



## DOWNTOWN STATION AREA SPECIFIC PLAN

### ZONING AND DESIGN GUIDELINES CONSISTENCY AMENDMENTS

#### **GENERAL CHANGES TO ALL SUB-AREAS**

DATE: OCTOBER 2009

TO: PROPERTY AND BUSINESS OWNERS, COMMUNITY INTEREST GROUPS, AND OTHER INTERESTED PARTIES

SUBJECT: ZONING AND DESIGN GUIDELINES CONSISTENCY AMENDMENTS AFFECTING ALL SUB-AREAS

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#### **ZONING CODE AMENDMENTS**

The following is a summary of potential Zoning Code amendments that would affect all seven sub-areas within the Downtown Station Area Specific Plan (Specific Plan):

##### **A. Parking**

The Specific Plan directs substantial reductions in standard parking requirements due to the proximity of the area to transit and rail services, and increase in pedestrian and bicycle amenities.

The Zoning Code currently has a section that allows a decrease in required parking standards if certain findings can be made. Specifically, if an applicant can document that the proposed number of parking spaces will be sufficient for the operation of the use a parking reduction may be permitted.

Parking reductions of up to 25% can be requested through the Minor Adjustment or Minor Conditional Use Permit process, which is reviewed by the City's Zoning Administrator.

Parking reductions of any amount, including requests for reductions greater than 25%, may be requested through the project approval process, which, depending on the project, may be reviewed by the Zoning Administrator, Design Review Board or Planning Commission.

While the Zoning Code currently provides a mechanism for applying for a parking reduction, it does not provide direction on how best to demonstrate that less parking would still meet the needs of the proposed use.

The Specific Plan includes several possibilities for reducing parking, which are listed below:

- Encourage shared parking for large mixed-use projects, which would benefit the surrounding area. A funding mechanism could be established that allows smaller projects in the area to provide no on-site parking, instead paying for the use of shared spaces within other facilities.
- Allow tandem parking and garage lifts.
- On-street parking spaces should be allowed to satisfy parking requirements if they are newly created by the development.
- Allow “unbundled” parking at residential developments. Unbundling separates the cost of parking from the housing, meaning that residents with no vehicles would realize a cost savings by not leasing a parking space. Correspondingly, residents who need to lease more than one reserved space could pay to do so.
- Establish parking “cash-out” and transit incentive programs for businesses within the Plan Area. Cash-out programs allow employees to be paid cash by their employers for not parking a vehicle downtown, rather than the employer subsidizing employee parking by providing on-site spaces or paying for monthly permits. Transit incentive programs work similarly, with employees being provided free transit passes instead of subsidized parking.

The above alternatives to standard parking cannot easily be translated into specific parking requirements within the Zoning Code. However, they can be formed into suggestions for possible findings for parking reductions in the Specific Plan area. As such, language will be proposed for the parking reduction section of the Zoning Code that would incentivize alternative parking methods.

## **B. Definitions**

Staff has found that several words and terms used in the Specific Plan that are not currently defined in the Zoning Code, and therefore need a definition.

For example, the City has a definition for a “grocery/specialty food” store, but does not have a definition for “supermarket”. The Specific Plan encourages a “supermarket” in the downtown area. Staff is currently working on developing a definition for supermarket.

The Zoning Code defines “building and landscape material sales”, which is defined as larger scale items sold at large scale stores, but does not define smaller-scale hardware stores.

Staff has also found that the term “activity generating use” was used throughout the Specific Plan, but was not defined.

