

# RESOLUTION 2020-10

## CITY OF PETALUMA PLANNING COMMISSION

### CONDITINALLY APPROVING SITE PLAN AND ARCHITECTURAL REVIEW FOR THE RIVERBEND PROJECT LOCATED AT 529 MADISON STREET APN: 007-041-006 FILE NO. PLMA-19-0003

**WHEREAS**, Steven J. Lafranchi of Steven J. Lafranchi Associates submitted an application for the Riverbend Project, including a Zoning Map Amendment, Zoning Text Amendment, Vesting Tentative Subdivision Map, and Site Plan and Architectural Review for a 30- unit residential project within the Residential 3 (R3) and Floodway zones, located on a 3.36-acre site at 529 Madison Street (APN 007-041-006) (the "Project"); and

**WHEREAS**, a duly noticed public hearing to consider the Project was advertised for June 23, 2020, but was continued to a date-certain Planning Commission agenda of July 14, 2020; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing to consider environmental review, Site Plan and Architectural Review, and other City approvals required for the Project on July 14, 2020, 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 the public hearing on July 14, 2020, the Petaluma Planning Commission adopted Resolution No. 2020-06 adopting a mitigated negative declaration and mitigation monitoring and reporting program for the Project; and

**WHEREAS**, at said hearings, the Planning Commission considered the staff report, dated June 23, 2020, the staff memo, dated July 14, 2020, and all public testimony provided prior to and at the public hearing; and

#### **NOW THEREFORE, BE IT RESOLVED BY THE PETALUMA PLANNING COMMISSION AS FOLLOWS:**

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

#### California Environmental Quality Act

- a. This Site Plan and Architectural Review application is consistent with the project analyzed in the MND adopted by the Planning Commission on July 14, 2020 via Resolution No. 2020-06. Mitigation Measures approved with the MND reduce potentially significant environmental effects below the threshold of significance, and those mitigation measures continue to apply to this application as conditions of approval, as provided below. No additional environmental review is required since: (a) there have been no substantial changes to the project; (b) there have been no substantial changes to the circumstances under which the project is being undertaken; and (c) there is no new information, which was not known and could have been known at the time the MND was

adopted, that has become available.

### General Plan

- b. The Project is consistent with the General Plan 2025 Diverse Low Density Residential land use designation in that the Low Density Residential land use designation provides for a variety of dwelling types, including single-family housing, at a density of 6.1 to 12.0 units/acre.
- c. The Project has been found to be consistent the Goals and Policies of the General Plan as follows:

**Policy 1-P-2** Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.

*The proposed project is an infill development within the UGB and within the density range (6.1-12.0 units/acre) allowed by the applicable Diverse Low Density Residential Land Use Designation. At 11.32 units per net acre, the project nearly maximizes the residential density allowed by the General Plan that is equal or higher density and intensity than surrounding residential developments. Furthermore, the project will implement a minimum of 10 Junior Accessory Dwelling Units with the option to include up to a total of eight additional Junior Accessory Dwelling Units in the project for a maximum of 18 Junior Accessory Dwelling Units.*

**Goal 1-G-5** Develop land uses in proximity to the Petaluma River that ensure the restoration of the natural river corridor, provide for adequate storm flow capacities, and enable public access and stewardship.

**Policy 1-P-43** Development shall incorporate the river as a major design focal point, orientating buildings and activities toward the river and providing water access, to the extent deemed feasible.

**Policy 1-P-44** Develop the Petaluma River as a publicly accessible green ribbon fronted by streets, paths, access points, and open spaces by implementing the Petaluma River Access and Enhancement Plan within the context of the Petaluma River Corridor Design Standards.

*The proposed project will enhance and improve access to the Lynch Creek Trail and the river corridor adjacent to the trail. The project will provide a public open space, benches, and increased safety such as lighting that will allow for a more accessible and enjoyable environment in the vicinity of the river. The public park and oak tree plantings adjacent to the Lynch Creek Trail will further enhance the desired green ribbon effect. Furthermore, the project will be furthering the objectives and policies of the Petaluma River Access and Enhancement Plan with the improvements and increased access to the river proposed by the project.*

**Goal 2-G-6** Maintain and develop the area with a diverse range of residential densities appropriate to the character of this central urban neighborhood while enhancing the creek corridors.

*The project proposes a single-family residential project in an area that features differing land uses and residential development patterns. Single-family residential development is the most prominent development type in the area; thus, making the single-family project appropriate to the character of the neighborhood. Although the proposed structures in the project are larger and taller than the residential neighborhood to the east, similarly scaled residential buildings in a planned unit development immediately north of the project site provides context for the proposed development scale of development of the project. Furthermore, the project provides a residential density of 11.32 units per acre, which is at the end of density allowed in the Diverse Low Density land use designation (6.1 to 12.0 units per acre). The proposed density is consistent with the promotion of high densities in proximity to transit, but in a form that is compatible with the character of the neighborhood and enhances public access to the river.*

**Policy 2-P-33** Develop the Petaluma River as a publicly accessible green ribbon, fronted by streets, paths and open spaces by implementing the Petaluma River Access and Enhancement Plan.

**Policy 2-P-34** Foster connections to the river from surrounding areas and ensure that new development adjacent to the river is oriented toward it.

**Policy 2-P-37** Use the Natural Environment Element, Water Resources Element and the Petaluma River Access and Enhancement Plan to implement the Petaluma River greenway by maintaining setbacks and protect and enhance oak and riparian habitat and other opens spaces along the river.

*The project will provide enhancements to the Petaluma River corridor as previously outlined that will make the area more accessible and welcoming to users of the area, as well as carry-out the policies and objectives of the River Access and Enhancement Plan. Additionally, the project will not disturb the riparian corridor and will provide oak tree plantings in the public open space area to provide further enhancements near the riparian area.*

**Policy 4-P-2** Conserve wildlife ecosystems and sensitive habitat areas in the following order of protection preference: 1) avoidance, 2) on-site mitigation, and 3) off-site mitigation.

