

RESOLUTION NO. XXXXX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
GRANTING THE SECOND ONE-YEAR EXTENSION OF TIME FOR KERRY RANCH 1, A
SUBDIVISION LOCATED AT 2181 FRANCISCO AVENUE, SANTA ROSA – ASSESSOR’S
PARCEL NUMBER 034-041-012 – FILE NUMBER EXT17-054

WHEREAS, on December 4, 2007, the City Council adopted Resolution No. 26994, approving a Tentative Map to subdivide a property measuring 3.95 acres into 25 new residential lots and associated improvements (Project); and

WHEREAS, Senate Bill 1185 granted an automatic one-year extension for the Tentative Map, and Assembly Bills 333, 208, and 116 each granted automatic two-year Tentative Map extensions for a total of 7 years of time extensions in order to provide additional time to file the final map, extending the Tentative Map expiration date to December 4, 2016; and

WHEREAS, on February 22, 2018, after a duly noticed public hearing, the Planning Commission considered and approved the first request to extend the period for filing the final map for the Kerry Ranch I Subdivision from December 4, 2016, to December 4, 2017; and

WHEREAS, on February 22, 2018, after a duly noticed public hearing, the Planning Commission considered the second request to extend the period for filing the final map for the Kerry Ranch I Subdivision from December 4, 2017, to December 4, 2018; and

WHEREAS, there is no change of conditions that would preclude a time extension for the Kerry Ranch I project; and

WHEREAS, on October 11, 2007, the Planning Commission approved Resolution No. 11181 adopting a Mitigated Negative Declaration for Kerry Ranch I Subdivision and the scope of the project has not changed substantially and remains consistent with the analysis of the environmental document, and there are no new circumstances that would require further environmental review under CEQA; and

WHEREAS, on December 4, 2007, the City Council approved Resolution No. 26991, adopting a Mitigated Negative Declaration for Kerry Ranch I Subdivision, and the scope of the project has not changed substantially and remains consistent with the analysis of the environmental document, and there are no new circumstances that would require further environmental review under CEQA; and

WHEREAS, on December 11, 2007, the City Council approved Ordinance No. 3857 approving the rezoning of the Kerry Ranch I Subdivision site from OSC (Open Space Conservation) to R-1-6 (Single-family Residential); and

WHEREAS, Section 15162 of the Guidelines for California Environmental Quality Act (CEQA Guidelines) provides that once an Environmental Impact Report or Negative Declaration has been adopted for a project, the lead agency may require additional environmental review only if one or more of the three following conditions are met:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the negative declaration was adopted, shows that the project will have significant or more severe effects not discussed in the previous EIR or negative declaration or that newly identified feasible mitigation measures could substantially reduce one or more significant effects of the project; and

WHEREAS, the record reveals no significant changes in the project, no significant changes in the circumstances of the project, and no new information that would require further environmental review under Section 15162. Therefore, additional environmental review is not required for the Tentative Map extension.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Santa Rosa grants a one-year extension of time to December 4, 2018, on the filing of the final map for Kerry Ranch I, a subdivision of approximately 3.95 acres located at 2181 Francisco Avenue, subject to the following conditions:

1. Comply with all conditions of City Council Resolution No. 26994, which approved the Tentative Map except where superseded by this resolution.
2. Comply with all conditions as specified by Exhibit "A" dated December 6, 2017, attached hereto and incorporated herein.
3. Obtain building permits for the proposed project.
4. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.

5. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
6. 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.
7. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Sonoma County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
8. Condition 7 of City Council Resolution No. 26994, which requires compliance with the Housing Allocation Plan, is hereby rescinded and replaced with the following:

The developer of the Kerry Ranch I subdivision, which was approved via Resolution No. 26994 shall comply with City Code section 21-02, Housing Allocation Plan, through (a) provision of the appropriate number of on-site affordable units, (b) payment of housing impact fees, or (c) an alternative compliance proposed in accordance with City Code section 21-02.070 and approved by the Director of Planning and Economic Development. For purposes of this condition, the Director of Planning and Economic Development is designated as the review authority for review and acceptance of innovative Housing Allocation Plan compliance strategies under City Code section 21-02.070(D).

