

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO CITY COUNCIL PREZONING OF THE PROPERTIES LOCATED AT 4646 BADGER ROAD AND 999 MIDDLE RINCON ROAD INTO THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT; FILE NO. ANX21-001

WHEREAS, on March 8, 2019, an application for a Utility Certificate was submitted for the property located at 4646 Badger Road, Assessor's Parcel No. 182-120-034, requesting connection to the Santa Rosa City sewer system to connect an existing single-family residential unit due to a septic tank failure on site; and

WHEREAS, on November 13, 2020, the Utility Certificate application was approved with a condition that the applicant annex the property into the City; and

WHEREAS, on June 23, 2021, a Prezoning application requesting that 4646 Badger Road and 999 Middle Rincon Road (Assessor's Parcel Nos. 182-120-034 and 182-120-035) be rezoned for annexation into the City of Santa Rosa was submitted to the Planning and Economic Development Department; and

WHEREAS, on October 13, 2022, the Planning Commission of the City of Santa Rosa held a duly noticed public hearing to determine the appropriate boundary and appropriate and proper rezoning designations which should be placed on the annexation area at which time all those wishing to be heard were allowed to speak on the proposed annexation boundary and rezoning designation; and

WHEREAS, the Planning Commission has received, reviewed and given due consideration to the records and reports herein, and the oral and other evidence received at the public hearing, from the public, the applicant, and City staff; and

WHEREAS, the General Plan land use designation for 4646 Badger Road and 999 Middle Rincon Road is Low Density Residential, and this designation was reviewed as part of the Santa Rosa General Plan 2035 Environmental Impact Report (EIR), adopted by City Council Resolution No. 27509, dated November 3, 2009, in compliance with the California Environmental Quality Act (CEQA), and the proposed rezoning to R-1-6 (Single-Family Residential) zoning district is consistent with the respective General Plan land use designation; and

NOW, THEREFORE, BE IT RESOLVED, that based on the evidence presented and the records and files herein, and pursuant to City Code Sections 20-64.060 (Prezoning) and 20-64-050 (Findings), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that the R-1-6 (Single-Family

Residential) zoning district is an implementing zoning district for Low-Density Residential land use designation. General Plan Policy LUL-A-2 encourages annexation of unincorporated land adjacent to City limits and within the Urban Growth Boundary, when the proposal is timely and only if adequate services are available. Because the properties proposed for rezoning are surrounded by properties within City limits, City staff has determined the proposed rezoning and subsequent annexation of the subject properties is a logical extension of the City limits and services; and

- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that rezoning to the R-1-6 (Single-Family Residential) zoning district is consistent with the General Plan land use designations of Low-Density Residential, which allows single-family residential uses. This land use designation was considered in the General Plan 2035, which was adopted by Council in 2009. Additionally, both parcels are currently developed with single-family dwelling units and residential accessory structures and no further development is being proposed at this time; and
- C. The proposed amendment is internally consistent with other applicable provisions of the Zoning Code. The R-1-6 (Single-Family Residential) zoning district implements the Low-Density Residential land use of the General Plan, and any new development on the subject properties would be required to be in compliance with any standards listed in the Zoning Code; and
- D. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning classification and anticipated land uses/development in that no development is being proposed at this time; and
- E. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and staff has determined that the project qualifies for the following streamlining provisions and exemptions:
  - CEQA Guidelines Section 15183 in that the proposed rezoning is consistent with the General Plan. The Low-Density Residential designation was reviewed as part of the Santa Rosa General Plan 2035 Environment Impact Report (EIR), adopted by City Council Resolution No. 27509, dated November 3, 2009, and the proposed rezoning to the R-1-6 (Single-Family Residential) zoning district is consistent with the Low-Density land use designation. There are no impacts peculiar to the site that were not previously analyzed in the EIR or require additional environmental analysis.
  - CEQA Guidelines Section 15319(a)&(b) in that the project is an annexation of existing private structures developed to the density allowed under the proposed rezoning classification, and the extension of utility services to the existing facilities would have a capacity to serve the existing facilities.

BE IT FURTHER RESOLVED that the rezoning is subject to each of the following

conditions:

1. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Fire Department access shall be maintained to all structures.
3. Properties shall comply with City Weed and Rubbish Abatement Ordinance requirements.
4. Addressing shall be clearly visible from the street for identification of the properties.
5. The Applicant shall obtain a Septic Tank Destruction Permit from the Well and Septic Division of the Permit and Resource Management Division (Permit Sonoma) prior to disconnecting the existing structure(s). The existing septic tank(s) shall be destroyed in accordance with the requirements of the County of Sonoma's Onsite Wastewater Treatment System Manual.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa, based on the evidence presented and the above findings, recommends to the City Council the approval and adoption of the rezoning of properties located at 4646 Badger Road and 999 Middle Rincon Road, described as Assessor's Parcel Numbers 182-120-034 and 182-120-035 to the R-1-6 (Single-Family Residential) zoning district.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 13<sup>th</sup> day of October 2022 by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

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

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