*A 0.04-acre seasonal wetland is proposed to be filled in order to develop the project. Avoidance and on-site mitigation are not practical in this instance where providing residential density in a central neighborhood is important. Mitigation measures have been proposed that allows for off-site mitigation for the loss of the 0.04-acre wetland. The project applicant has purchased wetland mitigation credits at the Burdell Ranch Wetland Conservation Bank for off-site mitigation.*

*The Petaluma River and the narrow riparian corridor will not be directly or indirectly affected by project activities during construction nor at operation. All improvements will occur above the top of bank and outside the drip line of trees along the riparian corridor. The proposed project will not construct any new stormwater outfalls that discharge to the river and will utilize the existing City storm drain system to convey stormwater runoff from the project site. Therefore, there will be no adverse impacts to the aquatic and riparian habitats of the Petaluma River.*

**Policy 4-P-6** Improve air quality through required planting of trees along streets and within park and urban separators and retaining tree and plant resources along the river and creek corridors.

**Policy 4-P-6.A** Require planting of trees for every significant tree removed at a project site or on a publicly owned area, with long-term maintenance assured.

*Required street trees will be planted along all corresponding road frontages. Five protected oak trees will be removed from the project site in order to develop the project. Consistent with IZO Chapter 17, tree mitigation will be provided by providing 16 replacement oaks on the project site in both a frontage along the new private street and in the public open space area. The trees have been spaced to ensure their long-term survival. Additionally, these areas will be maintained by a homeowner's association, which will provide for long-term care of the replacement trees. The remainder of the tree mitigation will be provided by paying an in-lieu fee afforded by the IZO. Furthermore, no tree removal or disturbance will occur in the riparian area of the river.*

**Policy 4-P-7** Reduce motor vehicle related air pollution.

**Policy 4-P-7.A** Enforce land use and transportation strategies that promote use of alternatives to the automobile for transportation, including walking, bicycling, bus transit, and carpooling.

*The project site is located in an area that has easy access to pedestrian and bicycle circulation facilities and is located within one-third of a mile from the Downtown SMART Station, the Copeland*

Avenue Transit Mall and several other bus lines. Additionally, commercial corridors with grocery stores, restaurants, personal services, as well as Downtown Petaluma are located a short distance from the project. The project will both further develop pedestrian and bicycle facilities in the area. These factors will help reduce vehicular dependence, result in less automobile trips and promote alternative forms of transportation to the automobile.

**Policy 4-P-17** To avoid potential health effects and citizen complaints that may be caused by sources of odors, dust from agricultural uses, or toxic air contaminants, include buffer zones within new residential and sensitive receptor site plans to separate those uses from potential sources of odors, dust, and stationary sources of toxic air containments.

The project will introduce new sensitive receptors immediately adjacent to The Clover Stornetta facility to the south, which would lead to exposure to potential noise, odors, and air emissions generated by ongoing operation of the existing Clover facility. As outlined in the project's Initial Study/Mitigated Negative Declaration, a minimum buffer of 100 feet from the Clover property line would be necessary to avoid potential conflicts due to air quality emissions generated by the Clover facility. Pursuant to this policy, a buffer zone was considered but determined to be infeasible without substantially compromising the site's ability to support residential development in part due to the narrow width of the subject property. In lieu of a buffer, alternate strategies were considered. The Air Quality Report recommends that all new homes built along the shared boundary with Clover Stornetta and within 100 feet of the site's southern boundary, be designed to incorporate high-efficiency particulate filtration systems in heating, ventilation, and air conditioning (HVAC) systems. As such, the project is subject to a mitigation measure that requires all homes within 100 feet of the shared boundary with Clover to be developed with filtration devices of MERV13 or higher rating and be properly maintained to ensure the MERV13 air filter achieves reductions in exposure to harmful emissions associated with the adjacent Clover facility. With implementation of the residential air filtration system, new residences introduced onsite would not be exposed to excessive cancer risk and the potential to have a conflict with Policy 4-P-17.

**Policy 5-P-15** Implement the bikeway system as outlined in the Bicycle and Pedestrian Plan and expand and improve the bikeway system wherever the opportunity arises.

**Policy 5-P-20** Ensure that new development provides connection to and does not interfere with existing and proposed bicycle facilities.

**Policy 5-P-22** Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well-connected pedestrian network linking new and existing developments to adjacent land uses.

The project will be implementing and enhancing existing bicycle/pedestrian infrastructure in the project vicinity. The project will provide two connections – one from the project site and one from the Edith Street terminus – for access to the Lynch Creek Trail. As previously outlined, the Class I Lynch Creek Trail will be widened and enhanced with lighting, benches and amenities such as a drinking fountain, bicycle repair equipment and bicycle racks.

The project will be implementing the Class II bicycle facility envisioned by the General Plan and Bicycle and Pedestrian Master Plan along the project's Madison Street frontage. A Class III bicycle facility will be implemented on the Edith Street frontage instead of the Class I bicycle facility envisioned by the General Plan and Bicycle and Pedestrian Master Plan. The Pedestrian and Bicycle Advisory Committee considered the Edith Street re-classification and unanimously determined that the re-classification is appropriated given the block-long street segment has minimal traffic and conflicts with vehicles would also be minimal.

Enhanced crosswalk paint across Madison Street and cross walks across Edith Street will be provided to enhance pedestrian safety at the intersection of Madison and Edith streets. A bulb-

out at the corner of Madison and Edith streets adjacent to the project site will also be provided to enhance pedestrian safety and interest. Sidewalks will be installed along all project street frontages. Furthermore, the project has been conditioned so that rectangular rapid flashing beacons are provided for the Madison Street crosswalk.

**Policy 5-9-22.A** Improve the pedestrian experience through streetscape improvements where there is the greatest need, and by orienting development toward the street.

*Streetscape improvements including landscaping and street trees will be provided along all project frontages. The houses have been oriented to the street and will contain front porches. The front building elevations have also been successfully designed to provide pedestrian interest by providing porches and minimizing the appearance of garage doors.*

**Policy 5-9-22.B** Improve street crossing and complete gaps in the sidewalk system through development review and capital improvement projects.

