

RESOLUTION 2019-16
CITY OF PETALUMA PLANNING COMMISSION

**APPROVING SITE PLAN AND ARCHITECTURAL REVIEW FOR THE
BIOMARIN RESEARCH AND DEVELOPMENT PROJECT
LOCATED AT 1700 MCDOWELL BOULEVARD SOUTH
APN: 005-280-009
FILE NO. PLSR-19-0010**

WHEREAS, Shar Zamonpour of BioMarin Inc. (property owner), submitted an application for Site Plan and Architectural Review to develop a commercial research and development facility including the construction of two buildings respectively measuring 32,000 and 40,000 square feet and measuring 24 feet and 39 feet in height along with 152 vehicle parking spaces, three loading berths, 30 bicycle parking spaces, and landscaping throughout within the Lakeville Business Park Planned Commercial District on a 5.89-acre vacant site at 1700 McDowell Boulevard South (APN 005-280-009) (the "Project"); and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider Site Plan and Architectural Review for the Project on October 22, 2019, at which time all interested parties had the opportunity to be heard; and

WHEREAS, public notice of the Planning Commission hearing was published in the *Petaluma Argus-Courier* and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law; and

WHEREAS, at said hearings, the Planning Commission considered the staff report, dated October 22, 2019, and all public testimony provided prior to and at the public hearing; and

WHEREAS, on October 22, 2019, the Planning Commission approved Site Plan and Architectural Review for the Project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETALUMA AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. Based on its review of the entire record herein, the Planning Commission makes the following findings:

California Environmental Quality Act

- a. The project was analyzed under California Public Resources Code Section 21083.3 and Section 15183 of the California Environmental Quality Act (CEQA). California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified.

Section 15183 (a) "mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies."

Section 15183(b) specifies that "in approving a project meeting the requirements of

Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- 1) Are peculiar to the project or the parcel on which the project would be located;
- 2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
- 3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- 4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR."

Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for the project solely on the basis of that impact.

Section 15183(d) further states that the streamlining provisions of this section "shall apply only to projects that meet the following conditions: (1) the project is consistent with a community plan adopted as part of a general plan, a zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or a general plan of a local agency; and (2) an EIR was certified by the lead agency for the zoning action, the community plan, or the general plan."

The City of Petaluma General Plan EIR provides for streamlining and/or tiering provisions under CEQA Guidelines Section 15183 and California Public Resources Code Section 21083.3. This CEQA Analysis demonstrates that the BioMarin Research and Development Project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR because the level of development proposed is within the development assumptions analyzed in the program level EIR (General Plan), and furthermore, the Project does not contain elements that are peculiar to the Project or Project site. No further environmental review is required.

An initial study was prepared for the Project consistent with the mandates of CEQA Section 15183, and via the initial study analysis, determined that the proposed project is within the scope of development projected under the General Plan. As outlined in the initial study, staff found that the proposed BioMarin Research and Development project will implement applicable mitigation measures identified in the General Plan EIR. In addition, the project would be required to comply with applicable conditions of approval. With implementation of required mitigation measures and conditions of approval, the BioMarin Research and Development project would not result in a substantial increase in the severity or significant impacts that were previously identified in the program level EIR, nor would the project introduce any new significant impacts that were not previously identified. Therefore, there would be no additional environmental impacts beyond those analyzed in the General Plan EIR.

General Plan

- b. The Project is consistent with the General Plan 2025 Business Park (BP) land use designation in that the

BP designation is intended for research and development uses among others. The project site is located within the Lakeville Highway subarea of the General Plan which is bounded by Lakeville Highway, the Petaluma River and estuary, Frates Road, Petaluma's Urban Growth Boundary (UGB), and Highway 101. The General Plan established Policy 2-P-28 for the area which states "support infill and intensification of business park/light industrial uses at the eastern end of the Lakeville Highway Subarea." The project will be consistent with this subarea policy by proposing an infill project in the Lakeville Highway Subarea.

- c. The Project is, for the reasons discussed in the October 22, 2019 Planning Commission staff report, consistent with the following General Plan policies: Policy 1-P-2 (Intensification of Employment Centers), Policy 2-P-28 (Support Business Park Infill Development in the Lakeville Highway Subarea), Policy 5-P-15 (Implement/improve the bikeway system), Policy 5-P-22 (Preserve and enhance pedestrian connectivity), Policy 5-P-31 (A) (Provide Bicycle Facilities in Employment Centers), Policy 9-P-2 (Net Positive Impact of New Commercial Development), Policy 9-P-3 (Provide an Array of Employment Opportunities) and Policy 9-P-6 (Realize Adequate City Revenue from its Base).

