

RESOLUTION NO. XXXXX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA GRANTING A FOURTH ONE-YEAR EXTENSION OF TIME OF THE TENTATIVE MAP FOR KERRY RANCH 1, A SMALL LOT SUBDIVISION, LOCATED AT 2181 FRANCISCO AVENUE, SANTA ROSA – ASSESSOR’S PARCEL NUMBER 034-041-012 – FILE NUMBER PRJ18-079

WHEREAS, on October 11, 2007, the Planning Commission approved Resolution No. 11181, recommending adoption of the Mitigated Negative Declaration for the Kerry Ranch I, II and III Project; and

WHEREAS, on October 11, 2007, the Planning Commission approved Resolution No. 11183, approving the Small Lot Subdivision Conditional Use Permit for the Kerry Ranch 1 Project; and

WHEREAS, on October 11, 2007, the Planning Commission approved Resolution No. 11186, approving the Tentative Subdivision Map for the Kerry Ranch 1 Project; and

WHEREAS, on December 4, 2007, the City Council approved Resolution No. 26991, adopting a Mitigated Negative Declaration for the Kerry Ranch I, II and III Project; and

WHEREAS, on December 4, 2007, the City Council on appeal adopted Resolution Nos. 26992 and 29994, upholding the Planning Commission’s action and denying the appeal of the Small Lot Subdivision Conditional Use Permit and Tentative Subdivision Map, to subdivide and develop a property measuring 3.95 acres into 25 new residential lots and associated improvements (MJP05-053), for two (2) years; and

WHEREAS, on December 11, 2007, the City Council approved Ordinance No. 3857 to rezone the Kerry Ranch I, II and III Project area from OSC (Open Space Conservation) to R-1-6 (Single-family Residential); and

WHEREAS, Senate Bill 1185 granted an automatic one-year extension for the Tentative Map, and Assembly Bills 333, 208, and 116 each granted automatic two-year Tentative Map extensions for a total of 7 years of time extensions to file a final map, extending the Tentative Map expiration date to December 4, 2016; and

WHEREAS, on February 22, 2018, after a duly noticed public hearing, the Planning Commission adopted Resolution No 11883, approving two (2) separate one-year extension requests, extending the final map filing period for the Kerry Ranch I Subdivision from December 4, 2016, to December 4, 2018; and

WHEREAS, on December 18, 2018, the City Council adopted the Resilient City Development Measures of the Santa Rosa Zoning Ordinance, §20-16.120 permitting a one-time, 12-Month extension of an approved tentative map that had not expired as of October 9, 2017, extending for a third year the Tentative Map expiration date for Kerry Ranch 1 to December 4, 2019; and,

WHEREAS, on October 22, 2018, the time extension applications for the project were submitted to the Planning and Economic Development Department, requesting a one-year extension of time to December 4, 2020; and

WHEREAS, the scope of the Kerry Ranch Project and subsequent time extensions of Kerry Ranch 1 have been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study was prepared for the project, which resulted in a Mitigated Negative Declaration adopted by the City Council (Resolution 26991); and

WHEREAS, CEQA Guidelines section 15162 provides that no additional review is required where a mitigated negative declaration has been adopted for a project and there are no substantial changes to the project or changed circumstances which will result in new or more severe environmental impacts, there is no new information showing the project will have significant effects not discussed in the mitigated negative declaration, and no newly identified feasible mitigation measures have been introduced to substantially reduce one or more significant effects identified for the Project; staff has reviewed the project and has determined that the Project has not changed substantially and remains consistent with the analysis of the environmental document adopted by the City Council, and there are no new circumstances that would require further environmental review under CEQA.

WHEREAS, the Planning Commission has considered the fourth request to extend the period for filing the final map for the Kerry Ranch 1 Small Lot Subdivision from December 4, 2019 to December 4, 2020; and

WHEREAS, conditions pertaining to the subject development have not changed to any appreciable degree.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Santa Rosa grants the fourth of five one-year extensions of time on the filing of the final map for Kerry Ranch I to December 4, 2020, subject to the following conditions:

1. Comply with all conditions of City Council Resolution No. 26994, which approved the Tentative Map except where superseded by this resolution.
2. Comply with all conditions as specified by Exhibit "A" dated October 22, 2019, attached hereto and incorporated herein.
3. Obtain building permits for the proposed project.

4. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
5. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
6. 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.
7. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Sonoma County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
8. Condition 7 of City Council Resolution No. 26994, which requires compliance with the Housing Allocation Plan, is hereby rescinded and replaced with the following:

The developer of the Kerry Ranch I subdivision, which was approved via Resolution No. 26994 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(D).

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 23 day of January 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
PATTI CISCO, CHAIR

ATTEST: _____
CLARE HARTMAN, EXECUTIVE SECRETARY

Exhibit A – Engineering Development Services Conditions, October 22, 2019

DRAFT