

RESOLUTION NO. ____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING THE MIDDLE RINCON SUBDIVISION TENTATIVE PARCEL MAP
LOCATED AT 243 MIDDLE RINCON ROAD – ASSESSOR’S PARCEL NUMBER 182-210-
013 - FILE NUMBER – PRJ17-015

WHEREAS, an application has been submitted by Phil Natoli, requesting approval of the Middle Rincon Subdivision Tentative Parcel Map, prepared by Civil Design Consultants, Inc., dated March 7, 2017, for the subdivision of a 0.45-acre parcel to create two residential lots and a remainder lot, located at 243 Middle Rincon Road, more particularly described as Assessor's Parcel Number(s) 182-210-013, and on file in the Planning and Economic Development Department; and

WHEREAS, the applicant was presented with the opportunity and did prepare proposed findings supported by evidence that said subdivision complies 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.); and

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

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of two lots and a remainder lot 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.
- 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.
- 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.
- 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.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said Tentative Parcel 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 parcel 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 Middle Rincon Subdivision Tentative parcel map, dated March 7, 2017, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Engineering Development Services conditions, attached hereto, as Exhibit A, dated August 23, 2017.
2. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
3. 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.
4. 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.
5. The developer shall pay park fees in effect at the time the building permit is issued.
6. The developer shall pay housing impact fees as required by the City's Housing Allocation Plan.
7. 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.
8. Tree Preservation
 - a. Specifications for tree preservation and protection during site construction activities shall be shown on the improvement plans and building plans. Tree dripline areas shall be accurately shown on site grading, drainage and utility plans with the attendant protection instructions.

- b. Prior to issuance of a grading or building permits for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect natural vegetation and trees to be retained 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 that 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. Prior to issuance of a building or grading permit for any site work, 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.
 - d. The protection zone delineated with the brightly colored construction fence shall be posted with signs that state "Tree/Vegetation Protection Zone – No Construction or Storage Permitted."
 - e. Irrigation systems, and plant species which require regular watering, shall not be permitted within the dripline of an oak tree that is to be preserved.
 - f. No poured 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" shall be conducted under the supervision of a City approved arborist.
2. The applicant shall adhere to the planting plan, including the number, type and sizes of all proposed trees, including nine (9) replacement trees, illustrated on the

Planting Plan, dated March 13, 2017, prepared by Balcerak Design, and received by the City of Santa Rosa on April 6, 2017.

3. If any of the trees identified to be saved on the Tentative Map, date stamped March 7, 2017, prepared by Civil Design Consultants, require removal due to proximity to approved development and site improvement, additional tree mitigation shall be required in compliance with Section 17.24.050(C)(2).

4. Tree Replacement or Mitigation.

- a. Prior to the issuance of a building permit, submit a list five (5) additional 15-gallon (minimum size) replacement tree(s) to fully mitigate for removal of existing trees as listed and shown on the Tentative Map, date stamped March 7, 2017, prepared by Civil Design Consultants Inc. Prepare the list in consultation with a nursery/arborist to determine appropriate species for replacement trees and planting mitigation replacement trees. Should larger trees be chosen to satisfy the aforementioned tree replacement requirement, the following conversion matrix may be utilized:

24" box trees = three (3), 15-gallon trees
36" box trees = five (5), 15-gallon trees
48" box trees = six (6), 15-gallon trees
60" box trees = eight (8), 15-gallon trees
72" box trees = nine (9), 15-gallon trees
84" box trees = eleven (11), 15-gallon trees
96" box trees = twelve (12), 15-gallon trees

If you choose this option, please email the list to agustavson@srcity.org.

- b. Prior to the final inspection or certificate of occupancy, plant the replacement trees. Trees shall be appropriately staked and maintained in good health. If you choose this option, please email agustavson@srcity.org when the tree(s) have been planted.

OR

- c. As an alternative, a \$100 fee per required five additional replacement tree (\$500 total) may be paid to the City's Tree Mitigation Fund prior to the removal of the tree(s). Make check payable to the City of Santa Rosa Tree Mitigation Fund, IFAS No. 001880-2184. Send check to Planning and Economic Development, 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404. If you choose this option, please email agustavson@srcity.org when payment has been made.

