

**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 076-2020

A RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT FOR APPROXIMATELY 4.55 +/- ACRES OF DEVELOPED LAND LOCATED AT 28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087)

WHEREAS, Robert and Patricia Weiss own approximately 4.55+/- acres of land (APN 117-040-086 & -87) in the unincorporated portion of Sonoma County lying south of the City of Cloverdale and has requested approval of a Conditional Use Permit and Annexation of these two properties into the City of Cloverdale for the purpose of obtaining City services to the existing outdoor storage use; and

WHEREAS, the properties for annexation to the City lie within the Sphere of Influence and Urban Service Boundary of the City of Cloverdale; and

WHEREAS, annexation of these properties is desired by Robert and Patricia Weiss for the purpose of obtaining City water, sewer, drainage and other municipal services including Police services provided by the City of Cloverdale; and

WHEREAS, the City of Cloverdale has determined that all requisite municipal services can be provided to the Weiss properties; and

WHEREAS, pursuant to state annexation law, lead agencies, such as the City of Cloverdale, are required to prezone properties prior to annexation; and

WHEREAS, pursuant to California Government Code Section 65859, pre zoning becomes effective at the time the annexation to the City of Cloverdale becomes effective; and

WHEREAS, the pre zoning district and property ownership for the Payless Storage Pre zoning & Annexation Project are described in Exhibit 1 is hereby incorporated by reference into this Resolution; and

WHEREAS, the Property is proposed to be pre zoned to the General Industrial (M-1) Zoning District and although self-storage uses are permitted, outdoor storage with screening of recreational vehicles is an allowed use in the M-1 Zoning District subject to approval of a Conditional Use Permit; and

WHEREAS, based upon the information presented in the application materials, the City Council finds that this project qualifies for a categorical exemption under California Environmental Quality Act (CEQA) Guidelines Section 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) as well as an exemption under CEQA Guidelines Section 15061 (Common Sense Exemption) because the project involves the annexation of developed land and no new construction or uses are proposed. Furthermore, based on the application materials, existing site improvements and location of the project none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced categorical exemption for the project.; and

WHEREAS, on June 23, 2020, the Planning Commission held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the staff report, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, on June 23, 2020, the Planning Commission adopted Resolution No. 009-2020, recommending that the City Council approve the Conditional Use and adopt the Ordinance Rezoning the 4.55 +/-acre project site to M-1 (General Industrial); and

WHEREAS, on August 12, 2020, the City Council held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the rezoning district and change to the M-1 District will become effective upon approval by the City Council and LAFCO and completion of annexation of the Property to the City of Cloverdale; and

WHEREAS, the City Council has determined that the findings required for approval of the Conditional Use Permit required by Section 18.03.110 of the Zoning Ordinance have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed use is permitted within the subject district pursuant to the provisions of this Section (18.03.110) and complies with all the applicable provisions of this ordinance, the goals, and objectives of the Cloverdale General Plan, and the development policies and standards of the City.

According to Table 18.06.030-A (Uses Permitted Within Industrial Zoning Districts) of the Zoning Ordinance, outdoor storage of recreational vehicles with screening uses are permitted in the M-1 Zoning District subject to Conditional Use Permit approval. Approval of this Conditional Use Permit helps to preserve the industrial/mixed use character and appearance of the neighborhood. No new development is included with this annexation and Conditional Use Permit and the existing use meets the development standards of, and is consistent with, the M-1 Zoning District.

Furthermore, the project furthers the goals, policies and implementation measures of the General Plan as it would further the longevity and usefulness of the existing self storage and outdoor recreational vehicle storage business, helping to further economic development and quality of life in Cloverdale. The project will also be adequately served by existing services and utilities.

2. The proposed use would not impair the integrity and character of the Zoning District in which it is to be established or located.

The existing use is compatible with the General Industrial (M-1) Zoning District as the surrounding neighborhood is substantially comprised of similar industrial uses and structures, including a mini-storage use across Sandholm Road, gas station, tool and equipment repair shop, and manufacturing. The Payless Storage business has been in operation for several years at the project site and approval of this permit does not authorize expansion of the existing use nor does it introduce any new uses to the neighborhood. The project, as designed and the conditions of approval, ensure the use is compatible with the M-1 Zoning District.

3. The site is suitable for the type and intensity of use or development that is proposed.

Industrial uses significantly surround the property and encompass a significant part of the surrounding neighborhood on Sandholm Road and S. Cloverdale Boulevard. A mini-storage use with outdoor storage of recreational vehicles is located across Sandholm Road to the north. The 4.55-acre Payless Storage site is developed with a managers unit, storage containers and separate areas designated for outdoor storage of recreational vehicles. Should future expansion of the existing use be proposed, such as adding additional storage containers, the Building Permit review process would ensure that any new structures conform to applicable development standards.

Moreover, the Conditional Use Permit can be brought back before the Planning Commission at a public hearing should the property owners or operators of the outdoor storage use fail to comply with any conditions of approval, or if City staff or the Commission determine that such a review is warranted.

4. There are adequate provisions for water, sanitation and public utilities and services to ensure public health and safety.

The site is developed with the existing outdoor storage use, managers residence and related site improvements. Adequate provisions for water, sanitation and public utilities and services exist to ensure public health and safety including installation of a new fire hydrant(s). Finally, any new construction would be subject to the requirements of the California Building Code and Fire Code to ensure the public health and safety.

5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

The property owners are not expanding the Payless Storage use and no new construction is required. The outdoor storage use is compatible with surrounding industrial uses and the M-1 Zoning District, and the use is not anticipated to interfere with the use of surrounding properties. The conditions of approval ensure the use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council pursuant to Implementing Zoning Ordinance §18.030.080, the City Council adopts by Ordinance, the pre-zoning designation for the Payless Storage Properties (APNs 117-040-086 & -087) as General Industrial (M-1), as depicted by the Zoning Map, and approves a Conditional Use Permit to allow for the existing outdoor storage use post annexation of the Payless Storage Properties based on the following findings and conditions of approval:

1. The amendment is consistent with the adopted Cloverdale General Plan. The General Plan designates the property General Industry (GI), which is consistent with the rezoning designation of General Industrial (M-1).
2. The amendment is internally consistent with other applicable provisions of this Zoning Ordinance.
3. The amendment will not be detrimental to the public health, safety, or welfare or to the use of land in any adjacent zone.
4. The site is suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning district and anticipated land uses/developments.

**CONDITIONS OF APPROVAL
PAYLESS STORAGE PREZONING AND CONDITIONAL USE PERMIT
28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087)**

Planning Department:

1. Prezoning and Conditional Use Permit approval is granted to allow the existing indoor and outdoor storage business (Payless Storage) at 28277 & 28243 Old Redwood Highway (APNs 117-040-086 & -087), Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department. The applicant shall adhere to the submitted application materials and the Conditions of Approval. Minor modifications to the approved plans and/or Conditions of Approval require Community Development Department approval. More significant modifications to the approved plans and/or Conditions of Approval require Planning Commission approval.
2. This approval is subject to appeal within 10 consecutive days from the date of approval.
3. All conditions of this Prezoning and Conditional Use Permit are necessary to protect the general health, safety and welfare, and to minimize or eliminate adverse environmental effects of the project. If any condition of this permit is held to be invalid by a court, then the entire permit shall be invalid. The Planning Commission specifically declares that it would not have issued this permit unless all of the conditions herein are held as valid.
4. This Prezoning and Conditional Use Permit shall expire, and become null and void, two years from the date of approval unless the properties are annexed into the City of Cloverdale, or a written request for an extension of time is submitted to the Community Development Department prior to the expiration date and an extension is granted by the Planning Commission.
5. The approval of this permit shall be subject to the latest adopted ordinances, resolutions, policies and fees of the City of Cloverdale. Applicant shall be responsible for any and all costs associated with any required special inspections necessary for the project.
6. This permit shall be subject to revocation or modification by the Planning Commission if the Commission finds that there has been any of the following:
 - a) Noncompliance with any of the foregoing conditions, or
 - b) The Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Cloverdale Municipal Code.
7. The owner/operator shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping as well as any frontage improvements and storm drain systems.

Outdoor Storage

8. The recreational vehicle outdoor storage area shall be screened through the installation of solid fencing within two (2) years of the subject properties being annexed into the Cloverdale City limits. Chain-link fencing with wood, plastic or metal slating is not permitted when visible from the public right-of-way.
9. Screening for outdoor storage shall be a minimum of eight (8) feet and a maximum of 12 feet.

10. Outdoor storage of goods, materials, wood pallets, cardboard, recyclables, etc., is prohibited outside of a screened outdoor storage area.

Lighting

11. All exterior lighting shall be aimed downward, shielded and maintained in order to prevent glare, light trespass and light pollution, in compliance with Section 18.09.050.

Fire District:

12. Each lot shall be identified with a numeric address based upon the street used to access the property. Neither property abuts South Cloverdale Boulevard. The north lot is accessed by Sandholm Road, the south lot is accessed by Kelly Road. CFC 505
13. Submitted application materials prevented the Cloverdale Fire Protection District from fully evaluating the site for fire department access. However, the existing main access point is a gravel road more representative of a driveway and is a non-compliant fire department access. If a compliant access to the south lot does not exist from Sandholm Road, the gravel road will require improvement and identification as a fire lane. CFC 505
14. Both properties lack a sufficient water supply for firefighting. Buildings on the site are in excess of 500 feet from the nearest fire hydrant. RV's parked on site are in excess of 700 feet from the nearest fire hydrant. One, or more, on-site fire hydrants are needed to provide coverage to existing buildings, storage containers and RV storage areas. CFC 507
15. The water service connection to serve this project shall include a Fire Flow Analysis including proposed building areas, type of construction, and calculated available fire flow at the proposed fire hydrants and shall be provided to the Fire Department for review and approval concurrent with submittal of Grading plans. Minimum adjusted (50% sprinkler credit) Fire Flow for this commercial project is estimated at 1500 gallons per minute with 20 residual psi in the water main for a minimum 2-hour duration. CFC 507.
16. Hydrant spacing for this commercial property shall comply with current Fire District standards of CA Fire Code Chapter 9 and Appendix C and three (3) copies of the final site plan shall be submitted for approval of hydrant locations within 2 years of the properties being annexed into the City. Fire hydrants shall be provided along fire department access roads with spacing not greater than 300', at entrances to flag lots and in locations supporting fire department operations. CFC Appendix C.
17. The Cloverdale Fire Protection District has adopted a local ordinance which requires automatic fire sprinkler systems in certain type/size of new construction. All new structures, or those undergoing significant renovation, shall be protected with automatic fire sprinkler systems in accordance with CA Fire Code Chapter 9 as adopted by the Fire District. CFC 903.
18. Private Underground Fire Mains (aka on-site mains behind the detector check) require a separate Fire Department permit. Public or private fire mains may not run under buildings. CFC 507.
19. The project is located in excess of an 8-minute response time from the nearest fire station. This exceeds the local and national standards for fire service delivery.
20. Upon annexation into the City of Cloverdale, the property owner shall provide the fire department with a Fire Safety Plan that addresses:
 - a. Placement of minimum 2A:10BC rated fire extinguishers and signs
 - b. Installation of NO SMOKING signs
 - c. Identification of fire lanes and "No Parking-Fire Lane" signage

- d. Installation of hazard control signs for "NO REPAIRS, WELDING OR CUTTING"
 - e. Abatement of weeds, especially in the 10' no storage area adjacent property lines
 - f. Identification of waste receptacles (location of dumpster(s))
 - g. Maintenance of the no storage area within 10' of property lines
 - h. Removal of old tires, non-compliant structures (wooden canopy), especially in the NW corner
 - i. Placement of a spill kit (container, absorbent, shovel, gloves, eye protection) to address minor leaks and spills from parked vehicles
 - j. Location of any propane tanks or cylinders not mounted on a vehicle.
21. The project site is located in an area designated as a "moderate" Wildland Urban Interface location per CalFire. This reinforces the importance of weed abatement, hazard reduction and maintaining storage setbacks (minimum 10 feet) from property lines.
 22. Required Fire Department access roads shall be signed "No Parking-Fire Lane" per current Fire Department standards and the CA Vehicle Code. CFC 503.
 23. Traffic calming measures or controls (speed bumps, humps, undulations, gates, etc.) are not approved as a part of this review and require specific approval from the Fire Department. CFC 503.4.
 24. Lockable gates limiting vehicle access to commercial developments shall be equipped with a Fire Department approved locking device ("Knox" lock or "Knox" keyed lock). CFC 506.
 25. Fire hydrants, gas meters, propane tanks, etc. shall be provided with Vehicle Impact Protection. CFC 312
 26. Access roads (1st lift of asphalt) and water supplies for fire protection shall be installed and made serviceable prior to storage of, or construction with, any combustible materials. CFC 3312.

