

**CITY OF SANTA ROSA PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, MARCH 9, 2017**

1. CALL TO ORDER

Chair Cisco called the meeting to order at 4:01 p.m.

2. ROLL CALL

Commissioners present: Chair Cisco, Vice Chair Crocker, Duggan, Edmondson, Groninga, Stanley. Commissioners Absent: Rumble

3. APPROVAL OF MINUTES – February 23, 2017

Approved as submitted

4. PUBLIC APPEARANCES

None

5. PLANNING COMMISSIONER'S REPORT

None

6. DEPARTMENT REPORT

Clare Hartman, Deputy Director Planning, discussed:

- Staff is working on the Accessory Dwelling Unit ordinance. A proposed draft is online at srcity.org/ped as a news item and staff is considering feedback from the public. A public hearing is not yet scheduled.
- Save the date - Planning Commission training at the CA APA Conference in Sacramento, 9/23-9/26.

7. STATEMENTS OF ABSTENTION BY COMMISSIONERS

Commissioner Stanley - Item 8.1

Vice Chair Crocker - Item 8.2

Chair Cisco - Item 8.3

Commissioner Stanley left the meeting at 4:05 p.m.

8. PUBLIC HEARING

**8.1 PUBLIC HEARING – FLUERON INC. CULTIVATION FACILITY -
CONDITIONAL USE PERMIT – 60 MAXWELL COURT – FILE NO. CUP16-087**

Fleuron Inc. is proposing to establish a medical cannabis commercial cultivation facility within an existing 10,972 square-foot building located at 60 Maxwell Court in northwest Santa Rosa. The facility will operate 8 a.m. to 5 p.m., 7 days per week, with up to 10 employees and 24-hour on-call security. Exterior building changes are limited to new security lighting and fencing.

Ex-Parte Disclosures: Chair Cisco (watch video), Duggan (watch video), Crocker (watch video), Groninga (watch video) Chair Cisco, Vice Chair Crocker, Commissioners Duggan, Edmondson (watch video), visited the site and had nothing to disclose.

Andy Gustavson, Senior Planner, presented the staff report and responded to questions.

Craig Litwin, Aron Mihaly, and Brandon Levine, Applicant Representatives, made presentations and responded to questions.

PUBLIC HEARING

Chair Cisco opened the public hearing at 4:56 p.m.

Loren Braeggemaww - Opposed the project
Richard Deringer - Opposed the project
Klaus Rapestberger - Opposed the project
Mike Chase - Opposed the project
Sarah Shrader - Supported the project
Tawnie Logan - Supported the project
Brad Koch - Supported the project
Billy Coughlan - Supported the project
Allen Thomas - Opposed the project
Tyler Hemphill - Supported the project
Robin Stephani - XXX

Chair Cisco closed the public hearing at 5:22 p.m.

A discussion ensued between the Commissioners and staff regarding the Public Hearing questions and comments.

MOVED by Commissioner Duggan and Seconded by Vice Chair Crocker,
CARRIED 4-1-1-1 (Chair Cisco, Vice Chair Crocker, Commissioners Edmondson and Groninga voting Yes; Commissioner Duggan voting No; Commissioner Stanley abstained; Commissioner Rumble Absent); to waive reading of the text and adopt as amended:

RESOLUTION NO. 11819 ENTITLED: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR FLEURON INC. FOR A MEDICAL CANNABIS COMMERCIAL CULTIVATION FACILITY - LOCATED AT 60 MAXWELL COURT; APN: 010-131-033 - FILE NUMBER CUP16-087

Chair Cisco recessed the meeting at 5:53 p.m. and reconvened at 6:00 p.m.

Vice Chair Crocker left the meeting at 6:05 p.m.

8.2 PUBLIC HEARING - GIFFEN AVE CULTIVATION FACILITY - CONDITIONAL USE PERMIT – 2739 AND 2747 GIFFEN AVENUE – FILE NO. PRJ16-023

The applicant is proposing to operate a medical cannabis commercial cultivation facility within two existing industrial buildings located at 2739 and 2747 Giffen Avenue, Buildings 4 and 5, in southwest Santa Rosa. The proposal includes dividing the buildings into two units each, for a total of four indoor cultivation units. Hours of operation will vary by grower, but would be within the hours of 6 a.m. and 11 p.m., seven days a week, with up to 64 employees total.

6:20:42 (Watch) Ex-Parte Disclosures: Chair Cisco, Commissioners Duggan, Edmondson, Groninga, and Stanley visited the site and had nothing to disclose.