Resolution No. _____

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 28th day of September, 2017, by the following vote:

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

APPROVED: _____
CHAIR

ATTEST: _____
EXECUTIVE SECRETARY

Exhibit A: Engineering Development Services, Conditions of Approval, August 23, 2017

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
8/23/17

243 Middle Rincon Road Subdivision
243 Middle Rincon Rd
PRJ17-015

- 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. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on December 1, 2015.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received March 7, 2017:

PARCEL AND EASEMENT DEDICATION

1. A Public Utilities Easement shall be dedicated over the northerly 40-feet of the Remainder Parcel by separate instrument prior to approval of the Improvement Plans.
2. A Private Driveway Easement over the Remainder Parcel shall be dedicated in favor of Lots 1 & 2 by separate instrument prior to approval of the Improvement Plans.
3. A Private Sewer Easement over the southerly 20-feet of the Remainder Parcel shall be dedicated in favor of Lots 1 & 2 by separate instrument prior to approval of the Improvement Plans.
4. A Sidewalk Easement over the area of sidewalk behind the new driveway apron between the property line of the Remainder Parcel and a line 6-inches behind the sidewalk as reflected on the Improvement Plans shall be dedicated by separate instrument prior to approval of the Improvement Plans.
5. The final map shall show;
 - a. a Public Utilities Easement over the northerly 40-feet of Lots 1 & 2.
 - b. a Private Driveway Easement over Lot 2 in favor of Lot 1.
 - c. a 10-foot Private Sewer Easement over the southerly 10-feet of Lot 2 in favor of Lot 1.

6. A driveway maintenance agreement for the full area between the northerly project boundary and a parallel line 40-feet southerly of said shall encumber the title of Lots 1 & 2. It shall include the area of the common driveway that traverses the Remainder Parcel between its northerly lot line and a parallel line 40-feet southerly of said and the common private drainage facilities.
7. Alternatively, a separate common private drainage facilities maintenance agreement encompassing the same two areas referenced in the above condition may encumber the title of Lots 1 & 2.

MAPPING

8. This parcel map shall comply with all currently adopted ordinances, resolutions, and policies of the City of Santa Rosa and the State Subdivision Map Act.
9. All costs associated with map, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the subdivider.
10. The Parcel Map shall be annotated on the information sheet as follows: "Water and sewer demand fees and processing fees are based on the number and type of units to be built on each lot. Water and sewer demand, processing and meter installation fees must be paid prior to the issuance of a Building Permit for the respective lot."
11. The Parcel Map shall note the existing 40-foot access easement (1129 OR 47) in favor of westerly landlocked parcel in appropriate fashion.
12. The Parcel Map shall note that the use of the parking places in the parking bay located within the common driveway is restricted to beneficiaries of the access easements and their guests and may not be deeded to individual Lot owner for exclusive private use.

PUBLIC STREET IMPROVEMENTS

13. All public and private improvements, both on-site and off-site; all rights-of-way and easement acquisitions, be they on-site or off-site; and all removal, relocation, or undergrounding of existing public utilities and any coordination thereof required or necessitated as a result of the review and approval of the project and the cost thereof shall be the obligation of the subdivider unless express written provision to the contrary is agreed to by the City. The full installation of all such required improvements to the satisfaction of the City Engineer shall be completed prior to the acceptance of the improvements by the City.
14. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
15. The common drive shall access through a 24-foot minimum width Standard 250 A curb cut.
16. Any broken curb, gutter and/or sidewalk shall be replaced per current City Standards to the satisfaction of the City Engineer.
17. Existing streets being cut by new services will require edge grinding per Standard 209, trenching per Standard 215, and an A.C. overlay.

18. New services (electrical, telephone, cable or conduit) to new structures shall be underground.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

19. The common driveway for Lots 1 & 2 shall be 20-feet wide with a standard 2-car parking bay centered on the shared property line of Lots 1 & 2 and shall be covered by joint access and utility easements. (Note: the California Department of Real Estate may require the formation of a homeowners association for maintenance of common facilities.)
20. The common driveway shall taper to a width of 20-feet beginning at the back of sidewalk and ending 20-feet past the sidewalk.
21. The common driveway shall continue to the westerly project boundary and conform with the existing driveway of the adjacent parcel immediately westerly of the project allowing continued access to the right of way for this property.
22. Turn around capability on the common driveway shall be provided with clear backup of 46-feet from garage face of Lot 1 and Lot 2 respectively to opposing face of curb or outside edge of parking bay and with a continuation of the common driveway 10-feet beyond the last driveway access point.
23. The common driveway shall be improved to Minor Street structural standards. Half width driveway improvements for both sides of the driveway shall consist of a one-foot half width of concrete valley gutter with 9-feet of asphalt travel lane plus the width of the parking bay.

