

RESOLUTION NO. RES-2022-051

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND (1) ADOPTING AN ADDENDUM TO THE CERTIFIED ROSELAND AREA/SEBASTOPOL ROAD SPECIFIC PLAN AND ROSELAND AREA ANNEXATION PROJECTS FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2016012030) AND (2) APPROVING A TENTATIVE PARCEL MAP FOR THE HEARN VETERANS VILLAGE SUBDIVISION, TO SUBDIVIDE A 2.01-ACRE PARCEL INTO FOUR LOTS FOR HEARN VETERANS VILLAGE SUBDIVISION, LOCATED AT 2149 WEST HEARN AVENUE – ASSESSOR’S PARCEL NUMBERS 134-011-012 & -013 - FILE NUMBER MIN21-001

WHEREAS, on October 18, 2016, the City Council of the City of Santa Rosa adopted Resolution Number 28873 certifying the Final Environmental Impact Report (2016 FEIR) for the Roseland Area/Sebastopol Road Specific Plan, Roseland Area Annexation, associated General Plan, Downtown Station Area Specific Plan, Zoning Code, and Bicycle and Pedestrian Master Plan Amendments, and Rezoning and Prezoning of parcels within the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation boundaries (State Clearinghouse No. 2016012030) 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 2016 FEIR was not challenged and is presumed to be valid pursuant to Public Resources Code section 21167.2; and

WHEREAS, the project is not within the boundaries of the Roseland Area/Sebastopol Road Specific Plan; it was included in one of three County islands that were annexed at the same time, and analyzed in the 2016 FEIR; and

WHEREAS, the 2016 FEIR analyzed the General Plan buildout, project buildout, and change in development potential concluding that the Very Low-Density General Plan land use designation is compatible with the surrounding area; and

WHEREAS, the project is proposed at a density of two units per acre, which is consistent with the Very-Low Density land use designation which allows residential development at 0.2 to 2.0 units per acre; and

WHEREAS, on February 17, 2021, an application was submitted by Community Housing Sonoma County requesting approval of the Tentative Parcel Map (Project), prepared by BKF Engineers, for the subdivision of a 2.01-acre site consisting of one parcel being split into four lots, more particularly described as Assessor's Parcel Number 134-011-013, and on file in the Planning and Economic Development Department; and

WHEREAS, on May 5, 2021, a revised Tentative Parcel Map was submitted that addressed Planning review issues; and

WHEREAS, approval of the proposed Project is a subsequent discretionary action in furtherance of the Roseland Area/Sebastopol Road Specific Plan; 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, on May 7, 2021, a Notice of Public Review and Intent to Adopt a Mitigated Negative Declaration for the Hearn Veterans Village Project was circulated for a period of thirty days, to June 7, 2021; and

WHEREAS, through the response to comments review process on the Draft Initial Study and Mitigated Negative Declaration, it became apparent that all of the identified potentially significant environmental impacts of the project were previously considered and analyzed as part of the 2016 Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environment Impact Report (2016 FEIR), and as such, an Addendum to the 2016 FEIR was determined to be appropriate and was prepared for the project; and

WHEREAS, on June 10, 2021, the Planning Commission of the City of Santa Rosa held a duly noticed public hearing on the proposed project and continued the item to a date uncertain to allow time for staff to respond to comments raised by the public, which resulted in the preparation of an Addendum to the 2016 FEIR; 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 FEIR 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 FEIR, the City has prepared an Addendum to the FEIR (“Addendum”); and

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

WHEREAS, the Environmental Coordinator reviewed the 2016 FEIR and determined that there has been no substantial change in circumstances as a result of the proposed Project modifications that would cause new or more intense significant impacts that were not previously analyzed in the 2016 FEIR and there is no new information of substantial importance that identifies new or more intense significant impacts than were identified in the 2016 FEIR and therefore the use of an Addendum in accordance with CEQA Guidelines Section 15164 would be appropriate; and

WHEREAS, the Addendum concluded that the proposed Project 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 Roseland Area/Sebastopol Road Specific Plan FEIR; and

