

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION

JULY 14, 2022

PROJECT TITLE

Brush Creek Minor Subdivision General Plan Amendment, Rezoning and Tentative Map

APPLICANT

Nils Welin

ADDRESS/LOCATION

2210, 2200 Brush Creek Road, & 0 Bridgewood Drive

PROPERTY OWNER

Nils Welin & Klas Berghede

ASSESSOR'S PARCEL NUMBER

182-050-004, -005, -014

FILE NUMBER

PRJ20-008 (consisting of ANX20-001, GPAM20-003, & MIN20-002)

APPLICATION DATE

May 28, 2020

APPLICATION COMPLETION DATE

June 19, 2020

REQUESTED ENTITLEMENTS

Mitigated Negative Declaration
General Plan Amendment
Rezoning
Tentative Map

FURTHER ACTIONS REQUIRED

City Council action on General Plan Amendment and CEQA resolution and Rezoning ordinance

Subdivision Committee action on Tentative Parcel Map

PROJECT SITE ZONING

Existing: County

Proposed: R-1-6 for 182-050-004, RR for 182-050-005 & -014

GENERAL PLAN DESIGNATION

Existing: Very Low Density Residential

Proposed: Low Density Residential for 182-050-004; no change proposed for 182-050-005 & -014

PROJECT PLANNER

Kristinae Toomians

RECOMMENDATION

Recommend approval of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to City Council

Recommend approval of Rezoning to City Council

Agenda Item # 8.1

For Planning Commission Meeting of: July 14, 2022

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE COMMISSION
FROM: KRISTINAE TOOMIANS, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: BRUSH CREEK MINOR SUBDIVISION CEQA DETERMINATION
GENERAL PLAN AMENDMENT AND PREZONING

AGENDA ACTION: TWO RESOLUTIONS

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by two resolutions, (1) recommend that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and (2) recommend that the City Council Prezone the properties located at 2200 and 2210 Brush Creek Road and 0 Bridgewood Drive consistent with the General Plan land use designations.

EXECUTIVE SUMMARY

The properties at 2200 and 2210 Brush Creek Road and 0 Bridgewood Drive are located within an unincorporated County island. The property owner of 2210 Brush Creek Road would like to annex the property for future development. The Sonoma Local Agency Formation Commission (LAFCO) requires that the full island be annexed if the requesting property owner owns 50% or more of the assessed land value, which is the case for this request.

On November 18, 2021 the Planning Commission adopted resolutions recommending that the City Council adopt a Mitigated Negative Declaration (Resolution No. 12075) and approve a General Plan Amendment (Resolution No. 12076) and Prezoning (Resolution No. 12077) for the property located at 2210 Brush Creek Road. Prior to the Council's consideration of the project, Sonoma LAFCO staff notified the City that the other two parcels within the County island would also need to be prezoned and annexed. As a result, the Mitigated Negative Declaration was updated to analyze the potential environmental impacts associated with prezoning the two additional parcels (2200

Brush Creek Road and 0 Bridgewood Drive) and two new resolutions were prepared for the Planning Commission's consideration, the first recommending approval of the revised Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and the second recommending rezoning of all three parcels consistent with the General Plan land use designation. The applicant is not requesting a General Plan Amendment for the two additional parcels; therefore a new resolution is not required. The requested General Plan Amendment for 2210 Brush Creek Road was the subject of Resolution No. 12076, approved by the Commission on November 18, 2021, and will be forwarded to Council for consideration with the rezoning in the event the Commission recommends approval of the MND and rezoning.

BACKGROUND

1. Project Description

The applicant requests a General Plan Amendment for 2210 Brush Creek Road from Very Low Density Residential to Low Density Residential, and a Rezoning to Single-Family Residential (R-1-6) to allow a four-lot tentative parcel map with a remainder parcel. The project would allow the existing residence to remain on a remainder lot, and the future development of four new single-family residential lots for the property located at 2210 Brush Creek Road. The Subdivision Committee will review the Tentative Parcel Map following final City Council action on the proposed General Plan Amendment and Rezoning entitlements. The final map cannot be recorded until annexation is completed.