Jessica Jones, Senior Planner, presented the staff report

XXX and XXX, Applicant Representative, made a presentation and responded to questions

PUBLIC HEARING

Chair Cisco opened the public hearing at 6:23 p.m.

Sandra Facendini Buffenbarger - Opposed the project

Bianca Blengino - Opposed the project

Cheryl Evenson - Opposed the project

Chair Cisco closed the public hearing at 6:31 p.m.

A discussion ensued between the Commissioners and staff regarding interim medical cannabis policies, public outreach/notifications, state requirements, land use compatibility and conditions of approval enforcement.

MOVED by Commissioner Stanley and Seconded by Commissioner Duggan, **CARRIED** 5-0-1-1 (Chair Cisco, Commissioners Duggan, Edmondson, Groninga and Stanley voting Yes; Vice Chair Crocker abstained; Commissioner Rumble Absent); to waive reading of the text and adopt as amended:

RESOLUTION NO. 11820 ENTITLED: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR A MEDICAL CANNABIS CULTIVATION FACILITY - LOCATED AT 2739 AND 2747 GIFFEN AVENUE, BUILDINGS 4 AND 5; APN: 010-450-008 - FILE NUMBER PRJ16-023

Chair Cisco left the meeting at 6:48 p.m.

**8.3 PUBLIC HEARING - VERIZON WIRELESS (ROSELAND) - MITIGATED
NEGATIVE DECLARATION AND CONDITIONAL USE PERMIT, 11 W.
BARHAM AVENUE, FILE NO. PRJ15-002**

The Planning Commission will consider a Mitigated Negative Declaration and Conditional Use Permit for the installation of a monopine (a telecommunication tower designed to look like a pine tree) to be located at 11 W. Barham Avenue.

Ex-Parte Disclosures: Vice Chair Crocker, Commissioners Duggan, Edmondson, Groninga, and Stanley visited the site and had nothing to disclose.

Susie Murray, City Planner, presented the staff report and responded to questions.

Matt Johnson, Applicant Representative, made a presentation and responded to questions

PUBLIC HEARING

Vice Chair Crocker opened and closed the public hearing at 7:22 p.m.

MOVED by Commissioner Stanley and Seconded by Commissioner Duggan, **CARRIED** 5-0-1-1 (Vice Chair Crocker, Commissioners Duggan, Edmondson, Groninga, and Stanley voting Yes; Chair Cisco Abstaining; Commissioner Rumble Absent); to waive reading of the text and adopt:

RESOLUTION NO. 11821 ENTITLED: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR VERIZON WIRELESS TO INSTALL A 55-FOOT TALL TELECOMMUNICATIONS TOWER, LOCATED AT 11 W. BARHAM AVENUE - ASSESSOR'S PARCEL NUMBER 125-281-032- FILE NUMBER PRJ15-002

MOVED by Commissioner Stanley and Seconded by Commissioner Duggan, **CARRIED** 5-0-1-1 (Vice Chair Crocker, Commissioners Duggan, Edmondson, Groninga, and Stanley voting Yes; Chair Cisco Abstaining; Commissioner Rumble Absent); to waive reading of the text and adopt as amended:

RESOLUTION NO. 11822 ENTITLED: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR A 55-FOOT TALL TELECOMMUNICATIONS TOWER, LOCATED AT 11 W. BARHAM AVENUE; APN: 125-281-032; FILE NUMBER PRJ15-002

8.4 PUBLIC HEARING - SKYFARM UNIT 3 SUBDIVISION - TENTATIVE MAP EXTENSION – 3925 SAINT ANDREWS DRIVE – EXT16-0028

This project proposes a one-year time extension for an approved 30-lot subdivision, with three common parcels, known as Skyfarm Unit 3, on a 10.4-acre site.

Ex-Parte Disclosures: Chair Cisco, Vice Chair Crocker, Commissioners Duggan, Edmondson, Groninga, and Stanley did not revisit the site and had nothing to disclose.

Amy Nicholson, City Planner, presented the staff report

PUBLIC HEARING

Chair Cisco opened and closed the public hearing at 7:38 p.m. ??

Matt Johnson??

