

City of Santa Rosa
 Planning & Economic
 Development Department
 04/10/2024
 RECEIVED

RESOLUTION NO. 11970

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
 APPROVING THE ACACIA VILLAGE TENTATIVE MAP LOCATED AT 746 ACACIA
 LANE - FILE NUMBER PRJ1 8-036

WHEREAS, an application has been submitted by Acacia Village LLC requesting approval of a tentative map of Acacia Village, located at 746 Acacia Lane, more particularly described as Assessor's Parcel Number 182-520-050, dated June 4, 2018; and on file in the Office of the Planning and Economic Development Department; 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

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of 25 (twenty-five) lots and no more is in compliance with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) based upon the following findings:

- A. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5. The Project site is located in an area designated as Low Density Residential on the General Plan Land Use Diagram, which allows residential development at two-eight units per acre. 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.

The Project site is not within a specific plan area; and
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That the proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.

- E. 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 2-8 units per acre. The Project will be developed at a density of 9.92 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 affirmation of a Density Bonus. The Project has an affirmed Density Bonus with three units designated for low-income owners and has received a five-unit 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, in that the requested entitlements include a CUP for a small lot subdivision.

- 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.

Land Use		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.)

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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved 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 are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Acacia Village, Tentative Map dated, June 4, 2018, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated May 31, 2019, attached hereto and incorporated herein.
2. That the project Conditions, Covenants, and Restrictions (CC&R's) shall be reviewed and approved by the City Attorney and the Planning and Economic Development Department prior to recordation of the final map and that the City of Santa Rosa has the right, but not the duty, to enforce the CC&R's pertaining to the conditions stated herein.

3. That the developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.
4. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
5. The developer shall provide three on-site units designated for low-income owners in compliance with the Housing Allocation Plan, City Code Chapter 21-02, which shall be consistent with the Density Bonus granted by the Zoning Administrator June 11, 2019.
6. 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.

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: (7) Chair Cisco, Vice Chair Weeks, Commissioner Caiter, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie, and Commissioner Peterson

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

APPROVED:



PATTI CISCO, CHAIR

ATTEST:

CLIVE SECRETARY

Exhibit A Attached

DEVELOPMENT ADVISORY COMMITTEE
(May 31, 2019)

ACACIA VILLAGE

Project Description

The Acacia Village project (Project) proposes to construct 25 single-family detached residential units, of which three will be designated for low-income owners. The project entitlements include a Density Bonus for five additional units; a Conditional Use Permit for a small lot subdivision; and Tentative Map to subdivide an approximately 2.5-acre area into 25 individual residential lots and common area.

LOCATION..... 746 Acacia Lane

APN 182-520-050

GENERAL PLAN LAND USE..... Low Density Residential

ZONE CLASSIFICATION

EXISTING R-1-6 (Single-family Residential)

PROPOSED R-1-6 (Single-family Residential)

OWNER/APPLICANT Robert Upton, Acacia Village LLC

ADDRESS..... 12555 Dunbar Road
Glen Ellen, CA 95442

ENGINEER/SURVEYOR..... Firma Design Group

ADDRESS..... 418 B Street
Santa Rosa, CA 95401

REPRESENTATIVE Robert Upton

ADDRESS..... 12555 Dunbar Road
Glen Ellen, CA 95442

FILE NUMBER. PRJ18-036

CASE PLANNER Susie Murr

PROJECT ENGINEER Jesus McKeag .

Background

On December 20, 2016, a Pre-application Meeting was held with City staff, which is designed to offer applicants an interdepartmental staff review of preliminary or conceptual design applications.

On May 23, 2017, the Council adopted Resolution No. RES-2017-079, copy attached, reserving \$1,134,552 from the Housing Incentive Fund Pilot Program to be used for public infrastructure improvements to facilitate this development.

On April 5, 2018, a Neighborhood Meeting was held to introduce the proposed Project to surrounding neighbors. Public comments are summarized in the Public Comment section of this report.

