

## **RESOLUTION NO. HDP21-001**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR A NEW SWIMMING POOL AND RECONSTRUCTION OF THE RETAINING WALLS FOR THE PROPERTY LOCATED AT 3941 SKYFARM DRIVE, SANTA ROSA, APN: 173-760-022**

The Santa Rosa Zoning Administrator has completed its review of your application. Please be advised that your Minor Hillside Development Permit to construct a swimming pool with a spa and to legalize the reconstruction of the retaining walls that were demolished and constructed without proper permit has been granted based on your project site plans received dated February 19, 2021 and slope analysis map dated May 24, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- A. 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 proposed pool and retaining walls will be screened by the proposed two-story single family residence and will be placed on the lower side of the hillside;
- B. Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more in that the swimming pool is being proposed on a previously disturbed area. The new retaining walls are constructed behind the previously existed retaining walls that had to be removed due to the erosion of the slopes. Additionally, a letter has been provided by a certified engineer supporting the need for the proposed second upper retaining wall to reduce the seismic load on the lower retaining wall;
- C. 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 proposed swimming pool and retaining walls are located behind the residence and will not be visible from the public right-of-way;
- D. Project grading respects natural features and visually blends with adjacent properties in that the retaining walls will be stepping down and following the topography and portion of the retaining walls will be placed in an area that is eroded and would protect the development on the side;
- E. Building pad location, design, and construction avoids large areas of flat pads and building forms will be stepped to conform to site topography in that the building pad is already disturbed by the main residence and the proposed project is an accessory structure with a minor footprint when compared to the single-family home;
- F. 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 grading is limited to the already disturbed areas and portion of the hillside that have eroded;

- G. The proposed project complies with the requirements of this Article and all other applicable provision of this Zoning Code in that the proposed project has submitted a Minor Hillside Development Permit application that complies with all applicable City regulations;
- H. The proposed project is consistent the General Plan in that the project proposes structures that are accessory to the single family dwelling unit the project site is Very Low Residential, which allows single family development and accessory structures, the project maintain hillsides in the City as a scenic backdrop to urban development, the project is located behind the house to minimize any scenic impact;
- I. The establishment, maintenance, or operation of the use will not under the circumstances of the particular case be detrimental to the public health, safety, or general welfare in that the proposed pool and retaining walls 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. Additionally, the proposed use is accessory to the rebuilt single-family residential home previously destroyed by the 2017 Tubbs Fire and is in a residential zoning district for which the use is intended; and
- J. 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 in that the project consist of construction of accessory structures.

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. 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.**

1. Obtain building permits for the proposed project.
2. Grading shall be limited to roadways, driveways, garage pads, and understructure areas including accessory structures such as swimming pools.
3. 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.
4. 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.
5. Compliance with all conditions as specified by the attached Exhibit "A" dated June 8, 2021.
6. Consider providing landscaping along Skyfarm Drive for additional screening.

This Hillside Development Permit for a new swimming pool and new retaining walls is hereby approved on this 5<sup>th</sup> day of August 2021 for two years 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