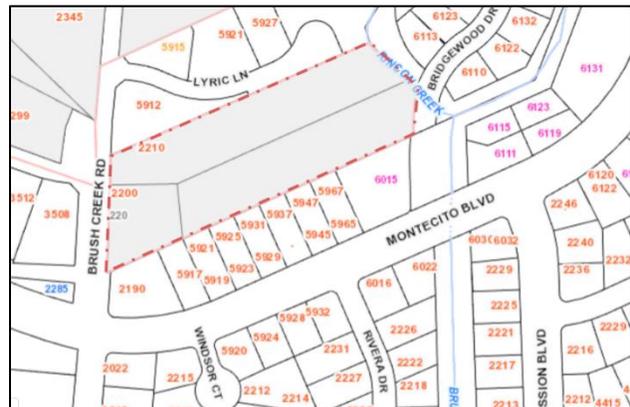


Figure 1: Grey lots indicate properties within Sonoma County jurisdiction.

The two adjacent parcels to the south at 2200 Brush Creek Road and 0 Bridgewood Drive (Assessor's Parcels 182-050-005 and 014) would be rezoned to Rural Residential (RR-20), which is consistent with the current General Plan land use designation of Very Low Density Residential. The parcels will be included in order to eliminate an existing County island, per consultation with Sonoma LAFCO.

2. Surrounding Land Uses

The project site is located on 2210, 2200 Brush Creek Road and 0 Bridgewood Drive, near the intersection of Brush Creek Road and Lyric Lane, approximately

350 feet north of Fountaingrove Parkway/Montecito Boulevard. The parcels are commonly referred to as Assessor Parcel Numbers (APN) 182-050-004, 005 and 014. The three parcels form a County island within the unincorporated area of Sonoma County. The parcels to the north (APNs 182-050-018, 019, 020, 021 and 022) are within the City’s Jurisdiction, zoned Planned Development (PD), and are developed in a configuration that is similar to the current development proposal for 2210 Brush Creek Road. A suburban-style residential neighborhood is located within City limits to the east, across from Rincon Creek.

3. Existing Land Use – Project Site

There is an existing 1,470-square-foot single-family residence, and a 320-square-foot accessory structure on the 2210 Brush Creek Road site. The project site is adjacent to Rincon Creek, which is designated by the Citywide Creek Master Plan as a natural creek consisting of approximately 9,226 linear feet. The creek is a narrow drainage that bisects housing parcels on either side of the banks. The Citywide Creek Master Plan describes this portion of the creek as, “recommended for preservation, due to the habitat value for fish and wildlife. Habitat enhancement is also recommended, including removal of invasive species and replanting with native vegetation.”



The property at 2200 Brush Creek Road is developed with a single-family residential unit, and 0 Bridgewood Drive is vacant. There is no proposed development or subdivision for either site.

4. Project History

November 26, 2018	Neighborhood Meeting held at 6pm at 637 1 st Street, Large Conference Room, 1 st Floor
May 28, 2020	Project applications – General Plan, Prezoning and Tentative Map Permits – submitted
June 11, 2020	Native American tribes were notified as required by AB 52
January 11, 2021	Native American tribes with known interest in the area were notified of the proposed project in accordance with SB 18 requirements for General Plan amendments