**Policy 5-P-23** Require the provision of pedestrian site access for all new development.

*As previously outlined, the project will improve street crossings and complete gaps in the sidewalk system and will allow for pedestrian site access from both the adjacent streets and the Lynch Creek Trail.*

**Policy 5-P-26** Require all new development and those requiring new city entitlements with "frontage" along creeks and the river to permit through travel adjacent to creeks and the river with access points from parallel corridors spaced at minimum intervals of 500-1,000 feet.

**Policy 5-P-30** Require all new development abutting any public trail to provide access to the trail.

*The project will permit through travel to the Lynch Creek Trail directly from the project site area and from the terminus of the Edith Street cul-de-sac.*

**Policy 5-P-31** Make bicycling and walking more desirable by providing or requiring development to provide necessary support facilities throughout the City.

*The project will be installing new bicycling facilities, including a Class II facility on Madison Street and a Class III facility on Edith Street and the new private street, that will connect to the larger bicycle facilities in the project area. The new pedestrian circulation features of the project will allow integration into the existing pedestrian circulation system in the area. Additionally, the Lynch Creek Trail improvements will also make bicycling and walking more desirable by providing support amenities, lighting, benches and a widened trail area.*

**Policy 5-P-31.B** Install drinking fountains serving people and their pets in strategic locations to make it easier and healthier for pedestrians and bicyclists and pedestrians to be outdoors and travel long distances.

*The project will install a drinking fountain at the Edith Street Lynch Creek Trail access area that will serve both people and their pets.*

**Policy 5-P-31.D** Require projects subject to discretionary approval to install public benches where appropriate.

*The project will provide two new benches along the project site's Lynch Creek Trail frontage and one new bench along the Clover facility's Lynch Creek Trail frontage. Furthermore, a swing bench and picnic tables will be provided in the public open space provided by the project.*

**Policy 5-P-31.E** Install non-glare lighting along multi-use paths that serve as commuter routes.

*A total of 13 new lighting bollards will be installed along the Lynch Creek Trail on both the project site's frontage and the Clover facility frontage. The bollards will be solar-powered and will be non-glare lighting. The bollards have strategically spaced along the trail to provide optimal light coverage and have been placed at trail access points.*

**Policy 6-P-1** Develop additional parkland and recreational facilities in the city, particularly in areas lacking these facilities and where new growth is proposed, to meet the standards of required park acreage.

*The project will provide a new 0.32-acre park space that will be dedicated to the City but maintained by the project's HOA. The park will offer passive recreation opportunities with picnic tables and a swing bench. The park space will also offer shaded areas once the oak trees proposed for the park space are mature enough to provide cover.*

**Policy 6-P-1.F** Require land development along designated trails and pathway corridors to provide sufficient right-of-way for trails and amenities and to ensure that adjacent new development does not detract from the scenic and aesthetic qualities of the corridor.

*The project will enhance and widen the existing Lynch Creek Trail where feasible by expanding the trail to 10 feet in width with two-foot-wide GraniteCrete shoulders on each side. Where this configuration is not possible due to physical constraints (existing trees, top of bank of the Petaluma River), the trail configuration would include a 10-foot-wide concrete path with a shoulder on one side or no shoulder. Additionally, the project will enhance the scenic and aesthetic qualities of the corridor by providing the public park space, landscaping, and tree plantings along the project site's trail frontage.*

**Policy 6-P-2.A** Provide public access and recreational opportunities along the length of the Petaluma River and its tributaries to every extent possible.

*Public access will be provided to the Lynch Creek Trail from two locations. Enhanced access to the river is not feasible due to the dense riparian corridor. The project will enhance recreational opportunities along the Petaluma River by improving the Lynch Creek Trail and by providing a public park adjacent to the trail.*

**Policy 6-P-20** Where trees larger than eight inches in diameter must be removed to accommodate development, they shall be replaced at a ratio established in the Development Code. Replacement trees may be planted on, or in the vicinity of, the development site, subject to approval by the Community Development Department or through the discretionary approval process.

*The project will be removing five mature Coast Live Oak trees that are required to be replaced by the IZO. The project will comply with the replacement provisions of the IZO by providing 16 replacement trees of the same species on the project site. The replacement oak trees (36-inch box oak trees) have been optimally spaced and provided to the degree possible on the project site in order to guarantee their long-term survival per the project's arborist. The remainder of the required tree replacement will be provided via an in-lieu fee that is allowed by the IZO. The in-lieu fee will be for 166 total inches of tree diameter.*

**Policy 10-P-3** Protect public health and welfare by eliminating or minimizing the effects of existing noise problems, and by minimizing the increase of noise levels in the future.

**Policy 10-P-3.B** Discourage location of new noise-sensitive uses, primarily homes, in areas with projected noise levels greater than 65 dB CNEL. Where such uses are permitted, require incorporation of mitigation measures to ensure that interior noise levels do not exceed 45 dB CNEL.

The project would introduce a potential noise compatibility conflict due to noise emanating from the adjacent Clover facility. The project will introduce new sensitive noise receptors into an environment with elevated noise levels (67 dBA), which are generally attributed to the existing operations of the Clover Stornetta facility. As such, the project introduces a potential conflict with Petaluma's General Plan Policy 10-P-3 and Community Noise Exposure limits. To ensure new residents are not exposed to noise levels exceeding the Community Noise Exposure levels, proposed mitigation measures of the Mitigated Negative Declaration must be implemented. The proposed mitigation measures provide for the installation of an eight-foot-tall noise barrier along the southern property line to achieve the exterior residential standard of 65 dBA or below in the rear yards of new lots. A second mitigation measure provides for interior noise reductions by requiring that all new residents within 100 feet of the southern property boundary to be equipped with forced air mechanical ventilation systems that allow fresh air to be filtered into the house while windows remain closed to achieve adequate noise suppression and for exterior wall assemblies including doors and windows facing the Clover facility to meet a sound transmission class (STC) between 28 and 32 to ensure interior noise levels are at or below 45 dBA interior CNEL standard. With implementation of the noise barrier, forced air ventilation, and wall, door and sound rated windows within 100 feet of the property line, new residences introduced onsite would not be exposed to excessive noise levels and potential land use conflicts.

