

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A MODIFICATION OF
COURTNEY ESTATES FINAL MAP - LOCATED AT 1530, 1534, 1538, 1542, ALEGRA
STREET; 1536, 1539, 1540, 1544, 1545, 1548, 1551, 1552, 1556, 1560, 1561, 1564, 1567, 1568,
1572, 1576 CLARITIN STREET; 1544, 1548, 1552, 1556, 1560, 1564, 1566, 1570, 1572
COUNTRY MANOR DRIVE; 2510, 2511, 2514, 2515, 2518, 2519, 2522 2523 2526, 2527,
2530, 2531, 2534, 2535, 2538, 2539, 2542, 2543, 2546, 2550 COURTNEY AVENUE; 2549,
2553, 2557, 2558, 2562 DAKOTA AVE; 1549 FULTON ROAD; APN 157-020-003, 157-020-
010, 157-070-048, -049, -050, -051, -052, -053, -054, -055, -056, -057, -058, -059, -060, -061, -
062, -063, -064, -065, -066, -067, -068, -069, -070, -071, -072, -073, -074, -075, -076, -077, -
078, -079, -080, -081, -082, -083, -084, -085, -086, -087, -088, -089, -090, -091, -092, -093, -
094, -095, -096, -097; FILE NUMBER MOD21-002

WHEREAS, an application was submitted requesting the approval of a Modification of
Final Map as follows: modify the maximum lot size from 8,985-square-feet to 8,064-square-feet;
change the minimum lot size from 4,046-square-feet to 4,043-square-feet; change the average lot
size from 5,228-square-feet to 5,042-square-feet; Parcel A (9,049-square-feet) and Parcel B
(4,181-square-feet) are incorporated as stormwater treatment areas to be owned and maintained
by the homeowners' association; the public utility easements (PUE's) are generally resized to 5.5
feet, with exceptions on Fulton Road (PUE unchanged at 13 feet), the south side of Alegria Street
(resized to 4.5-feet), and the western portion of Courtney Manor Drive (PUE unchanged at 10
feet);

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 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 Modification of Final Map request is within the scope of the previously
adopted Mitigated Negative Declaration (MND) for the Courtney Estates Project certified by the
City Council on September 6, 2005; and

WHEREAS, the Modification of Final Map request is exempt from further environmental
review under the California Environmental Quality Act (CEQA) in that:

- A. The request qualifies for a Class 5 exemption under CEQA 15305 for "Minor Alterations
in Land use limitations" because the site has an averages slope of less than 20%, the
modifications would not result in any changes to land use or density, and the lot line
adjustments would not result in the creation of any new parcel; and

- B. Section 15162 of the CEQA Guidelines states that no subsequent environmental review is required unless proposed project changes result in: new significant environmental effects or a substantial increase in previously identified effects, or a substantial change to project circumstances resulting in new environmental effects or a substantial increase in previously identified effect, or new information of substantial importance shows that the project would result in substantial impacts not previously analyzed, or a substantial increase in previously identified effect, or that necessitates reevaluation of mitigation measures. There are no changes to the project or to the circumstances surrounding the project site or new information demonstrating new or unanalyzed impacts. For these reasons no additional CEQA review is required.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Chapter 19-24 (Tentative Map Procedures), the Planning Commission of the City of Santa Rosa finds and determines:

- 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;
- 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. The modification would not reduce housing availability and public services are currently provided to all existing development;
- 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 the subdivision is fully developed and the modification would result in negligible change to the subdivision design; 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) in any new development is required to comply with current regulations that require connection to City services.

BE IT FURTHER RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to California Government Code Section 66472.1 (**Correction and Amendment of Maps**), the Planning Commission of the City of Santa Rosa finds and determines:

- A. That there are changes in circumstances which make all or a portion of the conditions on a map no longer appropriate or necessary, in that while the final map for the Courtney Estates subdivision was recorded in July 2007, the current proposal is to modify the Courtney Estates Final Map to adjust the lot layouts and to reconfigure easements to accommodate mandatory State storm water requirements that were not in effect at the time of approval of the original map.

- B. That the proposed modification(s) will not impose any additional burden on the present fee owner, in that the reconfiguration of the lot layouts and easements will not result in a net decrease in the number of lots or housing units, and the changes will bring the previously approved map in compliance with current State storm water low impact development requirements (LID).
- C. The proposed modifications will not alter any right, title, or interest in the real property reflected on the recorded map.

BE IT FURTHER RESOLVED, that this Modification of Final Map is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Modification of the Courtney Estates Final Map, located at 1530, 1534, 1538, 1542, Alegra Street; 1536, 1539, 1540, 1544, 1545, 1548, 1551, 1552, 1556, 1560, 1561, 1564, 1567, 1568, 1572, 1576 Claritin Street; 1544, 1548, 1552, 1556, 1560, 1564, 1566, 1570, 1572 Country Manor Drive; 2510, 2511, 2514, 2515, 2518, 2519, 2522 2523 2526, 2527, 2530, 2531, 2534, 2535, 2538, 2539, 2542, 2543, 2546, 2550 Courtney Avenue; 2549, 2553, 2557, 2558, 2562 Dakota Ave; 1549 Fulton Road, is approved subject to each of the following conditions:

DEPARTMENT OF COMMUNITY DEVELOPMENT

GENERAL:

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. Compliance with the Final Development Advisory Committee Report dated October 6, 2021, for Modification to Courtney Estates Final Map, attached hereto and incorporated herein, is required.
3. Modifications shall be the same as those reflected on the final amended map, dated received on July 7, 2021.
4. The City Engineer shall execute an amended Final Map in a form consistent with the DAC Report, dated October 6, 2021, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 14th day of October, 2021 by the following vote:

AYES: ()

NOES: (0)

ABSTAIN: (0)

ABSENT:

APPROVED: _____

KAREN WEEKS, CHAIR

ATTEST: _____

ANDREW TRIPPEL, EXECUTIVE SECRETARY

Exhibit A: DAC Report: Modification to Courtney Estates Final Map, dated 10-06-2021