

RESOLUTION NO. ZA-2024-034

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR THE MONTECITO BOULEVARD TOWNHOMES FOR THE PROPERTY LOCATED AT 6521, 6523, 6525, 6527, 6529, 6531, 6533, 6535 MONTECITO BOULEVARD SANTA ROSA, APN: 182-120-052, FILE NO. DR23-042

WHEREAS, on December 7, 2017, an application has been submitted by Chris Shaughnessy, requesting approval of the Montecito Townhomes Tentative Map, prepared by Atterbury & Associates, date stamped December 7, 2017, for the subdivision of a 0.5-acre parcel to create eight residential fee simple lots, located at 6521, 6523, 6525, 6527, 6529, 6531, 6533, 6535 Montecito Boulevard, more particularly described as Assessor's Parcel Number 182-120-052; and

WHEREAS, on March 8, 2017, the City of Santa Rosa Planning and Economic Development Department held a Pre-Application Neighborhood Meeting, where six neighbors in the project vicinity expressed concerns regarding shadows, wind, drainage, impacts to existing trees, and privacy; and

WHEREAS, on November 29, 2018, the Planning Commission adopted two (2) resolutions approving a Conditional Use Permit (Resolution No. 11927) and a Tentative Map (Resolution No. 11928) for a residential small lot subdivision for Montecito Townhomes; and

WHEREAS, Assembly Bill 1561 automatically extended the expiration date to May 29, 2022; and

WHEREAS, on May 11, 2023, the Planning Commission adopted Resolution No. PC-2023-015, extending the period for filing the final map for the Montecito Townhomes Tentative Map from May 29, 2022 to May 29, 2023; and

WHEREAS, on November 7, 2023, the Montecito Townhomes Final Map was recorded with the Sonoma County Recorder's Office; and

WHEREAS, on December 5, 2023, an application was received from David Colombo, requesting Minor Design Review for eight (8) new single-family attached dwellings; and

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Design Review application to allow the proposed project described above; and

WHEREAS, the Minor Design Review approval to allow the proposed project is based on the project description and official approved exhibit dated October 17, 2024; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.030.H.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.030.I, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans) in that site is designated Medium Density Residential, which allows residential development at a density of 8.0 to 18.0 units per acre. At 16.0 units per acre, the project implements the General Plan land use designation at the higher end of the residential density. The eight new townhouses proposed by the project by will add diversity to the residential neighborhood, which primarily features apartments and single-family residential units. The project will also help meet the City's housing needs by adding eight new, family-sized dwelling units on an undeveloped site that can support the proposed density of the project. The project is also located within walking distance of a shopping center that is anchored by a grocery store and is within walking distance of public transit, schools, and recreation areas. The project is not within a specific plan area;
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review in that the design of the structures meets all of the guidelines pertaining to design including building orientation, porch placement, and building variation. The project will also incorporate the existing trees found on-site into the landscaping plan and will be located to so as to respect the existing scale of the neighborhood, which is varied both in terms of land uses and scale;
3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the development has been setback to the degree possible to maximize the usability and quality of the rear yard areas of single-family homes located to the north and to respect the scale of the single-family homes located to the north;
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposal includes attached, two-story single-family residences with varying architecture and heights, consistent with the style and heights of adjacent residential development that features two-story, multi-family residential uses to the west and north;
5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained in that a combination of landscape areas, setbacks and fencing would provide buffers from commercial uses located immediately to the south and east of the project site, which includes medical offices and small-scale retail;

