

RESOLUTION NO. ____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING A TENTATIVE MAP FOR THE CHERRY RANCH SUBDIVISION, TO SUBDIVIDE A 6.87-ACRE PARCEL INTO 67 LOTS, LOCATED AT 930 FRESNO AVENUE, APN 035-101-004 - FILE NUMBER PRJ20-018

WHEREAS, on October 12, 2020, an application was submitted by AXIA Architects, requesting approval of a tentative map for the Cherry Ranch Subdivision, more particularly described as Assessor's Parcel Number(s) 035-101-004, and on file in the Office of the Department of Planning and Economic Development; 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, on June 9, 2022, 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 heard the evidence and reviewed the proposed findings, if any, submitted by the applicant; and,

WHEREAS, the Planning Commission adopted the Cherry Ranch Subdivision Addendum to the Subsequent Environmental Impact Report for the Southwest Area Projects; and

WHEREAS, the proposed subdivision complies with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code) and the Subdivision Map Act (Government Code Section 66410, et seq.).

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of one parcel into 67 lots is in compliance with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) based upon the following findings:

- A. The proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5 in that the project site is located in an area designated by the General Plan Land Use Diagram as Medium Low Density Residential, which allows residential development at a density of eight to 13 units per acre. The project is proposed at a density of 9.75 units per acre and is consistent with the General Plan.
- B. The proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental

resources of the City in that City Staff has reviewed the project plans and determined that there is adequate water and sewer capacity and the site will be developed in compliance with the City's Standard Urban Stormwater Mitigation Plan (SUSMP).

- 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 all structures have been designed with sufficient windows to allow the inflow of sunlight for natural heating, and trees will be planted throughout the subdivision providing shade or cooling opportunities.
- 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 in that the project has been reviewed by City Staff and was found to be in compliance with all City Utilities and Infrastructure. The project is required to implement permanent storm water Best Management Practices (BMP) in accordance with the City's Low Impact Development Technical Design Manual. Implementation of BMPs ensures compliance with the North Coast Regional Water Quality Control Board's NPDES Municipal Separate Storm Sewer Systems (MS4) Permit requiring Governing Agencies to implement a myriad of programs to prevent pollution, improve and protect storm water quality, reduce storm water runoff, and enhance the ecologic vitality of local creeks and waterways.
- E. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Addendum to the Southwest Area Projects Subsequent Environmental Impact Report (EIR), which is supported by technical studies and incorporates a Mitigation Monitoring and Reporting Program (MMRP) for the EIR, was prepared for the project 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 previously certified EIR

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission has approved and adopted the mitigation measures set forth in the Mitigation Monitoring and Reporting Program associated with the Southwest Area Projects Subsequent EIR (SCH #2004062031), and directs staff, as therein identified, to implement and complete the program.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Cherry Ranch Subdivision Tentative Map dated received on July 26, 2021, and on file in the Planning and Economic Development Department, subject to the following conditions:

Resolution No. _____

1. Compliance with Engineering Development Services Exhibit A, dated January 21, 2022, attached hereto and incorporated herein as Exhibit A.
2. Compliance with the Mitigation Monitoring and Reporting Program approved as part of the adoption of the Southwest Area Projects Subsequent EIR, attached hereto and incorporated herein as Exhibit B.
3. Compliance with the Cherry Ranch Subdivision residential small lot subdivision Conditional Use Permit Resolution No. ____.
4. That the developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.
5. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
6. The developer shall pay park fees in effect at the time the building permit is issued.
7. The project shall comply with City Code Section 21-02, Housing Allocation Plan, through (a) provision of the appropriate number of on-site affordable units, (b) payment of Housing Impact Fees, or (c) an alternative compliance proposed in accordance with City Code Section 21-02.070 and approved by the Director of Planning and Economic Development. For purposes of this condition, the Director of Planning and Economic Development is designated as the review authority for review and acceptance of innovative Housing Allocation Plan compliance strategies under City Code Section 21-02.070(G).
8. Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time, or thereafter, that the building permit(s) for this development, or any part thereof, are issued.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 9th day of June, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
CLARE HARTMAN, EXECUTIVE SECRETARY

Exhibit A: Engineering Development Services Exhibit A, dated January 21, 2022

Exhibit B: Addendum to the Southwest Area Projects Subsequent EIR and Mitigation
Monitoring and Reporting Program