

SUBDIVISION COMMITTEE REPORT  
APRIL 28, 2021

Waiver of Parcel Map

**Project Description**

The requested Waiver of Parcel Map proposes to split an existing single lot into two for the property located at 1747 Linden Lane and 1031 Carol Lane. The property was previously approved for a duplex as part of the Sandalwood Subdivision by the Planning Commission on May 6, 2006. The Waiver of Parcel Map is required prior to approval of Certificate of Compliance. All public improvements are in place and the Waiver of Parcel Map complies with the requirements found in Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code.

LOCATION.....1747 Linden Lane and 1031 Carol Lane

APN.....014-652-035

GENERAL PLAN LAND USE.....Low Density Residential

ZONE CLASSIFICATION

EXISTING .....R-1-6

PROPOSED.....R-1-6

OWNER/APPLICANT .....Lennox Homes, Inc.

ADDRESS.....3675 Mt. Diablo Blvd. #350  
Lafayette, CA 94549

ENGINEER/SURVEYOR .....Robertson Engineering, Inc

ADDRESS.....2300 Bethards Drive, Suite L  
Santa Rosa, CA 95405

REPRESENTATIVE .....Rick Rosenbaum

ADDRESS.....3675 Mt. Diablo Blvd. #350  
Lafayette, CA 94549

FILE NUMBER .....CC20-004

CASE PLANNER .....Adam Ross

PROJECT ENGINEER.....Jesús McKeag

PLANNING COMMISSION REP ..Chair Weeks

## **Background**

On May 11, 2006, The Planning Commission approved a Mitigated Negative Declaration for the Sandalwood Subdivision; approved a recommendation to the City Council to rezone the subject property, located at 1130 Gordon Lane, to the R-1-6 zoning district; approved the Sandalwood Subdivision Tentative Map to subdivide the 2.43-acre parcel into 17 individual lots; and a Conditional Use Permit for a small lot subdivision to construct 16 single family dwellings and one duplex (Resolution Nos. 10916-10919).

June 27, 2006, the City Council approved Resolution No. 26609 adopting a Mitigated Negative Declaration for the proposed Rezoning, and adopted Ordinance No. 3785 to rezone the subject property from the RR-20 zoning district to the R-1-6 zoning district.

September 25, 2008, the Planning Commission approved 12-month time extensions for both the Conditional Use Permit and Tentative Parcel Map (Resolution Nos. 11361-11362), extending the expiration date to June 20, 2009.

Senate Bill 1185 – Extended the expiration date by 12 months, with a new expiration of June 20, 2010.

Assembly Bill 333 – Extended the expiration date by 24 months, with a new expiration of June 20, 2012.

Assembly Bill 208 – Extended the expiration date by 24 months, with a new expiration of June 20, 2014.

Assembly Bill 116 – Extended the expiration date by 24 months, with a new expiration of June 20, 2016.

August 11, 2016, the Planning Commission approved Resolution No. 11775, a 12-month time extension on the filing of the final map for the Sandalwood Subdivision.

The Final Map was recorded in 2018, Final Map No. 2018-0023 – Sandalwood Subdivision.

Pursuant to the Zoning Code Section 20-16.080(B) the Planning and Economic Development Director may authorize one or more changes to an approved site plan, architecture, or the nature of the approved single or multi-family, residential small lot subdivision, lodging or child care land use after making the following findings:

1. Are consistent with all applicable provisions of this Zoning Code;
2. Do not involve a feature of the project that was a basis for findings in a negative declaration or environmental impact report for the project;
3. Do not involve a feature of the project that was specifically addressed or was a basis for conditions of approval for the project or that was a specific consideration by the review authority (i.e., the Commission or Council) in the project approval; and

4. Do not result in an expansion of the single or multi-family residential, residential small lot subdivision, lodging or child care land use and/or activity.

In this case, the Director has found that the proposed Parcel Map Waiver is consistent with the Zoning Code; does not involve a feature that was a basis for findings in the Mitigated Negative Declaration; does not include features that were specifically addressed or a basis for Conditions of Approval; and does not expand the subdivision.

Section 66428(b) of the Subdivision Map Act, and Section 19-16.030 of the Santa Rosa City Code, provide a process for a designated review authority within the City to waive the requirement for a parcel map. If the Subdivision Committee, Planning Commission, or City Council makes the finding that the proposed division of land meets all City requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection, and that sufficient record and survey data are available to determine the location of the parcels, a waiver can be granted. A certificate of compliance, the document that delineates the boundaries of the approved lots, is required whenever the parcel map requirement is waived by the Subdivision Committee, Planning Commission or City Council.

As allowed by Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code, a waiver of a Parcel Map and subsequent Certificate of Compliance would legally recognize proposed lot line adjustment. No additional development or changes are proposed at this time.

On May 20, 2006, the Planning Commission approved Resolution No. 10916, adopting a Mitigated Negative Declaration for the Sandalwood Subdivision, and the scope of the project remains unchanged and is consistent with the analysis of the environmental document, and there are no new circumstances that would require further environmental review under Section 15162 the California Environmental Quality Act (CEQA).

## **Conditions of Approval**

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on plans stamped received October 10, 2020:

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the City Storm Water Low Impact Development Technical Design Manual in effect at the time this application was deemed complete.

- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the Site Plan stamped received 11/2/20:

### **Engineering Conditions**

#### **MAPPING AND PRIVATE EASEMENT DEDICATION**

1. All Conditional Certificates of Compliance shall comply with all currently adopted ordinances, resolutions, and policies of the City of Santa Rosa and the State Subdivision Map Act.
2. All costs associated with Conditional Certificates of Compliance, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the developer.
3. Prior to recordation of Conditional Certificates of Compliance for the resulting parcels all public infrastructure conditioned in the subdivision committee report for the parcel map waiver shall be installed to the satisfaction of the City Engineer.
4. Prior to recordation of Conditional Certificates of Compliance, any needed private easement between the resulting parcels (including but is not limited to cross lot drainage, egress and parking easements) as determined during the plan review shall be recorded by separate instrument as private Covenants of Easement to the satisfaction of the City Engineer. Conformed copies shall be provided to the Planning & Economic Development Department.

#### **REVISION TO IMPROVEMENT PLANS AND CC&Rs**

5. Prior to final acceptance of public improvements associated with the Sandalwood Subdivision, the Improvement Plans (City File Number 2015-0029) shall be processed and approved addressing any changes resulting from the splitting of Lot 14 into 2 resultant parcels including but not limited to:
  - Graphic representation of the 2 resultant parcels as separate,
  - Water service and sewer lateral for said parcel, etc., to the satisfaction of the City Engineer.
6. To the extent that any mapping and Improvement Plan changes result in the necessity to change any supporting document such as CC&Rs, maintenance agreements, etc., those documents shall be amended and rerecorded to the satisfaction of the City Engineer prior to final acceptance of public improvements associated with the Sandalwood Subdivision.

## **PUBLIC STREET IMPROVEMENTS**

7. An Encroachment Permit must be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any sewer, water, or storm drain work, or installation of driveway aprons within the public Right-of-Way or located within existing or proposed public easements.
8. The applicant shall locate the driveway apron entirely along the Carol frontage of the northerly resultant parcel per City Standard 250 B.
9. Existing streets being cut by new services will require edge grinding per City Standard 209, in addition to trenching and an asphalt concrete overlay both per Standard 215.
10. New services (electrical, telephone, cable or conduit) to new structures shall be underground.

## **STORM DRAINAGE**

11. Drainage facilities and drainage easements, if required, shall be provided to the satisfaction of the City Engineer or the Chief Engineer of the Sonoma County Water Agency at the developer's expense.
12. The design of all onsite drainage shall be to the satisfaction of the City Engineer.

## **GRADING**

13. The dwelling units on the respective lots shall be structurally independent of each other to the satisfaction of the Chief Building Official.
14. The applicant shall obtain a Building Permit to perform this work

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### ***Public Hearing***

The public hearing was opened.

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The Subdivision Committee of the city of Santa Rosa, based upon the evidence presented and the records herein, hereby determines that the proposed Waiver of Parcel Map for the Sandalwood Duplex Split (Lot 14), as hereinafter conditioned, complies with the requirements of Chapter 19 of the Santa Rosa City Code and the State Subdivision Map Act, based upon the following findings:

1. The proposed parcel map and the design of the proposed subdivision are consistent with the Santa Rosa General Plan in that the Parcel Map Waiver and subsequent Certificate of Compliance would create two parcels in a General Plan area designated Low Density Residential and the single-family residential uses permitted by the Sandalwood residential small lot subdivision and by the required zoning for the property on which it is situated are allowable under the General Plan designation. No specific plan applies to the subject property.
2. The site is physically suitable for the type of development shown on the Waiver of Parcel Map in that the parcels are of a shape and size and have topographical characteristics which easily lend themselves to single-family residential use.
3. The site is physically suitable for the proposed intensity of development in that it will accommodate the parcels as shown on the proposed parcel map waiver.
4. Neither the design of the proposed subdivision nor the improvements will cause substantial environmental damage or will substantially and avoidably injure fish or wildlife habitat. The Subdivision Committee has determined that the proposed subdivision would create no adverse environmental effects including those described above.
5. The design of the subdivision nor the type of improvements as proposed is likely to cause serious health problems in that no health or sanitary problems exist on the site or in the area of the site and the city can provide adequate water and sewer services to the property.
6. Neither the design of the subdivision nor the type of improvements, as proposed, will conflict with easements, acquired by the public at large, for access through, or use of, any property within the proposed subdivision. The Subdivision Committee, after review, has determined that no such easements exist.
7. The proposed subdivision meets the Housing needs of the city and the public service needs which will be generated by the subdivision's users and are within the available fiscal and environmental resources of the city.
8. The design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
9. The proposed subdivision will not discharge waste into the city's sewer system that would result in violation of any requirements prescribed by the California Regional Water Quality Control Board.
10. The proposed subdivision has been reviewed in compliance with the California Environmental Quality Act in that the Planning Commission approved Resolution No. 10916, adopting a Mitigated Negative Declaration for the Sandalwood Subdivision, and the scope of the project remains unchanged and is consistent with the analysis of the

environmental document, and there are no new circumstances that would require further environmental review under Section 15162 the California Environmental Quality Act (CEQA).

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The Subdivision Committee is a subordinate committee of the City of Santa Rosa Planning Commission and is empowered to act on behalf of the Commission. All actions by the Committee must be by unanimous vote or the matter under consideration is automatically referred to the Planning Commission.

### **Action**

\_\_\_ Approval with conditions as set forth in this report.

\_\_\_ Denial - Major Reasons:

\_\_\_ Continuance.

### Vote

<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Continue</u>
<u>Jesús McKeag</u>	___	___	___
<u>Adam Ross</u>	___	___	___
<u>Karen Weeks</u>	___	___	___