Public Works/Engineering:

27. Future sewer lateral(s) serving the parcel shall be designed by a California Registered Civil Engineer. Construction of future sewer lateral(s) shall be performed under separate permit issued by the City and conform with all applicable City Development Design Standards.
28. The map supplied with the annexation documents includes references to facilities not yet constructed or installed. Applicant shall remove from annexation map(s) and documents all references to facilities not yet constructed or installed including references to "container storage" in areas currently used for parking. New facilities requiring approval by the City shall be addressed in a Grading, Building and/or Encroachment permit application after annexation is granted.
29. Applicant shall ensure all permanent driveways accessing the parcel conform to City Development Design Standards.
30. Applicant shall show on annexation map adequate right-of-way setback for future sidewalk development fronting Sandholm Lane in accordance with Cloverdale Municipal Code (CMC) Sections 15.36.030 and 17.12.240.
31. All boundary line monuments shall be constructed in accordance with City Standards and CMC 17.12.090. Missing boundary line monuments shall be replaced prior to annexation.

Building Department:

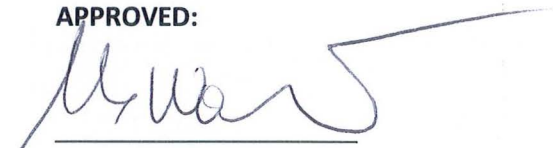
32. All future construction and/or building modifications shall meet the applicable building and fire safety codes in effect at the time of building permit application.

33. The applicant shall submit construction documents for plan review as part of any future building permit application process for all improvements subject to the California Building Code (CBC). A Building Permit shall be obtained prior to any future construction and all work shall be inspected and approved prior to issuance of Certificate of Occupancy.

It is hereby certified that the foregoing Resolution No. 076-2020 was duly introduced and duly adopted by the City Council of the City of Cloverdale on August 12, 2020, by the following roll call vote:

AYES: (4) Councilmembers Bagby and Brigham, Vice Mayor Turner, and Mayor Wolter
NOES: (0) None
ABSTAIN: (0) None
ABSENT: (1) Councilmember Cruz

APPROVED:



Gus Wolter, Mayor,

ATTEST:



Irene Camacho-Werby, City Clerk

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 076-2020 adopted by the City Council of the City of Cloverdale on the 12th day of August 2020.



Irene Camacho-Werby, City Clerk



**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 078-2020

A RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE BAUMGARDNER RANCH ANNEXATION & PREZONING PROJECT ON APPROXIMATELY 28.42 +/- ACRES OF UNDEVELOPED LAND LOCATED AT 28195 & 28193 OLD REDWOOD HIGHWAY (APNS 117-040-053 & -084)

WHEREAS, the City of Cloverdale desires to annex approximately 28.42 +/- acres of land identified as APNs 117-040-053 & -084 into the City, all of which is located within the City's Sphere of Influence, Urban Growth Boundary and Urban Service Area; and

WHEREAS, an application for Annexation/Prezoning, Precise Development Plan, Major Design Review, Tentative Map and General Plan Amendment to change the land use designation of the project site from GI (General Industry), LDR (Low Density Residential) and CF (Conservation Feature), to HDR (High Density Residential) and CF (Conservation Feature) for a residential development with 304 dwelling units was submitted by the applicant; and

WHEREAS, the site is currently designated GI (General Industry), LDR (Low Density Residential) and CF (Conservation Feature) on the City's adopted General Plan Land Use Map, however amending a 19.9 +/- acre portion of the General Plan Land Use Map to High Density Residential (HDR) on the project site but below 400 feet in elevation is consistent with the density of the project; and

WHEREAS, the project will provide for a mix of detached and attached single-family residences as well as attached multi-family dwelling units While the HDR land use designation carries a maximum allowable density of 16 dwelling units per acre, through implementation of Government Code Section 65915 and Chapter 18.13 of the Cloverdale Zoning Ordinance the project site as a whole will be consistent with the density of the project and therefore has been determined to be consistent with the goals, policies and implementation measures of the General Plan; and

WHEREAS, the City desires to prezone the affected property, that includes two substantially undeveloped parcels currently designated General Industry (GI), Low Density Residential (LDR) and Conservation Feature (CF) on the City of Cloverdale General Plan Map and that is compatible with existing County of Sonoma zoning for the property and current area development patterns; and

WHEREAS, Virginia Neat and Robert Baumgardner desire to annex into the City of Cloverdale in order to obtain City services including sanitary sewer, water, transportation, drainage and police services; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the State CEQA Guidelines and City environmental regulations, require that certain projects including prezoning and annexation projects be reviewed for environmental impacts and that environmental documents be prepared that address potential environmental impacts; and

WHEREAS, the City caused a CEQA Initial Study to be prepared to assess the impacts of the project, which is identified as the "Baumgardner Ranch Development Project Initial Study/Mitigated Negative Declaration, Cloverdale, Sonoma County, California" dated February 11, 2020 attached to and incorporated herein as Exhibits A and B; and

WHEREAS, the Initial Study analyzed all of the environmental topics required in Appendix G of the CEQA Implementing Guidelines; and

WHEREAS, the Initial Study identified potentially significant impacts with respect to the following topics: biological resources, transportation/circulation, cultural resources, tribal cultural resources, air quality, wildfire, hazards/hazardous materials, greenhouse gas emissions, geology/soils and noise; and

WHEREAS, the Initial Study also sets forth a number of mitigation measures to reduce all potentially significant impacts to a less-than-significant level and adoption of a Mitigated Negative Declaration has been recommended to satisfy CEQA requirements for the Baumgardner Ranch Development Annexation & Rezoning Project; and

WHEREAS, the Planning Commission considered the Initial Study and Mitigated Negative Declaration and all above-referenced reports, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, the City of Cloverdale prepared a Mitigation Monitoring and Reporting Program (MMRP) as required by CEQA (see Exhibit B) that identifies the Mitigation Measures as well as agencies and organizations responsible for implementing the various mitigation measures; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for public review for a 30-day period between February 11, 2020 and March 13, 2020 and during which comments were received from, MLXR2, Sonoma County Vintner's Co-Op., Cal-Trans, Dry Creek Band of Pomo Indians and LAFCO. The Comments were addressed in the Final Mitigated Negative Declaration; and

WHEREAS, the State Clearinghouse (SCH) assigned the Initial Study/Mitigated Negative Declaration SCH #2020029033 (See Exhibit C) and submitted the IS/MND to selected state agencies for review; and

WHEREAS, on June 23, 2020, the Planning Commission held a properly noticed public hearing on the Project and the public hearing was continued to a date certain on July 7, 2020, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, Staff Reports dated June 23, 2020 and July 7, 2020, and incorporated herein by reference described and analyzed the Project and related MND and MMRP for the Planning Commission and recommended adoption of the MND and MMRP and approval of the project by the City Council; and

WHEREAS, on July 7, 2020, the Planning Commission adopted Resolution No. 007-2020 recommending adoption of the MND and MMRP and approval of the project by the City Council; and

WHEREAS, on August 12, 2020, the City Council held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated August 12, 2020, and incorporated herein by reference described and analyzed the Project and related MND and MMRP for the City Council and recommended adoption of the MND and MMRP and approval of the project by the City Council.

NOW, THEREFORE BE IT RESOLVED that the foregoing recitals are true and correct and are part of this resolution.

BE IT FURTHER RESOLVED that the City Council makes the following findings to support the determination that a Mitigated Negative Declaration is required under CEQA for the project. These findings are based on information contained in the Initial Study, the staff report, and all other information contained in the record before the City Council. These findings constitute a summary of the information contained in the entire record. The detailed facts to support the findings are set forth in the Mitigated Negative Declaration and elsewhere in the record. Other facts and information in the record that support each finding that are not included below are incorporated herein by reference:

1. The City Council has independently reviewed and considered the Initial Study/Mitigated Negative Declaration, the associated staff report and other associated information and materials pertinent to the project contained therein, prior to acting upon or approving the Project.

2. The Initial Study/Mitigated Negative Declaration adequately described the environmental impacts of the proposed project. On the basis of the whole record before it, the City Council finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.

3. The Initial Study/Mitigated Negative Declaration and MMRP have been completed in compliance with CEQA and the CEQA Guidelines.

4. The Initial Study/Mitigated Negative Declaration and MMRP are complete, adequate and reflects the City's independent judgment and analysis as to the environmental effects of the proposed project.

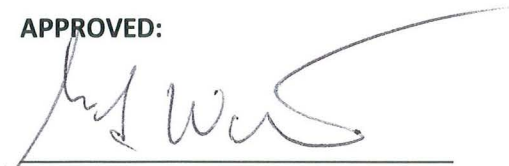
NOW, THEREFORE BE IT RESOLVED the above recitals are true and correct and incorporated herein by reference; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Cloverdale does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baumgardner Ranch Development Annexation & Rezoning Project as noted in the recitals above.

Resolution No. 078-2020 was duly adopted on this the 26th day of August 2020, by the following roll call vote:


AYES: (4) Councilmember Bagby and Brigham, Vice Mayor Turner, and Mayor Wolter
NOES: (0) None
ABSTAIN: (0) None
ABSENT: (1) Councilmember Cruz

APPROVED:



Gus Wolter, Mayor

ATTEST:



Irene Camacho-Werby, City Clerk

Attachments:

Exhibit A – CEQA Initial Study and Mitigated Negative Declaration
Exhibit B – Mitigation Monitoring and Reporting Program
Exhibit C - Initial Study/Mitigated Negative Declaration SCH #2020029033

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 078-2020 adopted by the City Council of the City of Cloverdale on the 26th day of August 2020.



Irene Camacho-Werby, City Clerk



**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 079-2020

A RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A PRECISE DEVELOPMENT PLAN, DESIGN REVIEW, GENERAL PLAN AMENDMENT, TENTATIVE MAP AND PREZONING APPROXIMATELY 28.42 +/- ACRES OF LAND LOCATED AT 28195 & 28193 OLD REDWOOD HIGHWAY (APN 117-040-053 & -084) TO THE “PLANNED DEVELOPMENT (P-D)” ZONING DISTRICT

WHEREAS, Virginia Neat and Robert Baumgardner own approximately 28.42+/- acres of land (APN 117-040-053 & -084) in the unincorporated portion of Sonoma County lying south of the City of Cloverdale commonly referred to as the “Baumgardner property” and has requested approval of a Precise Development Plan, Design Review, General Plan Amendment, Tentative Map and Annexation of the project site into the City of Cloverdale for the purpose of obtaining City services to develop the property with a total of 304 dwelling units and related site improvements; and

WHEREAS, the two properties for annexation to the City are located within the Sphere of Influence and Urban Service Boundary of the City of Cloverdale; and

WHEREAS, annexation of these properties is desired by Virginia Neat and Robert Baumgardner for the purpose of obtaining City water, sewer, drainage and other municipal services including Police services provided by the City of Cloverdale; and

WHEREAS, the City of Cloverdale has determined that all requisite municipal services can be provided to the Baumgardner Ranch property; and

WHEREAS, pursuant to state annexation law, lead agencies, such as the City of Cloverdale, are required to prezone properties prior to annexation; and

WHEREAS, pursuant to California Government Code Section 65859, prezoning becomes effective at the time the annexation to the City of Cloverdale becomes effective; and

WHEREAS, the site is currently designated GI (General Industry), LDR (Low Density Residential) and CF (Conservation Feature) on the City’s adopted General Plan Land Use Map, however amending a 19.9 +/- acre portion of the General Plan Land Use Map to High Density Residential (HDR) on the project site but below 400 feet in elevation is consistent with the density of the project; and

WHEREAS, the project will provide for a mix of detached and attached single-family residences as well as attached multi-family dwelling units. While the HDR land use designation carries a maximum allowable density of 16 dwelling units per acre, through implementation of Government Code Section 65915 and Chapter 18.13 of the Cloverdale Zoning Ordinance the project site as a whole will be consistent with the density of the project and therefore has been determined to be consistent with the goals, policies and implementation measures of the General Plan; and

WHEREAS, the City desires to prezone the affected properties, that includes two predominantly undeveloped parcels currently designated General Industry (GI), Low Density Residential (LDR) and Conservation Feature (CF) on the City of Cloverdale General Plan Map and that is compatible with existing County of Sonoma zoning for the property and current area development patterns; and