Implementing Zoning Ordinance

- d. The Project is consistent with all development standards of the Lakeville Business Park Planned Commercial District, and the Implementing Zoning Ordinance (as applicable), including but not limited to, those pertaining to uses, setbacks, building height, floor area ratio, loading and parking.
- e. The project is consistent with Implementing Zoning Ordinance §24.010 – Site Plan and Architectural Review, in that all required findings found in §24.010(G) can be made as follows:

- i. Quality materials will be utilized appropriately on each building. Each building will utilize a concrete product (glass fiber reinforced concrete and a concrete wall system) to comply with the materials as stipulated by the Lakeville Business Park Design Guidelines, as well as to match surrounding development. A glass storefront system will be incorporated into the warehouse building. The research and development building will have a glass curtain wall system on the north, east, and south building elevations with aluminum mullions. Vision glass will comprise most of the curtain wall system with fritted glass located on the upper-most and lower-most panels of the curtain wall. A metal panel and metal fascia surrounding/capping element are located on all three elevations with the curtain wall system. The underside and side panels of the surrounding/capping element will feature an iron Corten sintered stone wall system. A wood sintered wall system will also be located in the curtain wall area on the north and south elevations.

The building forms will be harmonious and proportional in that the buildings will utilize rectangular forms that are similar, but differentiated through materiality, differing planes, and window openings/glazing. The buildings will also contain common design elements between the two buildings such as rectangular building forms, large areas of glazing and recessed/punched window openings.

- ii. The design of both the research and development building and the warehouse building meets the Lakeville Business Park Design Guidelines by having respective designs that are contemporary in nature with clean lines and forms. The building facades will utilize concrete products and will provide interest with differing colors, accent forms, and materials. The building designs are appropriate for the uses of the buildings, the project in question, and is compatible with the neighborhood character in that the buildings will elevate the experience of the built environment in the business park neighborhood.
- iii. The surrounding development features a business park-style development pattern with large building(s) setback from property frontages with landscaping the perimeters of the properties and building. Surface parking areas are also typically setback from the public right-of-way

and are typically located in the front of buildings and/or surrounding the buildings. The siting of the buildings in the project will be consistent with the siting of other structures in the vicinity in that it will feature large buildings setback from street frontages by a distance of 25 feet to 175 feet from all project frontages with landscaping and berms in-between the streets and the buildings. The surface parking area will also be setback from project frontages and will have landscaping on the perimeters of the parking area, as well as throughout the parking area.

- iv. No new signage is proposed as part of the application. The locations of two monument signs located at the southeast and southwest corners of the project site have been included for informational purposes on the project's site plan. The project site would be allowed to have to have two freestanding monument signs as per the Lakeville PCD sign regulations at the time of the ministerial sign permit(s) for the project.
 - v. The surrounding development features business park style development with buildings that have large footprints and corresponding wide building dimensions. The buildings also tend to be 20-30 feet in height and feature neutral color schemes. The project will develop similar business park style buildings with large footprints and dimensions consistent with the existing development. The colors of the proposed buildings will be neutral in color. The height of the proposed research and development building will be consistent with the other buildings in the area. The height of the warehouse building will be slightly taller than other buildings in the area at 39 feet, but not significantly so. Additionally, the Lakeville Planned Commercial District zoning controls anticipated buildings of up to 40 feet in height in the area. For these reasons, the proposed buildings are consistent with the bulk, height, and color of other structures in the immediate neighborhood.
 - vi. The preliminary planting plan includes a variety of differing tree species, shrubs, perennials, groundcover, and vines. Trees and other landscaping will be planted along the perimeter of the subject property, in parking and circulation areas, in the courtyard area between the buildings, and in areas surrounding the buildings. All proposed planting species require very low to moderate water use. For all these reasons, the project includes landscaping to approved city standards and preserves existing trees wherever possible. No existing trees are located on-site, and therefore, no trees would be required to be removed.
 - vii. The project's ingress, egress, internal circulation for bicycles and automobiles, off-street automobile and bicycle parking facilities, and pedestrian ways promote safety and convenience and conform to City standards. On-site pedestrian and bicycle circulation areas will be physically separated from the vehicular circulation areas so as to minimize any potential conflicts between pedestrians/bicyclists and vehicles. The proposed vehicular parking spaces will meet the minimum requirements of the IZO, while the bicycle parking spaces will exceed the standards of the IZO. The number of loading berths required for the facility will be adequate. Furthermore, the Fire Department has indicated that it will have adequate emergency access to the site. For these reasons, the project provides a safe circulation environment which conforms to city standards.
3. Based on its review of the entire record herein, including the October 22, 2019 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves Site Plan and Architectural Review for the Project, subject to the conditions of approval attached hereto as **Exhibit 1**.