MOVED by Commissioner Stanley and Seconded by Commissioner Duggan, **CARRIED** 6-0-0-1 (Chair Cisco, Vice Chair Crocker, Commissioners Duggan, Edmondson, Groninga, and Stanley voting Yes; Commissioner Rumble Absent); to waive reading of the text and adopt:

RESOLUTION NO. 11823 ENTITLED: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA GRANTING A ONE YEAR EXTENSION OF TIME FOR A TENTATIVE MAP FOR SKYFARM UNIT 3 SUBDIVISION LOCATED AT 3925 SAINT ANDREWS DRIVE, ASSESSOR'S PARCEL NUMBERS 173-760-038, 173-760-039, FILE NUMBER EXT16-0028

9. ADJOURNMENT

Chair Cisco adjourned the meeting at 7:39 p.m. to the next regularly scheduled Planning Commission meeting to be held on Thursday, March 23, 2017 at 4:00 p.m.

Approved on:

APPROVED:

Clare Hartman, Executive Secretary

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
MARCH 9, 2017

PROJECT TITLE

Verizon Wireless Roseland

APPLICANT

Matt Johnson, The Lyle Company
(On behalf of Verizon Wireless)

ADDRESS/LOCATION

11 W. Barham Avenue

PROPERTY OWNER

Scot Nicol

ASSESSOR'S PARCEL NUMBER

125-281-032

FILE NUMBER

PRJ15-002

APPLICATION DATE

August 17, 2015

APPLICATION COMPLETION DATE

November 20, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit

FURTHER ACTIONS REQUIRED

Preliminary and Final Design Review

PROJECT SITE ZONING

PD (Planned Development 96-002)

GENERAL PLAN DESIGNATION

Light Industry

PROJECT PLANNER

Susie Murray

RECOMMENDATION

Approval

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR CISCO AND MEMBERS OF THE COMMISSION
FROM: SUSIE MURRAY, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: VERIZON WIRELESS TELECOMMUNICATIONS TOWER

AGENDA ACTION: RESOLUTIONS

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by two resolutions, adopt a Mitigated Negative Declaration and approve a Conditional Use Permit to install a telecommunications facility located at 11 W. Barham Avenue.

EXECUTIVE SUMMARY

Verizon Wireless is proposing to install a 55-foot tall telecommunications facility on the property located at 11 W. Barham Avenue. The actions before the Planning Commission include a Mitigated Negative Declaration (MND) and Conditional Use Permit (CUP).

BACKGROUND

1. Project Description

Verizon Wireless is proposing to install a 55-foot tall telecommunications tower designed to look like a pine tree (monopine). The project site is currently developed with commercial structures and, as shown on the site plan, the monopine will be located at the north end of the development site. Installation of the monopine will increase bandwidth for Verizon customers and would allow for future colocation opportunities for other carriers. The project involves an MND, CUP, and Design Review.

2. Surrounding Land Uses

North: Light Industry

South: Light Industry; Unincorporated Sonoma County; currently developed with other commercial uses, mostly relating to automotive repair.

East: General Industry, Light Industry and Medium Density Residential; bordered by the SMART tracks and currently developed with a self-storage facility.

West: Light Industry; currently developed with automotive uses.

3. Existing Land Use – Project Site

The development site is approximately 1.8 acres, of which the proposed development will occupy approximately 1,600 square feet on the northern portion of the parcel. The site is developed with commercial buildings and the current use is automotive repair and storage.

4. Project History

On August 17, 2015, the Conditional Use Permit and Design Review applications were submitted to the Planning and Economic Development Department.

On September 2, 2015, the project submittal was deemed incomplete.

On November 20, 2015, the project was deemed complete.

On March 11, 2016, the Shot Clock, a regulation set forth by the Federal Communications Commission (FCC) which limits the time a local agency has to act on a telecommunications application, was extended to May 10, 2016.

On May 26, 2016, the Shot Clock was extended to August 31, 2016, while an Initial Study was completed.

On August 25, 2016, the Shot Clock was extended to January 7, 2017, to allow additional time to complete the Initial Study.

On December 19, 2016, the Shot Clock was extended to April 28, 2017, to allow adequate time to prepare the Mitigated Negative Declaration, and schedule both required public hearings.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

1. General Plan

The General Plan land use designation for the site is Light Industry, which is intended to accommodate light industrial, warehousing and heavy commercial uses. While there are no goals or policies that speak directly to

telecommunications facilities, cellular phone service has become an integral part of personal and business communication. As such, installation of the proposed telecommunications facility implements a variety of overarching General Plan goals by creating a functional place for those who live and work within the City. The proposal has been determined to be consistent with the General Plan.

2. Other Applicable Plans

Not applicable.