WHEREAS, the Property is to be prezoned to the Planned Development (P-D) Zoning District and a Precise Development Plan is an allowed use in the P-D Zoning District subject to approval of Major Design Review; and

WHEREAS, Section 18.03.100 of the Cloverdale Zoning Ordinance authorizes the City Council to adopt a Precise Development Plan after recommendation by the Planning Commission; and

WHEREAS, Section 18.03.150 of the Cloverdale Zoning Ordinance authorizes the Planning Commission to approve Major Design Review applications involving substantial changes or additions to a previously developed site; and

WHEREAS, Section 18.03.060 of the Cloverdale Zoning Ordinance authorizes the City Council to approve a General Plan Amendment after receiving recommendation from the Planning Commission; and

WHEREAS, Chapter 17.36.140 of the Cloverdale Municipal Code authorizes the Planning Commission to approve Tentative Maps; and

WHEREAS, Section 18.03.020(E) of the Cloverdale Zoning Ordinance requires that where approval authority rests with the Planning Commission for one entitlement and approval authority for another entitlement rests with the City Council for a project being processed concurrently, the Commission shall make a recommendation to the City Council for consideration by the City Council of all entitlements together; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. To comply with CEQA, the City prepared an Initial Study and Mitigated Negative Declaration with the finding that with adherence to mitigation measures included in the Initial Study, all potentially significant environmental impacts would be reduced to a less-than-significant level. To ensure these mitigation measures are met, the City will also approve a Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, on June 23, 2020 and July 7, 2020 the Planning Commission held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the Initial Study/Mitigated Negative Declaration (IS/MND), as well as all above-referenced reports, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, on July 7, 2020, the Planning Commission adopted Resolution No. 007-2020, recommending that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for the Project and Resolution No. 007-2020, which is incorporated herein and available for review at City Hall during normal business hours; and

WHEREAS, the rezoning district and change to the P-D District will become effective upon approval by the City Council and LAFCO and completion of annexation of the properties to the City of Cloverdale; and

WHEREAS, on August 12, 2020, the City Council held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated August 12, 2020, and incorporated herein by reference described and analyzed the Project and related MND and MMRP for the City Council and recommended adoption of the MND and MMRP and approval of the project by the City Council; and

WHEREAS, the City Council has determined that the findings for Precise Development Plan approval required by Section 18.03.100 of the Zoning Ordinance have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed development is consistent with the goals, objectives, and programs of the General Plan and any specific plan.

While the HDR land use designation carries a maximum allowable density of 16 dwelling units per acre, through implementation of Government Code Section 65915 and Chapter 18.13 of the Cloverdale Zoning Ordinance the project site will be consistent with the density of the project. Therefore the development has been determined to be consistent with the goals, policies and implementation measures of the General Plan.

2. The site for the proposed development is adequate in size and shape to accommodate said use and all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping and other features required.

The detached single-family lots will range in size from approximately 2,500 sf (square feet) to 2,800 sf and the attached single-family lots will range in size from approximately 1,200 sf to 2,000 sf and will all feature usable yards, landscaping and parking areas. The apartments will also be provided with usable private and public open space including private patios and balconies, and common yard areas, community areas, a clubhouse and a seasonal drainage creek area with walking paths. In total the development will feature approximately 8.52 acres of open space.

3. The site for the proposed development has adequate access, meaning that the site design and development plan conditions consider the limitations of existing streets and highways.

The project site will be accessed primarily by Sandholm Road to the north with an existing 60-foot right-of-way where site improvements will include new sidewalks along the project frontage. South Foothill Boulevard will be extended through the project site with 70-feet of right-of-way and sidewalks on both sides of the street, to new Street "A" with 43 feet of right-of-way.

4. Adequate public services exist, or will be provided in accordance with the conditions of development plan approval, to serve the proposed development: and that the approval of the proposed development will not result in a reduction of such public services to properties in the vicinity so as to be a detriment to public health, safety, or welfare.

The project will continue the development pattern of adjacent residential by providing a residential development with a mix of detached and attached single-family residential lots as well as high density apartments. As further detailed in the Initial Study and Mitigated Negative Declaration (IS/MND) that was prepared for the project, City services will be provided to the project site and are adequate to serve the Baumgardner Ranch Development project including but not limited to Police, water, sewer and public utilities. The City's water treatment facility is prepared to service the City's current population as well as an increase in population up to approximately 12,000 residents. With the City's current population at approximately 9,000, the project is not anticipated to exceed the City's wastewater treatment plant capacity. Furthermore, construction of the project is subject to inspections by the City's Building, Fire and Public Works Departments to ensure that standards and provisions of the CA Building and Fire codes are strictly adhered to throughout the course of construction, ensuring the public health, safety, and welfare.

5. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property, or the permitted use thereof, and will be compatible with the existing and planned land use character of the surrounding area.

The project will continue the development pattern of adjacent residential by providing a residential development with a mix of detached and attached single-family residential lots as well as high density apartments. As further detailed in the Initial Study prepared for the project, all potentially significant impacts associated with the development will be reduced to less than significant levels through implementation of the Mitigation Monitoring and Reporting Program (MMRP). The

MMRP includes specific mitigation measures designed for this project that will prevent adverse effects resulting from the project on surrounding properties and the use thereof.

6. The improvements required, and the manner of development, adequately address all natural and manmade hazards associated with the proposed development and the project site, including, but not limited to, flood, seismic, fire, and slope hazards.

As further detailed in the Initial Study prepared for the project, all potentially significant impacts associated with construction of the project will be reduced to less than significant levels through implementation of the Mitigation Monitoring and Reporting Program (MMRP). The MMRP includes specific mitigation measures designed for this project that addresses all natural and manmade hazards associated with the development including potential impacts to the drainage creek area that runs through the eastern portion of the project site. The IS/MND addressed such potential hazards and impacts, including but not limited to, flood, seismic, fire, slope, air quality, traffic and noise.

7. The proposed development carries out the intent of the planned development provisions by providing more efficient use of the land and an excellence of design greater than that which could be achieved through the application of conventional development standards.

While the Baumgardner Ranch Development project will construct a total of 304 dwelling units on the 28.42-acre project site, in accordance with goals and policies of the General Plan, all land above the 400-foot elevation will be preserved as open space totaling approximately 8.5-acres. Housing will be clustered on the valley floor and the western hillside will be preserved in accordance with General Plan goals and policies. This design will result in 304 dwellings being located proximate to open space areas making this a very walkable community where densities have been distributed throughout the master planned area in order to preserve desirable natural features (2 acres of creek riparian area and 6.8 acres of oak woodland).

8. If clustered housing is proposed, the result of clustering residential units is a more desirable and environmentally sensitive development plan which creates usable open space areas for the enjoyment of project residents and which preserves significant environmental features.

By clustering housing on the valley floor and allowing for the densities to be distributed throughout the master planned area the project is able to achieve a more desirable and environmentally sensitive development plan by preserving the western hillside and creek riparian area. on the eastern side of the project site. This design will result in 304 dwellings being located proximate to open space areas readily available to project residents.

WHEREAS, the City Council has determined that the findings for General Plan Amendment approval required by Zoning Ordinance Section 18.03.060 have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed amendment would not make the General Plan internally inconsistent.

As required by Section 18.01.050 the applicant submitted an application to amend the General Plan and change the land use designation for the 19.9 +/- acre portion of the project site from LDR and GI to HDR so that the project would be consistent with the General Plan. At a density of 16 units per acre, the maximum number of dwelling units allowed on the 19.9-acre portion of the project site would be 318 dwelling units, which is 14 units more than the 304 units to be constructed by the project.

Furthermore, the project is also consistent with General Plan goals and policies related to annexation of properties containing lands both above and below the 400-foot elevation by clustering development on portions of the project site below 400 feet and preserving areas above.

Therefore, the development has been determined to be consistent with the goals, policies and implementation measures of the General Plan.

2. The proposed amendment would not be detrimental to the public health, safety, or welfare of the City.

The amendment will not be detrimental to the public health, safety, or welfare of the City because the density of the project is consistent with the maximum density allowed by the HDR. The amendment alone does not permit construction of homes or site improvements. This work will only be allowed after the project has been further reviewed through the Building Permit and Improvement Plan process to ensure the public health, safety and welfare of the City.

3. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provisions of utilities) for the requested/anticipated land use developments.

The project site will be accessed primarily by Sandholm Road to the north and S. Foothill Boulevard will be extended through the project site to new Street "A". The detached single-family lots will range in size from approximately 2,500 sf (square feet) to 2,800 sf and the attached single-family lots will range in size from approximately 1,200 sf to 2,000 sf and will all feature usable yards, landscaping and parking areas. The apartments will also be provided with usable private and public open space including private patios and balconies, and common yard areas, community areas, a clubhouse and a seasonal drainage creek area with walking paths. In total the development will feature approximately 8.52 acres of open space for use by project residents. Therefore the project site is physically suitable for the requested land use development.

WHEREAS, the City Council has determined that the findings for Tentative Map approval required by Municipal Code Section 17.36.140 have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

As required by Section 18.01.050 the applicant submitted an application to amend the General Plan and change the land use designation for the 19.9 +/- acre portion of the project site from LDR and GI to HDR so that the project will be consistent with the General Plan. At a density of 16 units per acre, the maximum number of dwelling units allowed on the 19.9-acre portion of the project site is 318 dwelling units, 14 units more than the 304 units to be constructed by the project.

Furthermore, the project is also consistent with General Plan goals and policies related to annexation of properties containing lands both above and below the 400-foot elevation by clustering development on portions of the project site below 400 feet and preserving areas above. Therefore, the development has been determined to be consistent with the goals, policies and implementation measures of the General Plan. There is no applicable specific plan.

2. The design or improvement of the proposed subdivision is consistent with applicable General and Specific Plans.

The project is consistent with applicable General Plan policies and will provide the City with a residential subdivision within the density range allowed by the HDR General Plan Land Use Designation of a maximum of 16 dwelling units per acre. Furthermore, the project is also consistent with General Plan goals and policies related to annexation of properties containing lands both above and below the 400-foot elevation by clustering development on portions of the project site below 400 feet and preserving areas above. Therefore, the improvements and design are consistent with the General Plan. There is no applicable specific plan.

3. The site is physically suitable for the type of development.

The project site will be accessed primarily by Sandholm Road to the north and S. Foothill Boulevard will be extended through the project site to new Street "A". The detached single-family lots will range in size from approximately 2,500 sf (square feet) to 2,800 sf and the attached single-family lots will range in size from approximately 1,200 sf to 2,000 sf and will all feature usable yards, landscaping and parking areas. The apartments will also be provided with usable private and public open space including private patios and balconies, and common yard areas, community areas, a clubhouse and a seasonal drainage creek area with walking paths. In total the development will feature approximately 8.52 acres of open space for use by project residents. Therefore, the project site is physically suitable for the requested land use development.

4. The site is physically suitable for the proposed density of development.

At a density of 16 units per acre, the maximum number of dwelling units allowed on the 19.9-acre portion of the project site is 318 dwelling units, 14 units more than the 304 units to be constructed by the project. The detached single-family lots will range in size from approximately 2,500 sf (square feet) to 2,800 sf and the attached single-family lots will range in size from approximately 1,200 sf to 2,000 sf and will all feature usable yards, landscaping and parking areas. The apartments will also be provided with usable private and public open space including private patios and balconies, and common yard areas, community areas, a clubhouse and a seasonal drainage creek area with walking paths.

5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The City is under a regional National Pollutant Discharge Elimination System (NPDES) permit which requires that storm water runoff from newly created impervious surfaces be collected and allowed to infiltrate into the soil on-property, and not to cause an increase in the amount of storm water leaving the site. Conditions of approval require mitigation of any project related impacts to migratory birds and special status bats. Therefore, the improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. The design of the subdivision or type of improvements are not likely to cause serious public health problems.

The project will not exceed the wastewater treatment requirement of the Sonoma County Regional Water Quality Control Board. The wastewater treatment plant is operating adequately and has the capacity to properly handle wastewater from the development. The developer is responsible for Storm Drainage, Water Capacity and Wastewater Capacity Development Impact fees to assure that the city has sufficient water, wastewater and storm drain facilities for the project. In addition, the standard conditions of approval limit storm water impacts off site. Construction and grading work will only be allowed after the project is further reviewed through the Building Permit and Improvement Plan process that will ensure the public health.

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction, and no authority

is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or sue of property within the proposed subdivision.

The design of the subdivision will not conflict with easements as all existing and future easements through the property have been incorporated into the site including easement for access, roadway and utilities.

