

**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 068-2022

RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A PRECISE DEVELOPMENT PLAN AND DESIGN REVIEW FOR CONSTRUCTION OF 33 DETACHED SINGLE-FAMILY RESIDENCES IN THE 42.62-ACRE VISTA OAKS SUBDIVISION PROJECT LOCATED AT THE NORTH END OF VISTA VIEW DRIVE AND NORTH CLOVERDALE BOULEVARD (APN: 116-050-001, 116-060-012; -025; -027; -033; -063; -067; AND 001-350-005; -038)

WHEREAS, Thompson Development, applicant, submitted a request on behalf of the property owner, P&K Property LLC, for approval of a Precise Development Plan and Design Review to allow for the construction of 33 detached single-family residences and related site improvements in the 42.62-acre Vista Oaks Subdivision at the north end of Vista View Drive; and

WHEREAS, the site is currently designated LDR (Low Density Residential) on the City's adopted General Plan Land Use Map and 4 dwelling units per acre is the maximum allowable density in the LDR which is 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 project site is zoned 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 18.03.150 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 18.03.100 of the Cloverdale Zoning Ordinance authorizes the City Council to adopt a Precise Development Plan after recommendation by the Planning Commission; and

WHEREAS, Section 18.03.020(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, an Initial Study/Mitigated Negative Declaration (IS/MND) and a Mitigation Monitoring and Reporting Program (MMRP) were prepared for the project and adopted by the City Council on October 23, 2018, with a finding that mitigation measures included in the IS/MND would reduce all potentially significant impacts to a less-than-significant level; and

WHEREAS, on October 23, 2018, the City Council adopted Resolution No. 078-2018 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for the Project and Resolution No. 078-2018, which is incorporated herein and available for review at City Hall during normal business hours; and

WHEREAS, on May 3, 2022, 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 request and a related staff report on May 3, 2022, for the purpose of reviewing the Precise Development Plan and Design Review application and considered all written and verbal communication, including the staff report before making a recommendation on the Project; and

WHEREAS, on May 3, 2022, the Planning Commission adopted Resolution No. 008-2022, recommending that the City Council approve the Precise Development Plan and Design Review application and Resolution No. 008-2022, which is incorporated herein and available for review at City Hall during normal business hours; and

WHEREAS, on June 22, 2022, 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 June 22, 2022, and incorporated herein by reference described and analyzed the Project for the City Council and recommended 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.

The site is designated LDR (Low Density Residential) on the City's adopted General Plan Land Use Map and 4 dwelling units per acre is the maximum allowable density in the LDR which is 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.

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 6,000 sf (square feet) to 7.5-acres and the detached single-family residences will range in size from approximately 2,000 sf to 2,600 sf and will all feature usable yards, landscaping and parking areas. With a majority of this subdivision's 33 lots being less than one acre, the project continues the pattern of adjacent residential development from the end of existing Vista View Drive to N. Cloverdale Boulevard.

Fire Department approved fire truck hammerhead turnaround areas have been located along driveways. The project creates a new 20-foot wide paved emergency vehicle access at the end of existing Vista View Drive, ultimately connecting the established residential neighborhood along Vista View Drive with N. Cloverdale Boulevard providing a secondary means of exit in case of an emergency and significantly increasing the safety of the existing traffic pattern. Furthermore, the submitted visual simulations confirm that portions of a few of the homes will be visible from N. Cloverdale Boulevard and/or the valley floor, but will not have a significant adverse impact on an existing view.

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.

Currently, the properties along Vista View Drive are developed with detached single-family residences and the road through this established neighborhood comes to an end towards the top of a hill at the north end of Vista View Drive. However, a new 20-foot wide paved emergency vehicle access will be constructed at the end of existing Vista View Drive, ultimately connecting

the established residential neighborhood along Vista View Drive with N. Cloverdale Boulevard. The project will provide a secondary means of exit for the established neighborhood as well as the project site in case of an emergency, significantly increasing the safety of the existing traffic pattern.