ADOPTED this 22nd day of October, 2019, by the following vote:

Commission Member	Aye	No	Absent	Abstain
Councilmember McDonnell	X			
Chair Alonso	X			
Vice Chair Bauer	X			
Gomez			X	
Marzo			X	
Potter	X			
Streeter	X			



Scott Alonso, Chair

ATTEST:



Heather Hines, Commission Secretary

APPROVED AS TO FORM:



Lisa Tennenbaum, Assistant City Attorney

SPAR CONDITIONS OF APPROVAL
BioMarin Research and Development Project
Located at 1700 McDowell Boulevard South
APN: 005-280-009
File No. PLMA-19-0010

Planning Division

1. Plans submitted to the City of Petaluma for purposes of construction shall be in substantial conformance with plans on file with the Planning Division and date stamped October 10, 2019, except as modified by these conditions of approval.
2. At Building Permit issuance, the applicant shall provide the City with an electronic copy of final/approved plans in PDF format on either a CD or USB drive.
3. Prior to building permit issuance all applicable development impact fees, including the public art in-lieu fee if applicable, shall be paid.
4. At all times the site shall be kept cleared of garbage and debris. No outdoor storage shall be permitted.
5. Prior to the issuance of any construction permits, these conditions of approval shall be included with the plan set. A copy of the approved plans shall be maintained on-site when construction activities are occurring.
6. Both construction and post-construction business operations shall comply with all performance standards of Implementing Zoning Ordinance Chapter 21.
7. All lighting shall be glare-free, hooded, and downcast in order to prevent glare into bicyclists' and pedestrians' eyes and/or light pollution onto adjacent properties.
8. Class II Bicycle Facility striping and signage shall be installed along the Project site's Cader Lane frontage prior to the Project's first Certificate of Occupancy in accordance with the City's Bike and Pedestrian Plan. The bicycle facility striping and signage shall be shown on the Project's public improvement plan associated with the Project's building permits.
9. Bicycle racks shall comply with size dimensions and location requirements of the Bicycle and Pedestrian Master Plan. Applicant shall ensure adequate access to each bicycle rack from all sides and avoid placing racks too close to any wall or structure.
10. A minimum of 20 covered, secured bicycle parking spaces and a minimum of 10 bicycle rack spaces shall be provided onsite prior to the Project's first Certificate of Occupancy. The bicycle parking spaces must be shown on the Project's building permit plans.
11. The proposed location of the covered, secured bicycle parking area shall be moved away from the refuse storage area. The revised location of the covered, secured bicycle parking area shall be included in the building permit plans and shall be reviewed by Planning Division staff for adequacy.
12. Photovoltaic panels shall cover the greatest roof area possible on the buildings proposed in the project. This requirement shall be demonstrated on the project's building permit plans.
13. All plantings shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering.

Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

14. Herbicides/pesticides shall not be applied in areas used by pedestrians/bicyclists within the project without first providing appropriate signs warning of the use of chemicals. The project shall utilize Best Management Practices (BMPs) regarding pesticide/herbicide use and fully commit to Integrated Pest Management techniques for the protection of bicyclists and pedestrians.
15. All tree stakes and ties shall be removed within one year following installation or as soon as trees are able to stand erect without support.
16. All standpipes, check valves, and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping.
17. No signage is approved by this permit. Separate sign permits in compliance with Chapter 20 of the Implementing Zoning Ordinance shall be obtained prior to the installation of signage.
18. Prior to commencing construction activities, a sign shall be posted on the site regarding the allowable hours of construction and contact information for complaints. Proof of sign installation shall be provided to the Planning Manager prior to construction commencing.
19. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul any of the approvals of the project, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so appellant shall reimburse City for attorneys' fees by the City.

Environmental Conditions of Approval

20. The latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all construction plans to require implementation of the following:
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b) All haul trucks transporting soil, sand, or other loose material shall be covered.
 - c) 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.
 - d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f) 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.

