

RESOLUTION NO. CUP21-011

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR OLIVE COMMONS, A TWO-PARCEL SMALL LOT SUBDIVISION, LOCATED AT 613 OLIVE STREET; ASSESSOR'S PARCEL NUMBER 010-252-023; FILE NUMBER CUP21-011

WHEREAS, on February 4, 2021, an application was submitted requesting the approval of a Conditional Use Permit and Tentative Parcel Map for Olive Commons, a two-parcel small lot subdivision, to be located at 613 Olive Street, also identified as Sonoma County Assessor's Parcel Number 036-101-010 (the Project); and

WHEREAS, a Conditional Use Permit for a small lot subdivision project shall be reviewed and approved prior to the approval of a Tentative Map, as described in Zoning Code § 20-42.140(D); and

WHEREAS, the Project site is located within the Roseland Priority Development Area (PDA), as described in Zoning Code § 20-16.070, Figure 1-1; and

WHEREAS, applications for small lot subdivision projects within a PDA are delegated to the Zoning Administrator, through the Minor Use Permit review process in accordance with § 20-16.060(C)(13); and

WHEREAS, on July 1, 2021, the Zoning Administrator held a duly noticed public meeting on the application at which all those wishing to be heard could speak or present written comments and other materials; and

WHEREAS, the Zoning Administrator 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 Zoning Administrator of the City of Santa Rosa finds and determines:

- A. The proposed small lot subdivision is allowed within the R-3-18 (Multi-Family Residential) Zoning District and complies with all other applicable provisions of this Zoning Code and the City Code; and
- B. The proposed small lot subdivision is consistent with the General Plan, in that the site is in an area designated as Medium Density Residential on the land use diagram which allows residential development at a density between eight and eighteen units per acre, and the proposed Project will be developed at 10.5 dwelling units per acre; 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 site is located within walking distance of public transit, schools and recreation. The site plan provides circulation, setbacks, parking and design features compatible with the surrounding neighborhood; and
- 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. It is in an area that is designated for residential development, and the Project site is surrounded to the west, north and east by residential uses. The Project plans have been reviewed by City staff and have been conditioned appropriately; 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 Project plans have been reviewed by City staff, outside agencies, and approval authorities and conditioned to minimize any potential impacts to less than significant level; and
- F. The Project The project qualifies for a Class 32 exemption, per Section 15332, in that:
- The project is consistent with the General Plan designation of Medium Density Residential, in that the designation allows residential density at 8-18 dwelling units per acre, and the project proposes a single-family attached unit type at 10.5 units per acre. While General Plan requires residential development at midpoint or higher of the density range, it allows exceptions where topography, parcel configuration, heritage trees, historic preservation or utility constraints make the midpoint impossible to achieve. While the midpoint density for this parcel is 13, the proposed project density of 10.5 units per acre allows for the preservation of the existing residence, which maintains visual compatibility from Olive Street with the surrounding neighborhood, and the Project will offer a diverse housing type, while accommodating for fire/emergency access and utility constraints on a narrow 46.5-foot wide lot.
  - The proposed development occurs within City limits on a project site of no more than five-acres, substantially surrounded by urban uses.
  - According to the City's maps the project site has no value as habitat for endangered, rare or threatened species, in that it is not located on a known wetland or habitat zone.
  - Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
  - The project was reviewed by City agencies and impacts will be mitigated by uniformly applied development policies, standards and conditions, including street improvements, limits on construction hours, adherence to BAAQMD best management practices, and compliance with the Standard Urban Stormwater Mitigation Plan.
  - The site can be adequately served by all necessary utilities and public services.
  - Pursuant to CEQA Guidelines Section 15182, the density, design, and infrastructure planned under the proposed Project is consistent with the adopted Specific Plan in that the level and intensity of the proposed developments and the locations of the developments are consistent with the Specific Plan. No special circumstances or potential new impacts related to the Project has been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the Specific Plan EIR (SCH

#2016012030). The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property.

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 Olive Commons, a small lot residential subdivision to be located at 613 Olive Drive, is approved subject to each of the following conditions:

#### **DEPARTMENT OF COMMUNITY DEVELOPMENT**

##### **GENERAL:**

1. Compliance with Department of Planning & Economic Development Engineering Development Services Exhibit “A,” dated March 18, 2021, for the Olive Commons Tentative Map and Minor Use Permit.
2. Prior to issuance of a Building Permit for the attached unit, the developer shall obtain Design Review approval, pursuant to Section 20-16, as applicable.
3. The applicant shall obtain Tentative Map approval from the Subdivision Committee prior to recordation of Final Map.
4. That this approval shall be valid for a period two years commencing July 1, 2021, the date of this approval, unless an extension of time is applied for prior to the expiration date.
5. All approved project entitlements associated with an approved Tentative Map shall remain effective concurrent with the period of time the Tentative Map is in effect. If an extension of time is requested for the associated Tentative Map, a similar extension of time for all associated entitlements shall be required and shall be processed concurrently with the Tentative Map extension request.
6. The permit or approval shall not be deemed “exercised” until the permittee has substantially commenced the approved use on the site in compliance with the conditions of approval or a Building Permit has been issued involving the permit or approval and construction under the permit has commenced and is diligently pursued toward completion on the subject property.
7. 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.
8. 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.

REGULARLY PASSED AND ADOPTED by the Zoning Administrator of the City of Santa Rosa on the 1<sup>st</sup> of July 2021.

APPROVED: \_\_\_\_\_

ANDY GUSTAVSON, ZONING ADMINISTRATOR

Attachment: Exhibit A, dated March 18, 2021