A field evaluation of sight distance was evaluated at the project's main access point, the N. Cloverdale Blvd/ Vista View Drive intersection. Sight distance was expressed as a concern mainly because of the northbound approach, which is a 50-mph section that curves downhill towards the intersection. The sight distance at the intersection for the southbound left turn into the project site and westbound turning movements out of the project site was estimated. Adequate sight distance will be provided at the N. Cloverdale Boulevard/Shannon Drive intersection. The Caltrans Highway Design Manual estimates that approximately 430 feet of stopping sight distance is needed for roadways with design speeds of 50 mph. Caltrans further estimates that approximately 550 feet of corner sight distance is required for roadways with design speed of 50 mph. The project provides approximately 550 feet of sight distance for westbound vehicles exiting the site. Provided that the subdivision will be built to meet applicable design and construction standards as well as the Mitigation Measures included in the MMRP, the impacts relative to potentially increasing hazards will be less than significant.

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 developing a low density single-family residential neighborhood at a density of approximately 0.77 units per acre. 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 Vista Oaks subdivision project including but not limited to emergency services, 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's 33 units are 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 developing a low density single-family residential neighborhood at a density of approximately 0.77 units per acre. Conditions of approval addressing drainage and landslide issues have been drafted specifically for this project and with the unique features of the project site in mind. Furthermore, as 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.

The project plans were reviewed by the Engineer Department, Fire Department and Building Department and conditions of approval addressing all natural and manmade hazards associated with the development including drainage and landslide issues have been drafted specifically for this project with the unique features of the site in mind. 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). In addition to the Conditions of Approval, the MMRP includes specific mitigation measures designed for this project that addresses all natural and manmade hazards specific to the project site. The IS/MND addressed such potential hazards and impacts, including but not limited to, drainage, 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 Vista Oaks Subdivision project will construct 33 units on 42 acres on land resulting in a density for the project of approximately 0.77 units per acre, densities have been distributed throughout the master planned area in order to preserve desirable natural features. In all, 20 of the 33 parcels include easements totaling 26.60 acres of permanent open space providing for public access trails.

The project design is based on General Plan Hillside policies which encourage development at the base of the hills, preserving visual open space on hillsides and ridgelines, and providing trails for public use. Most of the development is clustered on lower elevations to the north of the site, and there are eight sites at higher elevations. Twenty of the lots contain areas of open space, wherein development will be limited by deed restriction. The clustered housing will have some grading and tree removal impacts but is considered acceptable in exchange for the large areas of open space.

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 the majority of the homes in the northwest portion of the project site where existing terrain has a lower elevation than the surrounding project site and the homes would be screened from view by topographic features and vegetation on properties surrounding the project site. The result of clustering is more environmentally sensitive because it allows the homes to be sited on portions of the project site that have already been disturbed by grading from previous property owners. Easements will be recorded to ensure that over half of the project site (26.60 of 42.62 acres) would remain as dedicated open space. As a result, the project is able to achieve a more desirable and environmentally sensitive development plan by preserving as much of the forested hillsides as possible.

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 market rate detached single-family residential subdivision within the density range allowed by the LDR General Plan Land Use Designation of a maximum of 4 dwelling units per acre. Furthermore, although the project site is primarily located above the 400-foot elevation, the project is consistent with General Plan goals and policies because

- *conditions of approval as well as mitigation measures ensure that the development will be significantly screened from view from the valley floor;*
- *over half of the project site (26.60 of 42.62 acres) will remain as dedicated open space.*

Architectural and landscape plans have been reviewed by staff and found to be in substantial compliance with the City's adopted Residential Design Standards and Residential Development Design Guidelines. Based upon the information contained in the application materials, as proposed, staff concludes that the project is 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 18 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 9 topics were determined to have a "potentially significant environmental impact unless mitigated". These 9 topics include: aesthetics, biological resources, transportation/circulation, cultural resources, hydrology/water quality, air quality, 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.

Currently, the properties along Vista View Drive are developed with detached single-family residences and the road through this established neighborhood comes to an end towards the top of a hill at the north end of Vista View Drive. The project will continue the development pattern of adjacent residential by developing a detached single-family residential neighborhood at a low density (approximately 0.77 units per acre). The improvements meet the Residential District Design Standards of the Zoning Ordinance, are in substantial compliance with the Residential Design Guidelines and with floor plans ranging in size from approximately 2,000 to 2,600 square feet the homes in the Vista Oaks subdivision will be very close in size to existing homes along Vista View Drive.


