

RESOLUTION NO. 12079

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING A TENTATIVE PARCEL MAP FOR THE HEARN VETERANS VILLAGE SUBDIVISION, TO SUBDIVIDE A 2.01-ACRE PARCEL INTO FOUR LOTS, LOCATED AT 2149 WEST HEARN AVENUE – ASSESSOR’S PARCEL NUMBERS 134-011-012 & 013 - FILE NUMBER MIN21-001

WHEREAS, on February 17, 2021, an application was submitted by Community Housing Sonoma County requesting approval of the Tentative Parcel Map (Project), prepared by BKF Engineers, for the subdivision of a 2.01-acre site consisting of one parcel being split into four lots, more particularly described as Assessor's Parcel Number 134-011-013, and on file in the Planning and Economic Development Department; and,

Where on May 5, 2021, a revised Tentative Parcel Map was submitted that addressed Planning review issues; 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,

WHEREAS, on December 9, 2021, 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 heard the evidence and reviewed the proposed findings, if any, submitted by the applicant; and,

WHEREAS, the Planning Commission adopted the Hearn Veterans Village Addendum to the Final Environmental Impact Report for the Roseland Area/Sebastopol Road Specific Plan.

WHEREAS, the proposed subdivision complies 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.); and,

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of one parcel into four parcels 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. The proposed map is consistent with the Santa Rosa General Plan 2035, as specified in Government Code Sections 65451 and 66474.5 in that the project site is located in an area designated by the General Plan Land Use Diagram as Very Low Density Residential, which allows residential development at a density of 0.2 to 2.0 units per acre. The project is proposed at a density of 2.0 units per acre; and

- B. The proposed subdivision meets the housing needs of the City in that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City, and that the project provides four residential lots for future housing. City Staff has reviewed the project plans and determined that there is adequate water and sewer capacity; and
- C. The design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision in that lot size and configuration would permit orientation of residential structures to maximize southern exposure and to take advantage of prevailing breezes; and
- D. 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. (Ord. 3396 § 1, 1998; Ord. 2622 § 1, 1987); and
- E. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that the Hearn Veterans Village Addendum to the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environmental Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030) was prepared in compliance with CEQA Guidelines Section 15164 and was reviewed by City Staff who determined that the project would not cause new significant environmental effects or substantial increases in the severity of significant effects beyond those previously identified in the 2016 FEIR.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines that the said tentative parcel 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 parcel 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 Hearn Veterans Village Tentative Map dated May 5, 2021, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report (DAC), dated June 10, 2021, attached hereto and incorporated herein.
2. Project shall comply with all environmental conditions of approval, dated November 2021, attached hereto and incorporated herein.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 9<sup>th</sup> day of December 2021 by the following vote:

AYES: (5) Chair Weeks, Vice Chair Peterson, Commissioner Carter, and Commissioner Cisco

NOES: (0)

ABSTAIN: (1) Commissioner Okrepkie

ABSENT: (1) Commissioner Holton

APPROVED: *Karen Weeks*  
Karen Weeks (Dec 15, 2021 17:45 PST)  
KAREN WEEKS, CHAIR

ATTEST: *Jessica Jones*  
JESSICA JONES, EXECUTIVE SECRETARY

Exhibit A - DAC Report dated June 10 ,2021

Exhibit B - Environmental Conditions of Approval dated November 2021

DEVELOPMENT ADVISORY COMMITTEE  
(June 10, 2021)

HEARN VETERANS VILLAGE

**Project Description**

The project is proposing to subdivide a 2.01-acre lot into four individual lots. The Gross Site Acreage (2.01 acres) results from a Lot Line Adjustment affecting Parcel 134-011-012 (2.49 acres) and Parcel 134-011-013 (0.62 acres). The project site is zoned RR-20-RH (Rural Residential-Rural Heritage), and, in compliance with the RR-20 zoning designation, the four proposed parcels will range in size from approximately 20,000 to 25,000 square feet.

LOCATION.....2149 West Hearn Avenue

APN.....134-011-012 & 134-011-013

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

ZONE CLASSIFICATION

EXISTING .....RR-20-RH (Rural Residential-Rural Heritage)

OWNER/APPLICANT .....Community Housing Sonoma County

ADDRESS.....131 A Stony Point Circle Suite 500  
Santa Rosa, CA 95401


ENGINEER/SURVEYOR .....BKF Engineers


ADDRESS.....200 4<sup>th</sup> Street, Suite 300  
Santa Rosa, CA 95401

REPRESENTATIVE .....Andrew DeZurik

ADDRESS.....200 4<sup>th</sup> Street, Suite 300  
Santa Rosa, CA 95401

FILE NUMBER .....MIN21-001

CASE PLANNER .....Monet Sheikhal 

PROJECT ENGINEER.....Jesus McKeag 

## Conditions of Approval

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on plans stamped received May 5, 2021.

1. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Division of the Planning & Economic 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. **The tentative map shows wetlands, which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.**
4. 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.

### Planning Conditions

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

RESERVE "A"		4			
RESERVE "B"					
	2021	2022	2023	2024	2025

6. 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.

7. 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.
8. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
9. Provide an area where trash receptacles can be stored where they are not visible from the public right-of way.
10. No signs are approved as part of this project
11. Compliance with the City's Graffiti Abatement Program for Graffiti Removal (City Code Section 20-17.080)

### **Building Conditions**

12. Obtain a demolition permit for structures to be removed.
13. 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.
14. Obtain building permits for the proposed project.