WHEREAS, the City Council has determined that the findings for Major Design Review required by Section 18.03.150 of the Zoning Ordinance have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposal is consistent with the General Plan, any applicable specific plan and the provisions of this Title, including but not limited to Development Standards and Design Review Standards for the district in which the property is located, and with the Design Guidelines for the City of Cloverdale and/or design guidelines for the area in which the project is located.

The project is consistent with applicable General Plan policies and will provide the City with a residential subdivision within the density range allowed by the HDR General Plan Land Use Designation of a maximum of 16 dwelling units per acre. The project is consistent with General Plan goals and policies related to annexation of properties containing lands both above and below the 400-foot elevation by clustering development on portions of the project site below 400 feet and preserving areas above the 400-foot elevation. The detached single-family lots will range in size from approximately 2,500 sf (square feet) to 2,800 sf and the attached single-family lots will range in size from approximately 1,200 sf to 2,000 sf and will all feature usable yards, landscaping, and garages. The apartments will also be provided with off-street parking area, usable private and public open space including private patios and balconies, and common yard areas, community areas, a clubhouse and a seasonal drainage creek area with walking paths.

The project improvements to existing and new streets will include bike lanes, curbs, gutters, sidewalks and walking paths. Based upon the information contained in the application materials, as proposed, staff concludes that the project would be consistent with the goals and policies of the General Plan. Additionally, the improvements are in conformance with all applicable development standards of the Zoning Ordinance, including Residential Design Standards, and the project is in substantial compliance with the Residential Development Design Guidelines.

2. The proposal will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of the proposed project.

The IS/MND prepared for the project evaluated 20 separate categories of potential environmental effects that could result from implementation of the project. Several topics were determined to have "less-than-significant" or "no impact" on the environment, while 10 topics were determined to have a "potentially significant environmental impact unless mitigated". These 10 topics include: biological resources, transportation/circulation, cultural resources, tribal cultural resources, air quality, wildfire, hazards/hazardous materials, greenhouse gas emissions, geology/soils and noise. However, the IS/MND evaluated the public health, safety and welfare issue, and mitigation measures included in the Initial Study will eliminate or mitigate all such impacts to a less than significant level. The project is also subject to the requirements of the California Building Code and Fire Code to ensure the public health, safety and welfare. Finally, the Building Permit process and conditions of approval further ensure that the use will not be detrimental to the public health, safety or welfare.

3. The general appearance of the proposal is in keeping with the character of the neighborhood.

The improvements meet the Residential District Design Standards of the Zoning Ordinance, are in substantial compliance with the Residential Design Guidelines, and are in keeping with the residential character of the neighborhood to the north. While the residential neighborhood to the north was developed at a lower density with detached single-family residences, the project continues the pattern of single-family residences with a subtle transition to higher density units that also includes approximately 8.5-acres of open space.

NOW, THEREFORE BE IT RESOLVED the above recitals are true and correct and incorporated herein by reference; and

NOW, THEREFORE BE IT FURTHER RESOLVED that based on the above findings, the City Council of the City of Cloverdale does hereby approve a Precise Development Plan, Design Review, Tentative Map, General Plan Amendment rezoning 28.42 +/- acres of land located at 28195 & 28193 Old Redwood Highway (APN 117-040-053 & -084) to the P-D (Planned Development) Zoning District, subject to the conditions listed below.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council pursuant to Implementing Zoning Ordinance §18.030.080, adopts the pre-zoning designation for the Baumgardner Ranch Development project site (APN 117-040-053 & -084) as Planned Unit Development (P-D), as depicted by the Zoning Map, and approves a Precise Development Plan, Design Review, General Plan Amendment, Tentative Map and Annexation of the project site into the City of Cloverdale for the purpose of obtaining City services to develop the property with a total of 304 dwelling units and related site improvements, post annexation of the Property based on the following findings and conditions of approval:

1. The amendment is consistent with the adopted Cloverdale General Plan. The General Plan designates the property a combination of CF (Conservation Feature) and HDR (High Density Residential), which is consistent with the rezoning designation of P-D (Planned Unit Development).
2. The amendment is internally consistent with other applicable provisions of this Zoning Ordinance.
3. The amendment will not be detrimental to the public health, safety, or welfare or to the use of land in any adjacent zone.
4. The site is suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning district and anticipated land uses/developments.

**CONDITIONS OF APPROVAL
BAUMGARDNER RANCH DEVELOPMENT
28195 & 28193 OLD REDWOOD HIGHWAY (APNS 117-040-053 & -084)**

Planning Department:

1. Precise Development Plan, Design Review, General Plan Amendment, Tentative Map and Annexation of the project site into the City of Cloverdale at 28195 & 28193 Old Redwood Highway (APN 117-040-053 & -084), Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department. The applicant shall adhere to

the application materials submitted on July 30 and November 8, 2019 and January 13, 2020 and the Conditions of Approval. Minor modifications to the approved plans and/or Conditions of Approval require Community Development Department approval. More significant modifications to the approved plans and/or Conditions of Approval require Planning Commission approval.

2. All conditions of this Precise Development Plan, Design Review, General Plan Map Amendment and Tentative Map are necessary to protect the general health, safety and welfare, and to minimize or eliminate adverse environmental effects of the project. If any condition of this permit is held to be invalid by a court, then the entire permit shall be invalid. The Planning Commission specifically declares that it would not have issued this permit unless all of the conditions herein are held as valid.
3. The applicant shall include all of these conditions of approval and all of the mitigation measures listed in the Mitigation Monitoring and Reporting Program for this project on the building plan set(s) that will be submitted to the Building Department upon application for a Building Permit.
4. This Precise Development Plan, Design Review, General Plan Amendment and Tentative Map shall expire, and become null and void, two years from the date of approval unless a Building Permit has been issued for a significant portion of the project and the applicant is working diligently to complete the project, or through the commencement of business operations or a written request for an extension of time is submitted to the Community Development Department prior to the expiration date and an extension is granted by the Planning Commission.
5. The approval of this permit shall be subject to the latest adopted ordinances, resolutions, policies and fees of the City of Cloverdale. Applicant shall be responsible for any and all costs associated with any required special inspections necessary for the project.
6. The owner/operator shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping as well as frontage improvements including the sidewalk, LID facilities, and storm drain systems.
7. Prior to approval of the Final Map, the applicant shall submit a revised tentative map eliminating lots 34-41 of the single-family homes portion of the project. The approximate 1.3 acres of land created from the elimination of lots 34-41 shall be designated as park space.

Landscaping

8. The applicant or landowner shall maintain the community landscaping, all signs, community buildings, apartment buildings, lighting, and community grounds of the property in good condition and in conformity with the conditions of approval, at all times. Once a deterioration of the quality of such items is noted and documented by the City and/or property owner/on-site manager, the items shall be replaced to the satisfaction of the Community Development Department.
9. Landscaping and irrigation shall meet the requirements of the City's Water Efficient Landscape Ordinance and shall be installed prior to issuance of Certificate of Occupancy.
10. The community property and landscaped areas shall be properly maintained at all times to avoid overgrown, dead, dry, decayed or hazardous trees and the buildup of excessive leaf matter and other vegetation, brush or weeds.
11. Landscaping and irrigation shall be installed in accordance with the approved plans dated stamped received November 8, 2019 and as revised by these conditions of approval, prior to issuance of a Final Certificate of Occupancy by the Building Department.

12. Following the installation of the landscaping, all landscape material shall be maintained in a healthy and weed free condition; Any dead plant material shall be replaced within 30 days. All trees and shrubs shall be maintained and pruned in accordance with the accepted practices of the International Society of Arboriculture. Any pollarding, significant tree trimming or removal performed on existing or proposed trees is subject to approval by the Planning Department prior to commencing trimming.

Trees

13. Where pruning for clearance is required on any trees to remain, it should be done by trained, qualified tree workers according to ISA & ANSI A300 Pruning Guidelines, prior to construction. Pruning shall be the minimum necessary for hazard reduction, (i.e. the removal of deadwood 2" and larger, etc.) and for clearance.
14. If any roots larger than 1" on trees to be preserved are encountered during construction activities which cannot be retained, they shall be cut cleanly across the face of the root with a sharp saw, past any damaged portions.
15. The developer shall adhere to the following tree protection measures during the construction of this project:
 - a. All trees to be saved shall be enclosed by a construction barrier placed around the protected zone of the tree, such as a protective fencing, chain link or other means acceptable to the Community Development Director, prior to the issuance of any grading or building permit and prior to commencement of work. Fences are to remain intact until construction is complete.
 - b. The applicant shall contact the Planning Department and certified project arborist to inspect and approve the temporary fencing and signs around the protected zone before beginning any construction.
 - c. Any excavation, cutting, filling, paving or compaction of the existing ground surface within the protected zone of a tree designated for preservation shall be minimized. No adverse significant change in existing ground level shall occur within the drip line of a protected tree.
 - d. Construction equipment shall not be stored within the protected zone. Oil, gas, chemicals or other substances that may be harmful to trees shall not be stored or dumped within the protected zone, or any other location on the site from which such substances might enter the protected zone.
 - e. Trenching within the protected zone of protected trees shall be avoided to the greatest extent possible. Underground trenching for utilities shall avoid major support and feeder roots of protected trees to the greatest extent possible. If avoidance is impractical, tunnels shall be made below the roots. Trenches shall be consolidated to service as many units as possible.
 - f. At the applicant's expense, a certified arborist shall immediately treat any severed or damaged roots (NOTE: Without exception, all digging shall be done using hand tools, no machine trenching shall be allowed in the dripline of any tree). Minor roots less than one (1) inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area. Major roots over one (1) inch in diameter may not be cut without approval of an arborist and any arborist recommendations shall be implemented.
 - g. In the event that trees shown to be saved on the design and/or improvement plans are removed, the tree(s) shall be replaced at a ratio of three (3) trees per one (1) removed tree.

Signs

16. Prior to installing any sign(s) for the project, the applicant shall submit an application and plans to the Community Development Department for an Administrative Sign Permit or Planned Sign Program.

Design

17. Mechanical equipment such as air conditioning units shall be screened from view from adjacent properties and the public right-of-way in accordance with Section 18.10.060 of the Zoning Ordinance.
18. The trash enclosure shall be placed on a concrete pad and have a concrete apron with a minimum depth of 4 inches. Adequate drainage shall be provided around the pad area. The percent of grade for access to the pad shall not exceed 3%. All refuse containers shall be screened with a six-foot high (minimum) enclosure of solid masonry or concrete tilt-up with an exterior finish compatible to the main structure. Gates shall be solid, heavy-gauge metal or of a heavy-gauge metal frame with a covering of wood or other suitable, opaque material. Gates shall be secured with sturdy hinges or sliders and latches. The perimeter of the recycling and trash enclosure shall be planted where practical with drought-resistant landscaping, including a combination of shrubs and/or climbing vines.
19. Light colored and/or reflective surface coatings should be considered to reduce the 'heat island' effect of traditional asphalt parking lots.
20. All aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows to simplify vehicular movement per Section 18.11.090.C.1 of the Zoning Ordinance. In addition to directional arrows, the Planning Director may require installation of signs to ensure safe and efficient vehicular movement.
21. Designated walkways for pedestrian access shall be clearly marked with materials distinguished from driving surfaces such as pavers, bricks, scored concrete or similar materials within parking areas per Section 18.11.100.2 of the Zoning Ordinance.

Lighting

22. All outdoor/exterior lighting fixtures shall comply with the requirements of Section 18.09.050 and shall be installed prior to issuance of Certificate of Occupancy. All building mounted, parking lot and site lighting shall be designed, located, installed, aimed downward or toward structures, shielded and maintained in order to prevent glare, light trespass and light pollution. Parking lot pole lights shall be limited to a maximum height of 15 feet in accordance with Section 18.09.050.

Construction

23. If prehistoric archaeological remains such as bone, shell, worked stone objects, or human graves are unearthed during project related activities, work in the immediate vicinity of the finds shall halt until a qualified prehistoric archaeologist has evaluated the situation and made recommendations for mitigation to the resource. If human remains are encountered the Sonoma County Coroner must be notified immediately.
24. In the event that construction activities unearth materials classified as having archaeological significance, such work shall be halted and the materials assessed for their archaeological value by a qualified archaeologist. If these materials are indeed classified as being archaeologically or historically sensitive, a mitigation program shall be developed for Planning Commission review and approval by the applicant, which is designed to protect and conserve these resources.
25. If historic-period materials such as stone or adobe foundations or walls, structural remains with square nails, backfilled privies or wells, or refuse deposits are encountered, work in the immediate

vicinity of the finds shall halt until a qualified historical archaeologist has evaluated the situation and made recommendations for treatment of the resource.

