

## RESOLUTION NO. ZA-RES-2025-051

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A 15-BED COMMUNITY CARE FACILITY FOR THE PROPERTY LOCATED AT 635 BENJAMINS ROAD, SANTA ROSA, APN: 183-240-040, FILE NO. PLN25-0206**

WHEREAS, a Minor Conditional Use Permit to allow a 15-bed Community Care Facility application was submitted to the Planning and Economic Development Department on July 31, 2025; and

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Conditional Use Permit application to allow a 15-bed Community Care Facility; and

WHEREAS, the Minor Conditional Use Permit approval to allow the proposed use is based on the project description and official approved exhibit dated received October 10, 2025; and

WHEREAS, under Zoning Code Section 20-22.030, Table 2-2, Community Care Facilities with six or fewer clients are allowed by right in all residential zoning districts, which does not require a permit. However, Community Care Facilities with seven or more clients require a Minor Conditional Use Permit; and

WHEREAS, pursuant to Government Code Sections 65852.21 and 66411.7, which implement Senate Bill 9 (SB 9), SB 9 permits the subdivision of an existing single-family zoned parcel into two parcels, subject to eligibility criteria and development standards. An SB 9 Urban Lot Split application (File No. MIN23-007) for 635 Benjamins Road (APN 183-240-03) was submitted on July 31, 2023, received approval on March 28, 2024, and recorded on October 15, 2024, creating two new parcels (APN 183-240-039 and APN 183-240-040); and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The proposed use is allowed within the applicable zoning district and complies with all applicable requirements of Section 20-42.060 in that the project site is not within 300 feet of another Community Care Facility, nor is it in an area of over-concentration of facilities; and
2. The proposed facility complies with all applicable building and fire code provisions adopted by the State and administered by the City Fire Marshal, and California Department of Social Services licensing requirements in that the City's Fire and Building Department have reviewed the project and conditioned it accordingly; and

3. The proposed use is consistent with the General Plan in that the site's General Plan Land Use designation is Very Low-Density Residential, and the Zoning Code permits a Community Care Facility with seven or more residents in the RR-40 (Rural Residential) zoning district with Minor Use Permit; Chapter 2 - Land Use and Economic Development identify senior citizens as an Equity Priority Population based on characteristics contributing to vulnerability and/or the likelihood of being underserved in areas such as environmental justice, equity, health, and safety; and Program H-26, Housing for Senior Households, directs the City to *"Provide incentives for development of housing for the elderly, particularly for those in need of assisted and skilled nursing care. Incentives may include density bonuses, reduced parking requirements, or deferred development fees."* The site is not located within a Specific Plan area; and
4. The design, location, size and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity in that the proposed single-family residence is similar in scale and character to neighboring properties; the site is surrounded by residential development; and the proposed project would be required to comply with the City's Noise Ordinance, which prohibits any loud, unnecessary, or unusual noise that disturbs the peace or quiet of the neighborhood or causes discomfort or annoyance to a reasonable person of normal sensitiveness residing in the area; and
5. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints in that the proposed facility will be connected to utilities, parking will be provided on-site, and the City's Traffic Division reviewed the project and had no comments. Per the Zoning Code Section 20-36.040, Table 3-4, a Community Care Facility will require one parking space for every three beds, and the site can accommodate five parking spaces; and
6. 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 facility will be staffed with two to four employees 24 hours a day and seven days a week. The proposed use has been reviewed by various City departments including Traffic, Engineering, Building, and Fire; staff did not find any potentially adverse impacts to the surrounding area as a result of the project, and the project has been conditioned accordingly; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA):
  - Pursuant to CEQA Guidelines Section 15303, the proposed project is categorically exempt because it involves the construction of a single-family residence in a residential zone; and

- Pursuant to CEQA Guidelines Section 15183, the proposed project is statutorily exempt because it is consistent with the General Plan for which an Environmental Impact Report was certified by Council in 2025.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

