

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
**JANUARY 23, 2020**

**PROJECT TITLE**

Kerry Ranch I – 1 year Time Extension

**ADDRESS/LOCATION**

2181 Francisco Avenue

**ASSESSOR'S PARCEL NUMBER**

034-041-012

**APPLICATION DATES**

October 22, 2018

**REQUESTED ENTITLEMENTS**

1-year Time Extension for a Tentative Map

**PROJECT SITE ZONING**

R-1-6 (Single-family Residential)

**PROJECT PLANNER**

Michael Wixon

**APPLICANT**

Dan Morgan

**PROPERTY OWNER**

Morgan Properties, Inc

**FILE NUMBERS**

P18-079, EXT18-0066, 067

**APPLICATION COMPLETION DATES**

January 30, 2019

**FURTHER ACTIONS REQUIRED**

1-year Time Extension for the related Small Lot Subdivision Conditional Use Permit (Director determination)

**GENERAL PLAN DESIGNATION**

Low Density Residential (2 -8 units/acre)

**RECOMMENDATION**

Approval

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR CISCO AND MEMBERS OF THE COMMISSION  
FROM: MICHAEL WIXON, CONTRACT PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
SUBJECT: KERRY RANCH I TENTATIVE MAP– 1-YR TIME EXTENSION (4<sup>th</sup>  
1-YEAR TIME EXTENSION)

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

The Planning and Economic Development Department recommends that the Planning Commission, by resolution, approve a 1-year time extension of the Kerry Ranch I Tentative Map to subdivide an approximately 3.95-acre parcel into 25 single family lots with associated road improvements.

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EXECUTIVE SUMMARY

Resilient City Measures adopted by the City Council on December 18, 2018, automatically extended the expiration date of the Kerry Ranch 1 tentative map and its related project files until December 4, 2019. The present application proposes the fourth 1-year time extension for the tentative map, until December 4, 2020. The City Council is also scheduled to act on a separate Resilient City Measure on February 11, 2020, which, if approved, could again automatically extend this project another year for its fifth and final extension of the expiration date to December 4, 2021.

On October 11, 2007, the Planning Commission approved a Tentative Map and a Small Lot Subdivision Conditional Use Permit and adopted the associated Mitigated Negative Declaration (MND) to subdivide the subject 3.95-acre parcel into 25 single-family lots. At that meeting, the Planning Commission also adopted a resolution recommending that the City Council approve the rezoning the project parcels from OSC (Open Space Conservation) to R-1-6 (Single-family Residential), which would implement the Low Density Residential land use designation in the General Plan. The Tentative Map and Conditional Use Permit approvals of the Planning Commission were appealed to the Council. The Council upheld the Commission's approvals of the Tentative Map and Small Lot Conditional Use Permit, adopted the MND and approved the Rezoning on December 4, 2007. The original project approval of the tentative map and small lot conditional use permit was for a 2-year time period, until December 4, 2009.

Beginning in 2009, the California Legislature passed a series of bills that extended the expiration date of the subject Tentative Map and Conditional Use Permit to December 4, 2016. The Planning Commission subsequently approved two separate 1-year time extensions, extending the tentative map until December 4, 2018. On October 22, 2018, the applicant submitted the current application to extend the tentative map expiration date one (1) year. Also, the City Council approved a Resilient City measure on December 18, 2018 that automatically extended the expiration date of this project another year, to December 4, 2019. Therefore, this request would for the fourth time extend the expiration date of the project until December 4, 2020. As noted above, an additional Resilient City Measure is scheduled to be acted upon by the City Council on February 11, 2020, which if approved would again extend the expiration date of this project for a fifth and final time to December 4, 2021.

## BACKGROUND

### 1. Project Description

The project involves the subdivision of a 3.95-acre site into 25 lots ranging in size from 3,820 square feet to 6,632 square feet, with an average lot size of 4,618 square feet and 12 second-unit dwellings. In addition, the project includes an approved Conditional Use Permit for a small lot subdivision, which allows smaller lot sizes and reduced setbacks. One remainder parcel, Parcel 'A', previously shown as the stormwater retention and treatment area, is now a private parcel which could be built upon as any other lot in the R-1-6 Zone. This change to Parcel "A" was effective with the Planning Commission's approval of the previous tentative map time extension on February 22, 2018.