26. If archaeological remains or resources are unearthed during construction or at any time in the future, all construction activity and work shall stop immediately and the applicant shall immediately notify the Cloverdale Rancheria of Pomo Indians of California, currently located at 555 South Cloverdale Boulevard, Cloverdale, California.
27. A representative of the Cloverdale Rancheria of Pomo Indians shall be granted site access and be allowed to perform site inspections to verify if any earth moving activities have uncovered any potential archeological artifacts or other potential cultural resources.
28. All mitigation measures and requirements as listed in the Mitigation Monitoring and Reporting Program prepared as part of the CEQA Initial Study/ Mitigated Negative Declaration for the Baumgardner Ranch Development Project are hereby incorporated as Conditions of Approval for this project.
29. The project is subject to the City's Inclusionary Housing ordinance and the property owner shall pay the appropriate in-lieu fee prior to issuance of a Certificate of Occupancy for any house and/or construct the appropriate number of inclusionary housing units on the project site at the same time as the market rate units in the development project. The rate of completion of affordable and market rate units must be the same as the ratio of affordable and market rate units in the entire project.
30. Covenants, Conditions and Restrictions (CCR's) and a Home Owners Association (HOA) shall be established for the project for the purposes of maintaining the common areas including the private street, sidewalks, community buildings, lighting and landscaping.
31. The property owner shall work with the city to donate the oak woodland to the City or an entity of their choosing.
32. The property owner shall not oppose the formation of a Community Facilities District currently being studied by the City.
33. The project is subject to the City's Right-to-Industry Ordinance requiring disclosure by the owner to perspective owners or renters within 300' of industrially zoned property.

Fire District:

34. Fire Department access roads shall be provided to within 150 feet path-of-travel distance of all portions of first floor exterior walls of all structures. Path-of-travel is measured along a route a firefighter can traverse carrying hose and equipment. Access roads shall be designed to current fire department standards: 20-foot-wide minimum for structures less than 30 feet in height and 26 feet for structures 30 feet and higher. Minimum turning radius 25 feet inside and 45 feet outside. Dead-end private access roads more than 150 feet in length shall have an apparatus turn-around per current Fire Department standards. CFC 503.
 - a. With respect to "height" of the buildings related to Aerial Apparatus Access requirements, this project is proposed to be just two inches less the 30' trigger. This is within the provisions however we caution that a minor 2" variation in grading, foundation or eventual height (measured between the lowest level of fire department access and the parapet of Parcel C Building A or B) would create a non-compliant condition with a difficult remedy.

35. A Fire Flow Analysis including proposed building areas, type of construction and calculated available fire flow at the proposed fire hydrants shall be provided to the Fire Department for review and approval concurrent with submittal of Grading plans. Minimum adjusted (50% sprinkler credit) fire flow for the apartment and rowhouse project (Parcel B & C) is estimated at 2500 gallons per minute with 20 residual psi in the water main. The single-family dwelling (Parcel A) fire flow shall not be less than 1500 gallons per minute. Fire flow demands vary depending upon eventual construction type. Applicant shall contact the Cloverdale Water Department to have a flow test performed for the nearest existing hydrant to be used for the hydraulic design prior to submitting the Fire Flow Analysis. CFC 507.
36. Hydrant spacing for this project shall comply with current fire district standards of CA Fire Code Chapter 9 and Appendix C; Apartment and Multi-family (rowhouse) spacing not greater than 300 feet and single-family dwelling spacing not greater than 500 feet. Three (3) copies of the final site plan shall be submitted for approval of hydrant locations. Location of Fire Department Connections (FDCs) for the required automatic fire sprinkler system and standpipe system are a deferred item but shall be on the front side (main entrance) of the building(s) and within 50' of a fire hydrant. CFC Appendix C. & App C.105.1(g) as adopted.
 - a. Fire hydrants, fire department connections, post indicator valves, backflow devices and gas meters shall be provided with vehicular protection in the form of bollards per the detail CFC 312.
37. Private Underground Fire Mains (aka on-site mains behind the detector check) require a separate Fire Department plan review and permit process prior to installation. Public or private fire mains may not run under buildings. CFC 507.
38. The Cloverdale Fire District has adopted a local ordinance which requires automatic fire sprinkler systems in certain type/size of new construction. The project shall be protected with automatic fire sprinkler systems in accordance with CA Fire Code Chapter 9 as adopted by the Fire District. CFC 903.
39. The three-story apartment buildings are required to provide a Class I (one) standpipe system. CFC 905.3.1 (as adopted).
40. The project is located in excess of an 8-minute response time from the nearest fire station. This exceeds the local and national standards for fire service delivery.
41. As mitigation for delays in response time, traffic signal pre-emption (Opticom or compatible) shall be provided on any new traffic signals serving this development.
42. Project is located in an area designated as a "moderate" Wildland Urban Interface location per CalFire. A vegetation management plan is required and it is expected that enhanced vegetation management will be required in the 30' to 100' zone behind the residential lots.
43. Review of the Environmental Site Assessment, re-use of the site and implementation of the construction program shall be reviewed and approved by the County of Sonoma, Environmental Health & Safety, 707-565-6565.
44. Ground ladder access is required to all "rescue windows" including those facing a basin.
 - a. Location of ladder pads shall be coordinated with Landscaping and civil drawing to provide access to the emergency escape and rescue openings. "Basin" slopes and/or grades which are unsafe for the use of a ladder, tree trunks, shrubs and plants which are

- firmly constructed, such as boxwoods, shall not interfere with placement of fire department ground ladders.
- b. As measured in front of each projection, the base of fire department ground ladders will be placed approximately $\frac{1}{4}$ the height of the building. Example: to ladder a 30-foot building the base of the ladder will be placed 7.5 feet from the building with the tip of the ladder touching the building." Minimum ladder pad size is 4 feet by 4 feet.
 - c. Further evaluation is necessary to ensure a ladder can traverse and maneuver within these locations.
45. A fire alarm system is required. The fire alarm for the Apartment buildings shall incorporate fire sprinkler monitoring, common area (interior corridor) smoke detection and occupant notification throughout. The Rowhouses shall have fire sprinkler monitoring and, at least, one interior notification appliance in each dwelling unit. Single family dwellings (Parcel A) do not require a fire alarm system but shall be equipped with the traditional smoke alarms and carbon monoxide detectors. CFC 907.
 46. Remote annunciators for the fire alarm systems to be provided at the main entrance of buildings in a common area for use by fire fighters. CFC 907.6
 47. Parcel C. 2A10BC rated fire extinguishers are required on each floor, for each 3,000 ft², within 75' travel distance and equipped with wall signage. Recessed cabinets are permitted provided the fire resistive rating is maintained. CFC 906
 48. Building signage is required for; Sprinkler Riser Rooms, Electrical Rooms, Fire Alarm Control Panel Room, Fire Damper Access, Duct Smoke Detector(s) and identification of HVAC units, Elevator Equipment and Bi-Directional Emergency Responder Radio System. CFC 509
 49. Parcel C. An exit analysis shall be submitted with the Building permit set. Any Areas of Refuge or Areas of Assisted Rescue shall be identified and provided with a two-way communication system per CFC 1009. CFC 1003.
 50. Parcel C. Provide a 12" internally or externally illuminated address numerals visible from the public street, controlled by photo-cell or timer.
 - a. Site address signage per current Fire Department Standards shall be established and maintained during and after any combustible construction or intensification of site use.
 - b. An illuminated complex directory shall be provided at the main entrances to Parcels B & C. CFC 505.
 51. Elevators shall accommodate a medical stretcher. The fire resistive smoke assembly used for the elevator must be operable from the elevator cab (by the public and first responders). CBC 607.
 52. Required Fire Department access roads shall be equipped with "No Parking-Fire Lane" markings per current Fire Department standards and the CA Vehicle Code. CFC 503.
 53. Traffic calming measures or controls (speed bumps, humps, undulations, gates, etc.) are not approved as a part of this review and require specific approval from the Fire Department. CFC 503.4.
 54. Parcel C. Apartment buildings shall be equipped with a "Knox Box" (Style 4400 recessed or surface mount) and placed near the main entrance to the building. Lockable gates limiting vehicle access to multi-family facilities shall be equipped with an Opti-Com compatible receiver controlling an

automatic operator and Fire Department approved locking device or Fire Department approved key system ("Knox" lock or "Knox" keyed lock). CFC 506.

55. Parcel C. A bi-directional public safety emergency responder radio system, designed and installed per current Fire Department standards, is required in all new structures. System can be designed into the building or post-construction, radio signal strength can be measured and, if deficient, the system can be installed. If the post-construction test is the selected method, conduits should be included in the building design so conductor and antennas can be routed without opening new construction. CFC 510.
56. Solar Photovoltaic Systems shall comply with the CA Fire Code and CA State Fire Marshal Photovoltaic Guideline. CFC 605.
57. Required Fire Department permits that are eligible for deferred submittal: Construction; Underground Fire Main, Automatic Fire Sprinkler System, Fire Standpipe System, Fire Alarm System, Sprinkler Alarm Supervisory Service (water-flow monitoring). Operation; Apartment building, Bi-Directional Repeater System. CFC 105.
58. The developer shall submit a "Fire Safety During Construction" plan to the Fire District at the time of Building Permit submittal. CFC 3308.
59. Parcel C. A Fire Safety & Evacuation Plan and signage (entrances, stairwells, elevator lobbies) shall be provided and submitted to the CFD for review to ensure all required information is provided in the plan and on the floor plans. CFC 403.4, 404.6 & 1023.
60. Storage or use of any hazardous materials at the site (such as diesel fuel for an on-site generator or sulfuric acid in batteries) will require a Hazardous Materials Business Plan be submitted to the CUPA. CFC 5001.
61. Access roads (1ST lift of asphalt) and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials. CFC 3312.

Public Works/Engineering:

PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:

62. The applicant shall submit to the City of Cloverdale for review and approval, a grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall post sufficient surety guaranteeing completion.
63. The applicant shall submit to the City of Cloverdale for review and approval, a detailed Soils Report certified by a Civil Engineer registered in the State of California and qualified to perform soils work. The report shall include a minimum of geotechnical investigation with regard to liquefaction, expansive soils, and seismic safety. The grading plan shall incorporate the recommendations of the approved Soils Report.
64. The applicant shall submit to the City of Cloverdale for review and approval, improvement plans prepared by a Registered Civil Engineer; shall enter into an agreement with the City of Cloverdale to complete the improvements; and shall post sufficient surety guaranteeing the construction of the improvements. Any necessary right-of-way required to complete the improvements will be acquired by the applicant at his expense.
65. All existing wells, septic tanks and/or underground fuel storage tanks shall be permanently destroyed under permit and inspection by the Sonoma County Permit and Resource Management Department, Well and Septic Division and/or Sonoma County Environmental Health or other

designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search to make this determination.

66. If any of the improvements which the applicant is required to construct or install is to be constructed or installed upon land in which the applicant does not have title or interest sufficient for such purposes, the applicant shall do all of the following at least 60 days prior to the filing of the final or parcel map for approval pursuant to Government Code Section 66457:
 - a. Notify the City of Cloverdale (hereafter "City") in writing that the applicant wishes the City to acquire an interest in the land which is sufficient for such purposes as provided in Government Code Section 66462.5;
 - b. Supply the City with (i) a legal description of the interest to be acquired, (ii) a map or diagram of the interest to be acquired sufficient to satisfy the requirements of subdivision (e) of Section 1250.310 of the Code of Civil Procedure, (iii) a current appraisal report prepared by an appraiser approved by the City which expresses an opinion as to the current fair market value of the interest to be acquired, and (iv) a current Litigation Guarantee Report;
 - c. Enter into an agreement with the City, guaranteed by such cash deposits or other security as the City may require, pursuant to which the applicant will pay all of the City's cost (including, without limitation, attorney's fees and overhead expenses) of acquiring such an interest in the land.
67. The applicant shall post sufficient surety guaranteeing completion of all improvements which revert to the City (i.e., sewer, water, storm drainage, curb and gutter, sidewalk, etc.) or which require removal.
68. Accessible paths of travel and parking shall be provided as required by State of California Title 24.
69. The applicant shall obtain all required permits from environmental regulatory agencies as required to construct the new improvements.
70. For any Final Map the applicant shall transmit by certified mail a copy of the conditionally approved Tentative Map together with a copy of Section 66436 of the State Subdivision Map Act to each public entity or public utility that is an easement holder of record. Written compliance shall be submitted to the City of Cloverdale.
71. The applicant shall offer to dedicate on the Final Map to the City of Cloverdale for public use, all the public streets right-of-way shown on the Final Map.

DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:

72. That prior to any work being conducted within the City right-of-way, the applicant shall obtain an Encroachment Permit.
73. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sonoma County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
74. Prior to final preparation of the subgrade and placement of base materials, all underground utilities shall be installed and service connections stubbed out behind the sidewalk. Public utilities, Cable TV, sanitary sewers, and water lines, shall be installed in a manner which will not disturb

the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.

75. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control plans shall be submitted for review and approval along with the grading plan. Permanent erosion control measures shall include hydroseeding of all graded slopes within 60 days of completion of grading.
76. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
77. All haul routes shall be approved by the City Engineer. Haul routes shall be limited to graded area only.
78. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
79. Prior to placing the final lift of asphalt, all public sanitary sewer lines shall be video inspected at the expense of the contractor/developer. All video tapes shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.
80. Prior to beginning construction, the applicant shall obtain a demolition permit from the City for removal of all existing structures on the site.

PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND BOND EXONERATION, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:

81. Sufficient surety guaranteeing the public improvements for a period of one year shall be provided.
82. If substantial changes in the size, alignment, grades, etc. during construction, original "as-built" plans on the standard size sheets will be certified by the Civil Engineer and returned to the City Engineer's office.

OTHER SPECIAL CONDITIONS:

STREETS

83. All public and private street improvements shall be constructed in accordance with the City's Design and Construction Standards.
84. Right of way dedications shall be provided for new roadways and roadway widening in accordance with the City's Design and Construction Standards.
85. A minimum 5' wide Public Utility Easement (PUE) shall be dedicated adjacent to all right of way lines throughout the project as required and as directed by the City Engineer.
86. Sidewalks shall be ADA compliant as determined by the City Engineer. Sidewalks shall be contained either within street right-of-way or within a public sidewalk easement offered to the City. Curb ramps shall be ADA compliant and provided at every crosswalk.
87. Should any damage occur to City Streets during construction the Contractor and/or Developer shall be responsible for repair at no cost to the city. Repairs to the City's streets shall be to the satisfaction of the City Engineer.

88. Sandholm Lane shall be classified as a Collector and shall be widened to the south along the project frontage and shall meet the following requirements:
 - a. Street section shall comply with the Collector Street Section of the City's Design and Construction Standards with a curb to curb width of 40 feet (12' travel lanes and 8' parking lanes).
 - b. Curb and gutter and sidewalk shall be constructed on the south side of the street. Sidewalks shall have a minimum width of 5'.
 - c. Street trees and lighting to be provided in accordance with the City's Design and Construction Standards.
 - d. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.
89. Foothill Boulevard shall be classified as a Modified Collector and shall be extended from the intersection with Sandholm Lane to Street A as shown on the entitlement plans and shall meet the following requirements:
 - a. Street section shall comply with the Collector Street Section of the City's Design and Construction Standards with a curb to curb width of 50 feet (12' travel lanes, 5' Class II bike lanes and 8' parking lanes).
 - b. Curb and gutter, and sidewalk to be constructed in accordance with the City's Design and Construction Standards.
 - c. Sidewalks shall have a minimum width of 5'.
 - d. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.
90. Street A shall be classified as a Minor Street and constructed from the extension of Foothill Boulevard to the intersection with South Cloverdale Boulevard and shall meet the following requirements:
 - a. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a curb to curb width of 32 feet (11' travel lanes and 5' Class II Bike Lanes) from South Cloverdale Boulevard to the northeast corner of APN 117-040-055. Curb and gutter and sidewalk shall be constructed on both sides of the street. Sidewalks shall have a minimum width of 5'.
 - b. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a width of 25 feet (10' travel lanes and a westbound 5' Class II Bike Lane) from the northeast corner of APN 117-040-055 to the intersection of the Foothill Boulevard Extension. Curb and gutter and sidewalk shall be constructed on the north side of the street and an asphalt concrete curb shall be constructed on the south side of the street.
 - c. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.
91. Streets on Parcel A, the new residential subdivision, shall be classified as a Minor Street and constructed from and shall meet the following requirements:
 - a. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a curb to curb width of 36 feet (10' travel lanes and 8' parking lanes). Curb and gutter and sidewalk shall be constructed on both sides of the street. Sidewalks shall have a minimum width of 5'.
 - b. Pavement structural sections shall be designed to a Traffic Index (TI) of 5.0.

- c. Emergency vehicle turn arounds and cul-de-sacs shall be reviewed and approved by the Cloverdale Fire Protection District and the City Engineer.

STORM DRAIN

92. The applicant shall demonstrate for each building pad to the satisfaction of the City of Cloverdale as follows:
 - a. Adequate protection from 100-year frequency storm; and
 - b. Feasible access during a 10-year frequency storm.

A copy of the applicable FIRM map and hydrology and hydraulic calculations shall be submitted with the improvement plans per current City and Sonoma County Water Agency Standards.
93. The applicant shall submit to the City of Cloverdale for review and approval, drainage plans and hydraulic calculations prepared by a Registered Civil Engineer; shall enter into an agreement with the City of Cloverdale to complete the improvement and shall post sufficient surety guaranteeing the construction of the improvements. The drainage plans and calculations shall indicate the following conditions before and after development:
 - a. Quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps and drainage courses. Hydrology shall be per current Sonoma County Water Agency Standards.
 - b. Storm drain flows post-development shall be limited to pre-development flows for the 10-year frequency design storm. Any facilities needed to accommodate this (i.e. oversized pipes, detention facilities, etc.) shall be installed within the development and be privately owned and maintained.
94. All storm drain calculations shall analyze the 10-year frequency design storm and all storm drain facilities shall accommodate 10-year storm flows. Additionally, the 100-year shall be analyzed and provisions must be made to accommodate overland flows that exceed pipe capacity.
95. Drainage facilities shall be constructed to intercept any drainage runoff from offsite properties and conveyed to an approved storm drain.
96. The new culvert replacement in Street A shall be designed in accordance with the Sonoma Water's Flood Control Design Manual. The culvert shall be located entirely within the public right of way or public storm drain easement.
97. The applicant shall submit to the City of Cloverdale for review and approval a Final Storm Water Low Impact Development Submittal prepared by a Registered Civil Engineer in conformance with the Santa Rosa Storm Water LID Technical Design Manual and the City's current NPDES MS4 Permit requirements.
98. Maintenance and inspection of all storm water BMP facilities on private land are the responsibility of the property owner. This responsibility shall run with the land and be legally recorded, executed, and transferred upon sale of the property. Property owners shall inspect, or ensure the inspection by a qualified professional, of all storm water BMP facilities at least once a year. Records of maintenance and inspections shall be retained on the property for a period of 5 years.
99. Runoff from improvements within the public right of way shall be directed to BMP facilities that are located within the public right of way or public drainage easement. Runoff from private improvements shall not be permitted to be directed to these BMP facilities and shall be treated on private property.

100. A legally binding, signed maintenance agreement, or equivalent mechanism approved by the City of Cloverdale, is required for all storm water BMP facilities prior to issuance of certificate of occupancy.

GRADING

101. The grading plan shall clearly show all existing survey monuments and property corners and shall state that they shall be protected and preserved. Should monuments or property corners be damaged or destroyed during construction, they shall be replaced by the developer.
102. Improvement plans shall include an erosion control plan. The plan must include an order of work and staging/scheduling component indicating when facilities must be installed and when they may be removed. A separate Rain Event Action Plan (REAP) shall be required and prepared as part of the Storm Water Pollution Prevention Plan (SWPP). A copy of the REAP shall be kept on-site throughout the duration of construction activities.
103. Tree protection plan must be shown on the grading plan(s).
104. During construction, dust control must be maintained to the City's satisfaction.

WATER & SANITARY SEWER IMPROVEMENTS

105. All public water mains must be located in public right-of-way or public utility easements meeting City standards and as approved by the City Engineer. Any and all rights-of-way, or if unavoidable, easement dedications must be made by the property owner to the City, at the property owner's expense, prior to approval of the improvement plans. The developer shall prepare all necessary legal descriptions and deeds and submit the documents to the City Engineer for review and approval prior to recordation.
106. All private storm drains, water mains, fire mains, sanitary sewer mains, laterals, and privately owned appurtenances, must be located with the private property and clearly identified as private on the improvement plans.

WATER

107. The applicant shall submit with the improvement plans a water analysis demonstrating that the size of the lines and appurtenances proposed for the project are adequate for fire protection. Plans and calculations shall be submitted to both the City and Cloverdale Fire Protection District for review and approval.
108. A new 12-inch minimum water line to provide domestic water, irrigation, and fire protection services shall be installed in accordance with City Standards and the City's Water Master Plan. The new water line will tie into the existing water line at the intersection of Sandholm Lane and Foothill Boulevard, then south along the extension of Foothill Boulevard, then east along the new "Street A" and tie into the water line in South Cloverdale Boulevard. The tie in at South Cloverdale Boulevard will require the applicant to design an "altitude valve" to connect to the City's low pressure zone. The new water line shall also be stubbed out from the intersection Foothill Blvd. and Street A to the southerly property line to accommodate the future extension to Kelly Road. A blow off valve or fire hydrant shall be installed at the end of the new water line stub.
109. The public water line on Parcel A shall connect at Foothill Boulevard and Sunrise Drive at a minimum.
110. Provide one domestic water meter and one irrigation meter with reduced pressure backflow prevention device for the proposed development on Parcel B and C in accordance with City

standards. The meters and device shall be located in the public right-of-way or a utility easement accessible to City staff at all times.

SEWER

- 111. All on-site sewer improvements shall be privately owned and privately maintained and shall be constructed to City public standards and as approved by the City Engineer.
- 112. All public sewer improvements shall be constructed in accordance with the City's Design and Construction Standards.
- 113. If the project's design sewer discharge flows are greater than anticipated for this property in the sewer master plan, the applicant shall provide for a sewer capacity study to evaluate the adequacy of the existing sewer mains to convey the proposed project's peak wet weather flows. Any sewer capacity deficiencies identified in the analysis, beyond which is identified in the 2009 Sewer Master Plan, shall be corrected at the applicant's sole expense.

UTILITIES

- 114. All new utilities (gas, electric, cable, telephone, etc.) shall be placed underground within the public right of way or a Public Utility Easement (PUE) as approved by the City Engineer. No new overhead utility installations will be permitted.
- 115. The applicant shall prepare and submit joint trench plans with the civil improvement plans with the Building Permit Submittal.

Building Department:

- 116. The single-family dwellings shall comply with the provisions of California Residential Building Codes.
- 117. The apartment buildings shall comply with the provisions of the California Building Codes.
- 118. The multistory dwelling row houses may comply with either the CBC or the CRC but not both. CRC 1.1.7.3.1.
- 119. Projects with an identified flood area shall comply with FEMA and local floodplain requirements.
- 120. An area analysis shall be provided on the cover sheet of the plans for each building other than the R3 types based upon type of construction, required occupancy separation, and fire sprinkler system provided. Area analysis shall include the requirements outlined in CBC Tables 504.3 thru 506.2. Provide a site plan showing location of all assumed and real property lines based upon allowable building areas.
- 121. Projections, such as roof overhangs and exterior balconies shall not extend any closer to the fire separation line as allowed in CBC Table 705.2 or CRC Table R302.1(1).

Attached Row Houses / Townhouses

- 122. All zero lot line / common walls shall be rated a minimum listed fire protection with no openings complying with CBC 602 and CBC 705 or CRC R302.2.
- 123. Parapets shall be provided on exterior walls of attached row houses / townhouses unless complying with one of the exceptions listed in CRC 302.2.2.
- 124. All exterior walls shall be rated a minimum listed fire protection with opening protection complying with CBC 602, CBC 705.8 or CRC R302.1.

Apartments

125. Exterior walls within the distance specified in CBC Table 602 of the lot lines (assumed or real) shall be rated a minimum listed fire protection with no openings complying with CBC 705.
126. Walls separating dwelling units in the same building and walls separating dwelling units from other occupancies contiguous to them in the same building shall be constructed as fire partitions in accordance with CBC 708. CBC 420.
127. Floor assemblies separating dwelling units in the same buildings and floor assemblies separating dwelling units from other occupancies contiguous to them in the same building shall be constructed as horizontal assemblies in accordance with CBC 711. CBC 420.
128. Exiting shall comply with the provisions of CBC Chapter 10.

