



DATE: April 23, 2024

TO: Planning Commission

FROM: Mike Janusek, AICP, Senior Planner

SUBJECT: Recommendation to the City of Petaluma Planning Commission to Conduct a Public Hearing and Consider a Recommendation to Approve a Site Plan and Architectural Review (SPAR) for a 32-unit Multifamily Development Located at 2 Rovina Lane and Grant State Density Bonus Concession and Waiver Requests; APN 019-210-009; City Record No. PLSR-2023-0017

RECOMMENDATION

It is recommended that the Planning Commission adopt a resolution approving Site Plan and Architectural Review (SPAR) for the development of a 32-dwelling-unit multi-family residential project consisting of two three-story buildings and associated site improvements, including State Density Bonus Concession and Waiver Requests (**Attachment 1**).

BACKGROUND

Project Summary

The Rovina Lane Apartments project proposes the development of a 32-unit, 100% affordable, multifamily housing project consisting of two three-story buildings on a vacant 1-acre site. Four unit types are proposed, ranging from \pm 694-square-foot one-bedroom apartments to 1,278-square-foot three-bedroom apartments. Each unit would have a private patio (ground floor) or a private deck (upper floors). Building exteriors would be clad in horizontal and vertical siding, characteristic of a Farmhouse architectural style, with hipped roof elements. On-site parking (51 spaces) would be provided through a combination of tuck-under parking below each building and a surface parking area at the rear of the site. Access would be via a two-way driveway from Rovina Lane near Jacquelyn Lane and an internal drive aisle between the buildings. Additional site improvements include landscaping and retaining walls, a trash enclosure, outdoor amenities, and a trash hauler/fire truck turnaround.

The proposed project demonstrated eligibility for an 80% State Density Bonus increase to the maximum allowable density of 18 units per acre as established by the current General Plan. The proposed project has requested relief from certain City regulations based on cost considerations or physical site constraints, to allow development at the maximum eligible density as provided by

State Density Bonus law. The project also qualifies for certain allowances pursuant to SB 330 Preliminary Application (Housing Crisis Act of 2019).

Project Context

The existing ± 1.0 -acre vacant site is comprised of a single parcel at the intersection of Rovina Lane and Jacquelyn Lane. The parcel shape is rectangular, with access to the site from Rovina Lane (**Figure 1** below). The project slopes from south to north with an average grade of $\pm 9\%$ and a maximum grade of $\pm 14\%$. The steepest slopes exist along the southern portion of the property, which limits site access along the Jacquelyn Lane public frontage. Approximately 90 feet north of its intersection with Jacquelyn Lane, Rovina Lane is gated as a private road, which prevents through access to Petaluma Boulevard South (**Figure 2** below). While a historic public access and utility easement in favor of the subject property exists along the private segment of Rovina Lane, the easement was recorded in 1949, prior to annexation into the City in 2017 and subsequent rezoning to multifamily residential. Currently, other easement holders are not supportive of providing public access to the project via the private road, and the City does not have nexus to require dedication of the private road as public right of way.

The site features existing vegetation consisting mostly of ruderal grasses, and seven trees exist on site: four Coast live oaks, one Valley oak, one Monterey pine, and one Lombardy poplar. Six street trees exist off-site along the Jacquelyn Lane public frontage (**Attachment 4**).

The project site is located north of the Riverview Planned Unit District (PUD), which consists of 65 low-density single-family residences developed in 2004, and west of the Quarry Heights PUD, which consists of a mix of single-family homes and attached townhomes. A Fair Housing of Sonoma County facility is located north of the site between the site and Petaluma Boulevard South.

Figure 1: Project Location and Surrounding Vicinity



Source: City GIS data, 2024

Figure 2: Site Access at Rovina Lane (left) and public frontage at Jacquelyn Lane (right)



Source: Google Maps Streetview, 2024

An existing public sidewalk network is comprised of sidewalks along the north side of Jacquelyn Lane, including along the site's frontage, and a marked crosswalk across Jacquelyn Lane at Rovina Lane. In addition, an existing separated pedestrian/bicycle pathway to the west provides direct access between Rovina Lane and Lena Lane.