### **Engineering Conditions**

#### **PUBLIC EASEMENT DEDICATION**

15. All costs associated with map, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the developer. Required public easements not listed in this section are referenced within the appropriate sections of these conditions and/or the Standard Conditions.
16. The following public easements shall be dedicated to the City on the face of the Parcel map:
  - a. A public pedestrian and bicycle access easement through the Private Street/Emergency Vehicle Access (EVA) to the satisfaction of the City Engineer in consultation with the City Traffic Engineer.
  - b. An EVA easement to the satisfaction of the City Engineer in consultation with the Fire Department.

- c. A no-build easement or similar over the existing wetlands including an appropriate setback from said wetlands to the satisfaction of the City Engineer and all other regulative stakeholders.
17. No private utilities such as water service laterals, sewer service laterals or fire mains are permitted to run parallel in a public utility easement (PUE) joint trench areas.
18. This is a Minor Subdivision creating 4 residential units. The formation of a Homeowners Association (HOA), responsible for ownership and maintenance of the common site improvements will be required for this subdivision unless private maintenance agreements indicating the responsibilities of each lot are recorded prior to or contemporaneously with the Parcel Map. If an HOA is required, the documents creating the HOA and the Covenants, Conditions and Restrictions (CC&Rs) governing the HOA 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.

#### **MAPPING, PRIVATE EASEMENTS AND MAINTENANCE AGREEMENTS**

19. All private easements necessary to the creation of the resultant parcels shall be shown on the face of the map or granted by separate instrument if they benefit offsite parcels to the satisfaction of the City Engineer. Conformed copies of any separate instrument document shall be presented to the City prior to recordation of the Parcel Map.
20. A Parcel Map as defined by the applicable provisions of the State of California Subdivision Map Act shall be required for this 4-unit subdivision. 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.
21. 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.
22. This is a common interest subdivision and private improvements shall be reviewed and approved by the City Engineer together with public improvements. Recording of the Final Map will be subject to bonding for public and common improvements and the execution of a Subdivision Improvement Agreement with the City.
23. The lot line adjustment, LLA20-009, shall be recorded and any work necessary to creation of the resultant parcels of this LLA shall be completed prior to approval of the Improvement Plans.

24. The 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.”

## **PUBLIC STREET IMPROVEMENTS**

25. 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 developer 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.
26. 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.
27. An Encroachment Permit must be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements.
28. To the extent that any area of existing or proposed sidewalk is or shall be situated outside of current City right of way, a sidewalk easement shall be dedicated to the City.
29. A public utility easement (PUE) shall be dedicated over the alignment of the travelled way of the Emergency Vehicular Access (EVA). No private improvements shall encroach into the PUE per City Code 20-16.140, A, 1, a, including but not limited to LID BMPs.
30. The EVA road shall be a private street and exclusively maintained by the project’s Home Owner’s Association or by the home owners through a joint maintenance agreement.
31. The EVA shall extend through the project site from W Hearn to the northerly property line of Lot 3 with an alignment and width that is in general conformance with the design shown on the tentative map.
32. The EVA shall be improved to a width of 24-feet and shall have a minimum of 0.25-feet of asphalt concrete over 0.50-feet of Class II aggregate base.



33. Existing bollards at the intersection of the EVA and W Hearn Ave and at the northerly property line of Lot 3 shall be removed. A gate or other barricade shall be installed across the fire apparatus access road at the northerly property line of Lot 3 to the satisfaction of the Fire Department. This gate or other barricade shall not block pedestrian or bicycle access through the EVA alignment.
34. A Variance is granted to allow the 90-degree parking along in lieu of standard parking lanes along the EVA.
35. Private Streets and driveways shall be signed to restrict parking to tenants and visitors, etc., and to marked parking bays. Red curbing may also be required by the Fire Department. Note: No City enforcement of "no parking" signs or other such regulatory signs shall not be provided for Private Streets.
36. The conform of the EVA with W Hearn shall be with a City Standard 252 Driveway Conform for Unimproved Streets. A concrete header shall extend across the conform line to distinguish the public and private street.
37. W Hearn Ave is a Transitional Street according to the General Plan. Further, as a condition of the annexation of this area (SWSR 1-02 - 10/31/2017 - 2017-054 - 789M40,76) the Standard that shall be applied is the STD 200 K Interim Street with a minimum curb to curb width of 24-feet. This Standard normally calls for an AC berm and a 5-foot pedestrian path. However, Note 5 of this Standard states that existing conditions may alter the design (no ped path, no AC berm, etc.) as approved by the City Engineer. This project is not installing the AC berm or pedestrian path in order to avoid wetlands along the frontage. The existing sidewalk easement (SWE, DN 2010-100172) and PUE (same DN as SWE) shall remain.
38. The portion of the cul-de-sac bulb as shown on Volkerts Homesites Final Map (57m25-26, recorded 2-20-47) that is not needed to support the proposed frontage of W Hearn Ave through this corridor shall be Vacated on the face of the map. SWE and PUE in alignment with DN 2010-100172 shall be dedicated over the portion of the cul-de-sac bulb on the face of the map.
39. Improvements to W Hearn Ave shall consist of the installation of:
  - a. Street section to accommodate a 12-foot westbound travel lane along the frontage of Lot 1 and the EVA conform.
  - b. Street repair work as determined by the Materials Lab during plan check for the Final Parcel Map and Improvement Plans.
  - c. A 6-inch wide by 12-inch high concrete header along the edge of pavement and EVA conform.

- d. Any necessary drainage work to prevent roadway inundation as determined during plan check for the Final Parcel Map and Improvement Plans and detailed in the STORM DRAINAGE section of these conditions.
- 40. 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%.
- 41. Existing streets being cut by new services will require edge grinding per City Standard 209, trenching per Standard 215, and an A.C. overlay.
- 42. This project shall underground existing overhead utilities per section 13-12.250 of the Santa Rosa City Code.
- 43. New services (electrical, telephone, cable or conduit) to new structures shall be underground.
- 44. Developer shall coordinate, and where necessary, pay for the relocation of any power poles or other existing public utilities, as necessary.