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 and Design Review of the Vista Oaks Subdivision located at the north end of Vista View Drive (APNs: 116-050-001, 116-060-012; -025; -027; -033; -063; -067; and 001-350-005; -038), subject to the recommended conditions of approval attached to and incorporated herein as Exhibit A listed below.

Resolution No.068-2022 was duly adopted by the City Council of the City of Cloverdale on this the 22nd of June 2022, by the following roll call vote:

AYES: (3) Mayor Lands, Councilmembers: Bagby, Palla
NOES: (2) Vice Mayor Wolter, Councilmember Cruz
ABSTAIN: (0)
ABSENT: (0)

APPROVED


Todd Lands (Jul 22, 2022 05:56 PDT)
Todd Lands, Mayor

ATTEST:

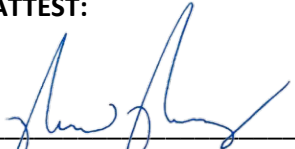

Michael Maloney, City Clerk

Exhibit A – Conditions of Approval Vista Oaks Precise Development Plan

Exhibit A - Conditions of Approval Vista Oaks Precise Development Plan

CONDITIONS OF APPROVAL VISTA OAKS PRECISE DEVELOPMENT PLAN (APNs: 116-050-001, 116-060-012; -025; -027; -033; -063; -067; and 001-350-005; -038)

Planning Department:

1. Precise Development Plan and Design Review of the Vista Oaks Subdivision (APNs: 116-050-001, 116-060-012; -025; -027; -033; -063; -067; and 001-350-005; -038), Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department is hereby approved. The applicant shall adhere to the 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 Precise Development Plan and Design Review 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 City Council specifically declares that it would not have issued this permit unless all of the conditions herein are held as valid.
4. 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.
5. This Precise Development Plan and Design Review shall expire, and become null and void, two years from the date of approval unless an application for a Building Permit has been submitted for a significant portion of the project and the applicant is working diligently to complete the project, 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 Director. Any additional extensions will require Planning Commission approval.
6. 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.
7. Property owners shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the residences such as paint, roof, paving, lighting and landscaping as well as frontage improvements including the sidewalk, signs, LID facilities, and storm drain systems.
8. Pursuant to Cloverdale Municipal Code (CMC) Chapter 13.05 (Conservation of Water Supply), during any period of time that the council declares a suspension on new connections (“suspension period”), as described in subsection A of CMC Section 13.05.030, no new or enlarged connections shall be made to the city’s water system except the following:
 - a. Connection of fire hydrants.
 - b. Connection of property previously supplied with water from a private water source (such as a well or spring) upon submittal and approval of the city engineer of evidence that the private

source has failed or dried up or has otherwise been impaired by a drought or water shortage event to such a degree that the source no longer can meet minimal potable water needs of the applicant.

- c. During Stage 2, new connection of property for which the applicant has obtained all approvals required for development, except potable water supply, and agrees to defer installation of turf landscaping until after the suspension period.
- d. During Stages 3, 4, 5, and 6, new connection of property for which the applicant: has obtained all approvals required for development except potable water supply; agrees to defer installation of turf landscaping until after the suspension period; and either:
 - i. Retrofits existing water fixtures and devices, or otherwise completes water conservation projects, sufficient to offset the anticipated use of water by the connection of the property, as determined in the sole judgment of the city engineer; or
 - ii. Pays the city a fee, if such fee has been established by the city council by resolution, that shall be used to pay for water conservation projects identified by the city. The fee established by the city council shall be in an amount sufficient to offset the anticipated use of water by the connection of the property.

Landscaping

- 9. The land owner shall maintain the community landscaping, all signs, 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.
- 10. 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.
- 11. The common areas 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.
- 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.

Design

16. 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.