The following new definitions will be considered for addition into the Zoning Code:

- **Neighborhood Center.** (Within the boundaries of the Specific Plan.) A small retail or service use which may include a neighborhood market and that is oriented to the daily shopping needs of nearby residents. The commercial use shall not detract from the surrounding residential character of the neighborhood due to intensity, over concentration, or design.
- **Activity Generating Use.** A land use that is intended to attract a high volume of pedestrian traffic. An activity generating use provides high customer turnover and social interaction, such as retailing, entertainment and dining establishments, personal services, theaters and galleries, and may include a lobby for upper floor multi-family residential units.
- The term “hardware store” will be added to the existing list of uses under the Zoning Code definition of “general retail”. The following sentence will also be added to the end of the existing definition of “building and landscape materials sales”: “Hardware stores are listed in the definition of ‘general retail’, even if they sell some building materials.”
- Staff will be proposing new definitions for “supermarket”, “grocery store” and “specialty food store”. Those definitions are currently being developed with an emphasis on promoting a grocery store and/or supermarket in the downtown area.

### **C. Nonconforming Uses**

The current zoning for many of the properties located within the Specific Plan area are inconsistent with the policies and new land use designations adopted in the General Plan and Specific Plan. An example is a property that has a new land use designation of Transit Village Medium, but is still within the Light Industrial (IL) zoning district. Industrial uses on these properties are considered “existing non-conforming”.

The Specific Plan Policy SP-LU-5.4 addresses existing non-conforming uses as follows:

*Allow continuance of existing non-conforming uses within the Plan Area until properties are ready to convert to uses that are consistent with adopted plans and regulations. Allow for maintenance and re-occupancy of buildings with*

*non-conforming uses and exempt minor alterations and/or expansions of existing buildings from the development guidelines established in the Development Guidelines and Streetscape Standards chapter of this plan.*

A key factor in being “ready to convert” includes having land use policy in the Zoning Code and design criteria in the Design Guidelines that is consistent with and therefore allows implementation of the Specific Plan. City Council’s adoption of the Zoning Code and Design Guidelines amendments that are the subject of this project will provide the land uses policies necessary to allow conversion of this area consistent with the vision of the Specific Plan.

The current non-conforming policy within the Zoning Code allows existing non-conforming uses to remain in perpetuity, so long as the use was legally established and remains active. However, it requires non-conforming uses to convert to a conforming use if the non-conforming use has been discontinued for a continuous period of six months or more. The Specific Plan Policy SP-LU-5.4 is not as specific as the current Zoning Code policy, and, as a result, may be interpreted and implemented differently than the current Code provision for non-conforming uses.

Interpretation of the Specific Plan policy has become an emerging issue with the Zoning and Design Guidelines Consistency Amendments project. The issue has been particularly prominent in discussions with property owners in the Maxwell Court and Sebastopol/Roberts Road areas. Many of these properties currently have Light Industrial zoning and are developed as such, but are designated by the Specific Plan and General Plan for high density residential land use.

City staff has heard some ideas from the public on this issue, and will be providing a range of options for the City Council to consider as part of the progress report that will be brought to them in December 2009. Staff will request direction from the Council on which option they want included in the Zoning Code amendment.

Below are three possible options for implementation of Specific Plan Policy SP-LU-5.4:

- *OPTION 1* – the most restrictive option; requires existing structures with non-conforming uses that have ceased operation for more than six (6) months to be converted to a conforming use (current Zoning Code).
- *OPTION 2* – less restrictive; requires existing structures with legal non-conforming uses that have ceased operation for more than 24 months to be converted to a conforming use.
- *OPTION 3* – most flexible (for Railroad Corridor sub-area only); allows additional time for properties within the Railroad Corridor sub-area to convert. The additional time is linked to activation of the SMART passenger train service.

Details of the above-noted options are provided below:

<p style="text-align: center;"><b>OPTION 1</b></p> <hr/> <p style="text-align: center;">Most Restrictive</p> <p>Similar to current Zoning Code requirements for non-conforming uses.</p>	<p style="text-align: center;"><b>OPTION 2</b></p> <hr/> <p style="text-align: center;">Less Restrictive</p> <p>Allows more time for existing non-conforming uses – 24 months instead of 6 months.</p> <p><i>Alternative: This option could be applied to the Railroad Corridor sub-area only, with Option 1 applied to all other sub-areas.</i></p>	<p style="text-align: center;"><b>OPTION 3</b></p> <hr/> <p style="text-align: center;">For Railroad Corridor sub-area only</p> <p>SMART passenger train activation determines when the Railroad Corridor sub-area is ready to convert.</p> <p><i>The following would apply to the Railroad Corridor sub-area only, with Option 1 or Option 2 applied to all other sub-areas:</i></p>
<p>A. All properties within the Specific Plan area would be immediately subject to the land use requirements of the applicable zoning district upon adoption of the Zoning and Design Guidelines Consistency Amendments project.</p>	<p>A. All properties within the Specific Plan area would be immediately subject to the land use requirements of the applicable zoning district upon adoption of the Zoning and Design Guidelines Consistency Amendments project.</p>	<p>A. All properties within the Specific Plan area would be immediately subject to the land use requirements of the applicable zoning district upon adoption of the Zoning and Design Guidelines Consistency Amendments project.</p>
<p>B. <u>Existing non-conforming uses:</u></p> <p>Existing non-conforming uses may continue, or may be changed to another non-conforming use of a similar or more restricted classification or nature, provided that the proposed new non-conforming use would not increase the degree or intensity of the non-conformity, with the following exception:</p> <p>(a) If a non-conforming use is discontinued for a period of <b>six (6) months or more</b>, the rights to the legal non-conforming status will terminate.</p>	<p>B. <u>Existing non-conforming uses:</u></p> <p>Existing non-conforming uses may continue, or may be changed to another non-conforming use of a similar or more restricted classification or nature, provided that the proposed new non-conforming use would not increase the degree or intensity of the non-conformity, with the following exception:</p> <p>(a) If a non-conforming use is discontinued for a period of <b>24 months or more</b>, the rights to the legal non-conforming status will terminate.</p>	<p>B. <u>Existing non-conforming uses:</u></p> <p>Existing non-conforming uses may continue, or may be changed to another non-conforming use of a similar or more restricted classification or nature, provided that the proposed new non-conforming use would not increase the degree or intensity of the non-conformity, with the following exception:</p> <p><b><i>Within 5 years following the activation of the SMART passenger train service:</i></b></p> <p>(a) If a non-conforming use is discontinued for a period of <b>36 months or more</b>, the rights to the legal non-conforming status will terminate; or</p> <p>(b) If, within the first 5 years following the activation of the SMART passenger train service, more than 50% of the properties within the Railroad Corridor sub-area have been converted to uses consistent with the Specific Plan, then the remaining non-conforming uses would be subject to Option 1(B).</p> <p><b><i>At the end of the 5th year following the activation of the SMART passenger train service, and for the years following:</i></b></p> <p>All existing non-conforming uses would be subject to Option 1(B).</p>

<p style="text-align: center;"><b>OPTION 1</b></p> <hr/> <p style="text-align: center;">Most Restrictive</p> <p>Similar to current Zoning Code requirements for non-conforming uses.</p>	<p style="text-align: center;"><b>OPTION 2</b></p> <hr/> <p style="text-align: center;">Less Restrictive</p> <p>Allows more time for existing non-conforming uses – 24 months instead of 6 months.</p> <p><i>Alternative: This option could be applied to the Railroad Corridor sub-area only, with Option 1 applied to all other sub-areas.</i></p>	<p style="text-align: center;"><b>OPTION 3</b></p> <hr/> <p style="text-align: center;">For Railroad Corridor sub-area only</p> <p>SMART passenger train activation determines when the Railroad Corridor sub-area is ready to convert.</p> <p><i>The following would apply to the Railroad Corridor sub-area only, with Option 1 or Option 2 applied to all other sub-areas:</i></p>
<p>C. <u>Minor alterations and/or expansions:</u></p> <p>Minor alterations and/or expansions of an existing structure being used for a non-conforming use may be made through the approval of a <b>Minor Conditional Use Permit</b>, provided that the work does not exceed 50% of the current market value of the structure during any calendar year.</p> <p>An alteration and/or expansion of such structure can only be approved if it would not increase the degree or the detrimental effects of the non-conformity.</p>	<p>C. <u>Minor alterations and/or expansions:</u></p> <p>Minor alterations and/or expansions of an existing structure being used for a non-conforming use may be made through the approval of a <b>Minor Conditional Use Permit</b>, provided that the work does not exceed 50% of the current market value of the structure during any calendar year.</p> <p>An alteration and/or expansion of such structure can only be approved if it would not increase the degree or the detrimental effects of the non-conformity.</p>	<p>C. <u>Minor alterations and/or expansions:</u></p> <p><b><i>Within 5 years following the activation of the SMART train service:</i></b></p> <p>Minor alterations and/or expansions of an existing structure being used for a non-conforming use are <b>permitted</b>, provided that the work does not exceed 50% of the current market value of the structure during any calendar year.</p> <p><b><i>At the end of the 5th year following the activation of the SMART passenger train service, and for the years following:</i></b></p> <p>Minor alterations and/or expansions of an existing structure being used for a non-conforming use may be made through the approval of a <b>Minor Conditional Use Permit</b>, provided that the work does not exceed 50% of the current market value of the structure during any calendar year.</p> <p>An alteration and/or expansion of such structure can only be approved if it would not increase the degree or the detrimental effects of the non-conformity.</p>

