



April 22, 2021

Rafael Ochoa
1796 Walnut Creek Drive
Santa Rosa, CA 95403

RE: CONDITIONAL USE PERMIT, BARNES ROAD SUBDIVISION, 3552 BARNES ROAD, SANTA ROSA, ASSESSOR'S PARCEL NO. 034-024-031, FILE NO. PRJ19-048

Dear Mr. Ochoa;

WHEREAS, on October 24, 2017, following the Tubbs and Nuns Firestorm (Fire), Council adopted an Urgency Ordinance, No. ORD-2017-018, reducing the review authority to Director level for Conditional Use Permits; waived all associated fees for properties located within the -RC (Resilient City) combining district; and allowed properties located within the -RC combining district to default to the development standards in the respective policy statements or the standard zoning district the implements the General Plan land use designation for properties that experienced damage as a result of the Fire; and

WHEREAS, on December 19, 2019, the Barnes Road Subdivision (Project) project applications were submitted to Planning and Economic Development, and the project was deemed complete. Required entitlements include a Conditional Use Permit (CUP for a small lot subdivision to subdivide a 0.54-acre parcel into four individual residential lots; and

WHEREAS, on October 27, 2020, Council adopted an Urgency Ordinance, No. ORD-2020-012, that eliminated the provisions to reduce the review authority to Director level for Conditional Use Permits; waive all associated fees for properties located within the -RC combining district; and allow properties located within the -RC combining district to default to the development standards in the respective policy statements (in this case PD 0183) or the standard zoning district the implements the General Plan land use designation (in this case R-1-6 Single Family zoning district) for properties that experienced damage as a result of the Fire; and

The Santa Rosa Planning and Economic Development Department has completed the review of your application. Please be advised that your Conditional Use Permit to develop a small lot subdivision at 3552 Barnes Road has been approved based on your project description and official approved exhibit stamped received on December 23, 2019. The Santa Rosa Planning and Economic Development Department has based this action on the following findings:

- The proposed use is allowed within the PD 0381-RC zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The Project applications were submitted on December 19, 2019, at which time the Zoning Code allowed Director level approval of a Conditional Use Permit for development proposed on properties within the -RC combining district. On October 20, 2020, the Council adopted Ordinance No. ORD-2020-012, which eliminated that provision. Because the application was submitted prior to the aforementioned adoption of Ordinance No. ORD-2020-012, the regulations that were in effect at the time the application was submitted prevail. On April 22, 2021, a Conditional Use Permit was approved.

Project proposes to subdivide one parcel into four individual residential lots in compliance with applicable development standards in Zoning Code Section 20-42.140 applicable to small lot subdivisions; and

- The Project is consistent with the Low Density Residential land use designation of the Santa Rosa General Plan, which is intended for single family residential development and allows residential development at a density of four-eight units per acre, in that the Project proposes detached single family residential development at a density of 7.4 single family residential units per acre. The project is not within a specific plan area; and
- The design, location, size, and operating characteristics of the Project would be compatible with the existing and future land uses in the vicinity. The Project site is designated for residential uses and is surrounded by similar residential uses. The proposed residential lots will take access from Barnes Road via a private street; and
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The site is designated for this type of residential use, is within the allowable density, takes access off Barnes Road via a private street, and all utilities and services are currently available; and
- 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 Project site is surrounded by similar residential development and is designated by the General Plan Land Use Diagram for this type of residential development; and
- The Project has been found in compliance with California Environmental Quality Act (CEQA).

Pursuant to CEQA Guidelines Section 15332, the Project qualifies for a categorical exemption as infill development.

The Project site is less than five acres, is located within the City of Santa Rosa, and is substantially surrounded by urban development.

The Project is consistent with the General Plan land use designation of Low Density Residential, which is intended for single family residential development and allows residential development at a density of four-eight units per acre. The Project proposes development at a density of 7.4 single family residential units per acre.

The project is within the PD 0183-RC zoning district. At the time the Project applications were submitted on December 19, 2019, at which time the Zoning Code allowed Director level approval of a Conditional Use Permit for development proposed on properties within the -RC combining district. On October 20, 2020, the Council adopted Ordinance No. ORD-2020-012, which eliminated that provision. Because the application was submitted prior to the aforementioned adoption of Ordinance No. ORD-2020-012, the regulations that were in effect at the time the application was submitted prevail.

The Project has been found in compliance with applicable development standards pursuant to Zoning Code Section 20-42.140 for small lot subdivisions.

There would be no significant adverse impact on listed, rare or threatened species. A biotic assessment, prepared by Charles Patterson, dated May 8, 2017, concluded that “the site provides essentially no potentially suitable habitat for any of the region’s listed, protected or otherwise sensitive species, plants or animals.

The project will not result in any significant effects relating to traffic, noise, air quality or water quality.

The site can be adequately serviced by all utilities and services.

No exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines section 15300.2).

Pursuant to CEQA Guideline Section 15183, the Project is exempt from further environmental review processing because it is consistent with the General Plan for which an Environmental Impact Report (EIR) was certified by Council in 2009. No further environmental review is necessary for the Project as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the Project that were not analyzed and addressed in a prior EIR.

THEREFORE, BE IT 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 the Barnes Road Subdivision, a small lot subdivision, located at 3552 Barnes Road, is approved subject to each of the following conditions:

1. Compliance with all conditions of approval as stated on the ensuing Subdivision Committee Report, prepared for the Barnes Road Subdivision, for which a hearing is tentatively scheduled on April 28, 2021, before the Subdivision Committee.

This decision is subject to appeal within ten (10) working days from the date of this letter.

If you need further information or clarification, please contact me by phone at (707) 543-4348 or by email at smurray@srcity.org.

SUSIE MURRAY
Senior Planner

C: Cort Munselle, Munselle Engineering
Jesus McKeag, Assistant Engineer, Engineering Development Services, PED