Lighting

17. 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 exterior building mounted light fixtures, street lighting fixtures and landscape lighting fixtures shall be designed, located, installed, aimed downward or toward structures, shielded and maintained in order to prevent glare, light trespass and light pollution.

Construction

18. 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.
19. 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.

20. 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.
21. 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.
22. 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.
23. 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 Vista Oaks Development Project are hereby incorporated as Conditions of Approval for this project.
24. 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.

Alternatively, the developer may elect to construct Accessory Dwelling Units (ADUs) in addition to the single-family residences on some of the lots. The exact number and size of ADUs required to be constructed in order to effectively satisfy the City's Inclusionary Housing ordinance shall be agreed to between the City and the developer prior to issuance of the Building Permit.

25. 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, private open space, lighting and landscaping. CC&Rs shall include a provision permitting the City to enforce the CC&Rs at the HOA's cost.
26. The property owner shall work with the city to establish a public open space easement allowing for public access throughout the oak woodland on the western hillside portion of the property.
27. A public access easement shall be established over the private roadway that allows for pedestrian and bicycle traffic through the project site.
28. A bond in the minimum amount of \$10 million dollars, up to a maximum amount \$15 million dollars, at City's discretion shall be posted by the developer to the HOA and remain in place for 10 years from the date of City's acceptance of improvements so that in the event of a natural disaster such as a landslide the HOA would have funds available to make necessary repairs.
29. Slide repair mitigation shall occur on the project site prior to issuance of any building permit for any dwelling unit on the property, and City may engage additional appropriate professional oversight at applicant's cost to ensure this condition is met.

Mitigation Measures

MM AQ-1: Air Quality

30. Prior to issuance of the final certificate of occupancy for any residential units with a wood fired appliance, the applicant shall demonstrate that such devices comply with the Northern Sonoma County Air Pollution Control District Rule 400. This regulation requires that fireplaces or wood stoves installed in new residential units consist of United States Environmental Protection Agency or Northern Sonoma County Air Pollution Control District certified devices.

MM BIO-1a: Migratory Birds and Nesting Raptors

31. If construction or tree removal is proposed during the breeding/nesting season for local avian species (typically February 15 through August 31), a focused survey for active nests of raptors and migratory birds within and in the vicinity of (no less than 250 feet outside the project boundaries, where possible) the project site shall be conducted by a qualified biologist. Two surveys will be conducted, at least one (1) week apart, with the second survey occurring no more than two (2) days prior to tree removal. If no active nests are found, tree removal or construction activities may proceed.
32. If an active nest is located during pre-construction surveys, the United States Fish and Wildlife Service and/or the California Department of Fish and Wildlife (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted to avoid disturbance of the nest until it is abandoned or the biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones or alteration of the construction schedule.

MM BIO-1b: Special-Status Bats

33. To reduce construction-related impacts to special-status bat species, a bat survey shall be conducted between March 1 and July 31 by a qualified wildlife biologist in the year prior to ground disturbance. If no bat roosts are detected, then no further action is required.
34. If a colony of bats is found roosting on-site, then the following mitigation will be implemented to reduce the potential disturbance:

If a female or maternity roost of bats is found on the project site, a wildlife biologist through coordination with CDFW shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).

MM BIO-2: Tree replacement and protection guidelines for preserved trees

35. Work shall be limited outside of the Tree Protection Zone (TPZ) around native trees.
36. The outer extent of the TPZ shall be clearly delineated with temporary protective fencing during construction to keep construction vehicles and construction activities away from preserved trees.
37. Fencing shall be a minimum 4-foot height at all locations and shall form a continuous barrier without entry points around all individual trees, or groups of trees.
38. Any construction activity that necessitates soil excavation in the vicinity of preserved trees shall be avoided where possible, or be appropriately mitigated under the guidance of the project arborist.

39. If native trees greater than 6 inches diameter at breast height are removed as part of the project, on-site mitigation plantings shall be installed. All removed vegetation shall be left on-site for wildlife habitat. Replanting sites shall be contiguous with existing woodlands and provide the greatest opportunities for wildlife movement and use. Replacement of lost trees shall be at a 3:1 ratio.
40. A certified arborist shall guide tree trimming if needed during construction.