6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the proposal has been reviewed and conditioned as appropriate by requisite City staff and outside agencies;
7. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
8. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15332, the project is categorically exempt from CEQA as an in-fill development because:
 - The project is consistent with the general plan and zoning. The Project is consistent with the General Plan land use designation of Medium Density Residential, which allows residential development at a density of 8-18 units per acre. The project also complies with the R-3-18 (Multi-family Residential) zoning district development standards, pursuant to Zoning Code Table 2-5, in that the requested entitlements include a CUP for a small lot subdivision.
 - The project is within the city limits on a site no more than 5 acres. The Project occurs on a 0.5-acre site located within City limits and is substantially surrounded by urban uses.
 - The Project site has no value as habitat for endangered, rare or threatened species. According to the City's mapping of wetland areas and endangered, rare or threatened species, wetlands are not present on the site or in the project vicinity as the area surrounding the site has been already developed. Similarly, according to the City's mapping of known locations of endangered, rare, or threatened species, there is no evidence of special status plant species, and there is no evidence of the California Tiger Salamander on the project site or in the project area. The existing trees are being maintained on-site, which will not affect existing nesting opportunities for avian species or other tree-dwelling species.
 - Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.
 - Traffic. Based on the Institute of Transportation Engineer's Trip Generation Rate Manual, the project would add less than 50 new peak hour trips, which is considered less than significant based on the City's threshold of over 50 new peak hour trips. The project is also expected to generate a minimal number of average daily trips (ADT) to the traffic circulation system (46 A which is considered less than significant.
 - Noise. Pursuant to the General Plan, the City's Land Use Compatibility Standards the units within the project would be considered to be normally acceptable with a

Community Noise Equivalent Level (CNEL) of up to 65 dB CNEL without any special noise insulation requirements. Pursuant to Figure 12-2 of the General Plan, the multi-family units would be located within the 60-65 dBA noise contour, which is within acceptable levels established by the General Plan for the proposed residential units in the project. The City's Noise Ordinance identifies a conditionally acceptable exposure level up to 70dB. Accordingly, the proposed project would be sited in a noise environment that is consistent with the acceptable noise levels under both the General Plan and the Noise Ordinance. Therefore, new residents on-site would not be exposed to noise levels in excess of established standards and potential impacts would not be significant. Furthermore, the surrounding land uses including multi-family residential, single-family residential, medical offices, and retail, are not expected to generate exterior noise levels onsite exceeding 65 dBA at the project site. With present and reasonably foreseeable conditions, noise levels onsite would be within the normally acceptable range for the residential units.

- Air Quality. The Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines provide preliminary screening for a lead agency to consider in making a conservative determination of a project's potential impacts on air quality based on proposed land-use. Numerical screening sizes for construction and operation of land uses are established by these guidelines. When BAAQMD screening criteria are exceeded, a quantitative analysis would be warranted to determine if the project would result in significant impacts related to air quality. The screening level criteria for townhouses are 451 dwelling units for operational screening criteria, 78 dwelling units for the greenhouse gas screening size, and 240 dwelling units for construction-related screening size. With eight townhouse units, the project is well below the screening criteria, and it can be determined that the proposed project would have no impacts to degraded air quality resulting from the infill project.
- Water Quality. Although the development will result in an increase in impervious surfaces as compared with existing conditions of the site, the project has been designed in accordance with the City's Standard Urban Storm Water Mitigation Plan (SUSMP) guidelines that require the integration of Low Impact Design (LID) measures into site designs. The proposed LID measures include a bioretention area to which the entire site will drain. The bioretention area will treat the stormwater, will facilitate rainwater infiltration, and has components of stormwater detention which attenuates the peak runoff volume. Accordingly, the project will not result in a drainage pattern that causes substantial erosion or siltation on- or off-site nor will it result in flooding on- or off-site.

Furthermore, the proposed project would be served by the City's wastewater system. There are no septic systems or other alternative wastewater treatment facilities proposed as part of the project. All wastewater will be collected and conveyed to the City's wastewater treatment plant via existing infrastructure in the project vicinity and the installation of laterals and connections to the project

site. Based on the above, the proposed project would not substantially degrade water quality, and the impacts would not be significant.

- The Project site is located in a fully developed area. It can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditioned the Project appropriately.

The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines section 15300.2).