Conditions of Approval

1. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. Comply with all conditions as specified in the Engineering Development Services Exhibit A, dated October 13, 2025, attached hereto and incorporated herein.
4. Obtain the necessary license from the Department of Social Services, Community Care Licensing Division, as a Residential Care Facility for the Elderly (RCFE) following completion of construction, inspection, and state approval, and prior to occupancy.
5. One of the five on-site parking spaces shall be clearly marked for visitor use, and only one visitor vehicle may park on-site at any time, by appointment.
6. No exterior signs are approved with this permit. A separate sign permit is required.
7. All onsite activities shall comply with the City of Santa Rosa Noise Ordinance, City Code Chapter 17-16.

This Minor Conditional Use Permit is hereby approved on December 18, 2025, for the duration of the use provided that conditions are complied with and that the use has commenced within 24 months from the approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: *Conor McKay*  
 CONOR MCKAY, ZONING ADMINISTRATOR

Attachment 1 – Engineering Development Services Exhibit “A,” dated October 13, 2025

**DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT  
ENGINEERING DEVELOPMENT SERVICES**

**EXHIBIT "A"  
October 13, 2025**

**Pham Assisted Living – 15-bed  
635 Benjamins Rd  
PLN25-0206**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services 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.
- II. Per City Code Section [18-12.015](#) (C), all properties including multifamily residential, commercial and industrial parcels shall be subject to public improvement requirements when the value of any proposed building or site improvement exceeds \$200,000.00. A formal review of the valuation will commence during review of the building permit application. If the valuation is determined to be above the \$200,000 threshold, the project may be required to install or modify public improvements such as sidewalks, curb and gutter, pedestrian ramps, driveway approaches, planter strips and bike lanes. Additional right-of-way and easement dedications may also be required to support the current or future expansion of the roadway in order to meet adopted City Standards, General Plan requirements or area specific plans. Contact the Engineering Division of the Planning and Economic Development Department at 707-543-3200 to discuss specific requirements.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans/reports dated June 9, 2025:

**PUBLIC STREET IMPROVEMENTS**

1. The Applicant has submitted an appeal to Council for a partially denied Improvement Variance, ENGV25-018, for relief from public improvement requirements per City Code 18-12. If the appeal is accepted and Variance request approved by Council, the improvements listed below are no longer required for this development. If the appeal is denied and City Engineer's determination upheld, then the following improvements are required:
  - a. **Benjamins Road** shall be improved as an Avenue per City Standard 200F. Half width street improvements shall include one 10-foot travel lane, 8-foot parking lane, 6-inch height curb and gutter, 8-foot wide planter strip, and a 5-foot wide sidewalk
  - b. The applicant shall submit Public Improvement Plans for the review and

approval of the City Engineer prior to building permit issuance. Public Improvement plans shall include a complete set of offsite construction drawings including a lighting plan, utility plans, storm drain plans, erosion control plan, BMP construction plans, driveway aprons, sidewalk and curb, and offsite signing and striping plans as applicable.

2. New services (electrical, telephone, cable or conduit) to new structures shall be installed underground. As applicable, the applicant shall underground overhead utilities if any conflict with proposed structures per City code at their sole expense. Overhead distribution and high voltage transmission lines along the project frontage may remain overhead, but spare conduits shall be placed underground for future undergrounding of the high voltage lines per ENGV25-018.
3. An Encroachment Permit shall be obtained prior to issuance of the building permit. Any improvements proposed or required, within the public right shall be reviewed and approved with the Encroachment Permit application. Only Construction plans submitted with the Encroachment Permit Application are final plans and shall be approved for construction. Contact Engineering Development Services at 543-3200, located at 100 Santa Rosa Avenue, Room 5, as soon as possible to begin Encroachment Permit application processing. Encroachment Permit application processing may take 4-6 weeks. Submit plans prepared by a licensed civil engineer showing all work in the public right of way, or in public easements, including all work on public utilities (water meter boxes, sewer lateral cleanouts, backflow devices, etc.)