The nearest transit bus stop, served by Petaluma Transit Route 501, is located along McNear Avenue, north of Mission Drive, approximately 0.2 miles from the project site (Route 501 is a school service route that is available to the general public). The shortest route to access the bus stop from the project site would be via the existing separated pedestrian/bicycle pathway between Rovina Lane and Lena Lane, turn left on Lena Lane, then turn right on Mission Drive, and take the crosswalk across McNear Avenue. The alternative walking route to the transit stop on McNear Avenue would be via the existing pedestrian path to Lena Lane, Nadine Lane, and McNear Avenue. The second nearest bus stop (Route 501) is along Petaluma Boulevard, south of the TruckMax development. Pedestrians may walk to this bus stop by using the publicly accessible easements located within the Quarry Heights Subdivision east of the site (0.37 miles).

Class II buffered bike lanes exist on both sides of Petaluma Boulevard and the east side of McNear Avenue, south of Petaluma Boulevard S. West of Mountain View Avenue, the bicycle facilities on Petaluma Boulevard S transition to standard Class II lanes.

Regulatory Context

General Plan

The project falls within the General Plan's Petaluma Boulevard South Subarea. The Petaluma River, D Street, Highway 101, and the South Hills define the Petaluma Boulevard North subarea. This thoroughfare presents a working industrial face to the northeast, grassy fields dotted with

oaks to the southeast, and distant vistas across the Petaluma River and the southeast quadrant of the community to the Sonoma Hills. Very low building intensities on industrial sites accommodate storage and working yards. Single-family residences are located on the west side of Petaluma Boulevard South with significant additional development potential.

The project site has a General Plan land use designation of Medium Density Residential, as shown in **Figure 3**. The Medium Density Residential designation provides for various dwelling types, including single-family and multi-family housing. Under a discretionary review process, opportunities to blend live-work or limited commercial/office uses within a residential development may be permitted when abutting an arterial roadway. The project site is surrounded by a Public/Semi-Public designation to the north, a Medium Density Residential designation to the west, Diverse Low Density Residential to the east, and a Low Density Residential designation to the south.

Zoning Map

The project site is zoned Residential 4 (R4), as shown on the Zoning Map in **Figure 4**, which is the implementing zoning district for the General Plan's Medium Density Residential designation. The R4 zone applies to areas intended for various housing types ranging from single dwellings to multi-unit structures. The project site is subject to R4 land use and development regulations in IZO Chapter 4 and all other applicable IZO regulations. The project site is surrounded by the Quarry Heights PUD to the east, Riverview PUD to the south, Civic Facility zoning to the north, and R4 zoning to the west.

Figure 3: General Plan Land Use Map Designations



Source: City GIS data, 2024

Figure 4: Zoning Map Designations



Source: City GIS data, 2024

Housing Accountability Act, SB 330, and State Density Bonus

In response to California's housing crisis, the Legislature expanded the Housing Accountability Act (HAA) (Gov. Code, § 65589.5) no less than seven times between 2017 and 2019, placing restrictions on local governments' review of certain housing development projects. The HAA prohibits a local government from disapproving¹ or reducing the density of qualifying housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards, absent written findings that the project would have a specific, adverse impact on health or safety that cannot be satisfactorily mitigated or avoided. (Gov. Code, § 65589.5(d) and (j)(1).) "Specific, adverse impact" is defined in Section 65589.5(d)(2) as "a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Moreover, *in enacting SB 330 it was the intent of the Legislature that a finding of "specific, adverse impact upon the public health... arise infrequently.*" (Gov. Code, § 65589.5(a)(3).) In addition, State Density Bonus eligibility or density