### **Housing Element**

**Policy 1.1** Promote residential development within the Urban Growth Boundary.

*The project proposes 30 residential units on property within the Urban Growth Boundary. Furthermore, the project will provide residential development in a walkable neighborhood and in close proximity to public transit options.*

**Policy 1.2** Encourage the development of housing on underutilized land that is appropriately zoned.

*The project site is an underutilized, vacant property that can accommodate the project. The proposed Riverbend PUD will result in an appropriately zoned project site.*

**Policy 4.2** Assign a share of the responsibility for providing affordable housing to the developers of market-rate housing and non-residential projects.

**Program 4.3** Require developers of residential projects, both homeownership and rentals, of five or more units to provide 15% of the units on-site for use as affordable housing with affordability restrictions for 45 years for homeownership development and affordability restrictions for 55 years for rental developments.

*Five housing units in the development will be sold at prices affordable to low- and moderate-income households. The units will be affordable for 99 years through a renewable ground lease with the Housing Land Trust of Sonoma County and will be located in four of the six attached dwelling units and one of the detached dwelling units. Two of the units will be located on the Edith Street frontage, while the remaining three units will share a property line to the south with Clover-Stornetta site.*

### **Implementing Zoning Ordinance**

- d. As outlined in the Planning Commission Staff Report dated June 23, 2020, and the Planning Commission staff memo dated July 14, 2020, the proposed zoning regulations of the Riverbend Planned Unit District can be supported. The Project is consistent with all other zoning and development provisions of the Implementing Zoning Ordinance not contained in the Riverbend Planned Unit District document.

- 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. The appropriate use of quality materials and harmony and proportion of the overall design.

*The residences in the project will utilize materials that are long-lasting and harmonious with the surrounding neighborhood. Materials included in the project include stucco, fiber cement panel batt siding, brick, brick veneer, fiber cement staggered edge shingle siding and fiber cement lap siding. However, a condition of approval has been included that requires the stucco finish is smooth, hand-troweled stucco, which offers a superior visual quality over the proposed heavy sand finish stucco.*

*The overall forms of the residential structures in the project relate to one another with variations in architectural styles to add interest. Front porches on each of the structures adds a common design element to each unit. Furthermore, the side-facing upper story windows have been designed and arranged so that they do not create privacy issues.*

- ii. The architectural style which should be appropriate for the project in question, and compatible with the overall character of the neighborhood.

*The residential built environment surrounding the project site is eclectic and was built in different eras. The proposed designs of the structures in the project are intended to be evocative of differing architectural styles with Traditional, Craftsman, Cottage and Farmhouse styles. Given the eclectic architecture found in the neighborhood, the proposed architectural styles are appropriate.*

- iii. The siting of the structure on the property, as compared to the siting of other structures in the immediate neighborhood.

*The structures in the project have been sited so that they contain landscaped front yards with side and rear yards consistent with much of the surrounding development, which is primarily single-family detached housing. Additionally, all building fronts will parallel the street onto which they face and will contain straight, direct driveway access to their respective streets consistent with the residential development patterns in the area.*

- iv. The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures.

*No signage is proposed by the project.*

- v. The bulk, height, and color of the proposed structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

*The colors of the proposed structures are generally neutral and earth tones, which is consistent with the colors of the surrounding residential structures.*

*The development pattern, like the architectural styles, in the central Petaluma project area is eclectic. A residential planned unit development with clustered, attached single-family dwellings measuring one and two stories is located immediately to the north. Development immediately to the east of the project site primarily features post-World War II housing development (constructed circa 1948-1951) with typical development being approximately 1,000 square-foot detached single-family houses on lots that measure approximately 5,000 square feet. Some apartment complexes and attached single-family residential units can also be found in the residential area east of the project site. Residential development to the east of the project site is nearly all single-story development with an occasional two-story structure.*



The proposed development is taller than most of the development in the area but is similar in height to the structures located in the PUD across Edith Street. The same analysis holds true for the project's bulk related to the surrounding neighborhood. The additional height and bulk, however, can be supported by staff since it results in more efficient infill of the project site in Central Petaluma with the inclusion of a minimum 10 Junior Accessory Dwelling Units with the capacity to implement up to 18 Accessory Dwelling Units.

- vi. Landscaping to approved City standards shall be required on the site and shall be in keeping with the character or design of the site. Existing trees shall be preserved wherever possible and shall not be removed unless approved by the Planning Commission.

The proposed landscaping plan will provide landscaping consistent with City standards in that the project will provide landscaping along all street frontages, front yards and common areas, as well as tree plantings in the same areas. The landscaping species are well-suited for Petaluma's climate and the landscaping is consistent with water conservation requirements outlined in the Petaluma Municipal Code. The landscaping plan contains six different tree species, as well as a variety of shrubs, perennials, grasses and groundcover.

A total of 13 existing trees are proposed for removal from the project site in order to construct the project with five of the trees (Coast Live Oaks) being a protected tree under the IZO. Retention of the trees in their current locations would unduly affect the development potential of the project site.

Based on the trunk diameters and the condition of the trees proposed for removal, a total of 205 inches of tree mitigation must be provided for the project. The project will provide tree mitigation both on-site and via the in-lieu fee that is allowed by the IZO. Thirty-nine inches of the total 205 inches required for mitigation will be provided on-site. Pursuant to the ordinance, all 13 replacement trees will be 36-inch box Coast Live Oaks that will match the tree species proposed for removal. Thirty-six-inch box tree replacements are equal to three inches of on-site tree replacement. The on-site tree replacement has been maximized to the degree possible due to the site characteristics and the spacing required to allow long-term survival of the replacement trees as verified by the project's certified arborist. The remaining 166 inches of tree mitigation will be paid via the allowed in-lieu fee. The in-lieu fee is based on the typical northern California wholesale tree cost plus average installation cost. In-lieu fees for replacement trees are based on a minimum 24-inch box size.

- vii. Ingress, egress, internal circulation for bicycles and automobiles, off-street automobiles and bicycle parking facilities and pedestrian ways shall be designed as to promote safety and convenience and shall conform to approved City standards.