On May 31, 2018, the Project applications were submitted to Planning and Economic Development.

On April 4, 2019, the applicant declined the City's funding from the Housing Incentive Fund Pilot Program, and requested the Project be scheduled for Planning Commission review.

Conditions of Approval

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on plans date-stamped received on January 16, 2019.

1. Developer's engineer shall obtain the current city Design and Construction Standards and the Community Development Department's Standard Conditions of Approval, dated August 27, 2008, and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
2. Developer's engineer shall comply with all requirements of the City Storm Water Low Impact Development Technical Design Manual in effect at the time this application was deemed complete.
3. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on December 1, 2015.

Building Division Conditions

4. Obtain a demolition permit for the structures to be removed.

5. 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.
6. Obtain building permits for the proposed project.

Planning Conditions

7. The applicant has requested the following Growth Management Allotments:

RESERVE "A"				10	
RESERVE "B"				15	
	2017	2018	2019	2020	2021

8. Thirty days prior to the removal of any trees or structures, or commencement of construction activities, the developer shall consult with a qualified bat biologist, who is defined as a bat biologist and holds a California Department of Fish and Wildlife (CDFW) collection permit and a Memorandum of Understanding with CDFW allow the biologist to handle and collect bats.. The bat biologist shall identify and supervise any necessary protective measures to avoid impacts to known bat habitat in preparation for construction activities.
9. If construction activities, including tree pruning, tree removal, ground disturbing activities, or construction activities commence between February 1 and August 31, a pre-construction survey of the open grassland areas and trees for nesting birds (migratory song birds and raptors) shall be performed not more than 30 days prior to the start of these activities. The pre-construction survey shall be conducted by a qualified avian biologist.
10. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City code 10-17.080).
11. A qualified archaeologist or tribal monitor shall be on-site to monitor initial ground disturbing activities.
12. Conditions, Covenants, and Restrictions (CC&R's) in a form approved by The Neighborhood Revitalization Program, shall be recorded on each lot. The CC&R's are intended to create a framework by which investor owned properties and common areas are managed and maintained. At a minimum, the CC&R's shall contain the following provisions:

- a. Residential occupancy standards;
 - b. Maintenance and habitability requirements;
 - c. Prohibit the use of garages for the storage of personal property if it precludes a vehicle also being parked within the structure.
 - d. Prohibition of nuisances and offensive activities including: graffiti, illegal drugs, violent acts and criminal gang behavior;
 - e. Resident and guest parking system;
 - f. The Homeowners Association (HOA) shall be responsible for regular maintenance of the gang mailbox area(s). The gang mailbox area(s) shall be kept litter free and maintained in good condition.
 - g. The developer shall negotiate a garbage pickup time later than 8:00 a.m.
 - h. The HOA will provide regular maintenance for all common areas including landscaping, garbage enclosures, pavilion/gathering area and parking lots in around structures.
 - i. The HOA shall provide regular maintenance for all street trees.
- 13. Trash enclosures shall be fully enclosed structures concealing garbage receptacles from public view and will provide a manMdoor to allow single person access to deposit waste.
 - 14. The project shall comply with the Noise Ordinance, City Code Chapter 17-16.
 - 15. The project shall comply with the Tree Ordinance, City Code Chapter 17 24.

Engineering Development Services Conditions

PARCEL AND EASEMENT DEDICATION

- 16. Vehicular access rights shall be dedicated to the City along the Acacia Lane frontage of the site except at the planned street entrances to the project and any emergency access points that may be required but do not appear on the present plan.
- 17. This is a 25 Lot Subdivision creating 25 residential units with private use areas on Parcels A through C. The formation of a Homeowners Association, responsible for ownership and maintenance of the common area building and site improvements is required for this subdivision. The documents creating the Association and the Covenants, Conditions and Restrictions (CC&Rs) governing

the Association shall be required to be submitted with the First plan check for review by the City Attorney. The approved CC&Rs shall be recorded contemporaneously with the Final Map.