## DESIGN GUIDELINES AMENDMENTS

*The following is a summary of the potential Design Guideline amendments that would implement the Specific Plan:*

Currently the Santa Rosa Design Guidelines includes a special section within the document that clarifies the design goals and objectives for new development in the Downtown Area. This section is called SECTION 2 – CORE AREA. Within this Section, goals and objectives specific to the Downtown are categorized into five main areas:

### SECTION 2 – CORE AREA

- 2.1 Downtown Area
- 2.2 Public Streets
- 2.3 Buildings
- 2.4 Historic Districts
- 2.5 Plazas and Open Spaces

Staff found that many policies and directions stated within the Downtown Station Area Specific Plan lend themselves more to incorporation into the Design Guidelines (versus being codified as development standards within the City's Zoning Code).

Staff determined that the most appropriate location for these design guidelines would be within the existing SECTION 2 – CORE AREA, with retention of the existing Downtown Area guidelines and addition of new Downtown Station Area guidelines. The existing and new guidelines were found consistent with each other, with only a few minor corrections needed to existing Downtown Area guidelines – guidelines that became inconsistent with the adoption of the Downtown Station Area Specific Plan. The existing Downtown Area guidelines that would need a minor correction as part of this project are in italics. Otherwise the following are new design guidelines to be added to the existing Core Area guidelines.

The following are the proposed amendments to SECTION 2 – CORE AREA:

### SECTION 2 – CORE AREA

#### Introduction

New text will include the purpose and background of the Downtown Station Area Specific Plan, and how the design guidelines contained within were incorporated into the Section. Text will also include a description of boundaries – eg. what is meant as “Downtown” vs. “Downtown Station Area”.

“Downtown” is defined in the General Plan as being generally bound by College Avenue to the north, Brookwood Avenue/South E Street to the east, Santa Rosa

Creek and Sonoma Avenue to the south, and the North Western Pacific Rail Road (NWPRR) tracks on the west. (Figure 2.1.3 - Map of the Downtown).

The “Downtown Station Area” is defined in the Downtown Station Area Specific Plan and encompasses nearly 650 acres within approximately ½ mile walking distance of the Downtown SMART Station site. The Downtown Station Area includes the entire “Downtown” area as well as an additional expansion area to the south and west (ADD new Figure 2.1.4 – Map of the Downtown Station Area):

- Southerly boundary is expanded beyond the “Downtown” to run along the east side Santa Rosa Avenue to Highway 12, South A Street, the Olive Park Preservation District, and Sebastopol Avenue and Sebastopol Road.
- Westerly boundary is expanded beyond the “Downtown” to run along Dutton Avenue, south side of West Third Street, Imwalle Gardens, Dutton Avenue, up to College Avenue.