3. Zoning

The Project site is located within the Planned Development 96-002 (PD) zoning district, which is consistent with the Light Industry General Plan land use designation. Zoning Code Section 20-26.060(C)) states that allowable land uses within a PD zoning district shall be limited to those identified in the adopted Policy Statement. The Zoning Code further states that if a Policy Statement does not include a list of allowable land uses, the most similar standard zoning district and its list of allowable land uses shall apply.

The Policy Statement for PD 96-002 was adopted in the mid-1990s and, while it provides a list of allowable uses, it was developed prior to the growing need for telecommunications towers and is silent in terms of guidance for this type of land use. The IL (Light Industrial) zoning district is the standard zoning district consistent with the site's General Plan land use designation. Pursuant to Zoning Code Section 20-24.030 and Chapter 20-44, new telecommunications towers are a conditionally permitted use in the IL (Light Industrial) zoning district.

The proposed height of the tower is 55-feet, which is the maximum allowable height for a new structure at this location. Zoning Code Chapter 20-44, Telecommunications Facilities, is intended to provide a uniform and comprehensive set of standards for the development of telecommunications facilities. The subject tower requires both a CUP and Design Review because it is a new facility and is taller than 45 feet.

Zoning Code Section 20-44.060(G) requires evidence that the applicant has considered alternative sites and/or opportunities to collocate with other carriers. It also requires telecommunications facilities be operated in compliance with the FCC's human exposure standards for non-ionizing electromagnetic radiation (NIER). The applicant for a commercial telecommunications facility is responsible for demonstrating that the proposed facility will comply with this standard and may do so by providing:

- Evidence in the form of an FCC license or construction permit that has accepted the applicant's certification that the facility meets the FCC

standard; or

- Evidence that the FCC has categorically excluded the applicant from demonstrating compliance with the FCC standard.

The applicant has provided an alternative site analysis (attachment 6). This site was deemed most feasible after considering Verizon's coverage objective, zoning requirements, constructability, accessibility, and budget. In an email received on February 3, 2017, the applicant has demonstrated understanding of the FCC licensing requirements (attachment 9). The project has been conditioned to require such evidence prior to building permit issuance.

Major telecommunication facilities are allowed within the PD (Planned Development) zoning district upon approval of a Conditional Use Permit. The required findings for the Conditional Use Permit and supportive information are as listed below:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- 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; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The Project is consistent with the General Plan land use designation of Light Industry and complies with provisions set forth in both the PD96-002 Policy Statement and the Zoning Code. The telecommunications tower has been

designed to look like a pine tree, and Mitigation Measure AES-1 requires that the monopine be maintained in good condition. The Project site is developed with commercial uses; City services are available; and the site is generally surrounded by similar commercial uses. An Initial Study was conducted that resulted in a Mitigated Negative Declaration. Staff finds that the required findings can be met and that the proposal meets the intent of the Telecommunications Facilities requirements set forth in the Zoning Code.

4. Design Guidelines

The project is subject to Design Review pursuant to Zoning Code Section 20-44.020. Pursuant to Zoning Code Section 20-52.030(G), Final Design Review approval for facilities that also require the approval of a CUP, shall be acted upon following land use approval by the Planning Commission. Accordingly, a Design Review Board hearing will be scheduled should the Planning Commission approved the CUP.

5. Historic Preservation Review Standards

Not applicable.

6. Neighborhood Comments

No comments received to date.

7. Public Improvements/On-Site Improvements

No improvements, within the public right-of-way or on-site, are required as part of this project.

FISCAL IMPACT

Not applicable.

ENVIRONMENTAL IMPACT

The project has been found in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was conducted, which resulted in an MND. The MND was circulated for the required 20-day public review period commencing on February 16, 2017.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Pursuant to Zoning Code Section 20-52.030(G), Final Design Review for projects that also require the approval of a CUP shall be acted upon following the land use approval of the Planning Commission. As such, the project will be scheduled at a future Design

Review meeting.

NOTIFICATION

- On January 12, 2017, a Notice of Application was mailed to property owners within 400 feet of the subject site.
- In February 2017, pursuant to Zoning Code Section 20-66, a Public Hearing Notice was mailed to property owners within 400 square feet of the site; a public hearing sign was installed on site; and Notice of Public Hearing was published in the Press Democrat.

ISSUES

There are no unresolved issues.