18. A public utility easement shall be dedicated to the City of Santa Rosa over the entire area of Parcels A through C.

MAPPING AND PRIVATE EASEMENT DEDICATION

19. All final and parcel maps shall comply with all currently adopted ordinances, resolutions, and policies of the City of Santa Rosa and the State Subdivision Map Act.
20. All costs associated with map, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the subdivider.
21. A Final Map as defined by the applicable provisions of the State of California Subdivision Map Act shall be required for this 25-unit subdivision.
22. The formation of a Homeowners Association, responsible for ownership and maintenance of the common area and common site improvements, is required for this subdivision. Two copies of the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the Department of Planning & Economic Development - Engineering for review.
23. The Developer shall provide a means acceptable to the City to fund the maintenance of the Parcels A through C into perpetuity through a special tax district, CC&R's, property owners association(s), and/or other acceptable method. No Parcel nor private improvement shall be dedicated to the City of Santa Rosa in fee title on the face of the map.

In the event the developer chooses a method of assuring perpetual maintenance which is subject to revocation by the property owners by an election or other means of termination, Developers shall establish a backup alternative which will be capable of automatically assuming the maintenance funding obligation in the event the primary method is no longer available.

The documents creating the method for permanent maintenance and any necessary backup alternative(s) shall be subject to and have been approved by the City Attorney and the City Engineer and in place prior to approval of the final map. The plans and standards for maintenance shall be subject to approval by the Planning & Economic Development.

24. The Final or Parcel Map shall be annotated on the information sheet as follows:

"Water and sewer demand fees and processing fees are based on the number and type of units to be built on each lot. Water and sewer demand, processing and meter installation fees must be paid prior to the issuance of a Building Permit for the respective lot."

25. If during plan check the Fire Department determines that a public emergency vehicle access easement (EVA) is required, it shall be dedicated to the City of Santa Rosa on the face of the map.
26. The final map shall show;
 - a. a private drainage easement over the entire area of Parcels A through C in favor of all the lots created by this subdivision
 - b. a joint private drainage easement over lots 15 through 17
 - c. a parking easement over Parcels A and C in favor of lots 1 through 19
 - d. any reciprocal ingress / egress easements deemed needed during plan check.

PUBLIC STREET IMPROVEMENTS

27. All public and private improvements, both on-site and off-site; all rights-of-way and easement acquisitions, be they on-site or off-site; and all removal, relocation, or undergrounding of existing public utilities and any coordination thereof required or necessitated as a result of the review and approval of the project and the cost thereof shall be the obligation of the subdivider unless express written provision to the contrary is agreed to by the City. The full installation of all such required improvements to the satisfaction of the City Engineer shall be completed prior to the acceptance of the improvements by the City.
28. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
29. Acacia Lane shall be dedicated and improved as a Minor Street along the entire project frontage. Half width street improvements for the project side of the street shall consist of dedicating sufficient right of way in fee and widening the roadway section such that the resulting curb to curb width of roadway is 36-feet including the gutter pan. See Prospect Village Unit 2, Phase 1 Final Map (City File.2018-0022) and Improvement Plans (City File 2013-0040) for the location of the curb on the opposite side of Acacia. A 5-foot contiguous sidewalk shall be installed back of curb. See the City Standards 200 E and 230 B for dimensions and widths of easement dedication.
30. Improvements to Acacia Ln shall include a 24-foot minimum width City Standard 250 A, C or D drive approach for Parcel A
31. Winding Creek Avenue shall be dedicated and improved as a Minor Street along the entire project frontage:
 - a. Half width street improvements for the project side of the street shall consist of a 12-foot travel lane with planter strip behind a sidewalk with a standard curb and gutter. See the City Standards 200 E and 230 B for dimensions and widths of easement dedication.

