

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
October 13, 2022

**PROJECT TITLE**

Bowden Annexation

**APPLICANT**

William Bowden

**ADDRESS/LOCATION**

4646 Badger Rd & 999 Middle Rincon Rd

**PROPERTY OWNER**

William Bowden & Kathryn Force

**ASSESSOR'S PARCEL NUMBERS**

182-120-034 and 182-120-035

**FILE NUMBER**

ANX21-001

**APPLICATION DATE**

June 23, 2021

**APPLICATION COMPLETION DATE**

June 23, 2021

**REQUESTED ENTITLEMENTS**

Pre-zoning for Annexation  
(Recommendation to Council)

**FURTHER ACTIONS REQUIRED**

Pre-zoning for Annexation (Council)

**PROJECT SITE ZONING**

Current: County – RR B6 5, RC50/25  
Proposed: R-1-6 (Single-Family  
Residential)

**GENERAL PLAN DESIGNATION**

Low Density Residential

**PROJECT PLANNER**

Monet Sheikhal

**RECOMMENDATION**

Recommend approval of Pre-zoning to  
City Council

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE COMMISSION

FROM: MONET SHEIKHALI, SENIOR PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: BOWDEN ANNEXATION

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, recommend to the City Council, approval of the proposed pre-zoning of the properties located at 4646 Badger Road and 999 Middle Rincon Road to the R-1-6 (Single-Family Residential) zoning district.

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EXECUTIVE SUMMARY

The applicant has submitted an application requesting to Pre-zone two parcels for annexation into the City. The two parcels along the south of Badger Road and the west corner of Middle Rincon Road are proposed to be Pre-zoned to the R-1-6 (Single-Family Residential) zoning district consistent with the General Plan land use designation of Low-Density Residential. Each parcel currently contains one single-family dwelling unit with accessory structures. No development is proposed at this time. The Planning Commission is being asked to make a recommendation to Council.

BACKGROUND

1. Project Description

The property located at 4646 Badger Road had a septic tank failure in 2019 that needed to be replaced in order to make the residence habitable. However, the County of Sonoma would not issue a septic system permit to make repairs due to the location of the septic tank being within approximately 50 feet of Rincon Creek and the disposal field being within the 50 feet of the on-site well. As a result, the applicant applied for a Utility Certificate to connect to the City sewer system. This authorization was allowed for the removal of an existing public health emergency

on the property, and Sonoma County Local Agency Formation Commission conditioned the approval of the Utility Certificate upon the owner applying to the City for annexation.

Pre-zoning is required to establish a zoning district for a site not currently within the City limits, to allow for future annexation. The zoning district proposed for a pre-zoning is required to be consistent with the existing General Plan Land Use designation for the site. As the properties both are designated for Low Density Residential development, the R-1-6 zoning district has been determined as appropriate.

2. Surrounding Land Uses

North: Single family residential and religious facility

East: School

West: Single family residential

South: Single family residential

Developments to the north, south, and west are primarily residential, with varied lot sizes. To the east, the development includes a school (Rincon Valley Middle School), and another school is located on the northwest side of the property (Victory Christian Academy). Also, Santa Brush Creek runs through both parcels.

3. Existing Land Use – Project Site

Both properties are currently developed with one single-family dwelling unit and residential accessory structures.

4. Project History

On March 8, 2019, an application for a Utility Certificate for 4646 Badger Road was submitted to the Planning and Economic Development Department.

On November 13, 2020, the Utility Certificate application was approved. Based on the location of the subject sites within a County island, any connection to City services requires approval by the Sonoma County Local Agency Formation Commission (LAFCO). Both parcels are located in an area outside of the City limits which is the subject of an agreement between the City and Sonoma County regarding the extension of City water and/or sewer services, and would require approval of an Outside Service Area Agreement. Based on the City staff's conversation with LAFCO staff, the Outside Service Area Agreement was supported due to an existing public health emergency on the property at 4646 Badger Avenue, and future annexation into the City limits.

On June 23, 2021, the Pre-zoning application was submitted for the subject properties.

On October 3, 2021, a Notice of Application was mailed to neighbors within 600 feet from the project site.

## ANALYSIS

### 1. Santa Rosa General Plan 2035

The General Plan land use designation for 4646 Badger Road and 999 Middle Rincon Road is Low Density Residential, which allows a density range from 2 to 8 units per acre and is primarily intended for single family residential.

The following General Plan policy is applicable to this project:

#### **LAND USE AND LIVABILITY**

LUL-A-2 Annex unincorporated land adjacent to city limits and within the Urban Growth Boundary, when the proposal is timely and only if adequate services are available. Ensure that lands proposed for annexation provide a rational expansion and are contiguous to existing urban development.

Both properties proposed for pre-zoning are adjacent to the City limits and within the Urban Growth Boundary. Adequate water and sewer service are available in the area for both properties.

### 2. Zoning

The proposed zoning for the both sites is R-1-6 (Single-Family Residential). The R-1 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 R-1 zoning district implements and is consistent with the Residential—Low Density land use designation of the General Plan.

The project involves a Pre-zoning application, which is the first step to annexation. Once Pre-zoned, the Sonoma Local Agency Formation Commission (LAFCO) will consider annexation of the two parcels, which is contiguous to properties within City limits and inside the City's Urban Growth Boundary.

### 3. Public Comments

Staff has not received any comments from the public regarding the proposed Pre-zoning.

### 4. Public Improvements/On-Site Improvements

No improvements are required with the annexation/pre-zoning of these properties.

## FISCAL IMPACT

Approval of the project will not have an effect on the General Fund.

### ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and staff has determined that the project qualifies for the following streamlining provisions and exemptions:

- CEQA Guidelines Section 15183 in that the proposed pre-zoning is consistent with the General Plan. The Low-Density Residential designation was reviewed as part of the Santa Rosa General Plan 2035 Environment Impact Report (EIR), adopted by City Council Resolution No. 27509, dated November 3, 2009, and the proposed pre-zoning to the R-1-6 (Single-Family Residential) zoning district is consistent with the Low-Density land use designation. There are no impacts peculiar to the site that were not already analyzed in the EIR or would require additional analysis.
- CEQA Guidelines Section 15319(a)&(b) in that the project is an annexation of existing private structures developed to the density allowed under the proposed pre-zoning classification, and the extension of utility services to the existing facilities would have a capacity to serve the existing facilities.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

### 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, 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 have been no issues identified pertaining to this proposal to pre-zone for annexation.

### ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location Map
- Attachment 3: Neighborhood Context Map
- Attachment 4: Preliminary Annexation Map
- Attachment 5: Utility Certificate Approval Letter

Resolution 1: Pre-zoning

CONTACT

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