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May 27, 2021	The Planning and Economic Development Department requested that the Waterways Advisory Committee advise the City Council and the Subdivision Committee as to whether the proposed Lyric Lane Subdivision project is consistent with the applicable Citywide Creek Master Plan, General Plan goals and policies, and Design Guidelines for development near waterways.
July 2, 2021	The Brush Creek Minor Subdivision, 2210 Brush Creek Drive, Initial Study/Mitigated Negative Declaration was published for 30-day public review in accordance with CEQA regulations. Planning staff mailed a Notice of Intent to Adopt a Mitigated Negative Declaration to neighboring property owners and interested parties. A copy of the proposed mitigated negative declaration was made available for review at https://srcity.org/425/Plans-Studies-EIRs . The review period ended August 1, 2021.
July 2, 2021	Notice of application was mailed to surrounding property owners and occupants.
November 18, 2021	The Planning Commission held a special meeting and approved resolutions recommending that the Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program, approve a General Plan Amendment, and introduce an ordinance to prezone to the R-1-6 (Single-Family Residential) zoning district for the Brush Creek Minor Subdivision project.
May 5, 2022	Tribal consultation with the Federated Indians of the Graton Ranchera (FIGR), per SB18 concluded, with a request by FIGR that a tribal monitor be present during any ground disturbance activities.
May 13, 2022	LAFCO staff contacted Planning staff regarding the 2210 Brush Creek project and voiced concerns that the proposed annexation did not include the two adjacent parcels to the south that form the County island. LAFCO staff stated that the LAFCO Board would likely not annex 2210 Brush Creek Road without the remainder of the County island. As a result, the application was revised to include the two additional parcels.
July 1, 2022	The updated Initial Study/Mitigated Negative Declaration, adding in the Prezoning for the properties at located 2200 Brush Creek Road and 0 Bridgewood Drive, was published for 30-day public review in accordance with CEQA regulations. Planning staff mailed a Notice of Intent to Adopt a Mitigated Negative Declaration to neighboring property owners and

	interested parties. A copy of the proposed Mitigated Negative Declaration was made available for review at https://srcity.org/425/Plans-Studies-EIRs . The review period ends on August 1, 2022.
July 1, 2022	Notice of Public Hearing was mailed to surrounding property owners and occupants.

5. Tribal Consultation

- City staff received one response to distributed SB18 letters from Lytton Rancheria, who indicated that they would not be requesting further consultation.
- The Lytton Rancheria responded to AB 52 notification and requested consultation. After they reviewed the cultural survey, they were agreeable to the proposed conditions in the archeological survey report.
- City staff engaged in a consultation with the Federated Indians of the Graton Ranchera (FIGR), per SB18. After reviewing the Brush Creek Minor Subdivision ALTA Archaeological Survey Report, dated April 21, 2022, the FIGR concluded on May 5, 2022, that the project can proceed with the added mitigation measure that a Tribal Cultural Monitor be present during any ground disturbing activities.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

1. Request for General Plan Amendment

As noted above, the Planning Commission acted on the requested General Plan Amendment for the property at 2210 Brush Creek Road on November 18, 2021, recommending that the City Council approve an amendment to change the land use from Very Low Density Residential to Low Density Residential. The properties at 2200 Brush Creek Road and 0 Bridgewood Drive are not requesting a General Plan Amendment. As such, no further action on the General Plan Amendment is necessary, and staff will carry forward the Commission's November 18, 2021 action to the City Council.

2. Zoning

The applicant requests to Prezone 2210 Brush Creek Road to Single-Family Residential (R-1-6), and has submitted a Prezoning application in accordance

with Zoning Code [Section 20-64.060](#). R-1-6 is an implementing zoning district of the Low Density Residential General Plan land use designation (see [Section 20-20.020 Zoning Map and zoning districts](#)) and would allow the proposed lot sizes and lot configuration, subject to a future Tentative Parcel Map, to be reviewed by the Subdivision Committee.

The properties at 2200 Brush Creek Road and 0 Bridgewood Drive would be Prezoned to Rural Residential (RR-20), which is consistent with the current General Plan designation of Very Low Density Residential. The parcels will be included in order to eliminate an existing County island, per consultation with Sonoma LAFCO.

Zoning Map Amendment Required Findings

A. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan.

