

## LAND USE AND PLANNING

### 4.11 LAND USE AND PLANNING

This chapter of the Draft Environmental Impact Report (EIR) describes the potential impacts related to land use and planning associated with the adoption and implementation of the proposed project. This chapter describes the regulatory framework and existing conditions, identifies criteria used to determine impact significance, provides an analysis of the potential impacts related to land use and planning, and identifies proposed General Plan 2050 goals, policies, and actions that would minimize any potentially significant impacts.

#### 4.11.1 ENVIRONMENTAL SETTING

##### 4.11.1.1 REGULATORY FRAMEWORK

###### State Regulations

###### *Cortese-Knox Act*

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>1</sup> established a Local Agency Formation Commission (LAFCO) in each county in California, and authorized these commissions to review, approve, or deny proposals for boundary changes and incorporations for cities, counties, and special districts. The LAFCO established a “sphere of influence” (SOI) for cities within their jurisdiction that describes the city’s probable future physical boundaries and service area. The Santa Rosa SOI is regulated by Sonoma County LAFCO. The Santa Rosa SOI is shown on Figure 3-2, *General Plan 2050 Planning Boundaries and EIR Study Area*, in Chapter 3, *Project Description*, of this Draft EIR. The City does not propose to annex or de-annex any areas of the SOI as part of the proposed project.

###### Regional Regulations

###### *Plan Bay Area*

As described in Chapter 4.0, *Environmental Analysis*, of this Draft EIR, the Metropolitan Transportation Commission (MTC) and Association of Bay Area Government (ABAG) adopted *Plan Bay Area 2050*, the regional transportation plan/sustainable community strategy on October 21, 2021, as mandated by the Sustainable Communities and Climate Protection Act (Senate Bill 375).<sup>2</sup> *Plan Bay Area* lays out a development scenario for the nine-county Bay Area region that works to align transportation and land use planning in order to reduce vehicle miles traveled (VMT) through modified land use patterns. *Plan Bay Area* projects growth and development patterns through 2050.

<sup>1</sup> California Government Code, Sections 56000–56001.

<sup>2</sup> Association of Bay Area Governments and Metropolitan Transportation Commission, October 2021, *Plan Bay Area 2050*, accessed July 21, 2023, [https://www.planbayarea.org/sites/default/files/documents/Plan\\_Bay\\_Area\\_2050\\_October\\_2021.pdf](https://www.planbayarea.org/sites/default/files/documents/Plan_Bay_Area_2050_October_2021.pdf).

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*Plan Bay Area* distributes future growth across the San Francisco Bay Area region in order to meet its GHG emissions reduction, housing, and other performance targets, but it is not intended to override local land use control. Cities and counties, not MTC/ABAG, are ultimately responsible for the manner in which their local communities continue to be built out in the future. For this reason, cities and counties are not required to revise their land use policies and regulations, including general plans, to be consistent with the regional transportation plan or an alternative planning strategy. Rather than increase regional land use control, *Plan Bay Area* facilitates implementation by expanding incentives and opportunities available to local jurisdictions to support growth in Priority Development Area (PDA). In addition to funding transportation and planning projects in PDAs, *Plan Bay Area* sets the stage for cities and counties to increase the efficiency of the development process, if they choose, for projects consistent with *Plan Bay Area* and other state legislation.<sup>3</sup>

As described in Chapter 4.0 of this Draft EIR, as part of the implementing framework for *Plan Bay Area*, PDAs and Transit Priority Areas (TPA) are identified as areas where concentrated development can have beneficial environmental effects and reduce adverse environmental impacts. PDAs are areas along transportation corridors which are served by public transit that allow opportunities for development of transit-oriented, infill development in existing communities that are expected to host the majority of future development. TPAs are similar in that they are formed within one-half mile around a major transit stop such as a transit center or rail line. As shown on Figure 4-1, *Priority Development Areas and Transit Priority Areas*, in Chapter 4.0 of this Draft EIR, the EIR Study Area has six PDAs and three TPAs.