ATTACHMENTS

Attachment 1 - Disclosure Form
Attachment 2 - Location and Neighborhood Context Map
Attachment 3 - Project Plans
Attachment 4 - Photo Simulations
Attachment 5 - Initial Study/Mitigated Negative Declaration
Attachment 6 - Alternative Sites
Attachment 7 - Two Mile Radius & Roseland Coverage Goal Maps
Attachment 8 - PD 95-002 Policy Statement
Attachment 9 - Confirmation of FCC Requirements
Resolution 1 - Mitigated Negative Declaration/Exhibit A (Mitigated Negative Declaration with Mitigation Monitoring Program)
Resolution 2 - Conditional Use Permit/Exhibit A

CONTACT

Susie Murray, smurray@srcity.org, 707-543-4348

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR VERIZON WIRELESS TO
INSTALL A 55-FOOT TALL TELECOMMUNICATIONS TOWER, LOCATED AT 11 W.
BARHAM AVENUE - ASSESSOR'S PARCEL NUMBER 125-281-032- FILE NUMBER
PRJ15-002

WHEREAS, the Environmental Coordinator has conducted an Initial Study on the possible environmental consequences of the proposed 55-foot tall telecommunications tower which resulted in a Mitigated Negative Declaration; and

WHEREAS, the study, in its final form, did not identify any significant effects on the environment which would result from the proposed use permit provided certain mitigation measures therein identified and listed were adopted and implemented; and

WHEREAS, the Environmental Coordinator, based on the Initial Study, determined that any potential environmental effects of the proposed 55-foot tall telecommunications tower have been clearly mitigated by the identified mitigation measure to the point where no significant environmental effects would occur and the Environmental Coordinator, based upon this determination, prepared a Mitigated Negative Declaration, subject to mitigating requirements, with respect to the environmental consequences of the subject project; and

WHEREAS, a notice of Mitigated Negative Declaration was thereafter duly posted February 16, 2017, through March 8, 2017, and an opportunity for comments from the public was given; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the environmental study, the findings and determinations of the Environmental Coordinator, the proposed Mitigated Negative Declaration dated January 2017, attached hereto and incorporated herein as Exhibit A, the staff reports, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearing held on March 9, 2017, and all comments and materials submitted prior thereto; and

WHEREAS, the Planning Commission has before it all of the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Santa Rosa, based upon the findings and the records and files herein, and the findings above made, hereby determines that the proposed 55-foot tall telecommunications tower will not have a significant effect upon the environment if the mitigation measures listed and identified in the

Mitigated Negative Declaration are implemented prior to development of the subject property, and hereby approves and adopts the Mitigated Negative Declaration for the Verizon Wireless telecommunications tower project.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 9th day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
CHAIR

ATTEST: _____
EXECUTIVE SECRETARY

Exhibit A – Mitigated Negative Declaration with Mitigated Monitoring Program

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR A 55-FOOT TALL TELECOMMUNICATIONS TOWER, LOCATED AT
11 W. BARHAM AVENUE; APN: 125-281-032; FILE NUMBER PRJ15-002

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for a 55-foot tall monopine (a telecommunications tower designed to look like a pine tree), to be located at 11 W. Barham Avenue, also identified as Sonoma County Assessor's Parcel Number 125-281-032;

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is allowed within the PD (Planned Development) zoning district and complies with all other applicable provisions of the Zoning Code and the City Code. The Policy Statement for PD 96-002, which was adopted in the 1996, does not list telecommunications towers as a permitted use. Zoning Code Section 20-26.060(C), however, provides that, under certain circumstances, the City may apply the land use tables for the most similar standard district that is consistent with the General Plan land use designation, which in this case is the IL (Light Industrial) zoning district. The project complies with application requirements and development standards as set forth in City Code Chapters 20-24 (Industrial Zoning Districts) and 20-44 (Telecommunication Facilities);
- B. The proposed use is consistent with the General Plan land use designation of Light Industry and any applicable specific plan in that this designation is intended to accommodate light industrial, warehousing and heavy commercial uses;
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity in that the telecommunications tower has been designed to resemble a pine tree and all associated equipment will be screened. Mitigation Measure AES-1 requires needles, limbs and bark to be replaced as necessary to maintain the appearance of a healthy

Resolution No. _____

pine tree;

- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- E. 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 it has been reviewed by City staff and conditioned appropriately; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was conducted, which resulted in a Mitigated Negative Declaration (MND). The MND was adopted by Planning Commission Resolution No. _____, dated March 9, 2017.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for a 55-foot tall monopine (telecommunications tower designed to look like a pine tree), to be located at 11 W. Barham Avenue, is approved subject to each of the following conditions:

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL:

- 1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
- 2. All work shall be done according to the final approved plans dated received February 8, 2017.
- 3. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.