- g) 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.
 - h) 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.
21. If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100-foot radius of the find shall be suspended for a time deemed sufficient for a qualified and city-approved cultural resource specialist to adequately evaluate and determine significance of the discovered resource and provide treatment recommendations. Should a significant archeological resource be identified a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).
22. If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100-foot radius of the find shall be suspended for a time deemed sufficient for a qualified and city-approved cultural resource specialist to adequately evaluate and determine significance of the discovered resource and provide treatment recommendations. Should a significant archeological resource be identified a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).
23. In the event human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended in the immediate vicinity of where the human remains are located, and the following measures shall be undertaken:
- a. The Sonoma County Coroner shall be contacted to determine that no investigation of the cause of death is required.
 - b. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.
 - c. The applicant shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
 - d. It shall be the responsibility of the Native American Heritage Commission rather than the applicant or the City to identify the person or persons it believes to be the most likely descended from the deceased Native American, and to contact such descendant in accordance with state law.

- e. The applicant shall be responsible for discussing and conferring with Native American descendants all reasonable options regarding the descendants' preferences for treatment, as provided in Public Resources Code Section 5097.98(b), and for carrying out all obligations of the applicant as provided at Public Resources Code Section 5097.98.
24. As determined by the City Engineer and/or Chief Building Official, all recommendations outlined in the Geotechnical Investigations dated April 2019 prepared for the subject property by Miller Pacific Engineering, including but not limited to, site preparation and grading excavation, seismic design, and foundations system design are herein incorporated by reference and shall be adhered to in order to ensure that appropriate construction measures are implemented. 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. Nothing in this measure shall preclude the City Engineer and/or Chief Building Official from requiring additional information to determine compliance with applicable standards. The geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy that the improvements have been constructed in accordance with the geotechnical specifications.
25. In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt in the immediate vicinity of where the resources are located, and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations
26. Compliance with Sonoma's Countywide Integrated Waste Management Plan (CoIWMP) as well as all of the Consolidated Unified Protection Agency (CUPA) program elements shall be demonstrated to the satisfaction of the Fire Department prior to the issuance of the first building permit.
27. The Project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards:
 - a) Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner or if designated for off-site disposal at a permitted facility, the soil shall be loaded, transported and disposed of in a safe and secure manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Sonoma County Department of Health Services and the City of Petaluma. The excavation, on-site management, and off-site disposal of soil from the Project site shall follow an approved Risk Management Plan.
 - b) Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Petaluma, the RWQCB and/or Sonoma County Department of Health Services. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into buildings.
28. Prior to issuance of a grading permit, the applicant shall file a Notice of Intent with the RWQCB and demonstrate compliance with the Statewide General Permit for Construction Activities.
29. Prior to issuance of a building permit, the applicant shall prepare a design-level Stormwater Mitigation Plan that provides calculation and documentation that the storm drain system has adequate capacity to serve the Project. The storm drain system shall be reviewed and approved by the City Engineer and the Sonoma County Water Agency.
30. In accordance with the National Pollution Discharge Elimination System (NPDES) regulations, the applicant shall prepare and implement a Project-specific Stormwater Pollution Prevention Plan, including an erosion control plan, for grading and construction activities. The SWPPP shall address

erosion and sediment control during all phases of construction, storage and use of fuels, and use and clean-up of fuels and hazardous materials. The SWPPP shall designate locations where fueling, cleaning and maintenance of equipment can occur and shall ensure that protections are in place to preclude materials from entering into storm drains or the Petaluma River. The contractor shall maintain materials onsite during construction for containments and clean-up of any spills. The applicant shall provide approval documentation from the RWQCB to the City verifying compliance with NPDES.

