

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR ACACIA VILLAGE, A SMALL LOT SUBDIVISION - LOCATED AT
746 ACACIA LANE - FILE NUMBER PRJ18-036

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Acacia Village, a 25-parcel small lot subdivision, to be located at 746 Acacia Lane, also identified as Sonoma County Assessor's Parcel Number 182-520-050; and

WHEREAS, the Zoning Administrator granted a five-unit density bonus, including four development waivers for setbacks, private open space, lot size and lot coverage, in compliance with Zoning Code Chapter 20-31, for Acacia Village, a 25-parcel subdivision in which three parcels will be designated for low-income owners; 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

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 R-1-6 (Single-family Residential) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Pursuant to Zoning Code Table 2-5 and Section 20-42.140, the requested entitlements include a Conditional Use Permit for a small lot subdivision and the Zoning Administrator has granted a five-unit Density Bonus including four waivers to development standards for setbacks, private open space, lot size and lot coverage in compliance with Zoning Code Chapter 20-31.
- B. The proposed use is consistent with the General Plan. The Project site is located in an area designated as Low Density Residential, which allows residential density from two-eight units per acre, on the General Plan Land Use Diagram. The Project has designated three for-sale units for low-income owners and includes a request for a five-unit Density Bonus, which was granted by the Zoning Administrator. Pursuant to the General Plan, the Density Bonus Program allows projects to develop at densities higher than allowed by the General Plan in return for affordable housing. As such, the Project will develop at a density of ten units per acre and is consistent with the General Plan.

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The Project site is not within a specific plan area; and

- 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. The project will construct 25 single-family homes, and is surrounded by similar single-family residential uses, either constructed or under construction. A study conducted by W-Trans, dated August 7, 2018, concluded that “given the limited number of peak hour trips that the project would be expected to generate, it’s reasonable to conclude that its impact on traffic operation will be less-than-significant.”
- 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. Single-family residential development was included in the scope of review for this site in the General Plan 2035 Environmental Impact Report, which was certified by Council in 2009. The Project Site Plan provides circulation and parking, which has been reviewed by City staff and conditioned appropriately. The site is located in a developed area and all City services are available; and
- 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 area is designated for single-family residential uses and considered in the scope of review the General Plan 2035 Environmental Impact Report, which was certified by the Council in 2009; and
- F. 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 land use designation of Low Density Residential, which allows residential development at a density of two-eight units per acre. The project will designate three units for low-income property owners and has been granted a five-unit density bonus. As such, the project will develop at a density of ten units per acre. Pursuant to California Government Code Sections 65915 – 65918, the maximum allowable density may be exceeded by designating units as affordable units through the granting of a Density Bonus.

The project also complies with the R-1-6 (Single-family Residential) zoning district development standards as applied to small lot subdivisions, pursuant to Zoning Code Table 2-5 and Section 20-42.140. The requested entitlements include a Conditional Use Permit for a small lot subdivision and the Zoning Administrator has granted a five-unit Density Bonus including four waivers to development standards for setbacks, private open space, lot size and lot coverage.

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- The Project occurs on a site that is less than five acres within City limits and is substantially surrounded by urban uses.
- The Project site has no value as habitat for endangered, rare or threatened species. A Biological Resources Assessment, prepared by WRA Inc., dated November 2017, concluded “no wetlands, streams, or riparian areas are present. All special-status plant and wildlife species documented within the vicinity of the Study Area are unlikely or have no potential to occur. No further studies are required or recommended for this site.”
- Approval of the project would not result in any significant effects relating to traffic. A study conducted by W-Trans, dated August 7, 2018, concluded that “given the limited number of peak hour trips [shown in the table below] that the project would be expected to generate, it’s reasonable to conclude that its impact on traffic operation will be less-than-significant.

Table 1 – Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Existing											
Single-Family Dwelling	1 sfd	9.44	9	0.74	1	0	1	0.99	1	1	0
Proposed											
Single Family Dwelling	25 sfd	9.44	236	0.74	19	5	14	0.99	25	16	9
Net Difference			227		18	5	13		24	15	9

Note: sfd=single family dwelling

- The project is required to comply with the City’s Low Impact Development standards, which will treat stormwater runoff generated by a one-inch storm over a 24-hour period.
- An Environmental Noise Assessment, prepared by Illingworth & Rodkin, Inc., dated September 18, 2018, concluded that the implementation of standard conditions of approval would reduce temporary construction noises to a level less than significant. The project has also been conditioned to remain in compliance with the Noise Ordinance, City Code Chapter 17-16.
- The Project site is located in a developed area where it can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditioned the Project appropriately.
- No exceptions to the exemption 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.)

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The project is also exempt from CEQA pursuant to CEQA Section 15183, in that the project is consistent with the General Plan and zoning, for which an Environment Impact Report (EIR) was certified by Council in 2009. The EIR analyzed impacts to traffic, air quality & greenhouse gases, and noise for implementation of the General Plan. There are no impacts peculiar to the site or off-site or cumulative impacts that were not analyzed in the prior General Plan EIR.

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 Acacia Village, a 25-parcel small lot subdivision, to be located at 746 Acacia Lane, is approved subject to each of the following conditions:

1. Compliance with the Development Advisory Report, dated May 31, 2019, attached hereto and incorporated herein.
2. 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.
3. 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 date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
4. 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.
5. 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.
6. Mitigation requirement. 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 Community Development to determine if the project as redesigned is consistent with the original approval. A project that the City 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.

- 7. 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.
- 8. 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 FURTHER 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 27th day of June 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
CHAIR

ATTEST: _____
EXECUTIVE SECRETARY