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

Conditions of Approval

1. Compliance with Engineering Development Services Exhibit A, dated January 9, 2024, attached hereto and incorporated herein.
2. Compliance with all conditions of the associated Conditional Use Permit for a residential small lot subdivision, approved by the Planning Commission on November 29, 2018, unless superseded with this resolution.
3. Obtain building permits for the proposed project.
4. Construction hours shall be limited to 8:00 a.m. to 7:00 p.m. Monday through Friday. No construction is permitted on weekends or holidays.
5. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
6. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
7. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Design Review is hereby approved on October 17, 2024. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____

CONOR MCKAY, ZONING ADMINISTRATOR

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
January 9, 2024

Montecito Blvd Townhomes
6521 Montecito Blvd
DR23-042

- 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. Developer's engineer shall comply with all requirements of the 2017 City Storm Water Technical Design Manual Narrative as revised 1/6/21, with Appendices as revised 4/11/22.
- III. Submit landscape and irrigation plans with Building Permit or Improvement Plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on December 1, 2015.
- IV. The Exhibit A for the Tentative Map Extension dated 03/20/23 as memorialized by Planning Commission RESOLUTION NO. PC-2023-015 passed and adopted on May 11, 2023, is carried forward by reference and is applicable to this project in its entirety except where above superseded.
- V. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received 12-06-2023:

MAPPING

1. All final and parcel maps shall comply with all currently adopted ordinances, resolutions, and policies of the City of Santa Rosa and the State Subdivision Map Act.
2. All costs associated with map, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the subdivider.
3. The formation of a Homeowners Association, responsible for ownership and maintenance of the common area and common site improvements, is required for this subdivision. Two copies of the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the Department of Planning & Economic Development – Engineering for review.

4. The Developer shall provide a means acceptable to the City to fund the maintenance of the Parcel "A", all private onsite utilities and storm drains into perpetuity through a special tax district, CC&R's, Homeowners Association, and/or other acceptable method. Parcel "A" shall not be conveyed or dedicated to the City.

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

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

5. The Final or Parcel Map shall be annotated on the information sheet as follows:
"Water and sewer demand fees and processing fees are based on the number and type of units to be built on each lot. Water and sewer demand, processing and meter installation fees must be paid prior to the issuance of a Building Permit for the respective lot."

PUBLIC STREET IMPROVEMENTS

6. All public and private improvements, both on-site and off-site; all rights-of-way and easement acquisitions, be they on-site or off-site; and all removal, relocation, or undergrounding of existing public utilities and any coordination thereof required or necessitated as a result of the review and approval of the project and the cost thereof shall be the obligation of the subdivider unless express written provision to the contrary is agreed to by the City. The full installation of all such required improvements to the satisfaction of the City Engineer shall be completed prior to the acceptance of the improvements by the City.
7. 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.
8. Existing streets being cut by new services will require edge grinding per City Standard 209, trenching per Standard 215, and an A.C. overlay.
9. Improvements to Montecito Boulevard shall consist of the removal and replacement to City Standards of a 24-foot minimum width drive approach located at the entrance to the property.
10. New services (electrical, telephone, cable or conduit) to new structures shall be underground.

GRADING (from Building memo dated September 6, 2017)

11. Provide a geotechnical investigation and soils report with the building permit applications. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
12. Obtain building permits for the proposed project.

PRIVATE DRIVEWAY IMPROVEMENTS

13. The common driveway in the 25-foot ingress and egress easement described in lot-line adjustment deeds 2000-067473 and 2000-067474 resulting from City File Number, LLA99-044 through the fronting parcel shall be reconstructed to City minor street structural standards.
14. No parking shall be allowed in front of the garages and signage shall reflect this.
15. Turn around capability on the common driveway contained within in the rear parcel shall be provided with clear backup of 26-feet from garage face to opposing face of curb and with a continuation of the common driveway 10-feet beyond the last driveway access point.

STORM DRAINAGE

16. Drainage facilities and drainage easements shall be provided to the satisfaction of the City Engineer or the Chief Engineer of the Sonoma County Water Agency at the subdivider's expense.
17. Drainage facilities shall be designed per the Flood Control Design Criteria manual of the Sonoma County Water Agency.
18. 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.
19. 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.
20. 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.

21. Concentrated drainage flows shall not be permitted to cross sidewalks, or slope areas subject to erosion problems.
22. An adequate drainage system shall be required to drain rear yards and patio areas.

