

RESOLUTION NO. RES-2022-166

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A UTILITY CERTIFICATE FOR SEWER SERVICE FOR AN EXISTING SINGLE-FAMILY RESIDENTIAL USE LOCATED AT 1793 FULTON ROAD – ASSESSOR’S PARCEL NUMBER 034-091-023; FILE NO. UC16-005

WHEREAS, an application requesting City sewer service for the property located at 1793 Fulton Road (also known as Assessor’s Parcel Number 034-091-023), a property lying outside the City’s Urban Growth Boundary, was filed on July 20, 2016; and

WHEREAS, Council Policy 300-02, *Utility Certificates for the Extensions of Water or Sewer Service to Unincorporated Areas*, sets forth the circumstances under which the City will consider approving the extension of water or sewer services to property situated outside of the City limits and/or outside the City’s Urban Growth Boundary, and the conditions that will be attached to any approval which is granted; and

WHEREAS, the Council Policy allows the City Council to approve requests for connections to City sewer and/or water outside of the City limits and the City’s Urban Growth Boundary only under extraordinary circumstances; and

WHEREAS, the issuance of a Utility Certificate is consistent with the Agriculture General Plan Land Use Designation in that the Utility Certificate would serve a single-family residence; and

WHEREAS, the City Council finds and determines that extraordinary conditions do exist, in that the existing septic system is damaged and repairs are unlikely to be successful due to the age of the system and the high groundwater level present at the property, and size of the site precludes the ability for the applicant to install a new septic system as described by the evaluation performed by Apex Septic Design, dated April 8, 2016, and in that the Fulton Road widening project allows the opportunity for the applicant to conduct the required work associated with sewer connection prior to the road being widened and improved, which avoids such work being performed on a recently improved street; and

WHEREAS, the project complies with provisions of the California Environmental Quality Act in that the granting of a Utility Certificate qualifies for a Class 1 Categorical Exemption under Section 15301, in that the project includes negligible or no expansion to an existing use; the project also qualifies for a Class 3 Categorical Exemption in that the project consists of the extension of a sewage utility.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, based on the above findings and determination, hereby approves the proposed Utility Certificate for sewer service for the property located at 1793 Fulton Road – Assessor’s Parcel Number 034-091-023, attached to this resolution as Exhibit A and made a part of herein.

BE IT FURTHER RESOLVED by the Council that this entitlement would not be granted 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 is invalid, this entitlement would not have been granted without requirement other valid conditions for achieving the purposes and intents of such approval. The approval of this project is contingent upon compliance with all the conditions listed below:

1. Any sewer service extensions may serve existing development only.
2. Comply with all plans and policies and applicable federal, state, and local codes.
3. Payments of any applicable Council-adopted fees prior to connection of utilities.
4. Cost of the facilities needed to provide the approved utility service shall be paid by the applicant. Installation of the service connection and all necessary related facilities shall be in accordance with city standards in effect at the time of installation. The applicant shall pay all city fees and charges applicable to the approved connection.
5. Prior to service connection, obtain an Outside Service Area Authorization from Sonoma LAFCO if applicable.
6. Any addition to the approved use or new use shall require a new Utility Certificate as determined by the Planning & Economic Development and Water Departments.
7. Compliance with all conditions in the "Exhibit A" prepared by Engineering Development Services dated July 14<sup>th</sup>, 2022.

IN COUNCIL DULY PASSED this 26th day of July, 2022.

AYES: (7) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, MacDonald, N. Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A – Utility Certificate for 1793 Fulton Rd (UC16-005)