#### **TRAFFIC AND LINE OF SIGHT**

- 45. All traffic signage and striping shall be to the satisfaction of the City Engineer in consultation with the City Traffic Engineer.
- 46. In order to tow vehicles parked in fire lanes, private owners including Home owners Associations shall install signs in addition to standard fire lane markings, in plain view at all entrances to the property, pursuant to California Vehicular code section 22658.
- 47. 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).
- 48. Vegetation over 3-feet in height shall be planted no closer than 40-feet from stop bar of stop sign controlled intersections.

#### **PRIVATE DRIVEWAY IMPROVEMENTS**

- 49. The Private Driveway shall be installed as follows;
  - a. The width shall be 20-feet curb to curb.
  - b. The Driveway shall conform with the Private Street/EVA with minimum 20-foot radius returns.
  - c. All curbs along Private Driveway subject to drainage collection and direction to BMPs shall have a City Standard 241 curb and gutter. A curb without gutter may be installed along the opposite side.

- d. The Valley Gutter that crosses the parking bay westerly of the north-south oriented leg of the Fire Department Turnaround shall be per City Standard 243.
  - e. All parking bays along the Private Driveway shall be signed as to who has the right to use them and marked as compact if they are less than the standard length.
  - f. The Fire Department Turnaround shall be similar to City Standard 206, including 20-foot radius curb returns but with extended legs. The legs of this Turnaround shall be signed no parking or have red painted curbs to the satisfaction of the fire Department. Alternatively, if parking bays are intended at the ends of the legs, the previous condition applies to them. In no case shall the unimpeded length of the legs be less than the standard.
  - g. The Private Driveway shall be covered by joint access and utility easements. (A separate joint maintenance agreement shall be provided for each pair of lots served by a common driveway. Note: the California Department of Real Estate may require the formation of a homeowner's association for maintenance of common facilities.)
  - h. The driveway shall be built to City minor street structural standards.
50. Trash enclosures shall be covered to prevent any storm water contact with waste trash bins and receptacles. Any floor drains shall be plumbed direct to a grease interceptor and have no direct connection to City sanitary sewer or storm drain systems.
51. Installation and Maintenance of red curbing, fire lane signage, striping and all other fire lane markings or designators required by the Fire Department on Private property and private streets or driveways shall be the responsibility of the property owner or Homeowner's association (HOA). Fire lanes shall be designated with signs, red curbs and or pavement striping and marked per Fire Department Standards for all fire apparatus access roads.

## **STORM DRAINAGE**

52. Drainage facilities and drainage easements shall be designed per the Flood Control Design Criteria manual of the Sonoma County Water Agency to the satisfaction of the City Engineer at the developer's expense. Hydrology and Hydraulic design of the storm drain system shall conform to Sonoma County Water Agency (SCWA) criteria and City of Santa Rosa Design and Construction Standards.
53. Systems designed to accommodate storm events larger than 1.0 inch in a 24-hour period are subject to approval by SCWA. This project design shall adequately address all storm events per the City Standards and the most current SCWA Flood Management Design Manual dated March 2020. This may require an extension of the public storm drain system, onsite retention with a

release metered so as not to exceed allowable flows, onsite detention of adequate capacity, or another method as determined to the satisfaction of the City Engineer and SCWA.

54. 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.
55. Provide storm drain and easements for any lot to lot drainage. Lots shall be drained in a manner so as not to adversely affect the adjacent lot. No lot-to-lot overland drainage is permitted (the exception is for lots draining to a common driveway). 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.
56. Concentrated drainage flows shall not be permitted to cross sidewalks, or slope areas subject to erosion problems.
57. Drainage from landscape areas shall not cross over curb or sidewalk and are to outlet to a street through City Standard detail thru-curb drains.
58. Private drainage systems are to be connected to a public system from a private field inlet located behind the sidewalk and through a minimum 15-inch storm drain pipe through the public right-of-way to a public drainage structure. No blind connections are permitted into the public storm drain system. Install a 4-foot manhole, manhole ring and cover per City Standard 400 at all connections points to pipe that does not have a junction structure at the connection point.
59. 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 & SWPPP)**

60. The developer's engineer shall comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual. Final Plans shall incorporate all Standard Storm Water Low Impact Development Plan (SWLID) Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Plans shall be accompanied by a City approved Declaration of Maintenance Agreement to assure continuous maintenance in perpetuity of the SWLID BMP's and shall include a maintenance schedule to be implemented by the owner.

61. Perpetual maintenance of SUSMP BMPs shall be the responsibility of one or more of the following as approved by the City of Santa Rosa:
  - i. 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.
  - ii. 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.
- b. A special tax district for public BMP facilities.
- c. An alternate means acceptable to the City of Santa Rosa.
62. The SWLID "Declaration of Maintenance" document shall be recorded at the Sonoma County recorder's office prior to grade permit issuance or as required by the Building Official. A recorded copy of the document shall be given to the City of Santa Rosa EDS division for their records.
63. After the SWLID BMP improvements have been constructed, the developers Civil Engineer or qualified professional 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 BMP's is to be received by the City prior to acceptance of the improvements.
64. A Storm Water Pollution Protection Plan (SWPPP) or erosion control plan shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project shall comply with all current State Water Board General Construction Permit Requirements.
65. Note on the plans that "No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of any nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area."
66. Where bio swales or BMP facilities are located in landscape strips, other utilities such as DDCV, joint trenches, backflow/reduced pressure devices, solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the bio swales/water infiltration or collection. Each trench crossing shall extend the length of a

bioswale by 5 additional linear feet. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check. BMPs shall not be located within a Public utility easements or access easement.

