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## RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING A SUBDIVISION TENTATIVE MAP FOR THE BAGGETT COTTAGES SUBDIVISION, LOCATED WITHIN THE ROSELAND PRIORITY DEVELOPMENT AREA, TO SUBDIVIDE A ONE-ACRE PARCEL INTO SIX LOTS THAT WOULD ALLOW DEVELOPMENT OF FOUR NEW ATTACHED RESIDENTIAL DUETS, THE RELOCATION OF THE TWO EXISTING HOMES ON-SITE, WITH ADDITION OF AN ACCESSORY DWELLING UNIT SUBJECT TO THE APPROVAL OF MINOR CONDITIONAL USE PERMIT (CUP18-125) AND MINOR DESIGN REVIEW PERMIT (DR18-056) LOCATED AT 1084 DUTTON AVENUE – ASSESSOR’S PARCEL NUMBERS 125-281-045 - FILE NUMBER PRJ18-046 (MAJ18-007)

WHEREAS, an application has been submitted by Rod Baggett requesting approval of the Baggett Cottages Tentative Map, prepared by Civil Design Engineers, date stamped February 27, 2019, for the subdivision of a one-acre site consisting of one parcel being split into 6 lots, more particularly described as Assessor's Parcel Number 125-281-045, submitted on August 28, 2018, and on file in the Planning and Economic Development Department; 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, 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.

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.); and

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of one parcel into six parcels 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 66474.5 in that the project site is located in an area designated by the General Plan Land Use Diagram as Low Density Residential, which allows residential development at a density of 2-8 units per acre. The

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project is proposed at a density of 6 units per acre. The project is within the Roseland/Sebastopol Road Specific Plan, which allows the same density and allows small lots as an alternative to attain more affordable housing within the City of Santa Rosa;

- 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 the project provides a mix of housing options within the Roseland/Sebastopol Road Priority Development Area. City Staff has reviewed the project plans and determined that there is adequate water and sewer capacity. The site will be developed in compliance with the City's Standard Urban Stormwater Mitigation Plan (SUSMP)

City Staff has reviewed the project plans and determined that there is adequate water and sewer capacity. 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 have will be preserved throughout the subdivision providing shade or cooling opportunities. The site will also comply with all Building Code Standards, including CalGreen, which requires energy efficient construction materials; 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)
- E. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The project is statutorily exempt from CEQA pursuant to Government Code Section 65457 in that the project would develop a residential land use that is undertaken to implement, and is consistent with, the Roseland Area/Sebastopol Road Specific Plan. The EIR prepared for the Specific Plan was certified by the City Council in 2016 and no events subsequent to certification have required a supplemental EIR pursuant to Public Resources Code section 21166.

The Project qualifies for a Class 3 Exemption pursuant to CEQA Guidelines Section 15303 Existing Facilities, in that the site involves new construction in an urbanized area involving six dwelling units.

Pursuant to Section 15332, the project is exempt from CEQA as an In-fill Development.

- It is consistent with the General Plan land use designation of Low Density Residential (2-8 units per acre) and complies with the PD 96-002 zoning district requirements.

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- It occurs on site less than five acres within City limits, surrounded by urban uses.
- The site has no value as habitat for endangered, rare or threatened species as indicated in the Biological Resource Analysis by Monk & Associate's, dated April 12, 2019.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality that weren't previously considered in the scope of review of the Roseland Area/Sebastopol Road Specific Plan Environmental Impact Report, certified by City Council Resolution No. 28873, dated October 18, 2016.
- The site can be adequately served by all required utilities and public services.

WHEREAS, the Planning Commission has reviewed the project and found it to be in compliance with CEQA on June 27, 2019;

WHEREAS, the project requires review by the Zoning Administrator on July 9, 2019, and at that time the Zoning Administrator will review the application for the Minor Use Permit for the small lot residential use and Minor Design Review for attached housing;

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 of the City of Santa Rosa approves the Baggett Cottages Tentative Map dated March 27, 2019, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated June 10, 2019, attached hereto and incorporated herein as Exhibit A.
2. Obtain approval of a Minor Conditional Use Permit and Minor Design Review for the Project.
3. 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.
4. 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.

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5. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 27<sup>th</sup> day of June 2019, by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

APPROVED: \_\_\_\_\_  
PATTI CISCO, CHAIR

ATTEST: \_\_\_\_\_  
CLARE HARTMAN, EXECUTIVE SECRETARY