## **TRAFFIC**

4. Provide sufficient line of sight so a vehicle exiting the project shall not impede or cause the oncoming traffic on to radically alter their speed, based on Table 201.1 of the Caltrans' Highway Design Manual. Tree canopies shall be maintained at least 7-feet off the ground and landscaping shall be maintained at maximum 36" height within the stopping site. Install "No parking" signs and paint the curbs red within the site distance areas.
5. Avoid installation of any physical features (signs, landscaping, mailboxes, etc.) along the Benjamins Road frontage of the parcel within the traffic site distance triangles. Landscaping shall be maintained to be no more than 36" in height for low vegetation and tree canopies shall be maintained at 7-foot minimum height along the site triangle by the owner.
6. Comply with current standards for parking lot and accessible stall dimensions and signage. Submit an on-site sign and striping plan for the new parking lot improvements at first review. Submit parking lot and street lighting plans for review and approval. Lighting shall meet minimum lighting requirements.

7. The project Applicant shall be responsible for repairing/removing any debris, damage, or deterioration occurring to existing local streets and/or private driveways as a direct result of construction activity related to installation of the improvements (grading, street construction, utility installation, etc.). Required repair shall involve patching, cleaning, sealing, or overlaying affected areas as appropriate to return Benjamins Road to as good as condition as it was in prior to construction. If the project Applicant does not act prudently in a timely manner, the City shall, at its discretion, perform the correction and charge the owner/subdivider for all costs and overhead incurred.

## **BUILDING**

8. Obtain a building permit for the proposed project.
9. 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.

## **PRIVATE DRIVEWAY IMPROVEMENTS**

10. Onsite lighting of the private parking lot shall meet minimum city standards requirements for safety and acceptable luminary standards.
11. A soils and geologic report shall be provided with the building plans submitted for review. The report shall address the new pavement sections within the parking lot for adequacy to City codes.
12. Maximum grade difference at project boundary to offsite property shall be less than 1 feet vertically, unless reviewed and approved by the City Engineer.
13. Any offsite drainage entering the site shall be either conveyed through the site, via a private drainage system with accompanying easements dedicated to the upstream property owners or accepted into the private drainage and LID system for the project. The final LID design shall address the acceptance of any offsite flows.
14. Submitted grading and drainage plans shall show typical and specific cross-sections at all exterior property lines and interior lot lines indicating the adjacent elevations at the join grades to adjacent parcels including graded slopes, swales, fences, retaining walls and sound walls as applicable.

## **PUBLIC STORM DRAINAGE**

15. Other agency permits, as required to complete the project, shall be obtained by the Applicant at the Applicant's sole expense.

16. Public storm drainage shall be designed to City of Santa Rosa Design and Construction Standards and Sonoma Water current 2020 flood management design manual standards by a licensed Civil Engineer. All storm water run-off shall be collected via an underground drainage system and discharged to the nearest public downstream facility possessing adequate capacity to accept the run-off. Preliminary and final storm drain hydrology and hydraulic design reports as approved by the Sonoma Water or a designated agent shall be provided to the City of Santa Rosa for the city file prior to encroachment permit issuance. Provide engineering calculations of adequacy for the downstream storm drain connections for project flow volumes. Upsize any storm drainage facilities that do not have adequate capacity to the approval of the City Engineer.
17. Drainage patterns shall follow the Regional Master Drainage Plan as depicted in the current master drainage studies available for the local area as provided by Sonoma Water. Changes/diversions to the contributory drainage areas for regional water sheds are not permitted without City Engineer review and approval.
18. As applicable, 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. Onsite storm drain design shall be reviewed and approved by the City Building Official. Regional Public storm drain design shall be reviewed and approved by Sonoma Water for compliance with County and City design standards.
19. All onsite storm drain inlets shall be labeled per the City standard detail 409 - "DRAINS TO CREEK" or an approved equal.
20. Contractor shall not use the sanitary sewer system or storm drainage system to release construction water from the site unless they have a valid discharge permit to do so. Application for Industrial construction water discharge permit can be obtained from the City of Santa Rosa Environmental Compliance Department. Contact Renae Gundy at 707-543-4368.
21. Any existing storm drain stub outs to the property that shall not be used shall be abandoned at the main per City Design Standards.
22. Drainage from landscape areas are not allowed to cross over curb or sidewalk and are to outlet to a street or drainage channel through City Standard curb drains or other acceptable means.
23. Lot drainage and private storm drain facilities shall be approved by the Chief Building Official's designated representative. All private drainage facilities shall be privately owned and maintained.