MM CUL-1: Cultural Resources

41. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of, but are not limited to, stone, bones, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Cloverdale, the Northwest Information Center, and the State Historic Preservation Office (SHPO), if required.

MM CUL-2:

42. In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified paleontologist to examine the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the Applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Cloverdale for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the plan.

MM CUL-3:

43. In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; and Public Resources Code Sections 5097.94 and 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the

person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
- The descendant identified fails to make a recommendation.
- The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

- When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

MM GEO-1: Geology and Soils

44. Prior to issuance of building permits, the project applicant shall submit plans to the City of Cloverdale for review and approval demonstrating project compliance with the latest adopted edition of the California Building Standards Code seismic requirements and the recommendations of a design-level geotechnical investigation. All soil engineering recommendations and structural foundations shall be designed by a licensed professional engineer. The approved plans shall be incorporated into the proposed project. All on-site soil engineering activities shall be conducted under the supervision of a license Geotechnical Engineer or Certified Engineering Geologist.

MM GEO-2:

45. Site grading and retaining wall design should conform to the criteria and recommendations presented in Section 5.0 of the Geotechnical Report. Detailed repair plans for the 15 landslides is presented in Section 5.3 of the Geotechnical Report. To improve stability of the slope within the planned roadway improvement area adjacent to North Cloverdale Boulevard, the slope should be graded at a 2:1 inclination. A transition zone will be needed at the south end to blend with the existing topography. The re-graded slopes would improve the stability of the existing cuts.

MM GEO-3:

46. The project Civil Engineer should design a site drainage system which collects and conveys surface runoff and discharges at an appropriate location unlikely to cause significant erosion, ideally into an existing storm drain system. Erosion control measures during and after construction should conform to the most recent version of the California Stormwater Quality Association's Best Management Practice Handbook (2003). Additional recommendations for the geotechnical site drainage are presented in Section 5 of the Geotechnical Report.

MM GEO-4:

47. Mitigation includes the removal and replacement of loose and soft fill materials under planned improvements or use of drilled piers that extend through undocumented fills. Site grading and design of foundations should follow the criteria presented in Section 5 of the Geotechnical Report.

MM GEO-5:

48. Mitigation of expansive soils may include removal and replacement of the upper 3 feet of surficial soils with non-expansive fill, or consist of drilled piers designed to resist expansive forces. Site grading and design of foundations should follow the criteria presented in Section 5 of the Geotechnical Report prepared for the project site.

MM NOI-1: Noise

49. Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:
- The construction contractor shall ensure that all internal combustion-engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.
 - The construction contractor shall ensure that “quiet” models of air compressors and other stationary construction equipment are utilized where such technology exists.
 - The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
 - The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
 - The construction contractor shall prohibit unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes).
 - The construction contractor shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. The construction contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site.
 - All noise producing construction activities, including deliveries of materials and warmup of equipment, shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday. No construction shall be permitted on Sundays or state or federal holidays.

MM TRANS-1: Transportation/Traffic

50. Widen North Redwood Highway as necessary to accommodate the planned future Class II bike lane.

MM TRANS-2:

51. Prior to issuance of occupancy permit, the applicant shall install a W-53 sign (“Not a Through Street”) to reinforce that Shannon Drive/Vista View Drive is not open to general traffic approaching from the south. Signage shall be installed on the eastbound approach to the site, east of the Main Street/4th Street Intersection.

Fire District:

52. 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. Dead-end roads are limited to a maximum distance of 800 feet by CFC D103.4.2 as adopted (14 CCR § 1273.09). The road serving this project is approximately 1,400 feet in length with an additional 210-foot cul-de-sac extension serving Lots 31 & 32, creating an overall length exceeding 1,600 feet. An “emergency vehicle access” (EVA) is provided to Vista View Drive however it is secured by bollards and unavailable for use by residents. The purpose of limiting dead-end length is to prevent a single obstruction from limiting access to, or egress from, a development; to promote traffic circulation and to provide a second means of escape from an encroaching conflagration fire. Given the intent of the 800-foot max requirement, the proposed EVA is not a compliant solution or equivalent alternate to the required second public access.
 - i. As of 7.29.21 Opti-com controlled mag-lock for fire department and a detection loop on the Vista View side (for resident egress) has been added to Sheet 8. This resolves the dead-end issue described in Comment 1(a).
 - ii. Please update Sheets 15 and 15 with the new Note from Sheet 8
 - b. Homes sited on flag lots are in excess of 150’ from the street requiring that driveways to these homes be identified as “fire lanes” and equipped with sufficient red curb and signage to ensure they remain unobstructed.
 - i. As of 7.29.21 Note requiring fire lane markings has been added to Sheet 2
 - c. Grades are not shown. Grades are limited to 15% and any grade beyond 10% needs to be identified on the plan. CFC D103.2 as adopted.
 - i. As of 7/29/2021: Grades have been added to the Civil drawings and we have reviewed the grades which do not exceed the maximum 15%.
53. 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 single-family dwelling <3,600 ft² is 1,500 gallons per minute. Fire flow demands vary depending upon building size and construction type (wood frame, steel, concrete). 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.
- a. As of 7/29/2021: The Fire Flow Analysis is needed at the Grading Permit stage of the project. The project needs to demonstrate that in creating this subdivision, adequate fire flow will be provided. If we wait until the Building Permit to evaluate the fire flow, and sufficient pressure/flow is not available, it would present the homeowner(s) with a problem they could not resolve.

54. Hydrant spacing for this project shall comply with current fire district standards of CA Fire Code Chapter 9 and Appendix C; 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. CFC Appendix C.
 - a. Initial review of fire hydrant placement did not note deficiencies.
 - b. 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.
 55. Lot 33 is proposed to be created by this subdivision however there is no information other than "future development. We are unable to evaluate access or water supply to this parcel.
 56. 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.
 57. 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.
 58. The project is located within a 4-minute response time from the nearest fire station but has restricted access. 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.
 59. Project is located in an area designated as a "high" Wildland Urban Interface location requiring compliance with CBC Chapter 7A, CRC R337 and CFC Chapter 49. 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.
 60. Ground ladder access is required to all "rescue windows" including those facing down slope.
 - a. Location of ladder pads shall be coordinated with Landscaping and civil drawing to provide access to the emergency escape and rescue openings. 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 during the Building Permit review to ensure a ladder can traverse and maneuver to required rescue windows.
- As of 7/29/2021: Items a, b & c added as a note on Sheets A0.3 and L1.1
61. Provide an illuminated address (4" high 0.5" stroke) in accordance with CFC 505.1 as amended by the City of Cloverdale. If the numerals are not visible from Vista Oaks Drive, also provide a monument or pole with reflective numbers at the intersection of the driveway and Vista Oaks Drive.
 62. Required Fire Department access roads shall be equipped with "No Parking-Fire Lane" markings per current Fire Department standards and the CA Vehicle Code. Specific attention to driveways to homes located >150' from the Vista Oaks Drive. CFC 503.

63. 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.
64. Lockable gates limiting vehicle access to residential developments 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.
65. Solar Photovoltaic Systems shall comply with the CA Fire Code and CA State Fire Marshal Photovoltaic Guideline. CFC 605.
66. Required Fire Department permits that are eligible for deferred submittal: Construction; Underground Fire Main, Automatic Fire Sprinkler System. CFC 105.
67. The developer shall submit a "Fire Safety During Construction" plan to the Fire District at the time of Building Permit submittal. CFC 3308.
68. Storage or use of any hazardous materials at the site (such as diesel fuel for an on-site generator) will require a Hazardous Materials Business Plan be submitted to the CUPA. CFC 5001.
69. 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:

70. 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.
71. 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.
72. 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. The improvements shall include concrete curb and gutter, sidewalk, street lights, striping and signing, paving, and any necessary transitions in accordance with the City of Cloverdale Standard Improvement Details and with Caltrans Standards for the portion of the project transitioning onto the Caltrans right-of-way on Highway 128.
73. Prior to approval of the improvement plans the applicant shall provide written acknowledgement from Caltrans verifying that all improvements associated with the entrance to this project from Highway 128 have been approved.
74. Applicant shall obtain an encroachment permit from Caltrans for any work to be done within the state right-of-way and provide the City with a copy of that permit.
75. The project design shall include the installation of street light standard and luminaries of the design, spacing, and locations approved by the City Engineer. All street lighting shall have cut-off shielding or similar device to restrict light emission to adjacent properties. If the proposed lights are not per City standards, they must be reviewed and approved by the City and all cost for periodic maintenance and operation shall be included in the Landscape and Lighting Assessment District.
76. 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.
77. 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.
- 78. 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.
 - 79. The applicant shall submit to the City of Cloverdale for review and approval, evidence that the CC&R's will include provisions for maintenance of any private sewer systems, private storm drain systems, or private roads. Private roads will be required to maintained at a minimum with an asphalt surface for emergency vehicle access.
 - 80. Accessible paths of travel and parking shall be provided as required by State of California Title 24.
 - 81. The applicant shall obtain all required permits from environmental regulatory agencies as required to construct the new improvements.
 - 82. 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.
 - 83. 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:

- 84. That prior to any work being conducted within the City right-of-way, the applicant shall obtain an Encroachment Permit.
- 85. 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.
- 86. 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.
- 87. The applicant shall submit the required Notice of Intent for compliance with the conditions for a general permit under the National Pollutant Discharge Eliminate System (NPDES) stormwater permit for construction activities administered by the State of California Regional Water Quality Control Board. The conditions require development and implementation of a Storm Water

Pollution Prevention Plan (SWPPP), which may also meet the City's requirement for an Erosion and Sediment Control Plan, noted above.

88. 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.
89. 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.
90. All haul routes shall be approved by the City Engineer. Haul routes shall be limited to graded area only.
91. 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.
92. 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.
93. 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:

94. Sufficient surety guaranteeing the public improvements for a period of one year shall be provided.
95. 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.

IN CONJUNCTION WITH THE RECORDATION OF THE FINAL MAP, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:

96. 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 and the emergency vehicle access road as shown on the Final Map.
97. Any landscaped areas that will be maintained by the City shall be dedicated to the City and the applicant shall agree to annex into the City Landscape and Lighting Assessment District.
98. The applicant shall dedicate on the Final Map to the City of Cloverdale the access rights adjacent to Cloverdale Boulevard (Highway 128) along the entire frontage of the parent parcel.
99. The applicant shall delineate on the Final Map lot-to-lot drainage easements, flood hazard areas and secondary drainage easements. Assurance shall be provided to the City that these easements will be adequately maintained by property owners to properly convey storm water flows.

OTHER SPECIAL CONDITIONS:

STREETS

100. All public and private street improvements shall be constructed in accordance with the City's Design and Construction Standards.
101. 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.
102. 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.
103. Vista Oaks Drive shall be a private roadway conforming to City Standards for a Hillside Minor Street and shall meet the following requirements:
 - a. Street section shall comply with the Hillside Minor Street Section of the City's Design and Construction Standards with a curb to curb width of 28 feet (14' travel lanes).
 - b. Curb and gutter and sidewalk. 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. Maximum allowable grade is 15%.
 - e. Pavement structural sections shall be designed to a Traffic Index (TI) of 5.0.
104. The Emergency Vehicle Access road between Vista Oaks Drive and Vista View Drive shall be paved and shall conform to City Standard width. It shall be gated at both Vista View Drive and Vista Oaks Drive. All gates shall be secured with a Knox Box lock set approved by the Cloverdale Fire Protection District.
105. The Emergency Vehicle Access shall be located within an Emergency Vehicle Access easement.