### Local Regulations

While the City has other local regulations that regulate land use and guide land use decisions, all specific plans, master plans, and zoning in the city must be consistent with the General Plan. The General Plan is the community's overarching policy document that defines a vision for future change and sets the "ground rules" for locating and designing new projects that enhance the character of the community, expanding the local economy, conserving and preserving environmental resources, improving public services and safety, minimizing hazards, and fostering community health. The General Plan, which includes a vision, guiding principles, goals, policies, and actions, functions as the City's primary land use regulatory tool. It provides a basis for judging whether specific development proposals and public projects are in harmony with General Plan policies. It is the constitution for future change in Santa Rosa. The General Plan must be used as the basis for all planning-related decisions made by City staff, the Planning Commission, and the City Council. Other decision-making bodies that rely on the General Plan to guide future decisions include, but are not limited to, the Art in Public Places Committee, Bicycle and Pedestrian Advisory Board, Cultural Heritage Board, Design Review Board, Transportation and Public Works Department, and the Recreation and Parks Department.

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<sup>3</sup> Association of Bay Area Governments and Metropolitan Transportation Commission, 2022, Frequently Asked Questions: Does *Plan Bay Area* override local land use control? accessed August 31, 2022, <https://www.planbayarea.org/2040-plan/quick-facts/faq-page#n4851>.

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### 4.11.1.2 EXISTING CONDITIONS

The term “existing land use” refers to the existing built environment, which may be different from the general plan or zoning designations that the City applies for planning purposes. The City of Santa Rosa is relatively built out with well-established residential neighborhoods at lower densities than the greater San Francisco Bay Area. Low density, primarily single-family residential is the predominant land use in the city. Single-family residential uses cover 52 percent of the city’s 41 square miles. Commercial uses are generally located in the heart of Santa Rosa and along US Highway 101, with 15 unique commercial districts in addition to Downtown Santa Rosa, which operates as a mixed-use district. Over half of all commercial development in the city is strip retail. Industrial uses are generally situated in the northern and southern outskirts of Santa Rosa, often near US Highway 101, and occupy only about 3 percent of the city’s land area (718 acres). Outside the city limit, the SOI includes some built-up urban areas, agricultural, and undeveloped land.

### 4.11.2 STANDARDS OF SIGNIFICANCE

Implementation of the proposed project would result in a significant land use impact if it would:

1. Physically divide an established community.
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.
3. In combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to land use and planning.

### 4.11.3 IMPACT DISCUSSION

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<b>LU-1</b>	<b>Implementation of the proposed project would not physically divide an established community.</b>
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The physical division of an established community typically refers to the construction of a physical feature or the removal of a means of access that would impair mobility within an existing community or between a community and outlying areas.

Potential future development from implementation of the proposed General Plan 2050 would not result in a change in land use or zoning that would cause the construction or removal of any physical features or means of access throughout the EIR Study Area or the region. As discussed in Chapter 3, *Project Description*, of this Draft EIR, potential future development from implementation of the proposed project is expected to occur in the proposed General Plan 2050 Areas of Change and would primarily occur in the form of infill/intensification on sites already developed and/or underutilized, and/or in close proximity to existing development and infrastructure in the proposed Areas of Change, of which most are in PDAs and TPAs. While the proposed General Plan 2050 does not prohibit development opportunities outside of infill locations, it does require the City to ensure that growth and change serve community needs and protect the environment, as identified in proposed Goal 2-1 of Chapter 2, *Land Use and Economic Development*.

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Proposed Policy 2-1.2, which supports Goal 2-1, encourages development that supports community health and quality of life and fosters complete neighborhoods in both established and emerging neighborhoods. Additionally, the proposed General Plan 2050 maintains the existing roadway patterns and would not include any new major roadways or other physical features through existing neighborhoods that would create new physical barriers in the EIR Study Area. Therefore, implementation of the proposed project would not physically divide an established community. Impacts would be *less than significant*.

**Significance without Mitigation:** Less than significant.

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<b>LU-2</b>	<b>Implementation of the proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</b>
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### Land-Use Plans, Policies, and Regulations

While the proposed General Plan 2050 is the primary planning document for the City of Santa Rosa and the proposed update is intended to ensure consistency between the General Plan, Zoning Ordinance, and federal and state laws, implementation of the proposed project has the potential to conflict with “land use” plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. For the purposes of this EIR, a “land use” plan is a policy, or regulation that addresses how land is used. The following discusses the proposed project and its relationship to the land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, as listed in Section 4.11.1.1, *Regulatory Framework*.