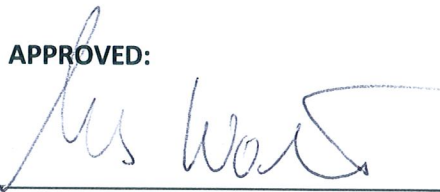
Accessibility

129. Any projects that receive any Federal, State, or Local assistance shall be defined as public housing subject to the requirements of Chapter 11A and Chapter 11B. A statement shall be provided on the cover sheet of the plans identifying funding sources if any. CBC 1101A.1. (Single family dwellings (R3 Type) that are not considered public housing – have no accessibility requirements)
130. Public housing with residential dwelling units shall comply with the provisions of CBC 11B-233.3.
131. If not public housing, each building on a building site shall be considered separately when determining the requirements contained in CBC 11A, except when calculating the number of units which must comply with CBC Section 1102A.3.1. CBC 1102A.1.
132. Covered multifamily dwellings (Apartments): All ground floor dwelling units in non-elevator buildings shall be adaptable and on an accessible route, unless an accessible route is not required as determined by site impracticality provisions in CBC Section 1150A. CBC 1104A.1.
133. Multistory dwellings (Row Houses): The minimum number of multifamily dwelling units which must comply with 11A adaptability shall be calculated using the total number of all multistory dwelling units in buildings on a site. At least 10% but not less than one of the multistory dwellings shall comply with the following:
 134. The primary entry to the dwelling unit shall be on an accessible route.
 135. At least one powder room or bathroom shall be located on the primary entry level, served by an accessible route and shall comply with the provisions of CBC 11A Division IV.
 136. All rooms or spaces located on the primary entry level shall be served by an accessible route and shall comply with the provisions in CBC 11A Division IV.
 137. Garages, carports and other parking facilities, which are accessory to covered multifamily dwelling units and row houses / townhouses, shall be accessible as required in CBC 11A Section 1109A. CBC 1105A and CRC R320.
138. Common Use areas (Community Buildings) shall be accessible per CBC 11A adaptability requirements unless open to the public. For example, the Managers Office's shall also comply with CBC Chapter 11B accessibility. CBC 1102A.3.1 #4.
139. Exterior accessible routes shall comply with the provisions of CBC Chapter 11A Section 1110A and where applicable provisions of CBC Chapter 11B.
140. Maneuvering clearances at doors shall comply with the required strike side clearances of CBC 11A or CBC 11B.

141. Clear floor space at Kitchen appliances shall comply with the provisions of CBC 1133A or CBC 11B-804 and shall be centered on the appliances.
142. Compliance with Cloverdale's adoption of the Tier I requirements of the 2016 California Green Code must include:
143. Comply with the EV charging requirements in Section A4.106.8. Note the EV parking spaces cannot be counted towards the total number of required parking spaces. Construction documents shall provide information on amperage of future EVSE, raceway methods, wiring schematics, and electrical loads.
144. Comply with the 20% permeable paving requirements in Section A4.106.4.
145. Comply with the 65% reduction in construction waster in Section A4.408.1.
146. 2016 California Energy Code requirements for Multi-family buildings require compliance for Solar Ready Buildings per Section 110.10(b) through 110.10(d).
147. Some key changes in the 2019 Energy Codes are as follows:
148. Require that all residential construction that has three habitable stories or less from grade shall require the installation of solar photovoltaics. Square footage of the homes/units and number of bedrooms will help determine system sizing.
149. Domestic hot water solar preheat will become prescriptively required: 20% net solar fraction in Climate Zones 1-9.
150. Work/construction hours are limited to Monday through Friday from 7:00 a.m. to dark, but in no case shall work continue later than 7:00 p.m. Work hours on Saturdays shall be from 7:00 a.m. to 5:00 p.m. No work shall occur on Sundays or Holidays. Inspections will be available Monday through Thursday from 2:00 p.m. to 4:00 p.m. Contractors shall schedule inspections 48 hours in advance by calling the Building Department at (707) 894-1725.

Resolution No. 079-2020 was duly adopted by the City Council of the City of Cloverdale on this the 26th of August 2020, by the following roll call vote:

AYES: (4) Councilmembers Bagby and Brigham, Vice Mayor Turner and Mayor Wolter
NOES: (0) None
ABSTAIN: (1) Councilmember Cruz
ABSENT: (0) None

APPROVED:


Gus Wolter, Mayor

ATTEST:


Irene Camacho-Werby, City Clerk



**CITY OF CLOVERDALE
CITY COUNCIL**

ORDINANCE NO. 736-2020

AN ORDINANCE OF THE CITY OF CLOVERDALE AMENDING TITLE 18, "ZONING," OF THE CITY MUNICIPAL CODE, PREZONING CERTAIN PROPERTIES CONTAINING APPROXIMATELY 4.55 ACRES OF LAND LOCATED AT 28277 & 28243 OLD REDWOOD HIGHWAY TO THE GENERAL INDUSTRIAL (M-1) ZONING DISTRICT (APNs 117-040-086 & 087)

THE CITY COUNCIL OF THE CITY OF CLOVERDALE HEREBY ORDAINS AS FOLLOWS:

SECTION 1. RECITALS

A. The owners of the Payless Storage properties (APNs 117-040-086 & -087), containing approximately 4.55 acres of land located in unincorporated Sonoma County territory have requested annexation to the City of Cloverdale.

B. As required by California State Law, California Government Code Sec. 56375 (a) (7), all requests for annexation must not create "county islands" which would not promote the local or efficient expansion of communities in California. In this instance, with the properties immediately to the north and east on S. Cloverdale Boulevard and Sandholm Road already located within City limits and zoned M-1, a "County island" would not be created.

C. As mandated by state law and Sonoma County Local Agency Formation Commission (LAFCO) requirements, the City of Cloverdale is obligated to prezone the affected properties identified above prior to annexation. Proposed pre zoning includes classifying individual properties within the annexation area to the M-1 (General Industrial) district as summarized above and as shown on Exhibit A, which is hereby incorporated by reference to this ordinance.

D. The California Environmental Quality Act ("CEQA"), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. The project involves the annexation of two parcels totaling 4.55-acres developed with an existing storage business (Payless Storage) consistent with the General Industrial (M-1) Zoning District with no variances or exceptions and requiring the extension of all City services to serve the two subject parcels. Based upon the information contained in the application materials, the project qualifies for a Class 19 (Annexations of Existing Facilities and Lots for Exempt Facilities) CEQA Exemption. Furthermore, based on the application materials, existing site conditions, the fact that the project does not introduce any new uses or construction and location of the project, the project qualifies for a CEQA exemption under

CEQA guidelines section 15061 (Review for Exemption – common sense exemption) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. Finally, none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced exemptions for the project.

E. The City Council has makes the following findings related to rezoning the properties described as County Assessor's Parcel Numbers (APNs) 117-040-086 & 117-040-087 to the M-1 (General Industrial) District:

1. The proposed rezoning is consistent with the goals, objectives, policies and programs of the Cloverdale General Plan and is necessary and desirable to implement the provisions of the General Plan.
 - a. *The rezoning of properties within the Payless Storage annexation area, as described above and shown on Exhibit A, is consistent with the Land Use Map of the Cloverdale General Plan.*
 - b. *The project is consistent with the goals, policies and implementation measures of the General Plan and the GI land use designation as it would bring an existing industrial use into the City limits of Cloverdale and subject future development of the properties to City standards. The project also allows for an industrial use that does not affect an established residential area.*
2. The proposed rezoning will not adversely affect the public health, safety and welfare or result in an illogical land use pattern.
 - a. *The project involves the annexation of two parcels developed with an existing storage business (Payless Storage) with no additions, modifications or new construction and requiring only the extension of City services to serve the two subject parcels. Based upon the information contained in the application materials, the project qualifies for a Class 19 (Annexations of Existing Facilities and Lots for Exempt Facilities) CEQA Exemption. Furthermore, once annexation is complete, any future improvements to the property would be subject to applicable Fire and Building codes, ensuring the public health, safety and welfare.*
 - b. *The land use pattern for the annexation is generally consistent with existing development patterns within the annexation area and with existing County of Sonoma zoning as applied to these properties.*
3. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.D of the Cloverdale Municipal Code, as follows.

- a. The proposed rezoning has been requested prior to annexation of the properties requested for annexation to the City of Cloverdale and will not become effective until the annexation process is complete.*
4. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.E of the Cloverdale Municipal Code, as follows.
 - a. The rezoning is consistent with the Cloverdale General Plan.*
 - b. The project is consistent with all other provisions of the Cloverdale Municipal Code.*
 - c. The rezoning will not be detrimental to the public health, safety or welfare to the use of land in the annexation area or adjacent lands as documented by finding #2, above.*
 - d. The properties for rezoning are suitable for the existing storage use that is allowed by the City of Cloverdale M-1 Zoning District.*

F. On August 12, 2020, the City Council held a properly noticed public hearing regarding this Zoning Map Amendment and considered all comments received in writing and all testimony received at the public hearing.

SECTION 1. PURPOSE AND INTENT

The purpose and intent of these changes is to amend the City of Cloverdale Zoning Map (18.01.060 (b) CMC) to prezone the 4.55-acre area between Sandholm Road and an existing private driveway off of S. Cloverdale Boulevard just south of the Renner Petroleum gas station, south of the current City limits in this portion of Cloverdale, to M-1 (General Industrial) Zoning District as shown on Exhibit A, which rezoning will become effective when the zoning of the sites becomes effective upon completion of the annexation process pursuant to Government Code section 65859(a).

SECTION 2. FINDINGS

The above recitals are hereby declared to be true and correct and hereby incorporated herein as the required Findings of the City Council of the City of Cloverdale.

SECTION 3. RECLASSIFIED PROPERTIES

The City of Cloverdale Zoning Map (18.01.060 (b) CMC) is hereby amended so as to zone the two subject properties located between Sandholm Road and an existing private driveway off of S. Cloverdale Boulevard just south of the Renner Petroleum gas station M-1 (General Industrial) Zoning District as shown in Exhibit A. Pursuant to the provisions of Government Code section 65859, the zoning established for the properties

by this ordinance shall become effective at the same time that the annexation becomes effective.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed the ordinance codified in this Chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

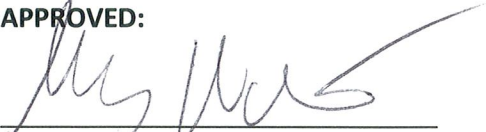
SECTION 5. EFFECTIVE DATE

This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Council Members voting for or against the same, in a newspaper of general circulation published in the County of Sonoma, State of California. Said zoning shall not be deemed effective until completion of the annexation pursuant to Government Code Section 65859(a).

I hereby certify that the foregoing ordinance was introduced before the City Council of the City of Cloverdale at a regular meeting thereof on the 12th day of August 2020 and duly and regularly adopted by the City at a regular meeting thereof held on August 26th, 2020, by the following vote:

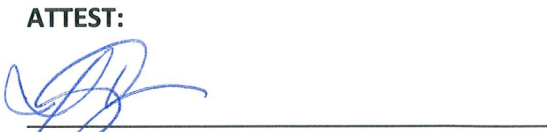
- AYES: (5) Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter**
- NOES: (0) None**
- ABSTAIN: (0) None**
- ABSENT: (0) None**

APPROVED:



Gus Wolter, Mayor

ATTEST:



Irene Camacho-Werby, City Clerk

Exhibits Attached:

Exhibit A – Prezoning District



Exhibit A – Payless Storage Prezoning



CITY OF CLOVERDALE
CITY COUNCIL

ORDINANCE NO. 737- 2020

AN ORDINANCE OF THE CITY OF CLOVERDALE AMENDING TITLE 18, "ZONING," OF THE CITY MUNICIPAL CODE, PREZONING CERTAIN PROPERTIES CONTAINING APPROXIMATELY 28.42 ACRES OF LAND LOCATED AT 28193 & 28195 OLD REDWOOD HIGHWAY TO THE PLANNED UNIT DEVELOPMENT (P-D) ZONING DISTRICT (APNs 117-040-053 & 084)

THE CITY COUNCIL OF THE CITY OF CLOVERDALE HEREBY ORDAINS AS FOLLOWS:

SECTION 1. RECITALS

A. The owners of the Baumgardner Ranch Development properties (APNs 117-040-053 & -084), containing approximately 28.42 acres of land located in unincorporated Sonoma County territory have requested annexation to the City of Cloverdale.