¹ Disapproval of the housing development includes any entitlement votes on a projects application that is not granted. (Gov. Code §65589.5(h)(6)(A)).

bonus incentives, concessions, or waivers (discussed below) do not provide a valid basis to find a qualifying housing development project not in compliance with applicable standards. (Gov. Code, § 65589.5(j)(3).)²

The project is subject to review under Senate Bill 330 – *The Housing Crisis Act* (SB 330). SB 330, which amends California’s Housing Accountability Act, allows an applicant to submit a Preliminary Application for any housing development project, defined as a project that includes two or more units and is at least two-thirds residential by floor area. By submitting the Preliminary Application and complying with the timelines outlined in the bill, applicants can vest the zoning and objective design standards in effect at the time of application. SB 330 also shortens the required permit review timeframes and limits the number of public hearings for housing projects to five public hearings, including continuances and most appeal hearings. The public hearing limit does not include CEQA hearings, optional meetings, and/or hearings related to zoning variances or code exemptions.

The project submitted an SB 330 Preliminary Application on July 10, 2023, and subsequently filed its development application (SPAR) on September 19, 2023, within the required 180-day timeframe. A required Neighborhood Meeting, described below, was held on July 19, 2023, which counts against the five public meeting limit.

SB 330 does not replace Petaluma's required discretionary entitlements, which include Site Plan and Architectural Review (SPAR) and CEQA. However, while it allows subjective design review standards to be applied, it instructs that a subjective standard shall not be used to deny a project submitted under SB 330, reduce the number of units, or render an affordable housing project financially infeasible.

Density Bonus

A project that provides at least 10% of the total number of proposed dwelling units as affordable units is eligible for concessions and waivers authorized by the State Density Bonus Law (SDBL) (Gov. Code, § 65915). Projects deemed eligible are allowed up to four concessions and an unlimited number of waivers, depending on the percentage of affordable units included in the project, of any standard that would physically preclude the construction of the development at the proposed density. Like the HAA, a local jurisdiction’s authority to deny a waiver or concession is extremely limited.

Pursuant to California Government Code § 65915(d)(1), a concession can only be denied if written findings are made based on substantial evidence that the concession would not result in identifiable and actual cost reductions, would have a specific, adverse impact upon public health and safety or on any real property listed in the California Register of Historical Resources, or would be contrary to state or federal law.

California Government Code § 65915(e)(1) requires that a waiver be approved unless written findings can be made based upon substantial evidence that the waiver would have a specific, adverse impact upon public health and safety or on any real property listed in the California Register of Historical Resources or because the waiver would be contrary to state or federal law.

² California Department of Housing and Community Development Division of Housing Policy, “Housing Accountability Act Technical Assistance Advisory (Gov. Code §65589.5). September 15, 2020.

The proposed project is eligible for an 80% density bonus because 100% of the 18 total units, exclusive of the manager's unit, would be available for rent to Low Income households. (Gov. Code, § 65915(b)(1)(A).) Accordingly, in compliance with SDBL, the project is eligible for four concessions and unlimited waivers of any standard that would physically preclude the construction of the development at the density proposed. (Gov. Code, § 65915(d)(2)(A).)

The applicant has requested two Density Bonus concessions and 12 Density Bonus waivers as outlined in the Density Bonus Eligibility Letter, **Attachment 2**.

Public Outreach

Per Section 24.100.A (Public Notice) of the IZO, a neighborhood meeting for a project subject to review by the Planning Commission, is required when a Project Site is within, immediately adjacent to, or in close proximity to a residential neighborhood. This project meets all these criteria, and the required neighborhood meeting was held on July 19, 2023. The applicant presented the most current site plan, building elevations, and 3D renderings at the meeting and received questions and comments from community members. Topics brought forward by attendees included using the Rovina Lane easement for site access, soil conditions, timing and impacts of construction, required public hearings, street parking, water capacity to serve the project, Density Bonus allowance, traffic, and radio antenna demolition.