31. The applicant shall prepare and implement an erosion control plan for all grading activities. The plan shall be reviewed and approved by the City of Petaluma prior to issuance of grading permits. The erosion control plan shall include limiting areas of disturbance, designating restricted-entry zones, diverting runoff away from disturbed areas, inlet/outlet protection at nearby drains, and provisions for revegetation and mulching. The erosion control plan shall prescribe treatment to trap sediment, such as inlet protection, straw bale barriers, straw mulching, and straw wattles.
32. Construction activities shall comply with the following measures and all shall be noted on construction documents:
 - a. Construction Hours/Scheduling: The following are required to implement the allowed hours of construction by the Petaluma Implementing Zoning Ordinance:
 - i. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 10:00 p.m. Monday through Friday and between 9:00 a.m. to 10:00 p.m. on Saturdays, and State, Federal, and local holidays. Construction activities shall not occur on Sundays.
 - ii. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.
 - b. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
 - c. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
 - d. Quiet Equipment Selection: Select quiet construction equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
 - e. Generators: No generators shall be utilized during nighttime hours (i.e., sunrise to sunset) to power equipment (e.g., security surveillance) when normal construction activities have ceased for the day. All such equipment should be powered through temporary electrical service lines.
 - f. Noise Disturbance Coordinator: Developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require reasonable implementation measures 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, within a 500-foot radius of the site, regarding the construction schedule.
33. Prior to issuance of building permits for the non-residential development, the applicant shall be subject to the City's most recent City Facilities Development Impact Fees
34. The City of Petaluma Public Works and Utilities, Environmental Services Division's standard conditions of approval regarding water conservation, irrigation, and water use efficiency shall be implemented.
35. A Construction Waste Management Plan shall be prepared and implemented during all stages of construction. The Construction Waste Management Plan shall meet the minimum requirements of the CalGreen code for residential and commercial development including but not limited to regional

material sourcing (A5.405.1), Bio-based materials (A5.105.2), Reused materials (A5.405.3), and materials with a recycled content (A5.405.4).

36. In accordance with CalGreen Section 4.410.2 onsite recycling shall be provided in readily accessible areas for the depositing, storage and collection of non-hazardous materials including at a minimum paper, cardboard, glass, plastics, organic waste, and metals.
37. The applicant shall coordinate with Recology to appropriately size trash enclosures and ensure that maximum waste stream diversion occurs by providing onsite pre-sorting for recyclables and green waste for compostable and organic material.

Engineering Division

38. Frontage improvements as indicated on the latest Civil plan set shall be installed to meet City Standards. All improvements shall be ADA accessible.
39. With the Building Permit, a construction-level storm water quality report shall be provided that demonstrates compliance with "BASMAA Post-Construction Manual: Design Guidance for Stormwater Treatment and Control for Project in Marin, Sonoma, Napa and Solano Counties", January 2019. (Provision E.12 of the City of Petaluma's storm water permit.
40. The project shall comply with E.10 Construction Erosion and Sediment Control Requirements: with the building permit application, applicant shall provide Notice of Intent documentation as well as the Storm Water Pollution Prevention Plan (SWPPP) and erosion and sediment control plan to comply with the City of Petaluma's Phase II Storm Water Management Plan and the State of California NPDES requirements.
41. The project is responsible for paying water, sewer, and storm drain impact/capacity fees prior to issuance of a building permit.
42. The project shall provide a contribution toward City costs related to the updated coordination timing with Caltrans on Lakeville Highway.
43. On-site sewer and storm drain water and all proposed treatment systems shall be privately owned and maintained.
44. Prior to issuance of a building permit, an Operations and Maintenance Manual is required for the proposed storm water treatment systems and shall be submitted with the building permit application for review and approval by the City Engineer. The manual shall include annual inspection, by a Civil Engineer registered in the State of California, to ensure the detention and treatment systems are operating as designed and constructed, as well as provisions to make any necessary repairs to the system. A signed and sealed copy of the report shall be provided annually to the Office of the City Engineer.
45. Confirm all proposed trash enclosure locations on project plans. All trash enclosures shall be covered and plumbed to the sanitary sewer, with a hose bib located within for wash down purposes. Applicant shall provide written confirmation from the waste removal provider (Recology) that refuse removal trucks will have adequate service access.
46. Rectangular rapid flashing beacons (RRFB) shall be installed at the S McDowell crossing at Cader Lane to the satisfaction of the City Engineer prior to the Project's first Certificate of Occupancy. The RRFBs shall be shown on the Project's public improvement plan associated with the Project's building

permits.