67. The Civil Engineering plans shall show sufficient construction details and dimensions of each BMP device on the drawings, so the BMP may be replaced in the future. Landscape plans and civil plans shall be coordinated with the approved SWLID report and show the BMP locations clearly to prevent them from being filled in with landscape materials.
68. All BMP's shall be constructed using the LID manual construction details, priority type 1 or 2, using landscaped based infiltration/storage. BMPs constructed using any other detail other than priority 1 or 2 devices shall be reviewed and approved by the State Water Board. Provide a copy of any approval letter for alternative BMP installations from the Board to the City for its files.
69. Install a trash capture device per the SWLID permit at the project storm drainage outfall on private property. The owner shall maintain the device for perpetuity.

#### **GRADING** (from Building Memo dated March 17, 2021)

70. Obtain a demolition permit for structures to be removed.
71. 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.
72. Obtain building permits for the proposed project.

#### **WATER AND WASTEWATER**

73. 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.
74. All existing public sewer and water mains shall be contained within an appropriately sized public easement.
75. All water meters shall be located within public right of way or water easements and multiple meters shall be clustered where possible. Water easements shall be dedicated over the first valve of the Double detector check valve, public water meters and public fire hydrants and other public utilities. Easements shall be determined during first plan check to the approval of the City Engineer.

76. Separate sewer laterals and water services shall be installed for each lot maintaining minimum separation between each and from all other piped utilities per City Code and Standards, the California Plumbing Code, and California Code of Regulations Title 22, Chapter 16 "Waterworks Standards" as applicable.
77. All underground improvements including sewer lines, water lines, storm drains, and public utility facilities, shall be installed, tested, and approved prior to the paving of any project streets.
78. Private water, fire, sewer and storm drain mains shall not be permitted within the joint trench PUE. Public water meters or backcheck devices shall not be located under private asphalt, sidewalks and driveways.
79. This project is subject to the latest fees in effect at the time of connection or Building Permit issuance.
80. 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.
81. Demand fees and meter sizes are to be determined based on use and area in conjunction with review of building plans. The information sheet of the Final Map shall be annotated 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 shall be paid prior to the issuance of a Building Permit for the respective lot. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes shall be listed on the information sheet of the Final Map.
82. Install mains with constant alignment wherever possible, minimum 3-feet from the lip of gutter 4-feet from centerline monuments.
83. Private mains shall be a minimum of 6" in diameter and public mains shall be a minimum of 8" in diameter. Connections between private and public sewer mains shall be at manholes. Public water mains must be sized to meet criteria per Section VII of the Water System Design Standards.
84. For purposes of leak detection and maintenance access, no reinforced concrete may be designed over publicly maintained water or sewer facilities. Un-reinforced concrete will be allowed under special circumstances such as crosswalks. Water system valves must be located outside of the concrete area.
85. The applicant shall extend an 8-inch public sanitary sewer main from City SS Manhole JJ2708MH059 to Lot 1 ending at the southerly-most point that City Standard minimum cover allows in a Standard 505 Permanent Mainline Cleanout.

86. The applicant shall extend a private sanitary sewer main of sufficient length to serve Lots 3 and 4 per the Universal Plumbing Code current at the time of Public Improvement Plan submittal. This private sewer main shall connect to the public system in the EVA at a manhole per City Standards. This main shall be private unless otherwise determined by the City Engineer through a variance process.
87. Private sewer mains shall adhere to City Design Standards providing gravity flows with minimum 2-FPS velocity and shall be no larger than the public main in the street. Private sewer mains shall be connected to the public system at manhole structures from private manhole locations behind the right of way. Private sewer mains shall be noted on the Subdivision Improvement Plans as private up to the connection to the public manhole. Changes in size, grade, or alignment in the private sewer main shall be done through manhole structures.
88. The separate sewer lateral installed for each lot shall be sized to meet domestic uses.
89. Any existing sewer lateral that will not be used must be abandoned at the main per City Sewer System Design Standards Section XII, Abandonment of Sewer Mains and Services and City Standard 507 under an encroachment permit.
90. Public water mains must be sized to meet criteria per Section VII of the Water System Design Standards. Water mains shall be located parallel to street centerlines unless conflicts with other underground utilities cannot be avoided.
91. The applicant shall remove the blow off at the conform of the EVA and extend the 8-inch public water main along the full length of Lot 1 ending in a City Standard 861 Permanent Blow Off.
92. 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.
93. 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. Water services and meters shall be sized to meet domestic uses.
94. 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.
95. Reduced Pressure back flow per City Standard 876 will be required on all irrigation services.
96. Double check back flow per City Standard 875 will be required on all domestic 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.

97. Existing fire hydrant shall be moved to the satisfaction of the Fire and Water Departments. 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.
98. 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.
99. If a well exists on the property, one of the following conditions apply:
  - i. 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.
  - ii. Abandonment of wells requires a permit from the Sonoma County Permit and Resource Management Department.
  - iii. 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. Due to the public water main extension, a fire flow test shall be completed at the time of the tie in of the project to the City system. The hydrant which shall most likely produce the least flow shall be tested. In the case of a project that has multiple dead-end systems such as cul de sacs, a fire flow test shall be completed at the hydrant on each separate cul de sac or dead-end system. The fire flow shall meet the requirement for the project before the project is accepted. The City shall perform the fire flow test. The fee to have the test performed shall be paid to the Utilities Department prior to the test being performed.
103. If adequate fire flow cannot be achieved from a single feed, applicant shall be required to loop the existing water system.