#### *Sonoma Local Agency Formation Commission*

The proposed Santa Rosa SOI is regulated by the Sonoma County LAFCO and any proposed jurisdictional boundary changes, including annexations and detachments of territory to and/or from the city, are subject to Sonoma County LAFCO review and approval. The Sonoma County LAFCO also must review any contractual service agreements and determine the SOI. Although the City does not propose to annex or de-annex any areas of the SOI as part of the proposed General Plan 2050, annexation proposals could occur during the buildout horizon of the proposed General Plan 2050.

Chapter 2, *Land Use and Economic Development*, of the proposed General Plan 2050 contains goals, policies, and actions that require local planning and development decisions to consider impacts from annexations from the SOI to the city limit. The following goal, policies, and actions would serve to minimize impacts from annexations through collaboration with the Sonoma County LAFCO:

- **Goal 2-1:** Ensure that growth and change serve community needs, protect the environment, improve the City’s fiscal stability, and enhance quality of life for all members of the community.
  - **Policy 2-1.2:** Facilitate future annexations with a thoughtfully designed and transparent strategy that ensures the City’s ongoing fiscal health and supports a high quality of life for community members.

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- **Action 2-1.5:** Prepare a specific plan prior to annexation of land in south Santa Rosa, south from the current City boundary to the Urban Growth Boundary, including both the east and west sides of Highway 101 to identify and accommodate needs related to City services, such as fire and police, water, wastewater, stormwater, transportation, and parks.
- **Action 2-1.6:** Require a fiscal impact analysis for proposed annexations when determined necessary by staff to ensure a full accounting of infrastructure and public service costs and confirm whether revenue enhancement mechanisms are necessary to ensure net fiscal balance.
- **Action 2-1.7:** Allow annexations or City utility connections only if they do not adversely impact the City's fiscal viability, environmental resources, infrastructure and services, and quality of life.
- **Action 2-1.8:** Work with LAFCO to require all proposed annexations within a county island to prepare a sentiment survey of all property owners in the island to determine the feasibility of annexing the full county island.
- **Policy 2-1.3:** Promote and participate in cooperative planning efforts with surrounding jurisdictions and the County, especially related to countywide and regional issues such as transportation, waste management, climate resilience and adaptation, hazard mitigation, and affordable housing.
- **Action 2-1.9:** Continue to meet with County of Sonoma staff to coordinate land use issues of mutual concern in the Urban Growth Boundary.
- **Policy 2-1.6:** Maintain consistency between LAFCO and City of Santa Rosa Disadvantaged Unincorporated Community maps.
- **Action 2-1.19:** Continue to coordinate with Sonoma Local Agency Formation Commission regarding mapping of Disadvantaged Unincorporated Communities (DUCs) and update the General Plan as necessary to address needs of identified DUCs within the Santa Rosa Sphere of Influence—consistent with Government Code Section 65302.10.(a).

The proposed project acknowledges that the City will follow adopted Sonoma County LAFCO policies to review any proposed SOI changes and annexation requests. Accordingly, the proposed General Plan 2050 would not conflict with or be inconsistent with the Sonoma County LAFCO policies, and the impact would be *less than significant*.

### *Plan Bay Area*

While *Plan Bay Area* is not intended to override local land use control, it provides guidance to the local agencies such as Santa Rosa that focuses on achieving the State's GHG and VMT reduction goals. This includes constructing more infill development in downtowns and centers in close proximity to jobs and services. Chapter 2, *Land Use and Economic Development*, and Chapter 3, *Circulation, Open Space, Conservation, and Greenhouse Gas Reduction*, of the proposed General Plan 2050 contain goals, policies, and actions that require local planning and development decisions to consider GHG and VMT reduction goals. The following goals, policies, and actions would serve to support the goals of the *Plan Bay Area*:

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- **Goal 2-1:** Ensure that growth and change serve community needs, protect the environment, improve the City's fiscal stability, and enhance quality of life for all members of the community.
  - **Policy 2-1.4:** Ensure that City policy, codes, programming, and practices support a range of land uses.
    - **Action 2-1.10:** Consider updating the Zoning Code to allow for compatible residential and commercial uses in office parks, light industrial areas, and other similar areas.