The project's, ingress, egress and internal circulation had been designed to promote safety and convenience. The project will be implementing a Class II bicycle facility along the project's Madison Street frontage and a Class III facility on Edith Street and the new private street. Upgrades and widening of the Lynch Creek Trail will occur along the project's trail frontage and along the Clover facility's frontage to Lakeville Street. The project will provide two connections to the Lynch Creek trail and will provide a bicycle repair station, a drinking fountain, and bicycle racks at the Edith Street access point. Sidewalks will be installed on all project frontages and will connect to the existing pedestrian circulation system in the area. A bulb-out, two crosswalks traversing Edith Street on either side of Madison Street and a crosswalk traversing Madison Street will be installed by the project. Furthermore, the project has been conditioned so that rectangular rapid flashing beacons are provided for the Madison Street crosswalk.

The City Engineer has reviewed the project for transportation safety of all modes of transportation and has concluded that the project conforms to approved City standards. The

*Fire Department has also reviewed the project and concluded that the emergency responders will be able to access the site and the structures in the site.*

*Parallel parking is currently allowed at the site frontage along Madison Street and Edith Street which accommodates 31 vehicles to park on-street. According the Traffic Study, the project would retain 10 public on-street spaces on the site frontage of Madison and Edith Street with the remaining on-street space dedicated to new private driveways. Fifteen additional vehicle parking spaces would be available for on-street parking on the private street. The Clover Stornetta facility has limited onsite parking for its employees with approximately eight to nine dedicated passenger vehicle parking spaces. The remaining employees currently utilize available on-street parking in the surrounding neighborhood, including along the project's frontage of Edith and Madison streets.*

*The project has been designed so that the structures, lots and driveways in the project align with the streets onto they face. This is highly desirable for placemaking purposes. Staff believes that the urban design benefits outweigh the retention of all existing on-street parking spaces. Furthermore, it is not the responsibility of the applicant to assure that the employees of the Clover facility have space to park on the nearby public streets.*

3. Based on its review of the entire record herein, including the June 23, 2020 Planning Commission staff report, the July 14, 2020 Planning Commission staff memo, 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 14<sup>th</sup> day of July, 2020, by the following vote:

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



Scott Alonso, Chair

ATTEST:



Heather Hines, Commission Secretary

APPROVED AS TO FORM:



Eric Danly, City Attorney

**EXHIBIT 1**

**SPAR CONDITIONS OF APPROVAL**

**Riverbend Project**

**Located at 529 Madison Street**

**APN: 007-041-006**

**File No. PLMA-19-0003**

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 respectively date stamped October 24, 2019, and June 25, 2020, and July 1, 2020, except as modified by these conditions of approval. A determination of substantial conformance shall be made by the Planning Manager during the plan check review process. Nothing shall preclude the Planning Manager from referring a substantial conformance determination to the Planning Commission for review at a publicly noticed meeting.
2. Approval of the Site Plan and Architectural Review is conditioned upon the City Council's approval of the associated Zoning Map Amendment, Zoning Text Amendment and Vesting Tentative Subdivision Map.
3. All mitigation measures contained in the associated Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program are included by reference and shall be satisfied consistent with the approved Mitigation Monitoring and Reporting Program.
4. The Conditions of Approval and Mitigation Measures shall be listed on the first sheet of the office and job site copies for all building permit plans prior to issuance.
5. The applicant shall pay the Notice of Determination ("NOD") Clerk's fee to the Planning Division. The applicant shall provide a \$50.00 check made payable to the Sonoma County Clerk. Planning staff will file the Notice of Determination with the County Clerk's office. The applicant shall also provide a check for the State Department of Fish and Wildlife environmental filing fee (as required under Fish and Wildlife Code Section 711.4d) to the Sonoma County Clerk on or before the filing of the Notice of Determination (as of January 1, 2020, the fee is **\$2,406.75**; contact the Clerk's office at (707) 944-5500 to confirm).
6. No building permits shall be issued for any buildings on the site until a Final Map has been approved and recorded.
7. The applicant shall be subject to all applicable development impact fees in affect at time of building permit issuance. Said fees are due prior to final inspection or certificate of occupancy.
8. Junior Accessory Dwelling Units shall be developed on Lots 7, 9, 12, 14, 15, 18, 20, 23, 27, and 28. The Junior Accessor Dwelling Units shall only be accessible from the exterior of the structure.
9. All stucco application shall be smooth, hand-troweled stucco.
10. The Class II bicycle facility on Madison Street and the Class III bicycle facility on Edith Street and the new private street shall be installed prior to the issuance of the first Certificate of Occupancy.

11. The re-striping of eastbound Wilson Street at E Washington Street shall be completed as per the approved plans and shall be completed prior to the issuance of the first Certificate of Occupancy.
12. The improvements at the intersection of Madison and Edith streets, including bulb-outs, rectangular flashing beacons for the Madison Street cross walk and new cross-walk striping, shall be completed as per the approved plans and shall be completed prior to the issuance of the first Certificate of Occupancy.
13. The public park shall be constructed by the applicant per the approved plans and shall be constructed prior to the issuance of the first certificate of occupancy. The park dedication to the City shall be completed and recorded prior to the issuance of the first certificate of occupancy. The project's homeowner's association shall be responsible for the on-going maintenance and upkeep of the park, as well as the proposed bicycle and pedestrian support installations proposed at the terminus of Edith Street. A park maintenance plan shall be included in the project's covenants, codes and restrictions. The park maintenance plan shall be submitted to the City for review prior to the issuance of the first certificate of occupancy.
14. The Lynch Creek Trail improvements must be constructed and installed per the approved plans and must be installed along the entire project site frontage and frontage adjacent to the Clover-Stornetta property prior to the issuance of the first certificate of occupancy.
15. At all times the site shall be kept cleared of garbage and debris. No outdoor storage shall be permitted.
16. Any discovery of contaminated soil during excavation work shall be properly removed and disposed in a fashion that is consistent with the regulations and measures of the Department of Toxic Substances Control
17. Both construction and post-construction business operations shall comply with all performance standards of Implementing Zoning Ordinance Chapter 21.
18. 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 and must be consistent with all performance standards of Implementing Zoning Ordinance Chapter.
19. Bicycle racks shall comply with size dimensions and location/installation requirements outlined in 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.
20. The colors, materials, and light fixtures shall be in substantial conformance with those noted on the plan set and the color board in the plan set.
21. All standpipes, check valves and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping to be reviewed and approved by the Planning Manager.
22. The proposed tree removal and replacement shall be in conformance with the approved tree removal and mitigation plan and Chapter 17 of the Implementing Zoning Ordinance.
23. 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.