Access will be provided via San Miguel Road, Francisco Avenue, and a new 'A' Street. The new street would provide interior circulation and a connection to Orleans Street to the west and would connect with the future subdivision to the north. Eight differing unit types are proposed for the subdivision, each with three differing architectural finishes.

Approval of the present application request would extend the tentative map approval to December 4, 2020, to record the Final Map. A Time Extension of the Small Lot Subdivision Conditional Use Permit is also requested. All extensions, except for tentative subdivision and parcel maps, can be reviewed and approved by the Director of Planning and Economic Development.

### 2. Surrounding Land Uses

North: Open Space/Future Residential Subdivisions  
South: Single-Family Residential  
East: Single-Family Residential  
West: Single-Family Residential

Open space is currently located immediately to the north of the project site. Also, the previously approved Kerry Ranch Subdivisions II and III have since expired and there is presently no development application in process for this area. The previously approved tentative maps for Kerry Ranch Subdivisions II and III included 70 lots for as many single-family dwellings and 29 second units. To the south, across San Miguel Road, and to the east and west are residential parcels developed with single-family homes.

3. Existing Land Use – Project Site

The relatively flat property is currently undeveloped and contains approximately 0.76 acres of seasonal wetlands and 0.031 acres of roadside ditches, which constitute other waters of the U.S. The wetlands can be found on the westerly portion of the property and the southeastern corner of the property, while the roadside ditch is located near the northeast section of the site along the Francisco Avenue frontage. The Environmental Review section of this staff report contains an overview of the biologic assessment that was conducted for the site, as well as an overview of the project's mitigation for biologic resources.

4. Project History

In 2000, the site was annexed to the City and pre-zoned to the IOS (Interim Open Space) District. The IOS District was an interim zoning district applied at the time of annexation with the purpose of recognizing that the property may contain environmental resources such as wetlands and rare plants. The IOS District essentially restricted development pending the disclosure and adequate protection of natural resources or until such time as resource agency clearance could be obtained. It was recognized that properties may rezone to be consistent with the underlying Residential Low Density General Plan land use designation should natural resources not be discovered or should clearance from resource agencies be granted.

On October 11, 2007, the Planning Commission voted 7 to 0 to recommend the City Council adopt the MND via Resolution No. 11181; it also acted to approve the Tentative Map and Small Lot Conditional Use Permit for Kerry Ranch 1 (Resolutions Nos. 11183 and 11186, respectively).

On October 22, 2007, an appeal was filed regarding the Planning Commission's decision to approve the Kerry Ranch I Tentative Map and Conditional Use Permit. On December 4, 2007, the City Council, via Resolution No. 26991, adopted a MND prepared for the project, and approved Resolutions 26992 and 26994 upholding the Planning Commission's approval of the Tentative Map and Small Lot Conditional Use Permit; the City Council also approved the Rezone associated with this project.

Beginning in 2009, the California State Legislature passed a series of bills, extending the expiration date of the Tentative Parcel Map and Conditional Use Permit to December 4, 2016.

On February 22, 2018, the Planning Commission approved two separate 1-year time extensions for the Tentative Map, extending the approval date to December 4, 2018 (Resolution No. 11883). In response to both the tragic Tubbs Fire and the emergency housing crisis declared by California's Governor, the City Council approved separate Resilient City Development Measures by Ordinances on both April 10, 2018 and December 18, 2018, which automatically extended the Kerry Ranch I Tentative Map expiration to December 4, 2019. The present application proposes the fourth 1-year time extension for the tentative map, until December 4, 2020.

### PRIOR CITY COUNCIL REVIEW

Following a public hearing on the matter, the City Council voted December 4, 2007 to adopt the MND for the project, uphold the Planning Commission's decision to approve the Tentative Map and Conditional Use Permit on appeal, and approve the proposed Rezoning.

### ANALYSIS

#### 1. General Plan

The General Plan designation for the site is Low Density Residential, which allows a density of 2 to 8 units per acre. The project proposes 25 units across 3.95 acres, or a density of 6 units per acre. As previously conditioned, the designated storm detention basin Parcel "A" would also be a parcel upon which a new residence could be constructed. In approving the Tentative Map, the Planning Commission and City Council found the project to advance several goals of the General Plan in that it created higher residential density and new circulation options within proximity to transit, parks, and retail shopping facilities.