104. Applicant shall provide Fire flow calculations for project indicating compliance with CFC Appendix III-A. Due to the limited access to the site, increased fire protection shall be required for Fire Department approval above the minimum adjusted fire flow available to provide 1500 gpm in residential and commercial developments or as approved by the Fire Department.
105. Irrigation services are subject to Section X. O. of the Water System Design Standards.
106. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on October 27, 2015. Plans shall be submitted with the Building Permit application. Submit the following with the above-mentioned plans: Maximum Applied Water Allowance form, Hydrozone Table form, and Certificate of Completion form.

### **Fire Department Conditions**

107. Projects shall be designed in compliance with established regulations adopted by the City of Santa Rosa affecting or related to structures, processes, premises and safeguards regarding the following:
  - a. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
  - b. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
  - c. Fire hazards in the structure or on the premises from occupancy or operation.
  - d. Matters related to the construction, extension, repair, alteration or removal of the fire suppression or alarm systems.
  - e. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.
108. Fire service features for buildings, structures and premises shall comply with City adopted building standards.
109. Permit(s) shall be required as set forth in adopted California Building Code (CBC) Section 105, California Residential Code (CRC) Section R105 and California Fire Code (CFC) Sections 105.6 and 105.7. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a

registered design professional. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional.

- a. Construction documents shall be dimensioned and drawn on suitable material. Electronic media documents shall be submitted. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of adopted codes and relevant laws, ordinances, rules and regulations, as determined by the code official.
  - b. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with adopted codes and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.
  - c. The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of adopted codes. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.
  - d. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.
  - e. Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents, hydraulic calculations and material specifications for fire hydrant, fire protection or detection systems shall be submitted to the fire department for review and approval prior to construction.
110. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except where approved alternative methods of protection are provided.

111. For the purposes of prescribing minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations. building, facilities and premises in the course of construction, alteration or demolition, including those in underground locations shall be in compliance with CFC Chapter 33 and NFPA 241.
112. New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with CFC Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and CFC Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a monument, pole, or other approved illuminated sign or other approved means shall be used to identify the structure. Address identification shall be maintained.
113. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction, in accordance with CFC Section 507 and Appendices B & C.
  - a. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by adopted CFC Appendix B.
  - b. Fire hydrant systems shall comply with adopted CFC Section 507.5.1 through 507.5.8 and Appendix C.
114. Fire apparatus access roads shall be provided and maintained in accordance with CFC Section 503 and Appendix D.
  - a. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
    - i. Should a gate be planned to the facility, the gate shall be automatic operating by strobe, equipped with a Knox Company key operated electric gate release switch with dual key option for the Police Department.

- ii. During a power failure, gate shall release for manual operation OR be equipped with standby power or connected to the building emergency panel.
    - iii. In addition to sending the request to exit signal to the gate operator, the magnetic detection loop (when activated) shall prohibit the gate from closing upon fire apparatus.
  - b. Developments of one- or two-family dwellings where the number of dwelling units served by a single access point exceeds 30 shall be provided with two separate and approved fire apparatus access roads. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
    - i. The existing EVA access roadway to Park Meadow Drive shall be developed to meet current Fire Department standards.
  - c. Required Fire Department access roads shall be signed “No Parking – Fire Lane” per current Fire Department standards.
    - i. Parking allowed only in designated spots. All curbs shall be painted red and posted “No Parking”.
  - d. A Fire Department key box shall be provided on the front of the structure for access to fire protection equipment within the building.
115. The provisions of the adopted CFC shall specify where fire protection and life safety systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems.
- a. Approved automatic fire sprinkler systems in new buildings and structures shall be provided in the locations described in adopted CFC Sections 903.2.1 through 903.2.20. Approved automatic fire sprinkler systems in existing buildings and structures shall be provided in locations described in adopted CFC Section 903.6.
    - i. Structure(s) will be required to be protected by an automatic fire sprinkler system.
116. A Phase 1 Environmental Site Assessment shall be provided to the Fire Department Hazardous Material Program for review. Phase 1 shall be approved prior to issuance of any grading, demolition or construction permit.

117. The following are a list of deferred plan submittal items that will be required by the Fire Department additional items may be called out based on proposed use(s) of commercial spaces:

- a. Fire Sprinkler System.
- b. Gates and barricades across fire apparatus access roads.


**Recommendation**

\_\_\_\_\_ Approval with conditions as set forth in this report

\_\_\_\_\_ Continuance

\_\_\_\_\_ Denial – Reasons:

Final action referred to the Planning Commission

  
\_\_\_\_\_  
WILLIAM ROSE  
Interim Deputy Director - Planning  
Planning and Economic Development

**ENVIRONMENTAL CONDITIONS OF APPROVAL**  
**Hearn Veterans Village Project**  
**November 2021**

**Air Quality**

**AQ-1:** BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition, building and grading construction plans and require implementation of the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
1. All haul trucks transporting soil, sand, or other loose material shall be covered.
2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on unpaved roads shall be limited to 15 mph.
4. All roadways, driveways, and sidewalks to be paved shall be completed as soon as practicable. Building pads shall be laid as soon as practicable after grading unless seeding or soil binders are used.
5. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
6. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation.
7. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**AQ-2:** The following BAAQMD additional mitigation measures shall be implemented throughout project construction:

1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
1. All excavation, grading, and/or demolition activities shall be suspended when the average wind speed exceeds 20 mph.
2. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
3. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

4. The simultaneous occurrence of excavation, grading, and ground disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any given time.
5. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
6. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