- b. The curb line at the northwesterly terminus of the project improvements shall transition to the existing alignment with a Standard 212 15:1 taper, Standard 213 reversing curves or as approved by the City Engineer during plan check.
 - c. The sidewalk at the northwesterly terminus of the project improvements shall transition to the existing alignment through Standard 231 reversing curves.
 - d. Half width street improvements for the opposite side of the street shall consist of a 12-foot travel lane with an AC Berm and no asphalt path. See the City Standards 200 K for dimensions.
 - e. Sidewalk barricades per City Standard 236 shall be installed at the end of the sidewalk.
32. Improvements to Winding Creek Ave shall include:
- a. 12-foot minimum width City Standard 250 B drive approaches for lots 22 through 25 or as approved by the City Engineer through a Variance during plan check
 - b. a 24-foot minimum width City Standard 250 A, C or D drive approach for Parcel C
33. The curb return radii shall be 25-feet for both returns on the easterly side of Acacia. Right-of-way for the curb return between improved frontages shall be dedicated so that a City Standard 232A half-ditch ramp and the 4-foot sidewalk landing are contained within 6 inches of the right-of-way at curb returns. The curb return on the non-project side of Winding Creek shall be AC Berm per Standard 200 K and taper to existing conditions at the subdivision boundary.
34. The minimum and maximum cross-slope for all streets shall be 2% and 5% respectively. Minimum gutter slope for all streets shall be 0.5%.
35. Existing streets being cut by new services will require edge grinding per City Standard 209, trenching per Standard 215, and an AC overlay.
36. Installation of street lights and the street lighting pattern will be determined during plan check phase of the improvement plans as approved by the City Engineer.
- a. Decorative luminaire Street lighting shall be installed per City Standard 615D for Street Lights.
 - b. City Standard 611 cobra style street lights are to be installed along the frontage to current spacing requirements, using LEOTEK LED fixtures. Street light spacing, wattages, and locations will be determined during the improvement plan review process.
37. Electrical boxes for new and/or relocated street lights and signals shall be provided with grounded vandal resistant inserts, McCain Tamper Resistant Inserts or City approved equal, in street light pull boxes at locations as

directed by the City. Catalog cuts shall be provided with the first plan check submittal for review and approval by the City Engineer. The street light improvement plans shall include the following note; "The contractor may use their own locks during construction for ease of access, however once the • conductors in the pull box are live the contractor shall coordinate with the City Inspector to have the City lock installed, Electrical pull boxes in planter strips shall be provided with a 2-foot concrete apron around box."

38. With the exception of existing overhead electrical main feeder lines, all existing wire-distributed utility facilities which are on the proposed or existing rights-of-way, roadways, walkways, easements, etc. within the subject subdivision or along roadways required to be improved in conjunction with the subject subdivision may be required to be removed and undergrounded prior to the construction of proposed improvements and all poles along the frontage(s) shall be removed. All existing overhead service drops which emanate from the existing poles and overhead facilities required to be removed and undergrounded, and which serve existing structures on both sides of the street within the boundaries of the road improvements of the subject subdivision shall be undergrounded to the main service switch or service entrance to such structures. Where existing overhead electrical main feeder lines are left overhead, conduit shall be placed in the ground to provide for future undergrounding of the lines.
39. New services (electrical, telephone, cable or conduit) to new structures shall be underground.
40. Developer shall coordinate, and where necessary, pay for the relocation of any power poles or other existing public utilities, as necessary.
41. Two copies of the Phase 1 Environmental Site Assessment shall be included with the submittal of the first plan check. One copy is to be submitted directly to the Fire Department and review fee paid, a copy of the receipt shall be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.

TRAFFIC

42. The height of signs, vegetation or other obstructions near street intersections shall maintain clear line of sight for all vehicles approaching the intersection to the satisfaction of the City Traffic Engineer during review of (Building Permit, Encroachment Permit, Improvement Plans). •
43. Vegetation over 3-feet in height shall be planted no closer than 40-feet from stop bar of stop sign controlled intersections.

