

RESOLUTION NO. \_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING AN ADDENDUM TO THE SOUTHWEST AREA PROJECTS SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2002092016) FOR THE CHERRY RANCH SUBDIVISION, LOCATED AT 930 FRESNO AVENUE - ASSESSOR'S PARCEL NUMBER(S) 035-101-004 - FILE NUMBER PRJ20-018

WHEREAS, the City Council of the City of Santa Rosa adopted the Southwest Santa Rosa Area Plan Master Environmental Impact Report (State Clearinghouse No. 92083076) in April 1994 to analyze the impact of implementing the Southwest Santa Rosa Area Plan, infrastructure and related project, and to examine and institute methods of mitigating any adverse environmental impacts should the Plan be approved for implementation, and to consider alternatives to the Draft Area Plan as proposed.

WHEREAS, on May 16, 2006, the City Council of the City of Santa Rosa adopted Resolution No. 26565 certifying the Subsequent Environmental Impact Report (“EIR”) for the Southwest Area Projects (State Clearinghouse No. 2002092016) in compliance with the California Environmental Quality Act (Pub. Resources Code § 21000 et seq), the State CEQA Guidelines (Cal. Code Regs., tit. 14 § 15000 et seq.) and the City’s local CEQA Guidelines (collectively, “CEQA”); and

WHEREAS, the EIR analyzed the environmental impacts of a 39-unit residential development to be located at 930 Fresno Avenue]; and

WHEREAS, the EIR was not challenged and is presumed to be valid pursuant to Public Resources Code section 21167.2; and

WHEREAS, on October 12, 2020, Major Subdivision Tentative Map and Conditional Use Permit applications for Cherry Ranch Subdivision, a project consisting of the subdivision of a ± 6.87-acre parcel into 67 lots for the purpose of constructing 62 single-family attached homes and five detached single-family units located at 930 Fresno Avenue (“Project”), also identified as Sonoma County Assessor’s Parcel Number 035-101-004, were submitted to the Planning and Economic Development Department; and

WHEREAS, pursuant to Public Resources Code section 21067 and CEQA Guidelines Section 15367, the City is the Lead Agency for the proposed Project; and

WHEREAS, CEQA Guidelines Section 15162 provides that when a project was previously analyzed and approved pursuant to a certified EIR, an Addendum to the EIR may be appropriate to analyze proposed modifications to the project; and

WHEREAS, City staff has evaluated the proposed Project in light of the standards for

subsequent environmental review outlined in Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and concluded that the previously certified EIR fully analyzed and mitigated all potentially significant environmental impacts, if any, that would result from the proposed Project; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, because the proposed Project requires some changes and additions to the previously certified EIR, the City has prepared an Addendum to the EIR (“Addendum”); and

WHEREAS, CEQA Guidelines Section 15164 also provides that an addendum to an approved EIR is appropriate when minor technical changes or additions are made but none of the conditions described in section 15162 has occurred; and

WHEREAS, the Addendum concluded that the proposed Project, with incorporation of mitigation measures found in the Mitigation Monitoring and Reporting Program (MMRP) associated with the EIR, would not cause new significant environmental impacts or substantial increases in the severity of significant effects beyond those previously identified as part of the City’s environmental review process and none of the circumstances under CEQA Guidelines Section 15162 were triggered, therefore, no additional analysis is required; and

WHEREAS, pursuant to CEQA Guidelines Section 15164(c), the Addendum is not required to be circulated for public review but can be attached to the adopted Subsequent EIR for the Southwest Area Projects; and

WHEREAS, as required under CEQA, the MMRP prepared for the EIR identifies the timing of, and the agency or agencies responsible for enforcement and monitoring of each mitigation measure to be implemented to reduce the potentially significant impacts to less than significant levels; and

WHEREAS, the project applicant has agreed to all mitigation measures set forth in the MMRP that are required to be implemented pursuant to CEQA to reduce potentially significant impacts resulting from the project; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the environmental study, the findings and determinations of the Environmental Coordinator, the proposed Addendum together with the previously certified EIR and the proposed Project, the staff reports, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearing held on June 9, 2022, and all comments and materials submitted prior thereto; and

WHEREAS, the Addendum was prepared pursuant to CEQA and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the Planning Commission has before it all of the necessary environmental information required by CEQA to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Santa Rosa, based upon the findings and the records and files herein, and the findings above made, hereby determines as follows:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein by reference.

SECTION 2. Compliance with CEQA. CEQA Guidelines Section 15164 requires lead agencies to prepare an addendum to a previously certified EIR if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent EIR are present. The Planning Commission has reviewed and considered the Addendum for the proposed Project and the certified EIR and finds that those documents taken together contain a complete and accurate reporting of all of the environmental impacts associated with the proposed Project. The Planning Commission further finds that the Addendum and administrative record have been completed in compliance with CEQA and the Addendum reflects the City's independent judgment.

SECTION 3. Findings Regarding Environmental Impacts. Based on the substantial evidence set forth in the record, including but not limited to the Addendum, the Planning Commission finds that an addendum is the appropriate document for disclosing the minor changes and additions that are necessary to account for the proposed Project. The Planning Commission finds that based on the whole record before it, including but not limited to the Addendum, the EIR, all related and supporting technical reports, and the staff report, none of the conditions identified in CEQA Guidelines Section 15162 requiring the need for further subsequent environmental review has occurred because:

- a. The proposed Project does not constitute a substantial change that would require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- b. There have been no substantial changes with respect to the circumstances under which the proposed Project will be constructed that would require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- c. There has been no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified that has come to light, and that shows any of the following: (i) that the proposed Project or Southwest Area Project would have one or more significant effects not discussed in the certified EIR; (ii) that significant effects previously examined would be substantially more severe than shown in the certified EIR; (iii) that mitigation measures or alternatives previously found not to be feasible would in

fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

- d. The monitoring and reporting of CEQA mitigation measures in connection with the project will be conducted in accordance with the MMRP prepared for the EIR and compliance with the adopted MMRP is required as a Condition of Approval for the project.
- e. The Cherry Ranch Subdivision proposed project, including the subdivision of a ± 6.87-acre parcel into 67 lots, for the purpose of constructing 62 single-family attached homes, and five detached single-family units, will not have a significant effect upon the environment if the mitigation measures listed and identified in the Addendum to the EIR, attached hereto and incorporated herein, are implemented prior to development of the subject property.

SECTION 4. Approval of Addendum. The Planning Commission of the City of Santa Rosa hereby approves and adopts the Cherry Ranch Subdivision Addendum to the Southwest Area Projects Subsequent Environmental Impact Report.

SECTION 5. Notice of Determination. The Planning Commission hereby directs staff to prepare, execute and file a Notice of Determination with the Sonoma County Clerk-Recorder's Office within five (5) working days of the approval of this Resolution.

SECTION 6. Custodian of Records and Location of Documents. The documents and materials that constitute the record of proceedings upon which this Resolution is based are located at the City of Santa Rosa, Planning and Economic Development Department, 100 Santa Rosa Avenue, Room 3, Santa Rosa, California, 95404, and are available on the City's Website <https://srcity.org/425/Plans-Studies-EIRs>. The custodian for these records is Conor McKay, Senior Planner.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 9th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_  
KAREN WEEKS, CHAIR

ATTEST: \_\_\_\_\_  
CLARE HARTMAN, EXECUTIVE SECRETARY

ATTACHMENT: Exhibit A – The Cherry Ranch Subdivision Addendum to the Southwest Area Projects Subsequent Environmental Impact Report and Mitigation Monitoring and Reporting Program