EXPIRATION AND EXTENSION:

- 4. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from

Resolution No. _____

date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.

5. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

BUILDING DIVISION:

6. 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.
7. Obtain a building permit for the proposed project.

ENGINEERING DIVISION:

8. Comply with all conditions as stated in the Planning & Economic Development Department Exhibit A, dated February 8, 2017, attached hereto and incorporated herein.

PLANNING DIVISION:

9. Comply with all mitigation measures as stated in the Mitigation Monitoring Program, approved by Planning Commission Resolution No. _____, on March 9, 2017, attached hereto and incorporated herein.
10. 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 Design Review Board.
11. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
12. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
13. 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.
14. 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

Resolution No. _____

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.

- 15. 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.
- 16. 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 9th day of March, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Chair

ATTEST: _____
Executive Secretary

Exhibit A

**CITY OF SANTA ROSA
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES DIVISION**

**EXHIBIT "A"
February 8, 2017**

**11 WEST BARHAM AVENUE
INSTALL MONOPINE WIRELESS FACILITY
PRJ15-002**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development 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. In addition, the following summary constitutes the recommended conditions of approval on the subject application based on plans stamped received on February 8, 2017

PUBLIC STREET IMPROVEMENTS

1. If any work is proposed in the public Right of Way or within the onsite public easements then an Encroachment Permit is required prior to issuance of the building permit. Any improvements, proposed or required, will be reviewed and approved with the Encroachment Permit application. Only Construction plans submitted with the Encroachment Permit Application are final plans and will be approved for construction. Contact Engineering Development Services at 543-4611, located at 100 Santa Rosa Avenue, Room 5, as soon as possible to begin Encroachment Permit application processing. Encroachment Permit application processing may take 4-6 weeks. Submit plans showing all work in the public right of way, or in public easements, including all work on public utilities (water meter boxes, sewer lateral cleanouts, backflow devices, etc.)
2. An Encroachment Permit will be required for any crane staging being set up in Barham Avenue. A traffic control plan shall be submitted to the Encroachment Permit Officer prior to applying for any Encroachment Permit. The traffic plan shall identify any staging area needed for a crane, any anticipated lane closure schedules and traffic detours if the staging area is located near public streets. All traffic control restrictions will be incorporated in the issuance of the Encroachment Permit.

3. No street parking of temporary facilities and/or construction equipment is permitted on Barham Avenue without an Encroachment permit.
4. If damage occurs to facilities located in the Right of Way then the Contractor shall submit a "Public Street Improvement Plan" as prepared by a Civil Engineer to EDS for review and contractor shall obtain an encroachment permit prior to performing any repair within the public Right of Way.
5. The applicant shall replace any broken or cracked concrete/other improvement within the City Right of Way caused by the Contractor or his agents, to the nearest expansion joint on each side along the property frontage per City standard detail.
6. Upon completion of the proposed use, the site will be restored to the same or better conditions as was present prior to the conditional use temporary facilities.

STORM WATER COMPLIANCE

7. The public storm drain system and public street shall be protected from all pollution, mud and or sediment that is produced from the construction site. Erosion and sediment control measures shall be implemented on a day by day, case by case basis by the site manager in compliance with all City, State and Federal Codes.
8. Contractor shall not use the sanitary sewer system or storm drainage system to release construction water from the site unless they have a valid discharge permit to do so. Application for Industrial construction water discharge permit can be obtained from the City of Santa Rosa Environmental Compliance Department. Contact Chris Murray at 707-543-3393.
9. Oils, chemicals and/or equipment fluid spills shall be cleaned up with absorbent materials per OSHA requirements.

FIRE DEPARTMENT-Dated Dec 3, 2015

10. Plan indicates installation of an emergency generator with 132-gallon on-site diesel fuel tank. Proposed location is compliant with CA Fire Code required setbacks from buildings and property lines and adequate Fire Department access is provided. A separate and additional permit from

the Fire Department for an Aboveground Storage Tank is required to install the proposed fuel tank. AST permit shall be indicated as a "Deferred Approval" item on Building Permit application for this project.

11. Site address signage per current Fire Department Standards shall be established and maintained. Signage with Emergency Contact information shall be posted on the enclosure fencing.



CAROL CLARK
PROJECT ENGINEER -EDS

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