WHEREAS, on December 9, 2021, the Planning Commission of the City of Santa Rosa held a duly noticed public hearing and considered the Addendum together with the previously certified 2016 FEIR and the proposed Project, at which time the Planning Commission considered the proposed Project materials, public comments received, if any, staff reports, written and oral, and the testimony and other evidence of all those wishing to be heard and adopted Resolution No. 12078 adopting the Addendum to the 2016 FEIR and Resolution No. 12079 approving a Tentative Parcel Map for the Hearn Veterans Village subdivision to subdivide a 2.01-acre parcel into four lots; and

WHEREAS, the Planning Commission made the follow findings for Tentative Parcel Map:

- a. The proposed map is consistent with the Santa Rosa General Plan 2035, as specified in Government Code Sections 65451 and 66474.5 in that the project site is located in an area designated by the General Plan Land Use Diagram as Very Low Density Residential, which allows residential development at a density of 0.2 to 2.0 units per acre. The project is proposed at a density of 2.0 units per acre; and
- b. The proposed subdivision meets the housing needs of the City in that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City, and that the project provides four residential lots for future housing. City Staff has reviewed the project plans and determined that there is adequate water and sewer capacity; and
- c. The design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision in that lot size and configuration would permit orientation of residential structures to maximize southern exposure and to take advantage of prevailing breezes; and
- d. The proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board. (Ord. 3396 § 1, 1998; Ord. 2622 § 1, 1987); and
- e. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that the Hearn Veterans Village Addendum

to the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environmental Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030) was prepared in compliance with CEQA Guidelines Section 15164 and was reviewed by City Staff who determined that the project would not cause new significant environmental effects or substantial increases in the severity of significant effects beyond those previously identified in the 2016 FEIR; and

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

WHEREAS, on December 21, 2021, an Appeal of the Planning Commission's decision to adopt the Addendum to the 2016 FEIR and approve the Tentative Parcel Map was received; and

WHEREAS, on March 15, 2022, the City Council of the City of Santa Rosa held a duly noticed public hearing and considered the Addendum together with the previously certified 2016 FEIR, the proposed Project and the Appeal, all comments made at the public hearing, and all other information in the administrative record, and the Council has determined that all potentially significant environmental effects of the proposed Project were fully examined and mitigated in the previously certified 2016 FEIR and the Addendum was prepared in accordance with CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, based on the materials and evidence presented, hereby resolves, declares, determines and orders 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 City Council has reviewed and considered the Addendum for the proposed Project and the certified 2016 Roseland Area/Sebastopol Road Specific Plan FEIR 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 City Council 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 City Council finds that an addendum is the appropriate document for disclosing the minor changes and additions that are necessary to account for the proposed Project impacts. The City Council finds that based on the whole record before it, including but not limited to the Addendum, the 2016 FEIR, 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 2016 FEIR 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 2016 FEIR 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 2016 FEIR was certified that has come to light, and that shows any of the following: (i) that the proposed Project or Roseland Area/Sebastopol Road Specific Plan would have one or more significant effects not discussed in the certified 2016 FEIR; (ii) that significant effects previously examined would be substantially more severe than shown in the certified 2016 FEIR; (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.

SECTION 4. Approval of Addendum. The City Council hereby approves and adopts the Hearn Veterans Village Addendum to the 2016 Final Environmental Impact Report for the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects.

SECTION 5. Notice of Determination. The City Council 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 Monet Sheikhal, City Planner.

BE IT FURTHER RESOLVED that the Council hereby makes all findings required by City Code section 19-24.080 and approves the Hearn Veterans Village Tentative Map dated May 5, 2021, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report (DAC), dated June 10, 2021, attached hereto and incorporated herein.

2. Project shall comply with all environmental conditions of approval, dated November 2021, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Council finds and determines that the said tentative parcel map would not be approved 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 conditions are determined invalid, this tentative parcel map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

IN COUNCIL DULY PASSED this 15th day of March, 2022.

AYES: (5) Mayor C. Rogers, Council Members Fleming, MacDonald, Sawyer, Schwedhelm

NOES: (2) Vice Mayor Alvarez, Council Member N. Rogers

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A - Hearn Veterans Village EIR Addendum, dated November 2021  
Exhibit B - DAC Report dated June 10 ,2021  
Exhibit C - Environmental Conditions of Approval dated November 2021