24. 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.
25. 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.
26. All standpipes, check valves, and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping to be reviewed and approved by the Planning Manager.
27. Prior to building permit and Public Improvement Plan approval, locate gas meter assemblies on plans in manner least visually obstructing, location and screening subject to review and approval of the Planning Manager, City Engineer, and PG&E.
28. 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.
29. Consistent with IZO Section 3.040 and Program 4.3 of the 2015-2023 Housing Element the applicant shall develop no less than five on-site dwelling units affordable for at least 99 years to low- and moderate-income households. The affordable units shall be constructed and occupied either prior to or concurrently with the market-rate units.
30. Within the interior garages of each unit a bicycle hook and electrical vehicle charger shall be installed. The electric vehicle charger shall be wired and installed per the latest CalGreen electric vehicle charging requirements.
31. 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.
32. Prior to issuance of building permit the applicant shall submit appropriate documentation demonstrating that the photovoltaic array has been maximized on each unit. The documentation shall be prepared by a qualified professional and shall be subject to review and approval by the Planning Manager and Chief Building Official.
33. In the event that human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended, and the following measures shall be undertaken:
  - a. The Sonoma County Coroner shall be contacted.
  - 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 project sponsor shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
  - d. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American and shall contact such descendant in accordance with state law.

- e. The project sponsor shall be responsible for ensuring that human remains and associated grave goods are reburied with appropriate dignity at a place and process suitable to the most likely descendent.
34. This approval is, as provided for at IZO §24.010(I), effective for a twelve (12) month period unless the permit has been exercised or unless an extension of time is approved in compliance with IZO §24.010(J).
  35. 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.

#### Mitigation Measures

36. **AQ1:** Latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition and construction plans to require implementation of the following:
  1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  2. All haul trucks transporting soil, sand, or other loose material shall be covered.
  3. 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.
  4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
  5. 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.
  6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.
  7. 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.

A publicly visible sign shall be posted 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.

37. **BIO-1:** For the protection of special-status birds, and native nesting birds protected by the MBTA and the CDFW, project development activities shall occur outside of the bird nesting season, to the extent feasible. If development activities must occur during the nesting season (February 1 – August 31), a qualified biologist shall conduct a nesting bird survey no more than 14 days prior to the commencing the Project activities. The nesting survey shall include an examination of all trees onsite and within 200 feet of the development footprint (i.e., within a zone of influence of

nesting birds), not just trees slated for removal. The zone of influence includes those areas outside the project site where birds could be disturbed by earth- moving vibrations and/or other construction-related noise.

If the biologist does not identify active bird nests during the surveys, no impacts will occur to birds and work may progress without restriction.

If active nests are identified, an appropriately sized temporary buffer around the nest shall be installed under the oversight of a qualified ornithologist/biologist to avoid impacts to nesting birds. The buffer size will be determined by the qualified biologist depending on the bird species, and typically range from 50 feet for small birds and up to 300 feet for raptors. A qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm while the project is constructed. No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later and will be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed, and construction may commence in established nesting buffers without restriction.

38. **BIO-2:** To avoid impacts to pallid bats, a "species of special concern" in the state, a qualified biologist shall conduct a bat survey 15 days prior to the commencement of ground work. If no special-status bats are found during the survey, then construction may begin without restriction.

If special-status bat species are found roosting on the project site, the biologist shall determine if there are young present (i.e., the biologist should determine if there are maternal roosts). If young are found roosting in any tree that will be impacted by the project, such impacts shall be avoided until the young are flying and feeding on their own. A non-disturbance buffer installed with orange construction fencing will be established around the maternity site. The size of the buffer zone will be determined by a qualified bat biologist at the time of the surveys. If adults are found roosting in a tree on the project site but no maternal sites are found, then the adult bats can be flushed or a one-way eviction door can be placed over the tree cavity for a 48-hour period prior to the tree removal.

39. **BIO-3:** To offset fill to 0.04 acres of Waters of the United States and the State, the applicant shall purchase mitigation credits at a 1:1 mitigation ratio or as otherwise required by the Army Corps of Engineers and the Regional Water Quality Board. Wetland mitigation credits shall be purchased from a Corps and RWQCB-approved mitigation bank. The Burdell Ranch Wetland Conservation Bank Service Area covers this project site and purchase from this bank or other acceptable bank as determined by the Corps and RWQCB could satisfy this mitigation requirement.

In lieu of purchasing wetland mitigation credits, a Wetland Mitigation and Monitoring Plan (WMMP) at a 2:1 mitigation ratio shall be prepared by a qualified restoration ecologist and presented to the City/Corps/RWQCB prior to placement of fill in the wetland. The WMMP shall include a description of the impacted wetland, a map of the mitigation site with existing conditions, a description of the new wetland, wetland construction approach, landscape plan, monitoring methods and successful WMMP criteria, contingency measures if success measures are not met, and short-term and long-term management and monitoring plans. A conservation easement, as defined by Section 81.5.3 of the California Civil Code, preserving



the created wetland in perpetuity and establishing an endowment to fund long-term management, maintenance and monitoring, shall be granted to a qualified entity.

40. **BIO-4:** Prior to any tree removal or alteration, the applicant shall obtain approval from the City of Petaluma to implement a plan for tree preservation and replacement in accordance with the City's Tree Preservation Ordinance. Replacement of the five protected trees onsite, shall be replaced at a one-to-one trunk diameter basis. Replacement trees shall be at the minimum a 24-inch box size. Replacement trees shall be planted within the Project boundaries to the extent feasible, and the applicant shall pay in lieu fees to cover the cost of labor and materials for offsite replacement.
  