## **Biological Resources**

- BIO-1:** To offset the loss of grassland habitat (native forbs and native shrubs) for the special-status western bumble bee (*Bombus occidentalis*), native shrubs and herbaceous (forb) species, including lavender (*Lavendula sp.*), shall be identified in a revised landscaping plan and introduced onsite including plants known to benefit native bees shall be selected and may include but are not limited to coyote brush (*Baccharis pilularis*), sage (*Salvia spp.*), lupines (*Lupinus spp.*), various species of *Lotus* and *Acmispon*, gumplant (*Grindelia spp.*), and *Phacelia spp.* As part of the update to the landscaping plans, selected bee-friendly species and planting locations shall be confirmed by a qualified biologist.
- BIO-2:** Prior to the start of construction, a qualified biologist with a minimum of two years' experience surveying for badgers shall conduct a preconstruction survey of the site and adjacent habitat to identify any occupied burrows. Avoidance of occupied burrows shall be required, and a sufficient buffer as approved by CDFW shall be established, maintained, and monitored during construction. Should avoidance be infeasible and relocation of American Badger be proposed, a CDFW-approved relocation plan shall be developed for review and approval by the CDFW. Offsite habitat compensation shall be required for any impacts to occupied habitat. Habitat compensation acreage shall be approved by CDFW prior to the start of construction including establishment of a conservation easement and preparation and implementation of a long-term management plan, as required.
- BIO-3:** Consistent with requirements set forth by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife to prevent loss of California tiger salamander habitat within the Santa Rosa Plain, mitigation credits shall be purchased at a Service/CDFW-approved mitigation bank at a 2:1 ratio from a mitigation bank that is within the Critical Habitat for the species, unless different mitigation ratios are identified by the Service/CDFW during the ITP process. At a minimum, mitigation credits shall comply with the 2:1 ratio identified above. The total acreage to be developed is 2.01-acres, and as such the required mitigation shall be a minimum of 4.02-acres, unless otherwise specified by the Service/CDFW.
- BIO-4:** Prior to commencement of project construction, an Incidental Take Permit (ITP) shall be obtained from both the CDFW and the USFWS as prescribed in Section 2081 subdivision (b) of the Fish and Game Code and Section 10 of the Endangered species Act, respectively. Additionally, the following Reasonable and Prudent Measures for Avoidance and Minimization of Effects as described in the Programmatic Biological Opinion and Reinitiation of the Programmatic Biological Opinion or as otherwise directed by the USFWS and/or CDFW through Section 10 Consultation and the Fish and Game Code Incidental Take Permit provisions shall be implemented during project construction to avoid or minimize potential impacts of the project to the special-status CTS individuals that have the potential to occur or migrate onsite:



1. **Wildlife Exclusion Fencing (WEF).** Prior to the start of construction, WEF will be installed at the edge of the project footprint in all areas where Sonoma County California tiger salamanders could enter the construction area.

A conceptual fencing plan shall be submitted to the Service/CDFW for review and approval prior to WEF installation.

2. **Relocation Plan.** The Applicant shall prepare and submit a Relocation Plan for the Service/CDFW review and written approval. The Relocation Plan shall be consistent with the Guidelines for the relocation of California tiger salamanders (*Ambystoma californiense*) (Shaffer et. al. 2008). The Relocation Plan shall contain the name(s) of the Service/CDFW-approved biologist(s) to relocate Sonoma County California tiger salamanders, method of relocation (if different than number 3 below), a map, and description of the proposed release site(s) and burrow(s), and written permission from the landowner to use their land as a relocation site.
3. **Protocol for Species Observation, Handling, and Relocation.** Only Service/CDFW-approved biologists shall participate in activities associated with the capture, handling, relocation, and monitoring of Sonoma County California tiger salamanders. If a Sonoma County California tiger salamander is encountered, work activities within 50 feet of the individual shall cease immediately and the onsite Project Manager and Service/CDFW-approved biologist shall be notified.
4. **Biological Monitors.** Qualified Service/CDFW-approved biological monitor(s) will be on site each day during all earth moving activities. The biological monitor(s) shall conduct clearance surveys at the beginning of each day and regularly throughout the workday when construction activities are occurring that may displace, injure, or kill Sonoma County California tiger salamanders through contact with workers, vehicles, and equipment. All aquatic and upland habitat including refugia habitat such as small woody debris, refuse, burrow entries, etc., shall be duly inspected.
5. **Biological Monitoring Records.** The biological monitor(s) shall maintain monitoring records that include: (1) the beginning and ending time of each day's monitoring effort; (2) a statement identifying the listed species encountered, including the time and location of the observation; (3) the time the specimen was identified and by whom and its condition; (4) the capture and release locations of each individual; (5) photographs and measurements (snout to vent and total length) of each individual; and (6) a description of any actions taken. The biological monitor(s) shall maintain complete records in their possession while conducting monitoring activities and shall immediately provide records to the Service/CDFW upon request. All monitoring records shall be provided to the Service/CDFW within 30 days of the completion of monitoring work.
6. **Work Windows.** Ground disturbance will be conducted between April 15 and October 15, of any given year, depending on the level of rainfall and/or site conditions. This restriction is not applicable for areas within 1.3 miles of potential or known Sonoma County California tiger salamander breeding sites once the Applicant encircles the site with Wildlife Exclusion Fencing.
7. **Proper Use of Erosion Control Materials.** Plastic or synthetic monofilament netting will not be used in order to prevent Sonoma County California tiger salamanders from becoming

entangled, trapped, or injured. This includes products that use photodegradable or biodegradable synthetic netting, which can take several months to decompose. Acceptable materials include natural fibers such as jute, coconut, twine, or other similar fibers. Following site restoration, any materials left behind as part of the restoration, such as straw wattles, shall not impede movement of this species.