47. Wayfinding signage shall be installed directing pedestrians to Shollenberger Park and Allan Marsh to the satisfaction of the City Engineer prior to the project's first Certificate of Occupancy. The wayfinding signs shall be shown on the Project's public improvement plan associated with the Project's building permits

Public Works & Utilities Department

48. Move all water meters and backflow assemblies to the back of sidewalk.
49. Onsite connections for the private sewer laterals to the existing private sewer stub at intersection of South McDowell and Corporate Circle must be detailed on building permit plans. Provide two-way cleanout at the end of the existing sewer lateral.
50. Remove all existing water connections to the subject parcel not to be utilized for the development. Valves and tees must be removed and sections must be re-built on water mains for unused water service connections.
51. All water and sewer stubs must be at least 10 feet from tree plantings.
52. Half-street paving replacement shall be required on Fisher Drive and Cader Lane. The project geotechnical engineer shall make the recommendations for the street paving replacement. The minimum restoration for half-street improvements is a two-inch grind and overlay. Paving restoration may be required for South McDowell Boulevard depending on impacts of construction of the roadways.
53. Street lights shall be installed on the project frontages to City Standards.
54. The storm drain system shall be designed and constructed in accordance with Sonoma County Water Agency and City of Petaluma requirements, and shall be reviewed and approved by the Sonoma County Water Agency.
55. The on-site storm drain system shall be designed to detain peak storm water runoff for the 10-year, 24 hour storm event.
56. The applicant is responsible for paying the necessary sewer, water and storm drain impact/capacity fees prior to issuance of a building permit.
57. Prior to final inspection, the property owner shall enter into the City's standard agreement for operation and maintenance of storm water management facilities.
58. All work within the public right of way and public easements shall be per City of Petaluma and State MUTCD standards and requirements.
59. An encroachment permit is required for all work within the public right of way.
60. A landscape and irrigation documentation package consisting of all the required elements found in the Landscape Water Use Efficiency Standards (Municipal Code Section 15.17.050) must be submitted prior to issuance of a building permit.
61. A water efficient landscape worksheet including ETWU and MAWA calculations shall be submitted with the project's first building permit application.
62. Plants with similar water needs shall be grouped together in distinct hydrozones and where irrigation is required the distinct hydrozones shall be irrigated with separate valves

63. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas and shall be demonstrated on the first building permit plans.
64. The landscape design plan submitted with the first building, at a minimum, shall include:
 - a. Delineate and label each hydrozone by number, letter, or other method.
 - b. Identify each hydrozone as very low, low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation.
 - c. Identify type of mulch and application depth.
 - d. Identify plant sizes and quantities in all areas of landscape, including planters and containers.
 - e. Identify plants by botanical name and common name in all areas of landscape, including planters and containers.
 - f. The following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and,
 - g. The signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.
65. A complete irrigation design plan that meets all the design criteria shall be submitted at the time of first building permit application as a part of the landscape documentation package.
66. The irrigation design plan submitted with the first building permit application shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan." The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system shall also be included with the statement.

Fire Department

67. 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 when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with Section 505.2. CFC 501.4.
68. Pursuant to California Fire Code Appendix D105.3, plans submitted for purposes of construction shall relocate street lights and obstructive landscaping adjacent to aerial apparatus access areas identified on the proposed plans, subject to Fire Marshal review and approval.
69. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders. CFC D103.1.
70. 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 comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) 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. CFC 503.1.1.
71. Where gates are installed across fire department access roads, approved means of access through the gates shall be provided. CFC 503.5.
72. The required turning radius of a fire apparatus access road shall be determined by the fire code official. CFC 503.2.4.
73. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched

roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. CFC D105.1.

74. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof. CFC C105.2.
75. An approved automatic fire sprinkler system shall be installed and maintained in all newly constructed buildings. PMC 17.20 903.2.20.1
76. The fire sprinkler system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-13D.
77. New and existing buildings shall be provided with approved illuminated address numbers or letters. They shall be contrasting with the background and be plainly visible from the street or road fronting the property. Address numbers shall be Arabic numerals or alphabetic letters. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall comply with Fire Department Standards. PMC 17.20 505.1.
78. Address numbers for the project shall be a minimum of 12 inches high (12") with a minimum stroke width of one inch (1"). PMC 17.20 505.1.1
79. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.2. A reduction in required fire-flow of up to fifty percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with other sections of this code. The resulting fire flow shall not be less than fifteen hundred gallons per minutes (1,500 gpm) for the prescribed duration as specified in Table B105.1(2).
 - a) Flow test shall be more than 1 year old, and
 - b) The updated flow analysis shall address major changes to existing public water mains serving this project that are scheduled to be constructed in the future.
 - c) The fire flow analysis is required to be submitted for review and approval. Fire Department approval will not be granted without a fire flow analysis.
 - d) The project has not met this requirement, no fire flow analysis was included.