41. **BIO-5:** To protect existing trees that will be preserved, the project applicant shall implement the following measures as set forth in Zoning Ordinance 17.050, Preservation of Existing Trees in Development Proposals:
  - Plastic or chain link tree protection fencing shall be installed at the driplines of trees to be preserved
  - A pre-construction meeting shall occur with the tree service to perform pruning in consultation with the arborist to agree on the extent of pruning as warranted
  - Pruning shall be to the minimum extent necessary for hazard reduction and access, vertical clearance and crown restoration and shall be conducted in accordance with ISA pruning guidelines and SNASI 300 standards
  - The Project arborist shall be notified 48 hours in advance to be present when grading or trenching will occur within the driplines of trees to be preserved
  - No parking, storage of materials, disposal of waste, operation of equipment, or other construction activity shall occur within the dripline of trees to be preserved.
  - Four inches of arbormulch shall be applied to the soil surface within the dripline of trees to be preserved. No arbormulch shall be introduced within the riparian corridor.
  - The arborist shall take the necessary measures to ensure that Coast live oak (#11), possibly infected with Sudden Oak Death is properly treated and managed to preclude spread of Sudden Oak Death.
  
42. **CUL-1:** To ensure protection and appropriate treatment of archeological resources in the event of inadvertent discovery the following procedures shall be complied with:
  - Prior to the start of construction activities, a schedule and process to carry out tribal monitoring to be performed by a qualified archeological monitor meeting the Secretary of the Interior's Professional Qualifications for Archeology and/or a Federated Indians of Graton Rancheria (FIGR) representative shall be established. Monitoring shall be performed during project-related earth-disturbing activities and may be adjusted based on inspection of subsurface soils and observed potential to contain intact cultural deposits or materials at the recommendation of a qualified archeological monitor, working in collaboration with FIGR's Tribal Historic Preservation Officer, and in consultation with the City.
  - The monitor and/or tribal representative shall be permitted to access the construction site, observe activities, and shall be granted authority to issue a stop work order in the event that a potential tribal cultural resource is identified.
  - A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications for Archeology shall conduct a preconstruction meeting with the site superintendent and contractor(s), equipment operator(s) and others prior to commencement of ground-disturbing activities to familiarize the team with the types

of archaeological material that could be encountered and procedures to follow in the event that archaeological deposits are uncovered. 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).

- If archeological deposits are encountered during ground-disturbing activities including, but not limited to excavation, grading and construction, all work within 100 feet of the discovery shall be halted until a qualified archaeologist, who meets the Secretary of the Interior's Standards, is able to inspect the material and provide recommendations for appropriate treatment of the resource including, but not limited to, data recovery excavation, artifact curation, report preparation, and information dissemination to the public. 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. Where such resources are Native American, Tribal representatives shall be notified and appropriate treatment shall be determined in consultation with Native American tribes.
- Upon completion of an assessment and/or evaluation of a potential artifact, the archaeologist shall prepare a report documenting the methods and results of the archaeological assessment/evaluation and provide recommendations for the treatment of the find. The report shall document compliance with mitigation, monitoring efforts, and include daily monitoring log. The report shall be submitted to the City of Petaluma, the Northwest Information Center, and Native American Tribe(s), as appropriate, within 60 days following completion of construction activities.

43. **GEO-1:** Prior to issuance of a grading permit, a project level soils and geological report shall be submitted to the City Engineer for review pursuant to the City of Petaluma's Ordinance #1576, Title 17, Chapter 17.31.180. The soils report shall detail the strength and characteristics of the soils onsite and provide conclusions and recommendations for grading procedures, foundations, and design criteria as appropriate.

As determined by the City Engineer and/or Chief Building Official, all applicable recommendations set forth in the in soils report prepared for the subject property, including, but not limited to grading, excavation, foundations systems, and compaction specifications shall be incorporated. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the design of the project.

Nothing in this mitigation 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.

44. **GEO-2:** Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the City Engineer for review. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Petaluma's Grading and Erosion Control Ordinance # 1576, Title 17, Chapter 17.31 of the Petaluma Municipal Code. Plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during all construction activity.
45. **LU-1:** High-efficiency particulate filtration systems shall be installed in residential heating, ventilation and air-conditioning (HVAC) systems for residences within 100 feet of the Clover Stornetta facility. The project shall implement the following measures to minimize long-term annual Diesel Particulate Matter exposure for incoming residential occupants:
1. Install forced air mechanical ventilation devices in new residences. Air filtration devices shall be rated MERV13 or higher for residential portions within 100-feet of the site. To ensure adequate health protection to sensitive receptors (i.e., residents), this mechanical ventilation system will circulate fresh filtered air into the dwelling units.
  2. In order to effectively implement this measure, an ongoing maintenance plan for the buildings' HVAC air filtration system shall be required.
  3. Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
46. **LU-2:** To reduce exterior noise levels at or below 65 dBA in the rear yards along the project's shared property line with Clover Stornetta facility, a noise barrier with a minimum height of eight feet above the finish grade level shall be designed and installed pursuant to the recommendations presented in the Environmental Noise Assessment. The noise barrier shall be built primarily without gaps except at the base of the structure to allow drainage but shall not be composed of more than 0.5% of the total area. The noise barrier shall be constructed with a minimum surface weight of 3.0 lbs. per square foot to be verified by a qualified acoustical engineer. The noise barrier shall be maintained on an ongoing basis to ensure that it continues to meet its design performance standard. One possible design of the noise barrier would be a double-sided wood fence with butted vertical fence boards on each side with a continuous layer of ½ inch plywood. Other acceptable materials to achieve sufficient noise reduction may include masonry block, or pre-cast concrete panels.
47. **LU-3:** To reduce interior noise levels to at or below 45 dBA, two story residences on lots 20 through 27 and lot 29 (along the shared property line with the Clover Stornetta facility) shall be designed as follows to ensure that the noise control treatments achieve the required noise reduction standards consistent with the Petaluma General Plan:
1. Equipped with some form of forced air mechanical ventilation system, satisfactory to the City's building official.
  2. As necessary provide sound-rated windows and doors to maintain interior noise levels at or below 45 dBA CNEL. The degree of sound rating will vary depending on the final design of the building (relative window area to wall area) and the design of the exterior wall assemblies. Based on the exterior noise level and typical residential construction, second-

floor windows and doors facing or with a view of the Clover Stornetta facility may require sound transmission class (STC) rating between 28 and 32.