8. **Wildlife Passage Improvement.** When constructing a road improvement, wherever possible, and as directed by the Service/CDFW the Applicant will enhance or construct wildlife passage for the Sonoma County California tiger salamander across roads, highways, or other anthropogenic barriers. This includes upland culverts, tunnels, and other crossings designed specifically for wildlife movement, as well as making accommodations in curbs, median barriers, and other impediments to terrestrial wildlife movement at locations most likely to provide a net benefit to wildlife.
9. **Vegetation Removal.** A Service/CDFW-approved biologist will be present during all vegetation clearing and grubbing activities. Grasses and weedy vegetation should be mowed to a height no greater than 6 inches prior to ground-disturbing activities. All cleared vegetation will be removed from the project footprint to prevent attracting animals to the project site. Once the qualified biologist has thoroughly surveyed the area, clearing and grubbing may continue without further restrictions on equipment; however, the qualified biologist shall remain onsite to monitor for Sonoma County California tiger salamanders until all clearing and grubbing activities are complete.
10. **Nighttime Activities.** Construction and ground disturbance will occur only during daytime hours and will cease no less than 30 minutes before sunset and will not begin again prior to no less than 30 minutes after sunrise. Night lighting of Environmental Sensitive Areas should be avoided.
11. **Avoidance of Entrapment.** If a water body (e.g., pond or ditch) is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh smaller than 5 millimeters and intake placed within a perforated bucket or other method to attenuate suction to prevent Sonoma County California tiger salamander larvae from entering the pump system.
12. **Reduce Non-Native Aquatic Predators/Competitors.** A qualified biologist shall permanently remove from within the project area, any individuals of non-native species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible. The Applicant shall have the responsibility to ensure that these activities are in compliance with the California Fish and Game Code.
13. **Trash.** All foods and food-related trash items will be enclosed in sealed trash containers at the end of each day and removed from the site every three days.
14. **Agency Access.** If verbally requested before, during, or upon completion of ground disturbance and construction activities, the Applicant will ensure that Service/CDFW personnel can with 24 hour advance notice immediately and without delay, access and inspect the project site for compliance with the project description, Conservation Measures, and reasonable and prudent measures of the programmatic biological opinion and appendage, and to evaluate project effects to the Sonoma County California tiger salamander and its habitat.

**BIO-5:** To avoid or minimize potential impacts to nesting birds including passerines and raptors, the following measures shall be implemented:

1. Grading or removal of potentially occupied habitat should be conducted outside the nesting season, which occurs between approximately February 1 and August 31.
2. If grading between August 31 and February 1 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird survey (migratory species, passerines, and raptors) of the potentially occupied habitat (trees, shrubs, grassland) shall be performed by a qualified biologist within 7 days of groundbreaking. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey.
3. If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the occupied habitat until the young have fledged, as determined by a qualified biologist.
4. The radius of the required buffer zone can vary depending on the species, (i.e., 75-100 feet for passerines and 200-500 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with CDFW.
5. To delineate the buffer zone around the occupied habitat, orange construction fencing shall be placed at the specified radius from the nest within which no machinery or workers shall intrude.
6. Biological monitoring of active nests shall be conducted by a qualified biologist to ensure that nests are not disturbed and that buffers are appropriately adjusted by a qualified biologist as needed to avoid disturbance.
7. No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed.

**BIO-6:** Should construction activities occur during the burrowing owl wintering season (September 1 to January 31), a qualified biologist with a minimum of two years' experience implementing the CDFW 2012 survey methodology for burrowing owls shall conduct a habitat assessment for the entirety of the project and vicinity consistent with the Habitat Assessment and Reporting Details identified in the Staff Report on Burrowing Owl Mitigation, prepared by the State of California Natural Resources Agency Department of Fish and Game (now CDFW) on March 7, 2012.

If burrowing owl habitat is identified in the habitat assessment, a qualified biologist shall conduct surveys consistent with the Non-breeding Season Surveys and Reports contained in the 2012 CDFW Staff Report. Should there be a lapse in time between surveys and project activities, subsequent surveys shall be conducted as determined by a qualified biologist, including, but not limited to 24-hours prior to ground disturbing activities. Should burrowing owls be detected onsite, an avoidance buffer zone consistent with the CDFW 2012 Staff Report shall be established, unless otherwise approved in writing by CDFW. Should relocation be proposed, an eviction plan shall be prepared and subject to review and approval by CDFW. Offsite habitat compensation shall be required for any impacts to burrowing owls. Habitat

compensation acreage shall be approved by CDFW prior to the start of construction including establishment of a conservation easement and preparation and implementation of a long-term management plan, as required.

**BIO-7:** Indirect impacts to the seasonal onsite wetlands and the drainage ditch along West Hearn Avenue shall be avoided by implementation of best management practices (BMPs) prior to earth-work to protect jurisdiction waters of the U.S./State that will remain. Construction exclusion zones shall be established by installing appropriate construction fencing, silt fencing, wildlife friendly hay wattles (no monofilament netting), gravel wattles, and other protective measures between project activities, seasonal wetlands, and the drainage ditch along West Hearn Avenue.

All non-native, invasive vegetation removed shall be discarded offsite and away from wetland areas to prevent reseeding.

Prior to implementation of the construction project, a biological monitor shall inspect installation of BMPs to ensure proper protection of the seasonal wetlands and drainage ditch are in place. BMPs shall thereafter be routinely inspected by the construction manager to ensure BMPs remain in place for the duration of the construction project. Upon completion of project construction all exclusion fencing shall be removed along with any temporary BMPs.