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 22nd day of February, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____

Chair

ATTEST: _____
Executive Secretary

Exhibit A – Engineering Development Services Conditions, December 6, 2017

DEPARTMENT OF COMMUNITY DEVELOPMENT
ENGINEERING DIVISION

FINAL
EXHIBIT "A"
(AUGUST 27, 2007)
December 6, 2017

KERRY RANCH I SUBDIVISION
2181 Francisco Avenue
EXT16-0031

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated ~~March 1, 2004~~ **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 Standard Storm Water Mitigation Plan Guidelines (SUSMP) dated June 3, 2005. Final Plans shall address the storm water quality and quantity. The developer shall provide a means acceptable to the City to fund the maintenance of the detention pond into perpetuity through a special tax district, CC&R's, property owners association(s), and/or other acceptable method. The property shall not be conveyed or dedicated to the City. In the event the developer chooses a method of assuring perpetual maintenance which is subject to revocation by the property owners by an election or other means of termination, developers shall establish a backup alternative which will be capable of automatically assuming the maintenance funding obligation in the event the primary method is no longer available. The documents creating the method for permanent maintenance and any necessary backup alternative(s) shall be subject to and have been approved by the City and in place prior to approval of the final map. The landscaping improvement plans and standards for maintenance shall be subject to approval by the Departments of Public Works and Recreation and Parks.~~

Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. The tentative map shows wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.

- IV.** In addition, the following summary constitutes the recommended **modifications to the** conditions of approval on the subject application/development based on the plans stamped received **August 31, 2017 and Tentative Map approved by Planning Commission Resolution Number 11186 October 11,2007, and denying the appeal of the Planning Commission approval approved by City Council Resolution 26992 December 4, 2007:**

MAP

- 1. Parcel "A" previously shown on the approved Tentative Map as a hydraulic feature of the subdivision is no longer required with the updated MS4 BMP LID Design and is to be retained by the Developer for private use.**
- ~~2. The final map shall show a public storm drain and hydraulic maintenance easement over the private Parcel "A". The hydraulic maintenance is to be limited to the pipe structures leading into and out of the detention basin constructed within the Parcel "A" and shall be noted on the Information Sheet of the Final Map.~~
- 3. The Final Map shall contain on its face the following note: Building envelopes shall reflect those setbacks shown on the Site Plan dated received September 25, 2007, approved with the Conditional Use Permit for the Tentative Map Planning Commission Resolution No.11183, and are to be considered as building setback lines for this project.**
- 4. San Miguel avenue shall be realigned to conform to the established centerline and intersection with Francisco Avenue per San Miguel Rancho Unit 2, City File Number 1990-0081, and the surplus right of way summarily vacated on the recorded subdivision Final Map per section 66434.g of the Subdivision Map Act. The vacation of surplus right of way is the result of roadway realignment for the revised Francisco Road San Miguel intersection.**
- 5. Concurrent with the approval of the Final Map for Kerry Ranch 1 the City Council needs to adopt of resolution which contains the following provisions:**
 - a. A reference to the Summary Vacation Law**
 - b. The Name and prescribed precise description of that portion of San Miguel Avenue being vacated and may refer to that area as shown on the Final Map for Kerry Ranch 1.**
 - c. A statement that from and after the date recording of the resolution that portion of the vacated San Miguel Avenue no longer constitutes a street.**
- 6. The City Clerk certificate shall include statement acknowledging the abandonment of the San Miguel Avenue Right of Way and cause a certified**

copy of the resolution of San Miguel Avenue vacation to be recorded concurrently with the Final Map as a separate document.

PUBLIC STREET IMPROVEMENTS

2. San Miguel Avenue shall be dedicated, improved and reconstructed to centerline as an Avenue Street Standard along the entire property frontage. Half width street improvements shall consist of a travel lane with a ~~parking lane~~ **5-foot bike lane** and a planter strip with a sidewalk behind the planter. **Half Width Right of Way shall be 24 feet and 5.5 foot sidewalk easement contained within a 13 foot Public Utility Easement. The roadway crown shall be constructed with 3 foot offset to the south of the centerline of right of way. San Miguel Avenue is to be reconstructed per City Standards and City Soils Lab recommendations. The centerline grade is to be raised as necessary to reflect minimum cross fall to the new curb and gutter.** See the Standard Conditions of Approval for dimensions.
3. Francisco Avenue shall be dedicated, improved and reconstructed to centerline as an Avenue Street Standard along the entire property frontage. Half width street improvements shall consist of ~~a 20-~~ **18** foot pavement section from Right of Way Centerline to curb face and a 6-foot planter strip with a 5-foot sidewalk behind the planter. Total street section shall be ~~40~~ **38** feet curb to curb ~~(no parking along the west side and existing parking along the east side)~~ consisting of ~~a 5-foot bike lane~~, two ~~14-~~ **10** foot travel lanes, two 5-foot bike lanes, and ~~an~~ **a** 8-foot parking lane on opposite side of centerline. Half width street right-of-way shall be ~~26~~ **24** feet with a 5.5-foot sidewalk easement within a 10.5-foot public utility easement. **The roadway crown shall be constructed with 3 foot offset to the west of the right of way centerline. Francisco Avenue is to be reconstructed per City Standards and City Soils Lab recommendations. The centerline grade is to be raised as necessary to reflect minimum cross fall to the new curb and gutter.**
4. Orleans Street shall be dedicated and improved as a Minor Street along the entire project frontage. Half width street improvements for both sides of the street shall consist of a travel lane with a parking lane and a planter strip with a sidewalk behind the planter strip. See the Standard Conditions of Approval for dimensions.
5. Street "A" shall be dedicated and improved as a Minor Street along the entire project frontage. Half width street improvements for both sides of the street shall consist of a travel lane with a parking lane and a planter strip with a sidewalk behind the planter strip. See the Standard Conditions of Approval for additional dimensions.
6. Unless the adjacent Tapestry Subdivision has installed improvements along San Miguel Avenue, improvements along San Miguel Avenue shall also include a temporary 4-foot minimum width asphalt walk from the westerly terminus of the