## **2.1 Downtown Station Area (to be renamed from “Downtown Area”)**

2.1.1 Preserve the distinct character of each Sub-Area within the Downtown Station Area Specific Plan boundary by informing development with the unique characteristics and vision for the seven diverse neighborhoods:

- The Courthouse Square Sub-Area is envisioned to be a vibrant mixed use area with new housing added to the existing office and retail uses.
- The Railroad Square Sub-Area is envisioned to be a mixed use area with residential, hotel, office and retail uses.
- The Railroad Corridor Sub-Area is envisioned to be a diverse mix of multi-family housing, live-work housing and mixed use residential with neighborhood serving retail.
- The Park and Gardens Sub-Area is envisioned to be a mixed use area with housing and retail uses throughout and where new development provides a shared identity for the Julliard Park and Burbank Garden neighborhoods.
- The Imwalle Gardens Sub-Area is envisioned to be a residential community with direct pedestrian and bicycle access to the downtown rail station via the Prince Memorial Greenway.
- The Residential and Historic Residential Sub-Areas include eight distinct residential neighborhoods envisioned to maintain and enhance their existing residential characters:

*West Third Street and Dutton Area*  
*North Railroad Square Area*

*Julliard Park Area*  
*West End Historic Residential Area*  
*Saint Rose Historic Residential Area*  
*Cherry Street Historic Residential Area*  
*Burbank Gardens Historic Residential Area*

- 2.1.2 New development shall be designed to reinforce and enhance the distinctive and unique qualities of the Sub-Area it is located within.
- 2.1.3 Encourage green site design by utilizing native trees and plants where possible, incorporating permeable paving and designing resource-efficient landscapes and gardens.
- 2.1.4 New development in the Davis and Ripley areas of the West End neighborhood shall be designed with special attention to compatibility with existing single-family units.
- 2.1.5 New development adjacent to the St Rose and West End historic neighborhoods should be compatible in height and scale with existing structures.
- 2.1.6 New development on the existing City Hall site may be set back from the build-to line at the discretion of the Design Review Board.
- 2.1.7 Development along the West Sixth Street frontage of the SMART property should be designed to be compatible in terms of scale, massing and materials with existing development in the West End neighborhood.

## **2.2 Public Streets**

- 2.2.1 Support the creation of a pedestrian-oriented environment along Santa Rosa Avenue with two to three-story mixed use buildings, improved street furnishings and other pedestrian amenities.
- 2.2.2 New development and/or major renovations should be designed to reinforce and enhance the pedestrian-oriented character of Fourth Street (from Santa Rosa Creek to E Street) and Mendocino Avenue (between Second and Seventh Streets).
- 2.2.3 Encourage the creation of a neighborhood retail hub and pedestrian crossing at the intersection of Sebastopol Avenue, Santa Rosa Avenue and Mill Street to enable interaction between the Julliard Park neighborhood and the Burbank Gardens neighborhood.

- 2.2.4 Require development of a parallel frontage street along the Santa Rosa Creek corridor in the Imwalle Gardens Sub-Area to maximize visual and physical connections with the creek.
- 2.2.5 The point at which Santa Rosa Avenue crosses over Santa Rosa Creek should include special signage or artwork to create an entry element and to announce the presence of the creek. Artwork should signify the importance of a future gateway park and proposed performing arts center nearby.
- 2.2.6 Upgrade and maintain the lighting and public art along the section of Third Street that passes under the Santa Rosa Plaza.
- 2.2.7 The point at which Sixth Street crosses under Highway 101 should include special lighting and artwork.
- 2.2.8 Additional street trees and landscaping elements should be planted along visible parking lots to visually screen them from the street and promote a sense of enclosure along the right of way.
- 2.2.9 The point at which West Third Street crosses Santa Rosa Creek should include special signage or artwork to announce the presence of the creek.
- 2.2.10 The point at which Roberts Avenue crosses under the Highway 12 overpass should include special signage or artwork and enhanced lighting to create a gateway element.
- 2.2.11 Enhanced lighting and public art should be included at the Ninth Street underpass of Highway 101.
- 2.2.12 Canopy trees should be included in landscaped strips along the corridor.