### **Cultural Resources**

**CUL-1:** To ensure the project does not result in impacts to potential buried archaeological resources onsite, the following shall be implemented:

1. **Cultural Resource Awareness Training.** Prior to commencement of ground-disturbing activities, a professional archaeologist shall conduct a preconstruction Cultural Resource Awareness Training for project supervisors, contractors, equipment operators, and other construction personnel. The training shall familiarize individuals with the potential to encounter prehistoric artifacts or historic-era archaeological deposits, the types of archaeological material that could be encountered within the Project Area, and procedures to follow if archaeological deposits and/or artifacts are observed during construction.
2. **Archaeological Monitoring.** During initial grading and grubbing activities, a Secretary of the Interior-qualified archeologist shall be onsite to monitor activities.
3. **Post-review Discoveries.** If an archaeological deposit is encountered during Project-related, ground-disturbing activities, all work within 50 feet of the discovery shall be redirected until a Secretary of Interior-qualified Archaeologist inspects the material(s), assess its historical significance, consults with Tribes and other stakeholders as needed, and provides recommendations for the treatment of the discovery in accordance with the Secretary of Interior Standards for the Treatment of Historic Properties.

**CUL-2:** In the event that human remains are encountered within the Project Area during Project-related, ground-disturbing activities, all work must stop, and the Sonoma County Coroner must be notified immediately. If the remains are suspected to be those of a prehistoric Native American, then the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" (MLD) can be designated to provide further recommendations regarding treatment of the remains. A Secretary of Interior-qualified

Archaeologist should also evaluate the historical significance of the discovery, the potential for additional human remains to be present, and to provide further recommendations for treatment of the resource in accordance with the MLD recommendations and the Secretary of Interior Standards for the Treatment of Historic Properties.

## **Geology and Soils**

**GEO-1:** Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the Building Division of the City's Department of Planning and Economic Development. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Santa Rosa's Grading and Erosion Control Ordinance, Chapter 19-64 of the Santa Rosa Municipal Code). These plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during construction activity on the project site.

**GEO-2:** All applicable recommendations set forth in the Design Level Geotechnical Investigation prepared by PJC & Associated, Inc. on February 18, 2021, for the subject property, including, but not limited to recommendations related to grading, drainage, excavation, foundations systems, and compaction specifications shall be incorporated. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the design of the project and to the satisfaction of the City of Santa Rosa City Engineer.

**GEO-3:** In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.

## **Hazards/Hazardous Materials**

**HAZ-1:** In the event previously unknown contaminated soil, groundwater, or subsurface features are encountered or have the potential be present during ground-disturbing activities at any site, work shall cease immediately, and the developer's contractor shall notify the City of Santa Rosa Fire Department for further instruction. The City shall ensure any grading or improvement plan or building permit includes a statement specifying that if hazardous materials contamination is discovered or suspected during construction activities, all work shall stop immediately until the City of Santa Rosa Fire Department has determined an appropriate course of action. Such actions may include, but would not be limited to, site investigation, human health and environmental risk assessment, implementation of a health and safety plan, and remediation and/or site management controls. The City of Santa Rosa Fire Department shall be responsible for notifying the appropriate regulatory agencies and providing evidence to the City Planning and Economic Development Department that potential risks have been mitigated to the extent required by regulatory agencies. Work shall not recommence on an impacted site until the applicable regulatory agency has determined further work would not pose an unacceptable human health or environmental risk. Deed restrictions may be required as provided under mitigation measure MM 3.8.4a.

## **Hydrology and Water Quality**

**HYDRO-1:** In accordance with the National Pollution Discharge Elimination System (NPDES) regulations, the applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to construction. The SWPPP shall address erosion and sediment controls, proper storage of fuels, identification of BMPs, and use and cleanup of hazardous materials. A Notice of Intent, fees, and other required documentation shall be filed with the Regional Water Quality Control Board. During construction, a monitoring report shall be conducted weekly during dry conditions and three times a day during storms that produce more than 1/2" of precipitation.

**HYDRO-2:** Should construction dewatering be required, the applicant shall either reuse the water on-site for dust control, compaction, or irrigation, retain the water on-site in a grassy or porous area to allow infiltration/evaporation, or obtain a permit to discharge construction water to a sanitary sewer or storm drain. Discharges to the sanitary sewer system shall require a one-time discharge permit from the City of Santa Rosa Utilities Department. Measures may include characterizing the discharge and ensuring filtering methods and monitoring to verify that the discharge is compliant with the City's local wastewater discharge requirements. Discharges to a storm drain shall be conducted in a manner that complies with the Regional Water Quality Control Board Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region. In the event that groundwater is discharged to the storm drain system, the applicant shall submit permit registration documents and develop a Best Management Practices/Pollution Prevention Plan to characterize the discharge and to identify specific BMPs, such as sediment and flow controls sufficient to prevent erosion and flooding downstream.

## **Noise**

**NOI-1:** The following Best Construction Management Practices shall be implemented during all phases of construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance:

1. Limit construction hours to between 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturdays. No construction activities are permitted on Sundays and holidays.
2. Limit use of the concrete saw to a distance of 50 feet or greater from residences, where feasible.
3. Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers would provide a 5-dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
4. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
5. Unnecessary idling of internal combustion engines shall be strictly prohibited.
6. Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. If they must be located near

receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

7. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
8. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
9. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from existing residences.
10. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
11. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

### **Transportation**

**TRANS-1:** To maintain adequate sight lines at the project driveways, signage and landscaping introduced onsite within close proximity of the driveways shall be maintained such that low-lying shrubs remain at a height lower than three feet from ground level and that tree branches be no less than seven feet in height from ground level. The applicant shall be responsible for maintaining adequate sight lines from the project driveways.

### **Tribal Cultural Resources**

**TCUL-1:** To protect buried Tribal Cultural Resources that may be encountered during construction activities, the Project shall implement COA CUL-1.








# Resolution 12079

Final Audit Report

2021-12-16

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