24. All offsite storm drain work and coordination with any adjacent neighbors to the project, and all off site construction and or access easements as needed to construct the project shall be obtained at the sole cost of the applicant prior to entitlement.
25. If flows exceed street capacity, flows shall be collected via an underground drainage system (with minimum 15" diameter and maximum 72" diameter pipe sizes) and discharged 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.
26. Private drainage systems are to be connected to a public system from a private field inlet located behind the sidewalk and or through a minimum 15-inch RCP or HDPE storm drainpipe through the public right-of-way, public utility easement or storm drain easement to a public drainage structure. No blind connections are permitted into public storm drain system. Public storm drains shall be shown on the plans in a design profile. Install a city standard storm drain structure at any change of pipe size, pipe grade or pipe direction.
27. For purposes of leak detection and maintenance access, no reinforced concrete shall be designed over publicly maintained storm water drainpipe facilities. Unreinforced concrete shall be allowed under special circumstances such as crosswalks. Storm drain inlets shall be located outside of the concrete area. Storm drainage facilities in the private road and private driveway shall be maintained by the lot owner.

## **STORM WATER COMPLIANCE (SWLID)**

28. The Applicant's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Low Impact Development Plan (SWLID) Guidelines. Final onsite Improvement Plans shall incorporate all SWLID Best Management Practices (BMP's) and shall be accompanied by a Final Onsite Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SWLID BMP's and shall include a maintenance schedule.
29. Perpetual maintenance of SWLID Best Management Practices (BMP's) shall be the responsibility of the lot owner. The Lot owner shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the Lot owner for a period of the latest five years and shall be made available to the City upon request.

30. After the SWLID BMP improvements have been constructed, the Applicant's Civil Engineer or qualified professional is to prepare and sign a written certification that they were constructed and installed as required. Written certification of SWLID BMP's is to be received by the City prior to issuance of occupancy. The maintenance schedule and the Final SUSMP are to be included as part of the owners' records. All BMP's shall be maintained, replaced, and repaired by the lot owner unless an agreement is accepted in writing by the City Engineer.
31. The SWLID "Declaration of Maintenance" document shall be recorded prior to Building permit issuance.
32. BMP's and private drainage facilities shall be located outside of Public Utility easements and/or utility easements.
33. 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 SUSMP report and show the BMP locations clearly to prevent them from being filled in with landscape materials. The landscape and civil plans shall be updated to reflect the final BMP locations, shapes, sizes and construction dimensions to install the BMP features per the final construction.
34. 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 whatever 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.
35. As applicable, where bio-retention basins are installed, then transformers, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the basins. Locations of infrastructure shall be reviewed during plan check. Each trench crossing shall extend the length of a BMP basin by 5 additional linear feet. Locations of infrastructure should be present on the plans and shall be reviewed during plan check.
36. All offsite work resulting in new impervious area (sidewalk, driveways, pedestrian ramps, etc.) shall be treated by LID BMPs sized for all tributary flows. Treatment offsets may be considered and shall be approved by the Stormwater department and if required, the Regional Water Board prior to building permit issuance.