PRIVATE PARKING PARCEL AND DRIVEWAY IMPROVEMENTS

44. The common parking parcels shall be covered by joint access and utility easements. (Note: the California Department of Real Estate may require the formation of a homeowners association for maintenance of common facilities.)

45. The parking lot shall be built to Standard 270 and bordered with concrete curb and gutter.
46. Clear backup of 46-feet from garage face to opposing face of curb shall be provided on all driveways.
47. Parking spaces in front of garage faces in common driveways shall be a minimum of 19-feet by 9-feet and perpendicular to the garage face. If no parking is allowed in front of garage faces the driveway approach shall be 5-feet or less.
48. Drive aisles through common driveways shall be a minimum width of 12-feet for one-way traffic and 24-feet for two-way traffic. If parking is proposed along the driveway these minimums may be increased. The full length of common driveways shall be paved.
49. Private street lights shall be installed on all private streets and shall meet City Standards for minimum average maintained foot-candle and the uniformity ratio for a minor street. All private lighting shall be owned and maintained by the homeowners' association. Private lighting fixtures shall be subject to staff review.

STORM DRAINAGE

50. Drainage facilities and drainage easements shall be provided to the satisfaction of the City Engineer or the Chief Engineer of the Sonoma County Water Agency at the subdivider's expense.
51. Drainage facilities shall be designed per the Flood Control Design Criteria manual of the Sonoma County Water Agency. If flows exceed street capacity, flows shall be conducted via an underground drainage system (with minimum 15" diameter and maximum 72" diameter pipe sizes) to the nearest approved downstream facility possessing adequate capacity to accept the runoff, per the City's design requirements. Such runoff systems shall be placed within public street right-of-way wherever possible.
52. Any off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
53. Lots shall be drained in a manner so as not to adversely affect the adjacent lot. No lot-to-lot overland drainage is permitted except that lots may drain overland to parking parcels. Cross-lot drainage shall be piped through a private storm drain easement. Lot drainage and private storm drain facilities shall be approved by the Chief Building Official or designated representative. Private drainage inlets and lines shall be required and shall be privately owned and maintained.

54. All drainage flows from offsite shall be intercepted at the property line and conveyed through a private system to discharge into the public right of way.
55. Concentrated drainage flows shall not be permitted to cross sidewalks, or slope areas subject to erosion problems.
56. An adequate drainage system shall be required to drain rear yards and patio areas. Private underground storm drain systems and drainage easements are required for any lot-to-lot drainage.

STORM WATER COMPLIANCE (SUSMP)

57. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMPs) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMPs, and shall include a maintenance schedule.
58. Perpetual maintenance of SUSMP BMPs shall be the responsibility of one or more of the following as approved by the City of Santa Rosa:
 - a. The individual homeowners fronting or owning these BMPs. Individual owners shall be responsible for performing and documenting an annual inspection of the BMPs on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.
 - b. A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMPs is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Department of Community Development for review.
 - c. A special tax district for public BMP facilities.
 - d. An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMPs is to be received by the City prior to acceptance of subdivision improvements.

59. A Final Storm Water Mitigation Plan (SWMP) using Best Management Practices (BMP) is to be included with the Improvement Plans and Final Map submitted for the First Plan Check. Private improvements required by the Final SWMP are to be contained on the individual properties and are maintained by the property owners. All SWMP details and improvements are

to be included in the Subdivision Improvement Plans. The maintenance schedule and the Final SUSMP are to be included as part of the CC&Rs recorded with the Final Map. The information sheet of the Final Map shall note the maintenance schedule required by the Final SUSMP is to be followed by the property owner and all logs are to be made available for review by the City on an annual basis.

