

## **RESOLUTION NO. PRJ21-001**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT AND DESIGN REVIEW APPLICATION FOR COURTNEY ESTATES LOT 21 & 22 REVISIONS FOR THE PROPERTY LOCATED AT 2558 DAKOTA AVENUE, SANTA ROSA, APN: 157-070-069**

The Santa Rosa Zoning Administrator has completed the review of your applications. Please be advised that your Conditional Use Permit and Design Review applications to allow minor modifications to the Courtney Estates Planned Development (MJP04-029), by reallocating two of the six residential units from Sub Area A to Sub Area B (allowing 60 total units), and consolidating the eight (8) affordable multi-family rental units originally approved on Lots 21, 22, 28 & 38 onto Lots 21 & 22, has been granted based on your project description and official approved exhibit dated February 16, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed use is allowed within the Planned Development zoning district and complies with all other applicable provisions of the Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received;
- The proposed multi-family use is consistent with the General Plan;
- The design, location, size, and operating characteristics of the proposed multi-family use would be compatible with the existing and future land uses in the vicinity in that the consolidation of the multi-family units on two lots will allow for efficient management of the affordable rental units that are mandated by the Courtney Estates Planned Development Policy Statement (PD05-002);
- The site is physically suitable for the type, density, and intensity including access, utilities, and the absence of physical constraints, in that per 20-31.090(C)(1), the City pre-approved a setback reduction of up to 25 percent to streamline the approval of density bonus projects;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located, in that the proposed multi-family units will meet setback and height requirements, and Sub Area A will have increased open space areas by reallocating two units from Sub Area A to Sub Area B;
- The design and layout of the proposed development is of superior quality and is consistent with the General Plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements, in that the proposed multi-family units will meet setback and height requirements, and Sub Area A will have increased open space areas by reallocating two units from Sub Area A to Sub Area B, and the proposed

design of the multi-family units adhere to the development standards of the Courtney Estates Planned Development Policy Statement;

- The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments, in that the multi-family units will adhere to the development standards prescribed by the governing Planned Development Policy Statement;
- The architectural design of the proposed development is compatible with the character of the surrounding neighborhood, in that the multi-family units maintain a single-family character in terms of massing, roof forms, and architectural details;
- The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). On September 6, 2005, the City Council adopted a Mitigated Negative Declaration for the Project

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 requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

Conditions:

1. A building permit is required.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. No exterior signs are approved with this permit. A separate sign permit is required.
6. Compliance with the Development Advisory Committee Report dated June 22, 2005, attached hereto as Exhibit A and incorporated herein.

7. Projects shall be designed in compliance with established regulations adopted by the City of Santa Rosa affecting or related to structures, processes, premises and safeguards regarding the following:
  - a. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
  - b. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
  - c. Fire hazards in the structure(s) or on the premises from occupancy or operation.
  - d. Matters related to the construction, extension, repair, alteration or removal of the fire suppression or alarm systems.
  - e. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.
8. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, California Code of Regulations Title 24 Building Standards and Santa Rosa City Code.
9. Permit(s) shall be required as set forth in adopted California Building Code (CBC) Section 105, California Residential Code (CRC) Section R105 and California Fire Code (CFC) Sections 105.6 and 105.7. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional.
  - a. Construction documents shall be dimensioned and drawn on suitable material. Electronic media documents shall be submitted. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of adopted codes and relevant laws, ordinances, rules and regulations, as determined by the code official.
  - b. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with adopted codes and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.
  - c. The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress

including the path of the exit discharge to the public way in compliance with the provisions of adopted codes. In other than occupancies in Groups R-2, R-3, and R-2.1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

- d. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.
  - e. Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents, hydraulic calculations and material specifications for fire hydrant, fire protection or detection systems shall be submitted to the fire department for review and approval prior to construction.
10. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except where approved alternative methods of protection are provided.
11. For the purposes of prescribing minimum safeguards for construction, alteration, and demolition operations to provide reasonable safety to life and property from fire during such operations. building, facilities, and premises in the course of construction, alteration or demolition, including those in underground locations shall be in compliance with CFC Chapter 33 and NFPA 241.

Applicant is advised that the following Fire Department **Specific Conditions** apply to this project:

12. New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with CFC Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and CFC Section 505.1.3.

Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a monument, pole, or other approved illuminated sign or other approved means shall be used to identify the structure(s). Address identification shall be maintained.

13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction, in accordance with CFC Section 507, Appendices B & C and Santa Rosa City Code.
  - a. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by adopted CFC Appendix B.
  - b. Fire hydrant systems shall comply with adopted CFC Section 507.5.1 through 507.5.8 and Appendix C.
14. Fire apparatus access roads shall be provided and maintained in accordance with CFC Section 503 and Appendix D.
  - a. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
    - i. Traffic calming measures (bollards, speed bumps, humps, undulations, etc.) are not approved as a part of this review and require specific approval from the Fire Department.
  - b. Developments of one- or two-family dwellings where the number of dwelling units served by a single access point exceeds 30 shall be provided with two separate and approved fire apparatus access roads. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
  - c. Required Fire Department access roads shall be signed “No Parking – Fire Lane” per current Fire Department standards.
15. The provisions of the adopted CFC shall specify where fire protection and life safety systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems.
  - a. Approved automatic fire sprinkler systems in new buildings and structures shall be provided in the locations described in adopted CFC Sections 903.2.1 through 903.2.20.

- i. Structures will be required to be protected by an automatic fire sprinkler system.

16. A Phase 1 Environmental Site Assessment shall be provided directly to the Fire Department Hazardous Material Program for review. Phase 1 shall be approved prior to issuance of any grading, demolition, or construction permit.

17. The following are a list of deferred plan submittal items that will be required by the Fire Department - additional items may be called out based on proposed use(s) of commercial spaces:

- a. Fire Sprinkler System

This Minor Conditional Use Permit and Design Review to allow minor modifications to the Courtney Estates Planned Development (MJP04-029), by reallocating two of the six residential units from Sub Area A to Sub Area B (allowing 60 total units), and consolidating the eight (8) affordable multi-family rental units originally approved on Lots 21, 22, 28 & 38 onto Lots 21 & 22 are hereby approved on this 19th day of August, 2021 for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
ANDY GUSTAVSON, ZONING ADMINISTRATOR