

RESOLUTION NO. HDP20-012

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW SWIMMING POOL AND WOODEN DECK ON THE PROPERTY LOCATED AT 4034 TOURMALINE CT, SANTA ROSA, APN: 013-350-024

The Santa Rosa Zoning Administrator has completed its review of your application. Be advised that your Hillside Development Permit has been approved to construct a new swimming pool, wooden deck, and the removal of 4 trees. This permit has been granted based on your project description and official approved exhibit dated received November 18, 2020. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed swimming pool and deck is located within an area governed by the City's Hillside Development Standards, subject to approval by the Zoning Administrator (Zoning Code Section 20-32.060), complies with all other applicable provisions of this Zoning Code. Pursuant to Zoning Code Section 20-52.050(E)(2)(a), the matter has been properly noticed. No request for a public hearing has been received.
- Site planning minimizes the visual prominence of the hillside development by taking advantage of existing site features for screening including tree clusters, depressions in topography, setback, hillside plateau areas, and other natural features in that the development site is located on the flattest, lowest point of the parcel and will not require the removal of substantial vegetation;
- Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more in that the project is located on a portion of the site where the slope is primarily 10 percent or less, and will require the removal of 4 trees to accommodate the building area;
- Site development does not alter slopes of 25 percent or more except in compliance with Section 20-32. 020.B (Applicability-Limitation on hillside development) in that the development site avoids slopes of 25 percent or greater and the new construction is built above ground, minimizing excessive grading;
- Project grading respects natural features and visually blends with adjacent properties, in that the above ground pool and deck will require minimal grading;
- Building pad location, design, and construction avoids the creation of large flat building pads ;
- The proposed project complies with the City's Design Guidelines in that the proposed building location and design is sensitive to site features, will not create a ridgeline silhouette, will protect native vegetation outside the building site, and will minimize grading on the site;

- The proposed project complies with the requirements of this Article and all other applicable provisions of this Zoning Code in that the proposed swimming pool and deck is permitted within the PD-0306 Zoning District, and has been reviewed by City staff for compliance with the Zoning Code;
- The proposed project is consistent the General Plan in that the applicable PD-0306 zoning and the proposed use are consistent with the Very Low Density Residential General Plan land use designation;
- The establishment, maintenance, or operation of the use will not be detrimental to the public health, safety, or general welfare in that the proposed pool and deck and the on-going residential use will not create nor is it associated with an activity which will be detrimental to the public health, safety, or general welfare of the people living or working in the area;
- The proposed project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975, Section 2714(b) because all proposed excavation and earthmoving activities can be identified as a necessary to prepare the site for the construction of structures; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under Section 15303€ swimming pool and deck because the project includes the construction of accessory structures which is permitted within the PD-0306 Zoning District.

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 intent of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. The applicant shall comply with all of the conditions of approval prior to commencing the use. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

General Conditions

1. Grading shall be limited to roadways, driveways, garage pads, and understructure areas.
2. Construction hours shall be limited to 7:00am to 7:00pm, Monday through Friday, and 8:00am to 6:00pm on Saturdays. No construction is permitted on Sundays and holidays.
3. All grading shall be designed to blend into the natural contours of the site. Slope grading and contour grading techniques shall be utilized. All disturbed areas shall be revegetated with native plants to the maximum extent possible.

Building Conditions

4. 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.
5. Obtain a building permit for the proposed project.

Engineering Conditions

6. Comply with Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as Exhibit "A," dated February 21, 2021.

Planning Conditions

7. 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 Planning Division. Any future alterations will be subject to review and approval of the Planning Division.
8. Prior to issuance of a grading or building permits for any clearing, excavation, construction, or other work on the site, an arborist report shall be submitted to the Planning Division outlining the proposed tree removal, replacement tree planting plan, and a tree protection plan.
 - a. For each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Trees shall be appropriately staked and maintained in good health. A planting plan shall be submitted along with the Building Permit application. Replacement trees shall be planted prior to final inspection.

AND/OR

- b. As an alternative, a \$100 fee per tree may be paid to the City's Tree Mitigation Fund prior to the removal of the trees. Make check payable to the City of Santa Rosa Tree Mitigation Fund, IFAS No. 001880-2184. Send check to Planning and Economic Development Department, 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404.

This Hillside Development Permit for the development of a new swimming pool, wooden deck, and the removal of 4 trees, is hereby approved on this 18th day of March, 2021. If the conditions of approval are not met, or if work has not commenced within two years from approval date, this approval shall automatically expire and shall be invalid unless an application for extension is

filed prior to expiration. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____

ANDY GUSTAVSON, ZONING ADMINISTRATOR