60. Use of vortex separators for water treatment is not allowed in Santa Rosa. In-line filters used for water treatment are limited to those tested by independent testing laboratories and approved by the California Regional Water Quality Control Board. The filter separator currently approved for use in Sonoma County is limited to the Hydro International, www.hydro-international.biz, "Up-Flo Filter". Filter systems other than the approved "Up-Flo Filter" will require full testing data from an independent testing laboratory be submitted for review and approval by the California Regional Water Control Board prior to approval of subdivision improvement plans.
61. All SUSMP LID BMPs contained on Parcels A through C common area shall be owned and maintained by the HO and is subject to covenants, conditions, and restrictions which will be recorded contemporaneously with the filing of this map.
62. If a public Drainage Easement over any Parcel is determined during plan check to be needed, it shall be offered to and will be accepted by the City of Santa Rosa.

Water Department Conditions

WATER AND WASTEWATER

63. Water and sewer systems and appurtenances thereto shall be designed to serve the project in accordance with the City of Santa Rosa Design and Construction Standards and shall be constructed to the satisfaction of the City Engineer.
64. All underground improvements including sewer lines, water lines, storm drains, public utility facilities, and house services shall be installed, tested, and approved prior to the paving of any project streets.
65. This project is subject to the latest fees in effect at the time of connection or Building Permit issuance.
66. Fees for inspection of publicly maintained water and/or sewer facilities constructed with this project must be paid prior to scheduling of work as prescribed in City Specifications,
67. Install mains with constant alignment wherever possible, minimum 3-feet from the lip of gutter 4-feet from centerline monuments.

Mains and Non-Potable Pipelines" (See Appendix "A" of the Santa Rosa Water Distribution Standard Specifications) and any modifications herein or as approved by both the SWRCB Division of Drinking Water and the Water Department Director. 4-inch and larger service laterals shall the same separation requirements as water mains.

82. The minimum horizontal separation from storm drains, monuments, gas, electrical, and telephone lines shall be 4 feet clear between facilities, or from a metallic pipeline with an induced current or from an anode field shall be 5 feet, except at crossings.
83. All public water mains shall be designed a minimum of 5 feet from all structures, such as manholes or drop inlets. Provide a minimum of 3 feet separation from the lip of gutter to edge of pipe for future maintenance. The edge of water main pipes shall be designed a minimum of 5 feet from the edge of easements.
84. All water main trenches that are parallel to and deeper than the footing of any adjacent structure must be designed at least 45-degrees from the footing as required in the Uniform Plumbing Code. Any exceptions must first be approved in writing by the Director of Santa Rosa Water and the Chief Building Official, and shall comply with all applicable Codes and Regulations. (See City Std. 517)
85. Water mains installed outside of any roadway, called "cross-country mains", shall be Ductile Iron Pipe (DIP) and shall have suitable access for maintenance by City personnel and vehicles. Cross-country mains shall be designed and constructed with isolation valves installed in the public right-of-way and shall be identified with blue locating posts (Carsonite 492 CW-.112 or an approved equivalent) at approximate 500' intervals, at any angle point, and at the entrance to an easement. Stakes should have vandal proof metal bottoms. Access requirements as established in Section XIV of the Sanitary Sewer System Design Standards may be imposed on a project based on site conditions.
86. If not already installed by the developer of the southerly project across Acacia Lane, the applicant shall extend the 8-inch public water main in Acacia Lane per City File Number (2013-0040). Otherwise the applicant shall connect to existing public water main.
87. The applicant shall extend an 8-inch public water main in Winding Creek between Parcel C and Acacia Ln, connecting to the existing main in Acacia Ln per City Standards.
88. The applicant shall extend an 8-inch public water main from the main in Winding Creek through a public water easement to service lots 1 through 10, 18 and 19 per City Standards.
89. The applicant shall extend an 8-inch public water main from the main in Acacia Ln through a public water easement to service lots 11 through 17 per City Standards.

