

RESOLUTION NO. XXXXX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A RESIDENTIAL SMALL LOT SUBDIVISION CONDITIONAL USE PERMIT FOR MONTECITO TOWNHOMES - LOCATED AT 0 MONTECITO BOULEVARD – ASSESSOR PARCEL NUMBER 182-120-052 - FILE NUMBERS PRJ17-077, CUP17-136

WHEREAS, an application has been submitted by Chris Shaughnessy, requesting approval of a Residential Small Lot Subdivision Conditional Use Permit for Montecito Townhomes to allow the subdivision of a 0.5-acre parcel into eight fee simple lots located at 0 Montecito Boulevard, more particularly described as Assessor's Parcel Number 182-120-052, and on file in the Planning and Economic Development Department; 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

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

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 applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code, including Section 20-42.140 (Residential Small-Lot Subdivisions) as outlined in the associated Staff Report dated November 29, 2018;
- B. The proposed use is consistent with the General Plan and furthers a number of goals and policies of the General Plan. The General Plan designation for the site is Medium Density Residential, which allows residential development at a density of 8.0 to 18.0 units per acre. At 16.0 units per acre, the project implements the General Plan land use designation at the higher end of the residential density. The eight new townhouses proposed by the project will add diversity to the residential neighborhood, which primarily features apartments and single-family residential units. The project will also help meet the City's housing needs by adding eight new, family-sized dwelling units on an undeveloped site that can support the proposed density of the project. The project is also located within walking distance of a shopping center that is anchored by a grocery store and is within walking distance of public transit, schools, and recreation areas;
- 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 proposal includes attached, two-story single-family residences with varying architecture and

heights, consistent with the style and heights of adjacent residential development that features two-story, multi-family residential uses to the west and north. The development has been setback to the degree possible to maximize the usability and quality of the rear yard areas of single-family homes located to the north and to respect the scale of the single-family homes located to the north. A combination of landscape areas, setbacks and fencing would provide buffers from commercial uses located immediately to the south and east of the project site, which includes medical offices and small-scale retail.;

- D. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints in that the proposed density is consistent with General Plan, the project will be consistent with Zoning Code development requirements, the site can accommodate the proposed use and infrastructure needed to serve the parcel is available. The relatively flat site does not contain natural features that preclude development, nor is the site of a configuration that would be preclude development. Adequate access would be provided to the site from Montecito Boulevard via a 25-foot-wide easement that has been granted by the property owner to the south. The easement will also contain utilities that will connect the site's utilities to the existing utilities found in Montecito Boulevard ;
- 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 the proposal has been reviewed and conditioned as appropriate by requisite City staff and outside agencies; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA):

The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15332, the project qualifies for a categorical exemption as in-fill development.

- The project is consistent with the general plan and zoning. The Project is consistent with the General Plan land use designation of Medium Density Residential, which allows residential development at a density of 8-18 units per acre. The project also complies with the R-3-18 (Multi-family Residential) zoning district development standards, pursuant to Zoning Code Table 2-5, in that the requested entitlements include a CUP for a small lot subdivision.
- The project is within the city limits on a site no more than 5 acres. The Project occurs on a 0.5 acre site located within City limits, and is substantially surrounded by urban uses.
- The Project site has no value as habitat for endangered, rare or threatened species. According to the City's mapping of wetland areas and endangered, rare or threatened species, wetlands are not present on the site or in the project vicinity as the area surrounding the site has been already developed. Similarly, according to the City's mapping of known locations of endangered, rare, or threatened species,

there is no evidence of special status plant species, and there is no evidence of the California Tiger Salamander on the project site or in the project area. The existing trees are being maintained on-site, which will not affect existing nesting opportunities for avian species or other tree-dwelling species.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.
 - Traffic. Based on the Institute of Transportation Engineer's Trip Generation Rate Manual, the project would add less than 50 new peak hour trips, which is considered less than significant based on the City's threshold of over 50 new peak hour trips. The project is also expected to generate a minimal number of average daily trips (ADT) to the traffic circulation system (46 A which is considered less than significant.
 - Noise. Pursuant to the General Plan, the City's Land Use Compatibility Standards the units within the project would be considered to be normally acceptable with a Community Noise Equivalent Level (CNEL) of up to 65 dB CNEL without any special noise insulation requirements. Pursuant to Figure 12-2 of the General Plan, the multi-family units would be located within the 60-65 dBA noise contour, which is within acceptable levels established by the General Plan for the proposed residential units in the project. The City's Noise Ordinance identifies a conditionally acceptable exposure level up to 70dB. Accordingly, the proposed project would be sited in a noise environment that is consistent with the acceptable noise levels under both the General Plan and the Noise Ordinance. Therefore, new residents on-site would not be exposed to noise levels in excess of established standards and potential impacts would not be significant. Furthermore, the surrounding land uses including multi-family residential, single-family residential, medical offices, and retail, are not expected to generate exterior noise levels onsite exceeding 65 dBA at the project site. With present and reasonably foreseeable conditions, noise levels onsite would be within the normally acceptable range for the residential units.
 - Air Quality. The Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines provide preliminary screening for a lead agency to consider in making a conservative determination of a project's potential impacts on air quality based on proposed land-use. Numerical screening sizes for construction and operation of land uses are established by these guidelines. When BAAQMD screening criteria are exceeded, a quantitative analysis would be warranted to determine if the project would result in significant impacts related to air quality. The screening level criteria for townhouses are 451 dwelling units for operational screening criteria, 78 dwelling units for the greenhouse gas screening size, and 240 dwelling units for construction-related screening size. With eight townhouse units, the project is well below the screening criteria, and it can be determined that the proposed project would have no impacts to

degraded air quality resulting from the infill project.

- Water Quality. Although the development will result in an increase in impervious surfaces as compared with existing conditions of the site, the project has been designed in accordance with the City's Standard Urban Storm Water Mitigation Plan (SUSMP) guidelines that require the integration of Low Impact Design (LID) measures into site designs. The proposed LID measures include a bioretention area to which the entire site will drain. The bioretention area will treat the stormwater, will facilitate rainwater infiltration, and has components of stormwater detention which attenuates the peak runoff volume. Accordingly, the project will not result in a drainage pattern that causes substantial erosion or siltation on- or off-site nor will it result in flooding on- or off-site.

Furthermore, the proposed project would be served by the City's wastewater system. There are no septic systems or other alternative wastewater treatment facilities proposed as part of the project. All wastewater would be collected and conveyed to the City's wastewater treatment plant via existing infrastructure in the project vicinity and the installation of laterals and connections to the project site. Based on the above, the proposed project would not substantially degrade water quality, and the impacts would not be significant.

- The Project site is located in a fully developed area. It can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditioned the Project appropriately.

The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines section 15300.2.).

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 small lot Conditional Use Permit for Montecito Townhomes, to be located at 0 Montecito Boulevard, is approved subject to compliance to each of the following conditions:

1. Compliance with approved plans prepared by Atterbury & Associates, date stamped December 7, 2017.
2. Compliance with all conditions as specified by the Montecito Townhomes Subdivision Tentative Map Resolution Number XXXXX.
3. A Minor Design Review application must be submitted to the Planning and Economic Development Department within one year of project approval. The Minor Use Permit must be approved prior to expiration of this Conditional Use Permit authorization

4. Construction hours shall be limited from 8:00 a.m. to 7:00 p.m. Monday through Friday. No construction is permitted on Saturdays, Sundays and holidays.

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 29th day of November, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
CASEY EDMONDSON, CHAIR

ATTEST: _____
CLARE HARTMAN, EXECUTIVE SECRETARY