On April 12, 2024, a notice of public hearing was published in the Argus-Courier, posted to the site, and mailed to all property owners and occupants within 1000 feet of the Project Site. Since public noticing, six written comments have been received (see **Attachment 7**) as of the publication of the staff report related to:

- Traffic
- Traffic safety
- Driveway access location
- Wildfire risk and evacuation
- Density and multifamily use
- Street widths
- Environmental review
- Biological resources
- Air quality and noise
- Public safety and emergency management
- Public facilities
- Parking
- Community engagement
- Use of Rovina Lane easement for vehicular, bike, and pedestrian access
- Access to transit and other resources

Throughout the project's Planning review, 22 written comments were received (see **Attachment 7**). Written comments included the following topics:

- Density Bonus allowance
- Traffic
- Traffic noise
- Use of Rovina Lane easement for vehicular, bike, and pedestrian access
- Use of adjacent City property for vehicular access to Petaluma Boulevard South
- Aesthetics
- Privacy related to upper-story balconies
- Trash enclosure location
- Property values
- Crime
- Parking
- Neighborhood retail uses
- Wildfire risk and evacuation

Project Description

The following is a staff summary of the proposed project's buildings and site improvements. For details, please refer to the project plans (**Attachment 3**).

The project proposes 18 base units plus 14 density bonus dwelling units for a total of 32 units arranged in two three-story buildings on the 1-acre project site. An existing AM radio tower and associated building/shed would be demolished. The project would be 100% affordable (31 affordable units and 1 live-in manager's unit). There would be four unit types, ranging from a 694-square-foot one-bedroom apartment to a 1,278-square-foot three-bedroom apartment. Each unit would have a private patio on the ground floor or a private deck on the upper floors.

Access would be proposed via a 30-foot-wide, two-way driveway from Rovina Lane approximately 100 feet north of Jacquelyn Lane and an internal drive aisle between the buildings.

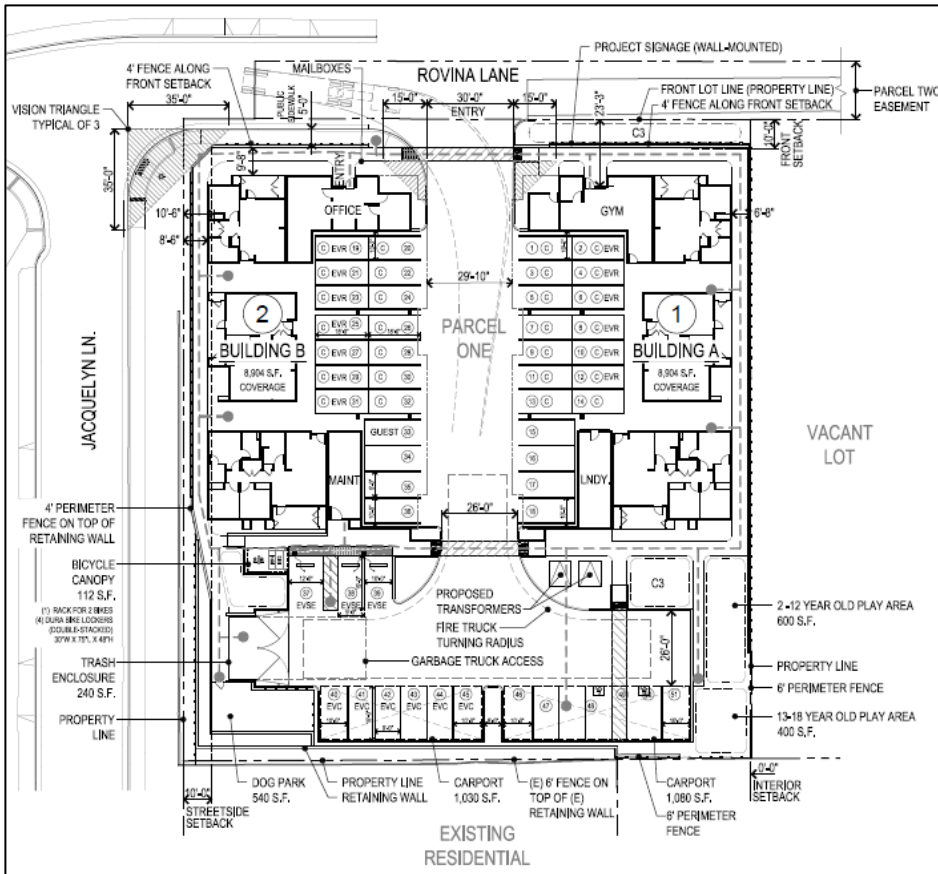
The project would provide 51 parking spaces through a combination of tuck-under parking below each building and a surface parking area at the rear of the site. Additional site improvements would include approximately 8,118 SF of landscaping, retaining walls, a stormwater treatment facility, trash enclosure, outdoor amenities including child play areas, a dog relief area, and a trash/fire truck hammerhead (**Figure 5** below). Please refer to Sheets G.1, Civil Sheet 2, and L1 of the project plans (**Attachment 3**) for site plan details.

