

## **RESOLUTION NO. ZA-2023-042**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR HILLSIDE DEVELOPMENT PERMIT FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AND ATTACHED ADU FOR THE PROPERTY LOCATED AT 1964 COOPER DRIVE, SANTA ROSA, APN: 038-290-062, FILE NO. HDP22-009**

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Hillside Development Permit application to allow the proposed project described above; and

WHEREAS, the Minor Hillside Development Permit approval to allow the proposed project is based on the project description and official approved exhibit dated received May 23, 2023; and

WHEREAS, a Hillside Development Permit is required for single dwellings located in an area subject to Zoning Code Chapter 20-32 and Zoning Administrator review and approval is required pursuant to Zoning Code Section 20-32.060.D.2.a; and

WHEREAS, the project includes an attached ADU that complies with Zoning Code Section 20-42.130 and the single dwelling complies with all other applicable provisions of the Zoning Code; and

WHEREAS, the applicant has provided a vegetative screen of the rear pony walls as shown on the landscape plans dated May 23, 2023, to demonstrate compliance with the City's Design Guidelines; and

WHEREAS, the matter has been properly noticed as required by Section 20-32.060.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-32.060.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. Site planning minimizes the visual prominence of the hillside development by taking advantage of existing site features for screening including tree clusters, depressions in topography, setback hillside plateau areas, and other natural features in that the project is located on the flattest portion of the lot, tucks portions of the lower level into the hillside, and screens portion of the exposed foundation wall from view through the use of vegetative screening;
2. Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more in that the project is located on the flattest portion of the lot and minimizes grading. In addition, no existing trees are located on-site and the project will maintain the 10-foot private drainage easement along the north property;

3. Site development does not alter slopes of 25 percent or more except in compliance with Section 20-32.020.B (Applicability-Limitation on hillside development) in that the applicant prepared a visual analysis to demonstrate minor portions of the site to be altered with slopes of 25 percent or more would be visually insignificant;
4. Project grading respects natural features and visually blends with adjacent properties in that minimal grading is proposed beyond the building envelope and immediate development area and the footprint of the home bends to follow the contours of the hillside;
5. Building pad location, design, and construction avoids large areas of flat pads and building forms will be stepped to conform to site topography in that portions of the lower level are built into the hillside, grading is minimized and follows the contours of the hillside, the vertical elements of the rear downslope elevation are visually broken with a second-story deck, the use of gable roof forms are avoided on the downslope elevation, and exposed foundation walls on the rear elevation will be screened with landscaping;
6. The proposed project complies with the City's Design Guidelines in that the proposed building location and design minimizes grading and steps with the terrain, will not create a ridgeline silhouette, orients roof forms in the direction of slopes, provides earth-tone exterior materials, and screens the rear elevation to soften the house from downhill views;
7. The proposed project complies with the requirements of this Chapter and all other applicable provision of this Zoning Code in that the proposed single-family dwelling is permitted within PD 03-004 and has been reviewed by City staff for compliance with the Zoning Code;
8. The proposed project is consistent the General Plan and any applicable specific plan in that the applicable Planned Development zoning and the proposed use are consistent with the Low Density Residential General Plan land use designation;
9. The establishment, maintenance, or operation of the use will not under the circumstances of the particular case be detrimental to the public health, safety, or general welfare in that the project would establish a residential use of the same type and intensity as the other residential uses in the area, and the on-going residential use will not create nor is it associated with an activity which will be detrimental to the public health, safety, or general welfare of the people living or working in the area;
10. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
11. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), the project is categorically exempt from CEQA because one single-family residence is proposed for construction within a residential zone.

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 intent 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 of Approval

#### **Planning Conditions**

1. Grading shall be limited to roadways, driveways, garage pads, and understructure areas immediately adjacent to the building envelope as shown on the project plans, date received May 23, 2023.
2. Obtain building permits for the proposed project.
3. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
4. All grading shall be designed to blend into the natural contours of the site. Slope grading and contour grading techniques shall be utilized. All disturbed areas shall be revegetated with native plants to the maximum extent possible.
5. The applicant shall provide vegetative screening for the downhill rear elevation to provide sufficient screening of the exposed foundation walls. Vegetative screening shall be in substantial conformance with the landscape plan dated May 23, 2023.
6. The building materials, elevations, and appearance of this project as presented for issuance of a building permit, shall be the same as that approved by the Planning Division. Any future additions, expansions, or remodeling will be subject to review and approval of the Planning Division.
7. All landscaping and associated irrigation approved by the City shall be installed prior to certificate of occupancy.
8. TREE PRESERVATION:
  - a. Tree Preservation and protection notes shall be shown on the improvement plans and building plans. The tree driplines, including any trees on neighboring properties that may be impacted, 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 trees to be preserved, including any trees on neighboring properties that may be impacted. 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.

#### **Building Conditions**

- 9. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
- 10. Obtain building permits for the proposed project.

#### **Fire Conditions**

- 11. An automatic sprinkler system installed in accordance with the 2002 California Fire Code Section 903.3.1.3 shall be required in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the California Residential Code.
- 12. Approved fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the house and ADU as measured by an approved route around the residence.

#### **Engineering Development Services Conditions**

- 13. Comply with all conditions listed in Engineering Development Services Exhibit "A" dated December 14, 2022.

This Minor Hillside Development Permit is hereby approved on July 20, 2023. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
SUSIE MURRAY, ZONING ADMINISTRATOR

Attachment: Engineering Development Services Exhibit “A” dated December 14, 2022