sidewalk and connect to the existing 4-foot asphalt walk and dike that extends west along San Miguel Avenue within the existing right of way.

7. ~~Improvements to Francisco Avenue shall include installing a “near side” without parking Bus Stop per City Standards 220 and 222 with a contiguous 8-foot minimum width sidewalk along the tangent section of the bus stop and taper northerly through the curve sections and a 6' wide x 10' long x 6" concrete shelter pad behind the sidewalk near the southerly end of the bus stop tangent section. Right-of-Way along Francisco Avenue shall taper to be within 6 inches behind the contiguous sidewalk with a 7 foot by 11-foot shelter pad easement behind the right-of-way.~~

No near side bus pad and shelter is required on Francisco Avenue the required street section shall be continued to the intersection of San Miguel.

8. Improvements along Francisco Avenue shall also include a 4-foot minimum width asphalt walk with an asphalt dike painted white adjacent to the travel lane from the northerly terminus of the sidewalk and connect to the existing asphalt walk near the intersection of Delamere Avenue that extends westerly to the Jack London School.
9. Street barricades per City Standard 211 with a future through street and no parking signs per City Standard 206 shall be installed at both the end of Orleans Street and Street “A”.
10. Sidewalk barricades per City Standard 236 shall be installed at the westerly end of San Miguel Avenue and at each side of both the end of Orleans Street and Street “A”.
11. **A “No Parking Zone” shall be posted along the west side of Francisco Avenue along the property frontage from San Miguel Avenue to the northerly project boundary.**
12. Improvement plans shall include a complete street lighting, signing and striping plan. Street lights shall be installed per City Standard 611 along San Miguel Avenue and Francisco Avenue and per City Standard 615D Decorative Streetlight on all other interior streets. Signage shall include bike route signs on each side of Orleans Street and on the north dead-end section of Street “A”. Street light spacing, wattages, and locations will be determined during the improvement plan review process. **Street light spacing, wattages, and locations will be determined during the improvement plan review process.**
13. **San Miguel Avenue and Orleans Street improvements shall be extended offsite to conform to line and grade of improvements per City File 2014-065, removing and replacing temporary offsite improvements including but not limited to curbs, barricades, signing, and striping, with new City Standard curb gutter and sidewalk and lane markings. Temporary AC ramp connections on San Miguel Avenue between concrete sidewalk to**

temporary AC walkways over planter strips shall be removed and replaced with landscaping and remove AC curb and resurface roadway damaged by curb removal.

- 14. An Encroachment Permit must be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements.**
- 15. The Parcel "A" frontages on San Miguel Avenue and Street "A" shall be improved with the subdivision street improvements and be provided with City Standard curb cuts on both street frontages. Parcel "A" driveways shall be gated at back of sidewalk.**

TRAFFIC

- 16. Conduit and pull boxes shall be installed per City Standard for future traffic signal interconnect along San Miguel Avenue.**
- 17. Electrical boxes for street lights and signals shall be provided with grounded vandal resistant inserts, McCain Tamper Resistant Inserts or City approved equal, in street light pull boxes at locations as directed by the City. Catalog cuts shall be provided with the first plan check submittal for review and approval by the City Engineer. The street light improvement plans shall include the following note; "The contractor may use their own locks during construction for ease of access, however once the conductors in the pull box are live the contractor shall coordinate with the City Inspector to have the City lock installed. Electrical pull boxes in planter strips shall be provided with a 2-foot concrete apron around box."**
- 18. Bike Lanes shall be striped on north side of centerline of San Miguel Avenue and both sides of Centerline on Francisco Avenue. The Francisco Avenue bike lane east side of centerline shall terminate at a point equal to the end of the subdivision frontage improvement and be posted "End of Bike Lane" with transition markings and signing as directed by the City Traffic Engineer.**

GRADING

- 19. Improvement Plans shall include design elements that implement the proposed project's Storm Water Mitigation Plan in accordance with the Standard Urban Storm Water Mitigation Plan Guidelines (SUSMP). ~~dated June 3, 2005. The K factor of 1.17 per the Sonoma County Water Agency for this site area shall be used in the final SUSMP PLAN design.~~ The City Engineer shall approve the final design**

20. Lot to lot overland drainage flows are not allowed. A grading and drainage plan that includes the lots and associated SUSMP elements, if any, shall be submitted as part of the improvement plans. A grading permit is required for the subdivision improvements.
21. **Parcel A shall be graded to conform to adjacent onsite and offsite subdivision properties directing drainage flows to private systems connected to the public storm drain through public drainage structures. No blind connections to the public storm drain are allowed.**

STORM DRAINAGE

22. **The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.**
23. **Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:**
 - a. **The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.**
 - b. **A special tax district for public BMP facilities.**
 - c. **An alternate means acceptable to the City of Santa Rosa.**
24. **After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.**
25. **Any off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma**

County Water Agency standards.