#### 2. Zoning

North: R-1-6/OSC  
South: R-1-6  
East: R-1-6  
West: R-1-6

The subject site is currently zoned R-1-6. The approved subdivision is consistent with the existing zoning, provided a Conditional Use Permit is obtained to allow reduced lot size and setbacks.

The Zoning Code establishes design and development standards for residential small lot subdivisions (Section 20-42.140). Small lot subdivisions are allowed in the R-1 zoning district with a Conditional Use Permit (CUP). The required CUP was approved by the City Council on December 4, 2007 and has since been extended by the Planning and Economic Development Director to coincide with the expiration date of the Kerry Ranch I Tentative Map.

3. Design Guidelines

Design Review is not required for detached single-family development as is proposed in the Kerry Ranch I subdivision. Certain design elements including variation in floor plans and setbacks were taken into consideration by the Planning Commission and City Council during their respective considerations of the Conditional Use Permit.

4. Previous Neighborhood Comments

Previous written comments were received regarding the extension requests approved on February 22, 2018. Staff clarified that pedestrian path proposed on Francisco Avenue would still be included in the project and remains a condition of approval.

At that time another comment letter was received from nearby neighbors expressing they did not want to see any further development adjacent to their own development. The same letter also cited concerns with impacts to riparian ecosystems and the destruction of open space set aside as preserves. Staff confirmed that the Kerry Ranch I Subdivision site was not preserved as open space, and it did not contain riparian areas. Also, the adopted Mitigation Monitoring Reporting Program contains mitigation measures to reduce to the impacts to existing on-site wetlands to a residual less-than-significant impact.

5. Public Improvements/On-Site Improvements

The project would require dedication of San Miguel Road and Francisco Avenue to centerlines of each respective street as to the “Avenue Street Standard” inclusive of curb, gutter, five-foot-wide bike lanes, and sidewalks. Furthermore, improvements along Francisco Avenue will include a four-foot minimum width asphalt walk with an asphalt dike adjacent to the travel lane. The walkway will extend from the northerly terminus of the Francisco Avenue sidewalk to the existing asphalt walk that leads to Jack London School near the intersection of Delamere Avenue (located approximately 2000 feet to the north of the project site). Orleans Street and the new Street ‘A’ will be dedicated and improved to Minor Street standards, including curb, gutter, planter strip, and sidewalks.

ENVIRONMENTAL IMPACT

An Initial Study was conducted in compliance with the California Environmental Quality Act (CEQA) on September 5, 2007, resulting in a Mitigated Negative Declaration (MND). A Notice of MND was posted from September 6, 2007, to September 30, 2007, at the Sonoma County Clerk and from September 11, 2007, to October 11, 2007, at the State Clearinghouse.

On January 16, 2007, a Biological Assessment including wetlands delineation, Tiger Salamander, special status plant and animal surveys was conducted. The site contains 0.70 acre of seasonal wetlands verified by the Army Corp of Engineers, which will be filled as part of the project. The applicant has purchased preservation acreage and wetlands credits to meet the mitigations outlined in the assessment.

The MND was adopted by the Council on December 4, 2007.

In November 2009, the City adopted the Final EIR for the General Plan 2035, with which this project remained consistent. And in 2012, the City adopted the Final EIR for the Supplemental Program EIR for the Climate Action Plan and General Plan Update, with which this project is also consistent (SCH No. 2011092010).

No events that would require subsequent environmental review as described in Section 15162 of the CEQA Guidelines have occurred since the City of Santa Rosa Planning Commission adopted the MND, in that no substantial changes have been made in the project, no substantial changes have occurred with respect to the circumstances under which the project is being approved, and no new information of substantial importance has become known.

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

The proposed 1-year extension request has not been reviewed by any additional review authorities.

#### NOTIFICATION

This project is listed as a consent item on the Planning Commission's agenda.

#### ISSUES

At the time of Building Permit review, the project will be subject to current stormwater permit and geotechnical study requirements.

ATTACHMENTS

- Attachment 1 - Disclosure Form
- Attachment 2 - Project Location Map
- Attachment 3 - General Plan and Zoning Map
- Attachment 4 - Approved Tentative Map
- Attachment 5 - Approved Development Plan, dated received September 25, 2007
- Attachment 6 - Approved Kerry Ranch Initial Study/MND, September 11, 2007
- Attachment 7 - Exhibit A Conditions of Approval from Engineering

Resolution: A one-year time extension of tentative map

CONTACT

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