## **WATER AND WASTEWATER**

37. Demand fees shall be required and shall be determined after review of the

building permit application. Water, irrigation and sewer demand processing and meter installation fees shall be paid prior to the issuance of any Building Permit. The applicant may contact Water Engineering Services at [watereng@srcity.org](mailto:watereng@srcity.org) to determine estimated fees and shall be determined at first Building Plan review.

38. Water services shall be provided per Section X of the Water System Design Standards. Meter locations and configurations shall be reviewed during first plan review of Encroachment Permit.
39. The Fire Department requires fire sprinklers in all structures. The water services and meters shall be sized to meet fire protection, domestic and irrigation uses. A dedicated fire protection service per City Standard detail no. 880 shall be installed. A double check detector valve shall be installed at each connection point to the public system. Fireline detector check locations shall be determined with the plan check phase of the Improvement Plans. Submit flow calculations to the Engineering Development Services Division during the Public Improvement plans review phase concurrent with the first plan check phase of the Building Plans to determine adequate sizing.
40. Install onsite private sewer laterals with a sewer clean out per City Standard Detail No. 513 to the sewer main to serve the lot. Sewer laterals are owned and maintained by the lot owner to the main.
41. All irrigation services shall be protected with a reduced pressure backflow device per City Standard 876. Backflow additions or upgrades shall be required as part of the building permit review. The location of all existing or proposed backflow devices shall be shown on the utility plan submitted with the building permit application.
42. If additions or modifications to the existing landscaping are proposed under the building permit application, a dedicated irrigation meter shall be installed to serve the existing or proposed landscaping if one does not already exist.
43. Any water or sewer services that will not be used shall be abandoned at the main.
44. Any additions or modifications to the existing landscaping shall be consistent with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on December 1, 2015. Landscape plans will be reviewed during the building permit stage to determine compliance with the ordinance.

45. No plumbing for landscape irrigation or any other use shall cross lot lines without an easement or recorded merger in place.

## **FIRE**

46. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, California Code of Regulations Title 24 Building Standards and Santa Rosa City Code.
47. A building permit will be required to change the occupancy class from a R3 to R2.1 occupancy.
48. Per section 903.2.8 of the 2022 California Fire Code, an automatic sprinkler system designed in accordance with **NFPA 13R** shall be utilized in Group R-2.1 occupancies.
49. A fire hydrant is required within 100 feet of fire department connections (FDCs) serving automatic fire sprinkler systems, including NFPA 13R systems.

## **RECREATION & PARKS**

- 51 Street trees shall be installed and planted by the developer along the project frontage(s). Selection shall be made from the City's approved master plan list and approved by the City Parks Department. Planting shall be completed in accordance with City "Standards and Specifications for Planting Parkway Trees." Contact the Recreation & Parks Department Office at (707) 541-3770 for copies of the master street tree list. This declaration shall be added to the General Notes of the improvement plans.
- 52 Property owners shall be responsible for the irrigation and maintenance of the street trees and the maintenance of the planter strips in front of and alongside of their project for perpetuity.



10/13/2025

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CLEVE GURNEY, PE – DEPUTY DIRECTOR DEVELOPMENT SERVICES






# Resolution Revised - Benjamins Rd

Final Audit Report

2025-12-26

Created:	2025-12-19 (Pacific Standard Time)
By:	Mark Kolarik (MKolarik@srcity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAxE-rN1QxeP1iE6HuHjKGFkGleBr8tsV

## "Resolution Revised - Benjamins Rd" History

-  Document created by Mark Kolarik (MKolarik@srcity.org)  
2025-12-19 - 4:09:04 PM PST
-  Document emailed to Conor McKay (ctmckay@srcity.org) for signature  
2025-12-19 - 4:09:32 PM PST
-  Email viewed by Conor McKay (ctmckay@srcity.org)  
2025-12-26 - 8:28:14 AM PST
-  Document e-signed by Conor McKay (ctmckay@srcity.org)  
Signature Date: 2025-12-26 - 8:28:35 AM PST - Time Source: server
-  Agreement completed.  
2025-12-26 - 8:28:35 AM PST