RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING THE MEADOW CREEK TOWNHOMES TENTATIVE MAP LOCATED AT 533 BELLEVUE AVENUE; ASSESSOR'S PARCEL NO. 134-042-070; FILE NUMBER MAJ23-002

WHEREAS, on June 7, 2023, an application was submitted by Jay Ryder, requesting approval of the Meadow Creek Townhomes Tentative Map, dated March 21, 2025, and on file in the Office of the Department of Community Development, for the property located at 533 Bellevue Avenue, more particularly described as Assessor's Parcel Number 134-042-070; and

WHEREAS, the proposed projects includes alternatives to minimum lot area, dimensions, and maximum lot coverage requirements as set forth in Zoning Code Section 20-22.040. Pursuant to Section 20-22.040(B), these requirements may be determined through the subdivision review process for attached housing projects; and

WHEREAS, the Planning Commission heard the evidence and reviewed the proposed findings, if any, submitted by the applicant.

NOW THEREFORE BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of 62 lots 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. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5. The project site is located in an area designated by the General Plan Land Use Diagram as Medium Density Residential, which allows residential development at a density of 8-18 units per acre. The 4.78 acre parcel is proposed to be developed with 62 residential lots; the resulting density is within the allowable density range at 12.79 dwelling units per acre. The site is located within the Roseland Area/Sebastopol Road Specific Plan; the proposed map is consistent with the goals and policies of the Specific Plan by providing pedestrian infrastructure improvements to Burgess Drive and throughout the project site, allowing safe and convenient access throughout the site and to schools.

B. That 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. City staff has reviewed the proposed development and determined that there is adequate sewer and water capacity.

C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision. All structures have

been designed with sufficient windows to allow the inflow of sunlight for natural heating, and tree species will be planted throughout the subdivision providing shade or cooling opportunities.

D. That 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. The proposed development has been reviewed by City staff and will be required to comply with all City utilities and infrastructure requirements, including required connections to City sewer and storm water systems.

BE IT FURTHER 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 Meadow Creek Townhomes Tentative Map dated March 21, 2025, and on file in the Department of Community Development, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated___, attached hereto as Exhibit A and incorporated herein.

2. Compliance with inclusionary housing requirements as set forth in City Code Chapter 21-02. At least 6 units shall be provided as affordable to moderate income households, subject to a recorded affordability agreement with the Department of Housing and Community Services, and a fractional housing impact fee will be collected for 0.2 units.

3. The formation of a Homeowners' Association (HOA) with Conditions, Covenants, and Restrictions (CC&R's) in a form approved by The Neighborhood Revitalization Program, shall be recorded on each lot. The CC&R's are intended to create a framework by which investor owner properties and common areas are managed and maintained. At a minimum, the CC&R's shall contain the following provisions:

   A. Residential occupancy standards;

   B. Maintenance and habitability requirements;

   C. Prohibition of nuisances and offensive activities including: graffiti, illegal drugs, violent acts and criminal gang behavior;

   D. Resident and guest parking system;

E. Tenant screening and house rules for rentals including: credit, reference and criminal history checks, as well as verification of employment and prior residence.

4. That the project Conditions, Covenants, and Restrictions (CC&R's) shall be reviewed and approved by the City Attorney and the Department of Community Development prior to recordation of the final map and that the City of Santa Rosa has the right, but not the duty, to enforce the CC&R's pertaining to the conditions stated herein.

5. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).

6. 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.

7. 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.

8. 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.

9. Applicant is responsible for obtaining all other local, state, and federal agency permits and payment of permit fees prior to construction.

10. PROJECT DETAILS:

A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines. Design Review approval is required prior to obtaining a building permit.

B. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.

C. All roof appurtenances, accessory equipment, and meters must be totally screened

from public view by an architecturally design element approved by the Design Review Board or Planning Division.

D. All outdoor storage of materials or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.

11. TREE PRESERVATION:

A. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.

B. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:

i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.

ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.

iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.

iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.

v. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.

vi. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.

C. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work.

D. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No

Construction or Storage Permitted."

E. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.

F. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.

G. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

12. LANDSCAPING:

A. All required landscaping and irrigation must be installed per the approved final plans prior to occupancy of each building.

B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.

C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.

D. Street trees will be required and shall be planted by the developer. Selection will be made from the City's approved Master Street Tree Plant List in coordination with the City Parks Division. Planting shall be done in accordance with the City "Standards and Specifications for Planting Parkway Trees." Copies of the Street Tree List and the Planting Standards are available at the Parks Division office.

13. LIGHTING:

A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.

B. Light sources shall be concealed from public view.

C. All lighting shall be directed toward the subject property and away from adjacent properties.

D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

14. PARKING:

A. The parking lot shall be constructed to City standards.

B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Department of Community Development in some other fashion.

C. The parking lot shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.

D. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.

E. Prior to issuance of certificate of occupancies for more than 50% of the building square footage applicant shall demonstrate that the required off site parking must be available to serve the project.

15. SIGNING:

A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.

B. A planning sign permit application is required for all signs.

C. Sign permit approval shall be obtained prior to application for a building permit.

D. Building permits for sign installations shall be separate permits from other building permits issued for construction.

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16. NATURAL RESOURCES:

A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.

B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning and Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of

improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.

C. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.

D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 24th day of July, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:_____
CHAIR

ATTEST:_____
EXECUTIVE SECRETARY