Building Elevations

The proposed elevations for each building are clad in horizontal and vertical siding, characteristic of a Farmhouse architectural style with hipped roof elements (**Figure 6** below). A combination of projected and recessed balconies provides usable open space and architectural relief. Dark composition shingles and subdued, earth-toned fiber cement siding are proposed for each new building. Roof-mounted mechanical equipment, such as HVAC units, would be concealed by parapets. In addition, the project includes accessory structures such as a carport, bike parking canopy, and trash enclosure canopy, all of which include a non-reflective matte grey finish. For

additional details on building elevations, colors, and materials, see Sheets A2.1 – A5.1 and Sheets A-301 – A-302 and A-801 included in **Attachment 3**.

Figure 5: Proposed Site Plan



Source: Project Plan Set, 2024

Figure 6: Typical Building Elevation



Source: Project Plan Set, 2024

Building A is located on the northern portion of the site and contains 15 units. Its first-floor community spaces include a laundry room, mail room, and gym. Building B, located on the southern portion of the site, contains 17 units. Its first-floor community spaces include a property management office and kitchen.

Both buildings have mirrored floor plans, with three residential units on the first floor. Two staircases lead to double-loaded hallways, with a mix of one-, two-, and three-bedroom units on the upper floors of each building.

Building A proposes 1400 square feet of rooftop solar while Building B proposes 900 square feet of rooftop solar.

Please refer to Sheets A0.1 – A-1.7 in **Attachment 3** for more details.

Operational Characteristics & Affordability

The project would provide a live-in manager's unit and a leasing office. A property management company contracted with The Pacific Companies will hire the live-in property manager to manage the marketing for lease-up, the lease-up process, and day-to-day operations. The property management company would regularly communicate with and report to a dedicated asset management team in The Pacific Companies about all operations.

Excluding the manager's unit, the project would be 100% affordable to lower-income households, specifically those earning 30-60% area median income (AMI) in Sonoma County. To maintain affordability levels on the site, the project must record a deed restriction as part of the Density Bonus Housing Agreement pursuant to Implementing Zoning Ordinance (IZO) Section 27.050.F.