STORM DRAIN

106. 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.
107. 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.
- 108. 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.
- 109. Drainage facilities shall be constructed to intercept any drainage runoff from offsite properties and conveyed to an approved storm drain.
- 110. The applicant shall provide drainage easements from adjacent property owners, as well as an analysis that the downstream storm drainage facilities are sufficiently sized to handle the project's runoff.
- 111. Storm water shall be discharged into a storm drain system, channel, ditch, or other stable watercourse.
- 112. All drainage facilities that are not within the public right of way shall be privately owned and maintained. Any drainage flowing offsite will require drainage easements from adjacent property owners. All easements shall be provided to the City for review and approval.
- 113. 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.
- 114. 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.
- 115. 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

- 116. 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.
- 117. 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.
- 118. Tree protection plan must be shown on the grading plan(s).
- 119. During construction, dust control must be maintained to the City's satisfaction.
- 120. All landslide areas must be shown on the improvements plans and repaired under the supervision of a geotechnical engineer. A full report outlining the repair methods used, the locations of all

subdrains (as required) and a statement that the repairs meet the report must be submitted prior to the issuance of the first building permit within the subdivision.

WATER & SANITARY SEWER IMPROVEMENTS

121. The applicant shall submit to the City for review and approval, water and sewer capacity studies, prepared by a California State Licensed Professional Engineer. Studies shall verify that existing and proposed infrastructure can meet anticipated demand of the project. Proposed infrastructure improvements to meet the project demands shall be paid for by the applicant.
122. 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.
123. 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

124. 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.
125. Fire hydrants shall be installed in accordance with City Standards and as required by the Cloverdale Fire Protection District.
126. Water services (meters, and backflow devices as required) shall be located in the public right-of-way or a utility easement accessible to City staff at all times.
127. All irrigation meters, backflow devices, driplines, and appurtenances shall be privately owned and maintained.

SEWER

128. 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.
129. Any sewer force mains and pump stations transmitting sewage from private lots to the public or private sewer main shall be privately owned and maintained. If any system is shared between two or more lots, easements and maintenance agreements shall be submitted to the City for review and approval and ultimate recordation against each affected lot.
130. All public sewer improvements shall be constructed in accordance with the City's Design and Construction Standards.
131. The Developer's engineer shall submit an analysis showing that all downstream sewer facilities are sufficient to handle the additional effluent flows from the development. If the downstream facilities have to be modified or upsized to handle the increase inflows, the developer shall be responsible for construction of the needed improvement.

UTILITIES

- 132. 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.
- 133. The applicant shall prepare and submit joint trench plans with the civil improvement plans with the Building Permit Submittal.

Building Department:

- 134. All new construction, and/or modifications, shall meet the applicable building and fire safety codes in effect at the time of building permit application.
- 135. The applicant shall submit construction documents for plan review as part of the required building permit application process. A Building Permit shall be obtained prior to construction and all work shall be inspected and approved prior to issuance of Certificate of Occupancy. Applicant shall include all conditions of approval on the building plans that are submitted to the Building Department.
- 136. The City of Cloverdale has adopted CALGreen Tier 1 compliance (except energy). One or more elective measures must be chosen from each Division of the CALGreen Code for Tier 1 compliance (such as electrical vehicle charging station(s) per Division 5.1). The applicant shall identify the Tier 1 compliance methodology on the plans and on checklists acceptable to the Building Department. See <http://www.hcd.ca.gov/building-standards/calgreen/cal-green-forms.shtml>
- 137. A design level soils report prepared by a California licensed Geotechnical Engineer is required per CBC §1803. The Geotechnical Engineer of Record shall provide a letter of review stating that the project construction documents are in conformance with the report recommendations. The Geotechnical Engineer of Record shall also provide construction observation for conformance to the report recommendations.
- 138. Some key changes in the 2019 Energy Codes are as follows:

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.

Domestic hot water solar preheat will become prescriptively required: 20% net solar fraction in Climate Zones 1-9.
- 139. 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.
- 140. All vehicles associated with the construction and/or development of the Vista Oaks Subdivision shall access the project site from N. Cloverdale Boulevard and shall be prohibited from utilizing Vista View Drive for parking or as a means of ingress/egress to and/or from the project site.

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Resolution No. 068-2022 - Vista Oak

Final Audit Report

2022-07-22

Created:	2022-07-18
By:	Mike Maloney (Mmaloney@ci.cloverdale.ca.us)
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-  Document created by Mike Maloney (Mmaloney@ci.cloverdale.ca.us)
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