- 26. Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of the owner of these BMP's. The owner shall be responsible for performing and documenting an annual inspection of the BMP's on the property. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.**
- 27. All BMP's shall be shown on the civil construction plans and all dimensions and construction details shall be provided on the civil plans such that the BMPs can be replaced at a future date. Plans shall conform to the approved final SUSMP design report.**
- 28. A SUSMP "Declaration of Maintenance" document shall be recorded prior to final acceptance of the Subdivision Improvements and is to be noted on the information sheet of the Final Map and be reflected on the individual Property Deeds.**
- 29. After the SUSMP BMP improvements have been constructed, the developers Civil Engineer shall prepare and sign a written certification that they were constructed and installed as required by the State of California and/or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of improvements.**
- 30. Show revised roof drain outfalls on the contributory area drainage maps and indicate which BMP treatment facility is responsible to treat the roof water. Indicate outfalls of all under pavement subdrains due to Type D soil if applicable.**
- 31. Where bio swales or BMP facilities are located in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check.**
- 32. The landscape and civil plans shall be updated to reflect the final BMP locations, shapes, sizes and construction dimensions to insure the BMP features are installed per the approved final SUSMP report. BMPs shall be preserved and not filled in with landscape material or removed.**
- 33. The Subdivision Improvement Plans shall show sufficient construction details and dimensions of each BMP device on the drawings so the BMP may be replaced in the future. Landscape plans and civil plans shall be coordinated with the approved SUSMP report showing the BMP locations clearly to prevent them from being filled in with landscape materials.**

UTILITY DEPARTMENT CONDITIONS OF APPROVAL:

34. **The Water laterals and meters shall be sized to meet domestic, irrigation and fire protection uses and double check back flow per City Standard 875 will be required on all water services. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing.**
35. The 8" sewer main in "A" Street shall be installed at a slope of 0.35% in order to provide gravity sewer service to the properties north of the Kerry Ranch subdivisions.
36. **Where bio swales are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check.**
37. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes should be listed on the information sheet of the Final Map.
38. If Residential fire sprinklers are required with the development, the water lateral and meter must be sized to meet fire flow requirements.
39. A fire flow test will be completed at the time of the tie in of the project to the City system. The fire flow must meet the requirement for the project before the project is accepted. The City will perform the fire flow test. The fee to have the test performed must be paid to the Utilities Department prior to the test being performed.
40. ~~Standard condition to be placed on the project for water conservation: Submit Landscape and irrigation plans in conformance with the Single Family Residential Landscape Policy adopted by the Santa Rosa City Council, Resolution No. 26690, on October 17, 2006. Submit Peak Month Water Use Estimate (Appendix A) and Certificate of Conformance (Appendix B). On landscape and irrigation plans, include the total planned square footage of planted areas for high water use plants (i.e. turf, annuals and container plants); moderate water use plants (i.e. ornamental trees, shrubs, ground covers, and perennials primarily irrigated by sprinklers); and low water use plants (i.e. drought tolerant plants irrigated primarily through drip emitters). The planting plan must include specific plant names that fit in each category.~~ **Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on October 27, 2015. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance form and Hydrozone Table form.**

FIRE DEPARTMENT CONDITIONS OF APPROVAL:

41. Two copies of a Phase 1 Environmental Site Assessment shall be included with submittal of the first Engineering plan check. One copy is to be submitted directly to the Fire Department and review fee paid; a copy of the receipt shall be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and approved the Phase 1 study.
42. A Fire Flow Analysis including calculated available fire flow at the new public fire hydrants shall be provided to the Fire Department for review and approval concurrent with submittal of Public Improvement plans. Minimum required Fire Flow for this single-family residential project is 1500 gpm with 30 psi residual in the main. If Fire Flow Analysis indicates that required fire flow is not available, public improvements shall include all necessary infrastructure for sprinklering future residential buildings and the following note shall appear on the Final Map: "All residential buildings constructed in this subdivision after recording of the Final Map shall be protected with automatic fire extinguishing (sprinkler) systems per Fire Department standards in effect at the time of building permit issuance".
43. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

Larry Lackie
Project Engineer