

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A MINOR
CONDITIONAL USE PERMIT FOR KERRY RANCH – PARCEL A, A FIVE-PARCEL
SMALL LOT SUBDIVISION, LOCATED AT ASSESSOR’S PARCEL NUMBER
034-850-026; FILE NUMBER PRJ21-008 (MAJ21-001 & CUP21-043)

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Kerry Ranch – Parcel A, a five-parcel small lot subdivision, to be located at Assessor’s Parcel No. 034-850-026; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

WHEREAS, the Planning Commission has considered the Kerry Ranch I, II & III Mitigated Negative Declaration (MND), adopted by the Council on December 4, 2007, and an Addendum to the Kerry Ranch I, II & III Mitigated Negative Declaration, that was prepared for Parcel A, and reviewed and adopted by the Planning Commission on August 11, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is consistent with the General Plan land use designation of Low Density Residential, which is primarily intended for detached single-family residential development and allows residential densities at 2-8 units per acre. The project is proposed at a density of 7.7 units per acre. The project site is not within a specific plan area.
- B. The proposed use is allowed within the R-1-6 zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Pursuant to Zoning Code Section 20-42.140, which provides development standards for small lot subdivisions.
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity. The property is substantially surrounded on all sides by similar residential development.
- D. The site is physically suitable for the type, density, and intensity of a five-parcel, small

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lot subdivision, including access, utilities, and the absence of physical constraints. The site is located in an area that is developed where utilities and emergency services are available.

- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located. The property is designed for residential development on the General Plan Land Use Diagram and is intended for this type of use. The area is substantially surrounded by similar residential uses. The project plans have been reviewed by City staff and conditioned appropriately.
- F. The project has been found in compliance with the California Environmental Quality Act (CEQA). On December 4, 2007, the City Council adopted a Mitigated Negative Declaration (MND) for Kerry Ranch I, II & III. An Addendum to the MND (Addendum), prepared by J. Kapolchok and Associates, dated March 2022, was drafted for the proposed Kerry Ranch - Parcel A, in accordance with CEQA Guidelines Section 15162 and 15164. The Addendum, which analyzes the environmental impacts of the five additional residential lots concludes the “analysis of that new information or regulations applied to the proposed Project shows no new or more severe environmental effects. Furthermore, no infeasibility of adopted mitigation measures, no new feasible mitigation measures which the applicant declines to adopt, or no alternatives different from those in the Kerry Ranch MND, which would substantially reduce effects on the environment were discovered.” The Addendum was approved by the Planning Commission on August 11, 2022.

BE IT FURTHER RESOLVED that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for Kerry Ranch – Parcel A, a five-parcel small lot subdivision, to be located at Assessor’s Parcel No. 034-850-026, is approved subject to each of the following condition:

- 1. Compliance with all conditions of approval as stated on the Kerry Ranch - Parcel A Development Advisory Report, dated July 22, 2022, and conditions of approval included on the Tentative Map resolution associated with the Kerry Ranch - Parcel A project.

BE IT FURTHER RESOLVED that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 11th day of August 2022, by the following vote:

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AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
CHAIR

ATTEST: _____
EXECUTIVE SECRETARY

Exhibit A – Kerry Ranch – Parcel A, Development Advisory Committee Report