Such compatible uses could include, but are not limited to, live-work units, artisan studios/shops, galleries, brew pubs, coffee shops, tasting rooms, sports and entertainment venues, and event spaces.
    - **Action 2-1.14:** Update the Zoning Code to:
      1. Rezone parcels to ensure consistency with the General Plan.
      2. Rezone Planned Development communities into appropriate zoning districts consistent with General Plan land uses.
      3. Create development standards for Missing Middle Housing types.
- **Goal 2-2:** Promote city-centered growth and investment with a neighborhood-focused approach to create complete and connected communities that provide community members' daily needs within easy walking or biking distance.
  - **Policy 2-2.1:** Support development of complete neighborhoods, especially in Areas of Change, ensuring they offer convenient, equitable access to goods and services needed to support daily life, such as healthy food, recreation, active transportation infrastructure, and transit.
    - **Action 2-2.1:** Work with landowners and developers to encourage development that will increase access to goods and services that support daily life, such as access to fresh produce, recreation and sporting opportunities, community gathering places, active transportation infrastructure, and transit.
  - **Policy 2-2.2:** Encourage a compact, rather than a scattered, development pattern for new development proposals, particularly in Areas of Change.
    - **Action 2-2.5:** Explore ways to encourage development in Areas of Change that includes services within one-half mile walking and biking distance of residential neighborhoods
    - **Action 2-2.7:** Maintain Priority Development Area and Transit-Oriented Community designations in accordance with Plan Bay Area and ongoing ABAG/MTC efforts to ensure consistency with regional planning.
  - **Policy 2-2.3:** Maintain close land use/transportation relationships to promote multi-modal transportation and discourage travel by automobile in all private development, capital improvement projects, and area plans.

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- **Goal 2-3:** Create dense and varied housing types near transit to reduce greenhouse gas emissions and promote livability.
  - **Policy 2-3.1:** Ensure that residential developments, including subdivisions and neighborhoods, are designed to foster livability, maintain local and historic character of neighborhoods, and offer diverse housing types to satisfy a wide range of needs and retain local character.
    - **Action 2-3.1:** Update the Zoning Code to permit residential and mixed-use development by right in some nonresidential zoning districts, as mandated by State law.
    - **Action 2-3.2:** Identify barriers and/or incentives to mixed-use redevelopment in areas that are currently lacking components of a complete neighborhood and mitigate/implement these

In addition to the proposed General Plan 2050 goals, policies, and actions listed above, see Chapter 4.3, *Air Quality*, Chapter 4.6, *Energy*, Chapter 4.8, *Greenhouse Gas Emissions*, and Chapter 4.15, *Transportation*, of this Draft EIR for complete lists of proposed General Plan 2050 goals, policies, and actions that would minimize conflict with the goals of *Plan Bay Area*. Accordingly, the proposed project would not conflict with or be inconsistent with *Plan Bay Area*, resulting in a *less-than-significant* impact.

### Non-Land-Use Plans, Policies, and Regulations

Plans, policies, and regulations concerning a wide range of topics can also have direct and indirect effects on land use decision-making. The proposed General Plan 2050's potential to conflict with other applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect are discussed in detail in the other environmental topic chapters of this Draft EIR. Specifically, these discussions are in Chapter 4.3, *Air Quality*; Chapter 4.4, *Biological Resources*; Chapter 4.5, *Cultural Resources*; Chapter 4.8, *Greenhouse Gas Emissions*; Chapter 4.9, *Hazards and Hazardous Materials*; Chapter 4.10, *Hydrology and Water Quality*; Chapter 4.12, *Noise*; Chapter 4.13, *Population and Housing*; Chapter 4.14, *Public Services, Parks, and Recreation*; Chapter 4.15, *Transportation*; Chapter 4.16, *Tribal Cultural Resources*; Chapter 4.17, *Utilities and Service Systems*; and Chapter 4.18, *Wildfire*. Some of these key regulations include:

- **Air Quality.** Bay Area Air Quality Management District (BAAQMD) has prepared several plans to attain the National and California ambient air quality standards. The air quality management plans prepared by BAAQMD provide the framework for San Francisco Bay Area Air Basin to achieve attainment of the State and federal ambient air quality standards.
- **Biological Resources.** The federal Endangered Species Act and California Endangered Species Act protect plants and animals that are listed as endangered or threatened by the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the California Department of Fish and Wildlife. The Migratory Bird Treaty Act protects migratory birds, any of their parts, eggs, and nests. The Bald and Golden Eagle Protection Act of 1940, as amended, provides for the protection of bald eagles and golden eagles. The federal and State Clean Water Acts protect habitat for animals and plants. The Native Plant Protection Act of 1977 was created with the intent to “preserve, protect and enhance rare and endangered plants in this State.”<sup>4</sup>

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<sup>4</sup> California Fish and Game Code Section 1900.

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- **Cultural and Tribal Cultural Resources.** The National Historic Preservation Act defines the responsibilities of federal agencies to protect and preserve Historic Properties. The American Indian Religious Freedom Act and the Native American Graves Protection and Repatriation Act of 1990 protect Native American artifacts. California Government Code Section 65352.3-5, formerly known as Senate Bill 18, and Assembly Bill 52 are both intended to protect Native American resources as well.
- **Greenhouse Gas Emissions and Vehicle Miles Traveled.** The *Plan Bay Area* provides guidance to reduce VMT and thus reduce GHG emissions to meet the State's goals.
- **Hydrology and Water Quality.** The federal and State Clean Water Acts include regulations for protecting water quality. The City of Santa Rosa is within the jurisdiction of the North Coast Regional Water Quality Control Board (Region 1). The North Coast water board addresses regionwide water quality issues through the creation and triennial update of the *Water Quality Control Plan* for the North Coast Region (Basin Plan).
- **Natural Hazards.** The City of Santa Rosa adopted the Sonoma County Multi-Jurisdictional Hazard Mitigation Plan, which also provides an update to the City's local hazard mitigation plan, on December 2021. The City's local hazard mitigation plan identifies the natural hazards faced by the city, assesses vulnerabilities to these hazards, and identifies mitigation strategies that can be taken to reduce or alleviate the loss of life, personal injury, and property damage that otherwise might result from said natural hazards. Mitigation actions are suggested and carried out by various City departments.
- **Population and Housing.** ABAG is the official comprehensive planning agency for the Sonoma County area and is responsible for taking the overall Regional Housing Needs Assessment provided by the State and preparing a formula for allocating that housing need by income level across its jurisdiction.
- **Utilities and Service Systems.** The National Pollutant Discharge Elimination System permit program was established by the Clean Water Act to regulate municipal and industrial discharges to surface waters of the United States, including discharges from municipal separate storm sewer systems.

For a complete list and description of the applicable non-land-use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect, please see the individual chapters of this Draft EIR listed previously.

### Summary

In summary, the proposed project is the primary planning document for the City of Santa Rosa. The proposed General Plan 2050 is intended to ensure consistency between the General Plan, Zoning Ordinance, and federal and state laws. Because the proposed General Plan 2050 is the overriding planning document for the City, and because the proposed General Plan 2050 involves amending the current General Plan and the Zoning Ordinance, the impact would be *less than significant*.

**Significance without Mitigation:** Less than significant.



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<b>LU-3</b>	<b>Implementation of the proposed project would not, in combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to land use and planning.</b>
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The geographic context for the cumulative land use and planning impacts would occur from potential future development under the proposed project combined with impacts of development on lands adjacent to the city.

As discussed under Impact Discussions LU-1 and LU-2, the proposed project would not divide an established community or conflict with established plans, policies, and regulations. The proposed project would not conflict with any State, regional, or local land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Potential future development over the buildout horizon of the proposed project would not create substantial land use impacts. Development would likely continue to occur in the surrounding cities and the unincorporated areas of Sonoma County. However, such development would largely take place in already urbanized areas and would not require development or demolition that would create land use conflicts or divide established communities. Therefore, the proposed project would not result in a cumulatively considerable contribution to cumulative impacts related to land use changes, and cumulative impacts would be *less than significant*.

**Significance without Mitigation:** Less than significant.

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