

RESOLUTION NO. CUP20-024

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SANTA ROSA MEMORIAL HOSPICE CARE FACILITY, A 12-BED HOSPICE CARE FACILITY FOR THE PROPERTY LOCATED AT 520 DOYLE PARK DRIVE SANTA ROSA, APNs: 014-082-012, -015, -026, AND -027

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to operate a new 12-bed hospice care facility has been granted based on your project description and official approved exhibit dated December 1, 2020. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed use is allowed within the applicable R-1-6 (single-family residential) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received;
- The proposed use is consistent with the General Plan and the any applicable specific plan in that the Low Density Residential General Plan Land Use Designation is implemented by the R-1-6 zoning district, which allows the 12-bed hospice care facility with approval of a Minor Conditional Use Permit;
- The design, location, size and operating characteristics of the proposed hospice care facility would be compatible with the existing and future land uses in the vicinity in that use is allowed in the R-1-6 zoning district with Minor Use Permit approval and is a similar intensity of multi-family residential uses and does not preclude future redevelopment into residential units. The proposed use provides a short trip from St. Joseph Memorial Hospital should a patient be transferred to the proposed project site and the project site will be compliant with the City's Noise Ordinance in Section [20-16](#) of the City Code as concluded in the Noise Analysis, by Ilingworth & Rodkin, dated November 25, 2020. Finally, the Focused Traffic Study by W-Trans, dated August 5, 2020, concluded that the project would not result in negative impacts to the neighborhood.;
- The site is physically suited for the type, density, and intensity of the proposed hospice care facility, including access, utilities, and the absence of physical constraints in that the site complies with all development standards and maintains a neighboring residential property's driveway access easement along this site;
- 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 project was reviewed by City Staff and applicable outside agencies and has been reviewed and conditioned appropriately for the intended use; and

- 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
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 32 Infill exemption under Section 15332 in that:
 1. The Project is consistent with Santa Rosa General Plan 2035 and the applicable R-1-6 zoning district in that it complies with all development standards and is an allowed use with Minor Use Permit Approval for which this project has received;
 2. The Project is located within City of Santa Rosa, on a project site of no more than five acres substantially surrounded by urban uses;
 3. The project site has no value, as habitat for endangered, rare or threatened species in that the site was previously developed and the project has been conditioned to require a qualified professional to conduct pre-construction surveys within February 1st, and October 1st;
 4. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality in that a Focused Traffic Study W-Trans dated August 5, 2020, was submitted that concluded the project would not result in any negative impacts as it relates to Traffic. A Noise Analysis by Ilingworth & Rodkin, dated November 25, 2020, concluded that the project would comply with ambient noise levels in Chapter 17-16 of the City Code provided that the location of the emergency generator be placed on the northwest side of the roof. The site will generate fewer than 59 trips per day which is less than the 110 trips that would require further Vehicle Miles Traveled (VMT) analysis and can therefore be considered less than significant impacts on air quality. Finally, the site has been reviewed by City Staff and determined not pose as a significant impact to water quality; and
 5. 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 conditions 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.)

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 intents 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

1. A building permit is required for all on site demolition, construction, and/or change of use.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. No exterior signs are approved with this permit. A separate sign permit is required.
6. Compliance with Engineering Development Services Exhibit "A" dated March 2, 2021, attached to and incorporated herein.
7. The applicant shall, to the greatest extent feasible, relocate the oxygen tank to northwest side of the building. The final location shall be determined prior to building permit issuance.
8. The project shall place black out blinds on all clerestory windows.
9. All mechanical equipment services shall be limited to the hours of 7:00 am to 7:00 pm, unless emergency repair is required.
10. The project shall comply with the recommendations from the Tree Preservation and Mitigation Report by Horticulture Associates, dated November 25, 2020, which states:
 1. Based on the 426 inches of trunk diameter proposed for removal you will be required to mitigate with 142 x 15-gallon replacement trees. Based on the small area available for landscaping, and use of the required mitigation trees, you may want to consider upgrading to fewer and larger sized replacement sizes. The City will accept one 24" box for every three 15-gallon trees, or one 36" box for every five 15-gallon trees. If using all 24" boxes that would be 49 replacement trees, or if using all 36" boxes it would be 29 replacement trees. Another alternative would be to pay in-lieu fees of \$100 per 15-gallon tree required for fees totaling \$14,200.
11. Preservation of the tree identified as key number 860 shall be preserved to the greatest extent feasible and comply with all tree preservation conditions of approval in this Resolution.
12. TREE PRESERVATION:

1. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
2. 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 natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:
 - A. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
 - B. 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.
 - C. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
 - D. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
 - E. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
 - F. 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.
3. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work.
4. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
5. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
6. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
7. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

13. LANDSCAPING:

1. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
2. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
3. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
4. Street trees will be required and shall be planted by the developer. Selection will be made from the City's approved Master Street Tree Plant List in coordination with the City Parks Division. Planting shall be done in accordance with the City "Standards and Specifications for Planting Parkway Trees." Copies of the Street Tree List and the Planting Standards are available at the Parks Division office.

14. LIGHTING:

1. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
2. Light sources shall be concealed from public view.
3. All lighting shall be directed toward the subject property and away from adjacent properties.
4. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

This Minor Conditional Use Permit is hereby approved on this 4th day of March, 2021, for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
ANDY GUSTAVSON, ZONING ADMINISTRATOR

Attachment 1: Exhibit "A"