STORM WATER COMPLIANCE (SUSMP)

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

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

25. A Final Storm Water Mitigation Plan (SWMP) using Best Management Practices (BMP) is to be included with the Improvement Plans and Final Map submitted for the First Plan Check. Private improvements required by the Final SWMP are to be contained on the individual properties and are maintained by the property owners. All SWMP details and improvements are to be included in the Subdivision Improvement Plans. The maintenance schedule and the Final SUSMP are to be included as part of the CC&Rs recorded with the Final Map. The information sheet of the Final Map shall note the maintenance schedule

required by the Final SUSMP is to be followed by the property owner and all logs are to be made available for review by the City on an annual basis.

26. Use of vortex separators for water treatment is not allowed in Santa Rosa. In-line filters used for water treatment are limited to those tested by independent testing laboratories and approved by the California Regional Water Quality Control Board. The filter separator currently approved for use in Sonoma County is limited to the Hydro International, www.hydro-international.biz, "Up-Flo Filter." Filter systems other than the approved "Up-Flo Filter" will require full testing data from an independent testing laboratory be submitted for review and approval by the California Regional Water Control Board prior to approval of subdivision improvement plans.

WATER AND WASTEWATER

27. 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.
28. This project is subject to the latest fees in effect at the time of connection or Building Permit issuance.
29. 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.
30. Private mains shall be a minimum of 6-inch in diameter. Connections between private and public sewer mains shall be at manholes.
31. The applicant shall extend a 6-inch private sanitary sewer main along the full length of the access driveway (PUE recorded as DN# 2018-057932) from a manhole connection to the 8-inch water main along the frontage (1962-0052) to a private manhole behind the property line and terminating at a private manhole in Parcel "A." Connections between private and public sewer mains shall be at manholes.
32. A perpendicular 6-inch private side sanitary sewer main shall be connected at the private manhole in Parcel "A." The difference between the IN and OUT inverts at this manhole shall be a minimum of 0.1-feet. This side main shall have a cleanout at either terminus.
33. Separate sewer laterals shall be installed for each lot.
34. 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.
35. 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.

36. All meters shall be within public right-of-way or easements and easily accessible, and multiple meters shall be clustered where possible.
37. 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.
38. Double check back flow per City Standard 875 will be required on all water services. These backflow prevention devices shall be located within the underground waterline and backflow device easement (recorded as DN# 2018-057932). 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.
39. Applicant must install a combination service per City Standard 870 for fire service, public fire hydrant, domestic and irrigation meters. This combination service shall be located on westerly side of the driveway curb cut in line with the backflow prevention devices.
40. The new fire hydrant shall be located on westerly side of the driveway curb cut.
41. Any existing water service that will not be used must be abandoned at the main per City Water System Design Standards Section XVIII, Abandonment of Water Mains and Services and City Standard 507 under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Water Engineering Services at 543-3950 to arrange pick up.
42. If a well exists on the property, one of the following conditions apply:
 - a. 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.
 - b. Abandonment of wells requires a permit from the Sonoma County Permit and Resource Management Department.
 - c. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed
43. Wells may not serve more than one parcel, and any lines from existing wells that cross lot lines must be severed.
44. 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.
45. 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.

46. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.

FIRE (from Fire Memo dated September 1, 2017)

Plan proposes division of a single lot into 8 lots plus a common parcel. Intent is to build individual townhomes on each of the 8 lots and use Common Parcel for driveway and parking. Fire Department access is via 25 ft wide Easement to Montecito Blvd.

Fire Department has the following **Specific Conditions** on this project:

47. Montecito Blvd is heavily travelled, with a large commercial mercantile center directly across from this site.

A new public fire hydrant shall be installed on the north side of Montecito Blvd adjacent to driveway curb-cut serving this project.

Applicant is advised that the following **General Conditions** apply to this project:

48. All buildings shall be protected with automatic fire sprinkler systems. Systems designed per NFPA 13D may be used in buildings with two or less dwelling units. Townhome separated by dual 1-hour rated walls are considered separate buildings for fire sprinkler purposes.

49. Addressing shall comply with Fire Department Standards: 12" address numerals at the connection of shared driveways to the public street; 4" illuminated address numerals visible from street, driveway, or Emergency Responders approach, on individual dwelling units.

50. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

51. A Phase 1 Environmental Site Assessment for this site shall be submitted to the Fire Department with a review fee. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and approved the Phase 1 study.



A. R. Jesús McKeag

PROJECT ENGINEER