rd day of September, 2008 and **DULY AND REGULARLY ADOPTED** this 14th day of October, 2008 by the following roll call vote:

AYES: Five (5) Councilmembers Breeze, Smith, Stafford, Vidak-Martinez and Mayor Mackenzie

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

ATTEST:
/s/ Deputy City Clerk Terri Griffin 10/14/08

CITY OF ROHNERT PARK
/s/ Mayor Jake Mackenzie

APPROVED AS TO FORM:
/s/ Assistant City Attorney James Atencio