STORM DRAINAGE

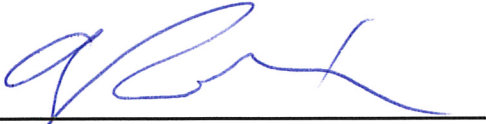
24. Drainage facilities and drainage easements shall be provided to the satisfaction of the City Engineer or the Chief Engineer of the Sonoma County Water Agency at the subdivider's expense.
25. Drainage facilities shall be designed per the Flood Control Design Criteria manual of the Sonoma County Water Agency and the City of Santa Rosa Public Storm Drain Standards.
26. The applicant shall extend 35-feet of 15-inch public storm drain from the existing manhole on the existing 24-inch storm drain (City File Number 1970-0091) to the onsite private storm drain system. Permanent trench paving shall be per Standard 215.
27. An accessible traffic rated structure shall be designed as a connection between the private onsite storm drain and the new 15-inch public storm drain. The structure shall be installed on the private side of the property line to distinguish the public system from the private system. Public and private storm drain facilities shall be clearly identified on the improvement plans.
28. Lot drainage and private storm drain facilities shall be approved by the Chief Building Official or designated representative. Private drainage inlets and lines shall be required and shall be privately owned and maintained.
29. An adequate drainage system shall be required to drain rear yards and patio areas. Lots shall be drained in a manner so as not to adversely affect the adjacent lot. Provide storm drain and easements for any lot to lot drainage that is not through the common driveway corridor.

30. Common driveway drainage shall accommodate existing runoff from the adjacent parcel immediately westerly of the project.
31. All other drainage flows from offsite shall be intercepted at the property line and conveyed through a private system to discharge into the public right of way. Collection points along the boundary of the project shall convey storm water to the bypass.
32. Concentrated drainage flows shall not be permitted to cross sidewalks, or slope areas subject to erosion problems.

WATER AND WASTEWATER

33. Water and sewer systems and appurtenances thereto shall be designed to serve the project in accordance with the City of Santa Rosa Design and Construction Standards and shall be constructed to the satisfaction of the City Engineer.
34. All underground improvements including storm drains, public utility facilities, and house services shall be installed, tested, and approved prior to the paving of any project streets or the common driveway.
35. This project is subject to the latest fees in effect at the time of connection or Building Permit issuance.
36. Fees for inspection of publicly maintained water and/or sewer facilities constructed with this project must be paid prior to scheduling of work as prescribed in City Specifications.
37. Separate sewer laterals shall be installed for each lot.
38. Any existing sewer lateral that will not be used must be abandoned at the main per City Sewer System Design Standards Section XII, Abandonment of Sewer Mains and Services and City Standard 507 under an encroachment permit.
39. Water services and meters must be provided per Section X of the Water System Design Standards and shall be sized to meet domestic, irrigation and fire protection uses. Any services placed in driveway areas shall have meters with traffic rated boxes.
40. Any existing water service that will not be used must be abandoned at the main per City Water System Design Standards Section XVIII, Abandonment of Water Mains and Services and City Standard 507 under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Water Engineering Services at 543-3950 to arrange pick up.
41. If a well exists on the property, one of the following conditions apply:
 - a. Retention of wells must comply with City and County codes. An approved backflow prevention device must be installed on any connection to the City water system.
 - b. Abandonment of wells requires a permit from the Sonoma County Permit and Resource Management Department.
 - c. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed
42. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed.

43. Any existing septic systems shall be removed under supervision of project Soils Engineer. Obtain Permits from the Sonoma County Permit and Resources Management Department. Obtain a City Building permit if an existing structure is being converted from a connection to the septic system to the public sewer system.
44. Provide a separate irrigation service for the landscaping for any individual lot. See Section X. O. of the Water System Design Standards.



A. R. Jesús McKeag

PROJECT ENGINEER