In accordance with [Section 20-22.020\(B\)](#), the R-1-6 zoning district is applied to areas of the City intended to be maintained as residential neighborhoods comprised of detached and attached single-family houses, clustered residential hillside projects, and small multi-family projects, together with compatible accessory uses. The maximum allowable density ranges from two to 13 dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the R-1 map symbol (see [Section 20-22.040](#)). The R-1 zoning district implements and is consistent with the Very Low Density Residential (where residential clustered on hillsides is desirable), Low Density Residential/Open Space, Low Density Residential, and Medium Low Density Residential land use classifications of the General Plan. The R-1-6 Zoning District permits 6,000-square-foot lot sizes. General Plan Section 1-2 requires that the General Plan be internally consistent; therefore, a proposed amendment to a zoning district that is consistent with a General Plan land use designation and implements that land use designation would be consistent with the goals and policies of all elements of the General Plan.

The properties at 2200 Brush Creek Road and 0 Bridgewood Drive would be Prezoned to RR-20, which is consistent with the current General Plan designation of Very Low Density Residential.

The proposed project site is not subject to a specific plan.

B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed zoning for 2210 Brush Creek Road would be consistent with the Low Density Residential General Plan land use designation. The R-1-6

Zoning District would permit 6,000-square-foot parcels. The applicant proposes to develop 2210 Brush Creek Road in a similar configuration as the Planned Development to the north. The applicant has a Tentative Parcel Map on file (File No. MIN20-002) for the project that is currently under review by City staff. The proposed Tentative Parcel Map could result in parcel sizes that would range in size from 9,665 to 16,702 square feet. The average lot size is 13,260 square feet. The resulting density from the four-lot subdivision, with one remainder lot, is 3 dwelling units per acre. The parcel backs up to Rincon Creek, which creates a physical development constraint toward the rear of the project site. Prezoning and amending the General Plan for four additional single-family residential units will not have any foreseeable effect on the public's health, safety, convenience, or welfare.

The properties at 2200 Brush Creek Road and 0 Bridgewood Drive would be Prezoned to RR-20, which is consistent with the current General Plan designation of Very Low Density Residential. The parcels will be included in order to eliminate an existing County island, per consultation with Sonoma LAFCO, and will not have any foreseeable effect on the public's health, safety, convenience, or welfare.

C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

An Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA) and resulted in preparation of a Mitigated Negative Declaration. The proposed project would result in potentially significant impacts in: Air Quality, Biological Resources, Cultural Resources, and Geology & Soils. The project impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures contained the Mitigation Monitoring and Reporting Program prepared for the project, which identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels, or through compliance with existing Municipal Code requirements or City standards.

D. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The Project, as proposed and conditioned, meets all required development standards for the R-1-6 and RR-20 Zoning Districts. Each newly created lot on the 2210 Brush Creek Road parcel will be able to meet setback and parking requirements.

E. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments.

The 2210 Brush Creek Road parcel has access to Brush Creek and Lyric Lane. The applicant has a Tentative Parcel Map on file (File No. MIN20-002) for the 2210 Brush Creek Road parcel, which is currently under review by City staff. The Tentative Map shows the existing residence on the remainder lot will continue to take access off of Brush Creek Road. The four proposed lots will take access off of Lyric Lane. The proposed lot that is adjacent to Rincon Creek will have an adequately sized building pad outside of the required creek setback. As stated above, the proposed project will have a similar configuration to the properties developed to the north that are part of a Planned Development. The proposed project will not be out of character with the surrounding lots and lot configurations.

3. Design Guidelines

Future development of single-family residences and accessory dwelling units would be exempt from Design Review.

4. Neighborhood Comments

One comment was received in response to the Notice of Intent to Adopt a Mitigated Negative Declaration for the project. The respondent voiced concerns regarding traffic impacts to Brush Creek and the Fountaingrove/Brush Creek intersection, as a result of poor visibility. The City Traffic Division concluded that the proposed subdivision does not generate an amount of traffic that would be a concern in terms of Level of Service (LOS). Additionally, it is below the 110 vehicle trips per day that would trigger a Vehicle Miles Traveled (VMT) analysis.