Specific determination of exterior wall assemblies and window/door SCT rating shall be conducted on a unit by unit basis during the project design. Results of the determination shall be prepared by a qualified acoustical engineer and shall be submitted to the City along with building plans and approved prior to issuance of a building permit.

48. **NOI-1:** The following Best Construction Management Practices shall be implemented to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance:
1. Limit construction hours to between 8 a.m. and 5:30 p.m., Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and State, Federal and Local Holidays.
  2. Delivery of materials and equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.
  3. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
  4. Unnecessary idling of internal combustion engines shall be strictly prohibited.
  5. Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
  6. Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
  7. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
  8. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction activities.
  9. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from existing residences.
  10. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
  11. The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
  12. Notify all adjacent residences within a 500-foot radius of the site, in writing, and provide a written schedule of "noisy" construction activities to the adjacent land uses.
  13. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

49. **TCR-1:** Implement CUL-1

Public Works & Utilities Department

51. An exclusive utility easement for the public water main under the new private street shall be recorded prior to approval of public improvement plans.
52. Dedications to City for Parcel A park/open space and Parcel B right of way shall be recorded prior to acceptance of public improvements.
53. Multi-use path improvements along river trail shall be a 10-foot concrete path with two-foot "soft" shoulders on each side where possible and narrowing to an eight-foot concrete path with two-foot shoulders where space is limited.
54. Amenities to be provided at the MUP river trail entrances shall include water fountain, table/benches, bike repair station, bike racks, garbage and recycle receptacles/enclosure, and solar LED path light bollards.
55. Bicycle, pedestrian, and trail wayfinding signage shall be provided at the trail connection points and at Edith/Madison intersection.
56. Frontage improvements shall be constructed including but not limited to proposed Madison Street improvements as shown on the tentative subdivision map: sidewalk, curb & gutter, curb ramps, landscape areas, paving, and intersection improvements. Pavement conform locations and sections are subject to the approval by the City Engineer.
57. A construction level geotechnical report is required with the subdivision improvement plan and building permit submittals. The applicant shall notify adjacent property owners at least one week in advance prior to starting any construction.
58. New curb ramps at Madison and Edith (three each) and Madison and Private Street (two each) shall be "Case A" standard or alternate as approved by City Traffic Engineer.
59. The Madison Street crosswalk at Edith shall include installation of a two-sided Tapco RRFB (Rectangular Rapid Flashing Beacon) for pedestrian safety. This intersection will include three new ladder style crosswalks.
60. As recommended in the Traffic Impact Study, right turn pockets with approximately 50 ft of red curb markings shall be installed on the northbound and southbound approaches of Wilson Street at East Washington Street.
61. The applicant shall notify adjacent property owners at least two weeks in advance prior to starting any construction.
62. Comply with E12 post construction storm water treatment requirements. Submit a construction level report and plans with the building permit applications for the future homes demonstrating compliance with the E12 requirements. The applicant is required to enter into the City's standard operation and maintenance agreement for treating storm water prior to acceptance of subdivision improvements.
63. Submit final, construction level hydrology calculations with the subdivision improvement plans and final subdivision map applications per Sonoma County Water Agency standards.
64. The applicant shall submit the required storm water pollution prevention plan (SWPPP) and obtain a Notice of Intent (NOI) from the Regional Water Quality Control Board prior to any construction.

65. The proposed water main system shall be public and have the capacity to deliver a continuous fire flow as designated by the Fire Marshal. Submit fire flow and pressure calculations for the existing and proposed extended water main with the subdivision improvement plans.
66. All new utility facilities for the proposed residences, including but not limited to, electrical, communication and television shall be located underground.
67. New water, sanitary sewer, landscape and irrigation, storm drain, and street improvements shall be designed and installed per City Standards. <https://cityofpetaluma.org/city-standards/>.
68. Submit joint trench plans with the construction permit applications. Pavement restoration shall comply with the City's current trench detail standard.
69. Subdivision improvement plans and the final subdivision map shall be prepared per the latest polices, standards, codes, resolutions, and ordinances. Subdivision improvement plan and final subdivision map application and fees, including technical review deposits shall be required. A subdivision improvement agreement package is required prior to approval of the final subdivision map and subdivision improvement plans. A building permit is required for on-site grading, utility, and drainage improvement work. All subdivision improvements shall be completed and accepted by the City, including on-site improvements, prior to issuance of any certificates of occupancy for the proposed homes.
70. A scanned copy of the recorded final map shall be submitted in a format compatible with the City Graphic Information Systems. As-built drawings shall be submitted prior to acceptance of the improvements. The applicant shall submit 1:1 scale, electronic plans in .PDF format.
71. An encroachment permit is required for all work within the public right of way.
72. Prior to the issuance of a building permit, the applicant shall submit a complete landscape and irrigation documentation package consisting of all the required elements found in the Landscape Water Use Efficiency Standards located in Petaluma Municipal Code Section 15.17.050.
73. 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.
74. A water efficient landscape worksheet including ETWU and MAWA calculations shall be submitted with the project's first building permit application.
75. 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
76. 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.
77. 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.
78. 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.
79. 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

80. 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
81. 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.
82. 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
83. 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
84. Developments of one- and two-family dwellings where the number of dwelling units exceeds fifty (50) shall be provided with two (2) separate and approved fire apparatus access roads and shall meet the requirements of section D104.3. PMC 17.20 D107.1
85. Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official. CFC 503.2.4
86. 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

87. 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
88. An approved automatic fire sprinkler system shall be installed and maintained in all newly constructed buildings. PMC 17.20 903.2.20.1
  - a) 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 (single family dwellings).
89. 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
90. Numbers for one and two-family dwellings shall be a minimum of four inches (4") (101.6 mm) high with a minimum stroke width of 0.5 inches (12.7 mm). PMC 17.20 505.1.1