### **2.3 Buildings**

- 2.3.1 Promote site and building design that improves energy efficiency by incorporating natural cooling and passive solar heating. This may include extended eaves, window overhangs, awnings and tree placement for natural cooling, and building and window orientation to take advantage of passive solar heating.
- 2.3.2 Support the use of green or sustainable building materials, including recycled content materials that are consistent with the underlying architectural style and character of the building.
- 2.3.3 The intimate quality of Mendocino Avenue and Fourth Street in the Courthouse Square Sub-Area should be retained in the design of the ground

floor, reflecting small-scale development at the street level. Architectural step backs above the second floor are encouraged along the street front.

## **2.4 Historic Districts**

- 2.4.1 In Railroad Square, new development and/or major renovations within the historic district shall be designed to respect, retain and enhance the historic qualities of the area.
- 2.4.2 Development of properties along Fourth Street and West Fourth Street in Railroad Square shall be designed to maintain views of the historic water tower from the Fourth Street corridor.
- 2.4.3 New development within the Railroad Square Sub-Area should be designed to create opportunities for interaction with adjacent development or public spaces. Internalization or isolation of active uses or spaces is discouraged.
- 2.4.4 Development at the northern end of the SMART Site should be oriented toward West Sixth Street and designed to be compatible in both scale and materials with existing development in the West End neighborhood.
- 2.4.5 Infill development in the Residential and Historic Residential Sub-Areas should incorporate and reflect character defining elements of the area as identified by the City's Cultural Heritage Board and follow the design guidelines outlined in the City's Processing Review Procedures for Historic Properties.

## **2.5 Plazas and Open Spaces**

- 2.5.1 Create a more unifying design for the Second Street Transit Mall where it intersects with Santa Rosa Avenue and B Street.
- 2.5.2 The Prince Memorial Greenway Standard light fixtures with banner brackets should be placed regularly along the corridor.
- 2.5.3 The Prince Memorial Greenway Standard furniture should be included at intersection access points and within parks and open spaces adjacent to the corridor.

## **Existing Design Guidelines to be Amended**

- Goal 2.1.1 Encourage dense development in the downtown **station area**, redirecting the focus of current growth away from the periphery and concentrating uses in an area with existing infrastructure and services.*
- 2.1.11.C Architectural setbacks above the **third** floor are encouraged along the street frontage.*

2.2.2.B *Provide a minimum of **80%** transparency at the front elevation of the ground floor of buildings. The transparency should be obtained with storefront windows and glass entry doors. Where privacy is desired, blinds or shades should be utilized. Tinted glass or mirrored glass is not allowed at the pedestrian level.*

2.2.5 A *Sidewalks should be wide enough to accommodate pedestrians, street furniture, street trees and outdoor activities such as café's. ~~Increasing building setbacks on street frontages should be considered when insufficient width is available within the right of way to accommodate these provisions.~~*

### **Alternative Approaches Considered**

Another approach that staff considered for amending the Design Guidelines was to create an entirely new Section in the Design Guidelines called SECTION 5 – STATION AREAS. Within this section would be a subsection specific to the Downtown Station Area, and a future subsection reserved for the Jennings Station Area. Staff found that although this would certainly emphasize the importance of the Station Areas, the drawbacks to this approach outweighed the benefits. Staff was concerned about the inefficiency and effectiveness of having applicants, staff and Board members look in several different sections within the Guidelines, instead of one complete Core Area Section, with many guidelines overlapping.

A third alternative approach that staff considered was to create a new Subsection within SECTION 4 – SPECIAL DESIGN CONSIDERATIONS. This is the section where one would look for subsections on Creekside Development, Off-site Parking Lots, Mendocino Avenue Corridor, Hillside Development, ect. In addition to the drawback above, with downtown development guidelines in multiple places within the Design Guidelines, staff felt that this approach downgraded the importance and prominence of the Downtown Station Area.