90. Connection to the existing main will require a shut down for a tie-in inspection. Call Water Engineering Services for fees and scheduling. Advance notice is required.
91. Water services and meters must be provided per Section X of the Water System Design Standards and shall be sized to meet domestic, irrigation and fire protection uses. Any services placed in driveway areas shall have meters with traffic rated boxes.
92. Domestic water meters located within public utility/water easements must be readily accessible for reading and maintenance.
93. Backflow prevention devices shall be designed and installed in accordance with current City Standards, State Health Code Title 17, and as required by the Director of Utilities.
94. Reduced Pressure back flow per City Standard 876 will be required on all irrigation services.
95. Double check back flow per City Standard 875 will be required on all water services. The flow calculations shall be submitted to the Santa Rosa Water Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing.
96. Design of hydrant locations shall be per City Standard 857, meet the Fire Code requirements and must be approved by the Fire Department for logistics and by Santa Rosa Water Department for maintainability.
97. Any existing water service that will not be used must be abandoned at the main per City Water System Design Standards Section XVIII, Abandonment of Water Mains and Services and City Standard 507 under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Water Engineering Services at 543-3950 to arrange pick up.
98. If a well exists on the property, one of the following conditions apply:
 - e. Retention of wells must comply with City and County codes. An approved backflow prevention device must be installed on any connection to the City water system.
 - f. Abandonment of wells requires a permit from the Sonoma County Permit and Resource Management Department.
 - g. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed
99. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed.
100. Any existing septic systems shall be removed under supervision of project Soils Engineer. Obtain Permits from the Sonoma County Permit and Resources Management Department. Obtain a City Building permit if an existing structure is being converted from a connection to the septic system to the public sewer system.

101. Where bio swales are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check. No bio swales or SUSMP BMP LID improvements shall cross public sewer, water, or storm drain utilities.
102. Provide a separate Irrigation service. See Section X. 0. of the Water System Design Standards.

Fire Department Conditions

103. Illuminated premise identification shall be provided per Fire Department standards. An illuminated monument sign may be provided at the main entrance.
104. Fire Department access is required to be provided to within 150 feet of all-sides of the building along an approved path on a minimum 20-foot-wide unobstructed roadway.
105. A minimum fire flow in accordance with CFC, Chapter 5 and Appendixes B & C is required for this project. A fire hydrant shall be provided within 400 feet of all-sides of the structures along an approved path.
106. All buildings shall be protected by automatic fire sprinklers.
107. Traffic calming measures on private property are not approved as a part of this review. (i.e. speed bumps, humps, speed tables or undulations.)
108. A Phase 1 Environmental Site Assessment shall be submitted at the Fire Department, including the review fee. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and approved the Phase 1 ESA study.
109. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.
110. During development of site the vegetation growth shall be maintained in accordance with the City's Weed and Rubbish Abatement ordinance.

Recreation and Parks Department Conditions

111. Street trees will be required and planted by the developer. Selection will be made from the City's approved master plan list and approved by the City's Parks Division. Planting shall be done in accordance with the City "Standards and Specifications for Planting Parkway Trees." Tree planting locations shall be marked by the City Parks Division Tree Section personnel. Contact Parks Division Tree Section 543 3422. Copies of the master street tree list and the standards are available at the Parks Division Office, 543 3770.

112. Park acquisition and/or park development fees shall be paid at the time of building permit issuance, unless a later time is otherwise allowed by City Code. The amount shall be determined by the resolution in affect at the time.

The Development Advisory Committee is an administrative committee designed to inform the Planning Commission of technical aspects of various matters which the Commission is to consider. The report of the Committee in no way constitutes approval or denial of the item under decision. Final approval or denial rests with the Planning Commission and/or City Council and may or may not be subject to terms of this report.

Recommendation

 ... (;/ Approval with conditions as set forth in this report

 Continuance

 _ _ _ _ Denial - Reasons:

 Final action referred to the Planning Commission

C
Deputy Director Planning
Planning and Economic Development

RESOLUTION NO. 11969

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.

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.

- 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.)

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: (7) Chair Cisco, Vice Chair Weeks, Commissioner Carter, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie, and Commissioner Peterson

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

APPROVED: _____
PATTI CISCO, CHAIR

ATTEST: _____
CLARE HARTMAN, EXECUTIVE SECRETARY