B. As required by California State Law, California Government Code Sec. 56375 (a) (7), all requests for annexation must not create "county islands" which would not promote the local or efficient expansion of communities in California. In this instance, although two other properties (APNs 117-040-086 & 117-040-087) lying to the north west of the Baumgardner Ranch Development Project land and southwest of the current boundary of the City of Cloverdale are also located outside of the current City of Cloverdale boundary and are not included in this rezoning ordinance, they are the subject properties of a prezone/annexation application (Payless Storage) the City is processing concurrently with the Baumgardner Ranch Development project application to ensure that a logical municipal boundary is created.

C. As mandated by state law and Sonoma County Local Agency Formation Commission (LAFCO) requirements, the City of Cloverdale is obligated to prezone the affected properties identified above prior to annexation. Proposed rezoning includes classifying the two subject properties within the annexation area to P-D (Planned Unit Develop) district as summarized above and as shown on Exhibit 1, which is hereby incorporated by reference to this ordinance.

D. The ordinance also includes revisions to Chapter 18.08 of the Cloverdale Municipal Ordinance listing the following proposed variations to the R-2 and R-3 standards:

Baumgardner Ranch – Detached Single-Family Homes

All development standards of the R-2 district shall apply to the detached single-family lots, with the following exceptions:

1. *Minimum lot area: 2,500 square feet*
2. *Minimum lot width: 50 feet*
3. *Minimum lot depth: 50 feet*
4. **Minimum lot setbacks:*
 - a) *Front 5 feet*
 - b) *Side 5 feet*

- c) Rear 5 feet

Baumgardner Ranch – Attached Single-Family Homes

All development standards of the R-3 district shall apply to the attached single-family lots, with the following exceptions:

1. Minimum lot area: 1,200 square feet
2. Minimum lot width: 21 ½ feet
3. Minimum lot depth: 56 feet
4. *Minimum lot setbacks:
 - a) Front 2 feet
 - b) Side 0 feet
 - c) Rear 2 feet
5. Minimum distance between buildings: 0 feet

Baumgardner Ranch – Multi-Family

All development standards of the R-3 district shall apply to the apartments lot, with the following exceptions:

1. Maximum building height 41 feet, or 3 stories

**Building roofs, eaves, and rain gutters are allowed to encroach within setbacks.*

E. The California Environmental Quality Act (“CEQA”), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. To comply with CEQA, the City prepared a Mitigated Negative Declaration for this project with the finding that with adherence to mitigation measures included in the Initial Study for the project, there would be no significant or potentially significant impacts associated with the project.

F. The City Council has makes the following findings related to (1) the rezoning of the properties, described as County Assessor’s Parcel Numbers (APNs) 117-040-053 & 117-040-084 to the P-D (Planned Unit Development) District; (2) amending Chapter 18.08 of the Municipal Code listing the requested variations to the R-2 and R-3 standards for the Baumgardner Ranch Development Project:

1. The proposed rezoning is consistent with the goals, objectives, policies and programs of the Cloverdale General Plan and is necessary and desirable to implement the provisions of the General Plan.
 - a. *The proposed rezoning of properties within the Baumgardner Ranch Development Project annexation area, as described above and shown on Exhibit 1, is consistent with the amended Land Use Map of the Cloverdale General Plan.*
 - b. *Requested variations to the R-2 and R-3 standards enable the development to carry out the intent of the planned development provisions by providing more efficient use of the land and achieve excellence of design greater than that which could be achieved through the application of conventional development standards.*
2. The proposed rezoning will not adversely affect the public health, safety and welfare or result in an illogical land use pattern.

- a. *The Initial Study/Mitigated Negative Declaration prepared for this project has evaluated the public health, safety and welfare issue, and mitigation measures included in the Initial Study will eliminate or mitigate all such impacts to a less than significant level.*
 - b. *The land use pattern proposed for the annexation is generally consistent with existing development patterns within the annexation area and with existing County of Sonoma zoning as applied to these properties.*
- 3. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.D of the Cloverdale Municipal Code, as follows.
 - a. *The proposed rezoning has been requested prior to annexation of the properties requested for annexation to the City of Cloverdale and will not become effective until the annexation process is complete.*
- 4. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.E of the Cloverdale Municipal Code, as follows.
 - a. *The proposed rezoning is consistent with the Cloverdale General Plan, as amended by this project.*
 - b. *The proposed project is consistent with all other applicable provisions of the Cloverdale Municipal Code.*
 - c. *The proposed rezoning will not be detrimental to the public health, safety or welfare to the use of land in the annexation area or adjacent lands as documented by finding #2, above.*
 - d. *The properties proposed for rezoning are suitable for the proposed use that will be allowed by the City of Cloverdale zoning districts with the application of certain CEQA mitigation measures contained in the Initial Study/Mitigated Negative Declaration prepared for this project.*

G. On August 26, 2020, the City Council held a properly noticed public hearing regarding this Zoning Ordinance Amendment and considered all comments received in writing and all testimony received at the public hearing.

SECTION 1. PURPOSE AND INTENT

The purpose and intent of these changes is to amend the City of Cloverdale Zoning Map (18.01.060 (b) CMC) to prezone the 28.42-acre area lying south of Sandholm Road and west of S. Cloverdale Boulevard and south of the current City limits in this portion of Cloverdale, to P-D (Planned Unit Development) District as shown on Exhibit 1, which rezoning will become effective when the zoning of the sites becomes effective upon completion of the annexation process pursuant to Government Code section 65859(a).

SECTION 2. FINDINGS

The above recitals are hereby declared to be true and correct and hereby incorporated herein as the required Findings of the City Council of the City of Cloverdale.

SECTION 3. AMENDMENTS TO TITLE 18 OF THE CLOVERDALE MUNICIPAL CODE

Sections 18.08.020, Individual PD District Development Standards, is amended as set forth in Exhibit 2.

SECTION 4. RECLASSIFIED PROPERTIES

The City of Cloverdale Zoning Map (18.01.060 (b) CMC) is hereby amended so as to zone individual properties located south of Sandholm Road and west of S. Cloverdale Boulevard and south of the current City limits in this portion of Cloverdale, to P-D (Planned Unit Development), as shown in Exhibit 1. Pursuant to the provisions of Government Code section 65859, the zoning established for the properties by this ordinance shall become effective at the same time that the annexation becomes effective.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed the ordinance codified in this Chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Council Members voting for or against the same, in a newspaper of general circulation published in the County of Sonoma, State of California. Said zoning shall not be deemed effective until completion of the annexation pursuant to Government Code Section 65859(a).

I hereby certify that the foregoing ordinance was introduced before the City Council of the City of Cloverdale at a regular meeting thereof on the 26th day of August 2020 and duly and regularly adopted by the City at a regular meeting thereof held on September 9, 2020, by the following vote:

Ordinance No. 737 -2020 was duly adopted on this the 9th day of September 2020, by the following roll call vote:

- AYES: (5) Councilmember Bagby, Brigham and Cruz, Vice Mayor Turner, and Mayor Wolter**
- NOES: (0) None**
- ABSTAIN: (0) None**
- ABSENT: (0) None**

APPROVED

Gus Wolter, Mayor

ATTEST:

Irene Camacho-Werby, City Clerk

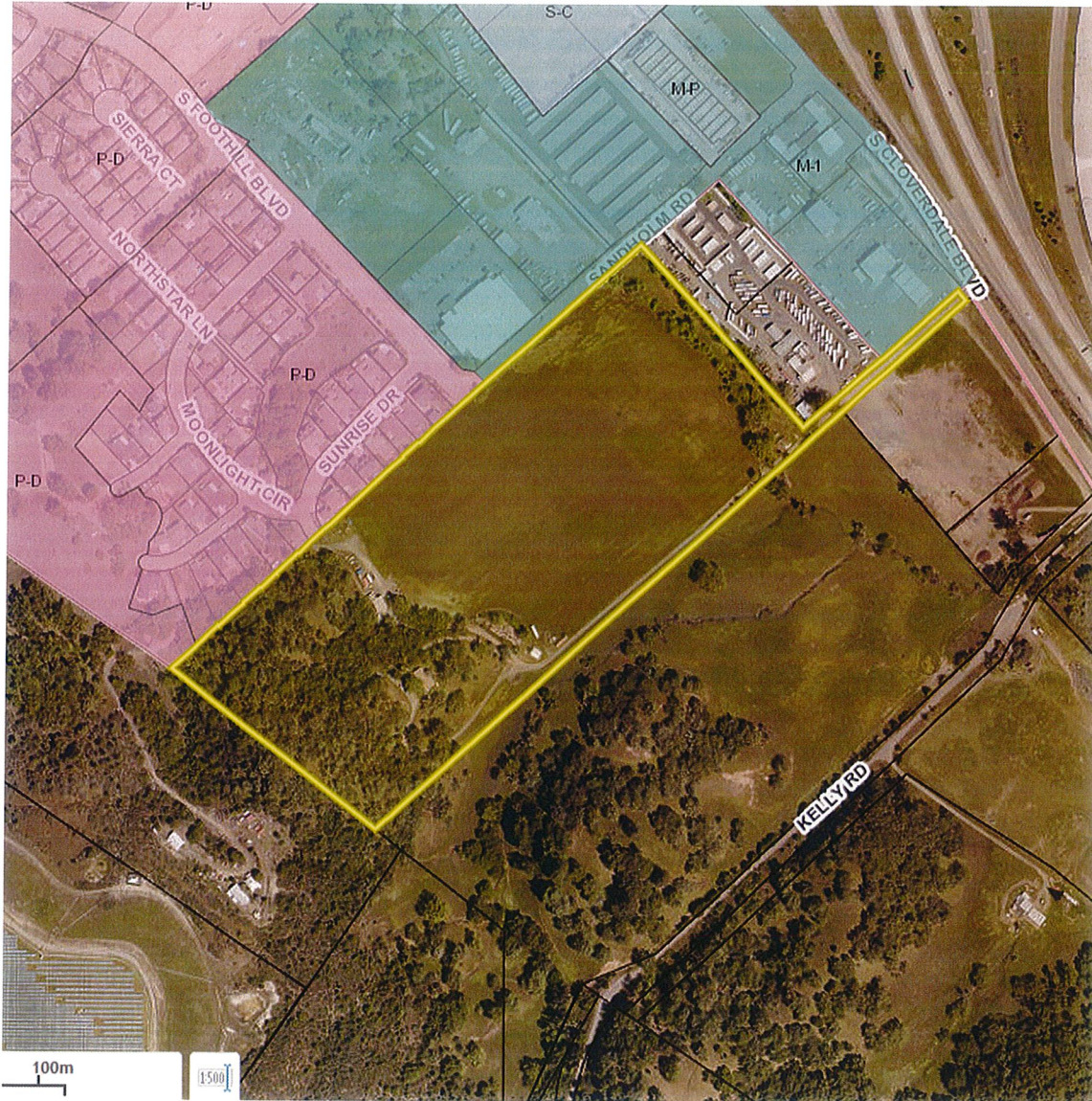


Exhibits Attached:

Exhibit 1 – Rezoning Districts

Exhibit 2 – Section 18.08.020 of the Municipal Code establishing development standards for the Baumgardner Ranch Development Project

Exhibit 1
Baumgardner Ranch Rezoning District



28195 & 28193 Old Redwood Highway (APN 117-040-053 & -084)

Exhibit 2

Amendment to Zoning Ordinance Section 18.08.020 of the Municipal Code establishing development standards for the Baumgardner Ranch Development Project

Baumgardner Ranch – Detached Single-Family Homes

All development standards of the R-2 district shall apply to the detached single-family lots, with the following exceptions:

1. Minimum lot area: 2,500 square feet
2. Minimum lot width: 50 feet
3. Minimum lot depth: 50 feet
4. *Minimum lot setbacks:
 - a) Front 5 feet
 - b) Side 5 feet
 - c) Rear 5 feet

Baumgardner Ranch – Attached Single-Family Homes

All development standards of the R-3 district shall apply to the attached single-family lots, with the following exceptions:

1. Minimum lot area: 1,200 square feet
2. Minimum lot width: 21 ½ feet
3. Minimum lot depth: 56 feet
4. *Minimum lot setbacks:
 - a) Front 2 feet
 - b) Side 0 feet
 - c) Rear 2 feet
5. Minimum distance between buildings: 0 feet

Baumgardner Ranch – Multi-Family

All development standards of the R-3 district shall apply to the apartments lot, with the following exceptions:

1. Maximum building height 41 feet, or 3 stories

*Building roofs, eaves, and rain gutters are allowed to encroach within setbacks.