At the November 18, 2021 Planning Commission hearing, several neighbors spoke in opposition to the proposed project. Many felt that the proposed lot sizes were too small to be compatible with the larger lots and homes in the vicinity. There were general concerns with how the project could affect property values, and there were additional concerns raised regarding traffic and emergency evacuation. The proposed parcel sizes are in keeping with the general development pattern in the area. Neither Planning staff nor the Planning Commission specifically consider property values when implementing land use recommendations and decisions. The City Fire Department did not see an issue with access for Fire. Adequate hydrants are in place and the required turnaround has been provided at the end of the cul-de-sac. The site is outside of the Wildland–urban interface (WUI) area, and all newly constructed dwellings will be required to have fire sprinklers.

5. Public Improvements/On-Site Improvements

Necessary public and onsite improvements will be determined at the time of the Tentative Parcel Map.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

An Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA) and resulted in preparation of a Mitigated Negative Declaration. The proposed project would result in potentially significant impacts in: Air Quality, Biological Resources, Cultural Resources, and Geology & Soils. The project impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures contained the Mitigation Monitoring and Reporting Program prepared for the project, which identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels, or through compliance with existing Municipal Code requirements or City standards. The project was subsequently revised to include prezoning for two additional parcels. The Mitigated Negative Declaration was updated to analyze the potential environmental impacts associated with prezoning these additional parcels, and the revised document concluded that the project impacts would be mitigated to a less than significant level through implementation of recommended mitigation measures contained in the MMRP. The City recirculated the Mitigated Negative Declaration pursuant to CEQA Guidelines section 15073.5. A Notice of Intent to adopt the revised Mitigated Negative Declaration was posted with the California State Clearinghouse (SCH Number 2021070134) and the Sonoma County Clerk's Office, initiating a thirty-day public comment period beginning July 1, 2022, and ending August 1, 2022.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On May 27, 2021, the Planning and Economic Development Department requested that the Waterways Advisory Committee advise the City Council and other reviewing bodies as to whether the proposed Brush Creek Minor Subdivision project is consistent with the applicable Citywide Creek Master Plan, General Plan goals and policies, and Design Guidelines for development near waterways. They concluded that the proposed setbacks for the proposed lot adjacent to the creek is consistent with the Citywide Creek Master Plan.

On November 18, 2021, the Planning Commission, by three resolutions, recommended: that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring

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and Reporting Program for the Brush Creek Minor Subdivision located at 2210 Brush Creek Road; that City Council approve a General Plan Amendment to change subject parcel's land use designations from Very Low Density Residential to Low Density Residential; that the City Council adopt a Prezoning to amend the Zoning Map for the subject parcel to R-1-6.

NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners and occupants, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ISSUES

There are no unresolved issues. The Tentative Parcel Map will go before the Subdivision Committee for review at a future date.

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AND TENTATIVE MAP
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ATTACHMENTS

Attachment 1	Disclosure Form
Attachment 2	Neighborhood Context
Attachment 3	Location Map
Attachment 4	Annexation Map
Attachment 5	General Plan Criteria Narrative
Attachment 6	Tentative Parcel Map Exhibit
Attachment 7	IS-MND
Attachment 8	MMRP
Attachment 9	Brush Creek Watershed Map
Attachment 10	Planning Commission Minutes, November 18, 2021
Attachment 11	Planning Commission Resolution No. 12075
Attachment 12	Planning Commission Resolution No. 12076
Attachment 13	Planning Commission Resolution No. 12077
Attachment 14	Public Correspondence
Resolution 1	Mitigated Negative Declaration
Resolution 2	Prezoning
Exhibit A to Resolution 1	Mitigated Negative Declaration with MMRP
Exhibit B to Resolution 1	Resolution No. 12075, approved on November 18, 2021
Exhibit A to Resolution 2	Exhibit A - Resolution No. 12077, approved on November 18, 2021

CONTACT

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