Site Improvements

Landscaping & Site Amenities

The project would provide 8,118 SF of landscaped areas on-site through a combination of perimeter parking lot and parking lot island landscaping, commons space amenities, and the creation of new yard spaces adjacent to the buildings. A layered composition of trees, shrubs, and groundcover plantings would be provided while maintaining vertical and horizontal clearance between plantings to achieve defensible space for reduced fire risk. A 10-15-foot-tall evergreen privacy hedge is provided along the eastern property line. In addition, outdoor site amenities would include a ±540 SF dog relief area, a ± 600 SF children's play area, and a ± 400 SF teenager's play area (see **Figure 7** below). The total landscaped area would comprise 19% of the site area. A total of 15 new trees would be planted on-site, eight would be removed (including one off-site tree located at the northwest corner of the site), and five off-site street trees would be retained along the Jacquelyn Lane public frontage. Five of the trees to be removed are protected species pursuant to IZO Chapter 17 (**Attachment 4**). Because the residential development would occur on one parcel, tree replacement is not required pursuant to IZO Section 17.065.A, which specifies that tree mitigation and replacement are only required for new commercial and/or residential development on two or more parcels.

Retaining Walls & Fencing

The project includes retaining walls along each property line that retain cut or fill grades. The tallest walls, 6'-11' in height, are located at the steepest portion of the site at the southeast corner. The southeast corner contains three terraced levels with landscape pockets on the landings. An

existing one- to seven-foot retaining wall is located approximately one foot outside the southern and eastern property lines. Fencing and safety guardrails are proposed atop on-site retaining walls where the grade differential exceeds 30 inches (all property lines).

Beige split-face concrete blocks are proposed for on-site retaining walls. While the southern and eastern retaining walls face toward the interior the site, wall located on the western property line would be visible from Rovina Lane and walls located along the northern property line would be visible to neighboring properties.

Please refer to Civil Sheet 4 in **Attachment 3** for more details.

Figure 7: Proposed Landscape Plan



Source: Project Plan Set, 2024

Public Improvements

To provide fire apparatus access to the site, Rovina Lane would be widened from 20 feet to 32 feet. Due to the project's unit count (32 units), only one point of Fire access from a public right of way is required, and Rovina Lane provides compliant access. The project would provide a 5-foot-wide public sidewalk along Rovina Lane.

Stormwater Management

The project proposes a combination of trench drains and underground storm drains to collect runoff from impervious building and parking lot areas and convey stormwater to the existing storm drain in Petaluma Boulevard South. An 18-inch-wide, 526-foot-long storm drain extension would be provided within the private utility easement within Rovina Lane to connect to Petaluma Boulevard

South. An underground modular wetland biofiltration system would treat stormwater before conveying it offsite. Please refer to Civil Sheet 3 in **Attachment 3** for more details.

DISCUSSION

IZO Table 4.2 permits the “Dwelling, Multiple” use within the R4 zone. Residential projects that propose five or more units require Site Plan and Architectural Review (SPAR) by Planning Commission pursuant to IZO Section 24.050.

Applicable Standards of Review

The project is subject to the following standards of review:

- City of Petaluma General Plan 2025
- Implementing Zoning Ordinance, IZO Chapter 4, R4 Development Standards
- Implementing Zoning Ordinance, Specific Standards
 - IZO Chapter 27, Residential Density Bonus
- Implementing Zoning Ordinance, Standards of Review
 - IZO 24.050.E (Site Plan and Architectural Review)

The proceeding discussion addresses each standard in sequence with staff analysis provided in *italic* text.

General Plan

The following General Plan policies apply to the proposed project. Staff’s consistency analysis is provided in *italics* after each policy. In some instances, two or more similar policies are addressed by a single Staff response.

Chapter 1: Land Use, Growth Management, and the Built Environment

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

The proposed project promotes the efficient use of land by developing an infill site designated Medium Density Residential in the General Plan at a higher density than the surrounding residential uses. The project proposes a maximum base density of 18 units, which would be affordable to lower-income households and is therefore eligible for an 80% increase of the allowable density pursuant to the State Density Bonus. The project requests deviations from standards to ensure the development of the project as proposed is physically and financially feasible, such as maximum building height, maximum retaining wall height, and usable open space area. This represents an efficient use of land as the project utilizes concessions and waivers available through State Density Bonus, ensuring the site can be developed at the proposed density while still providing adequate residential amenities. As such, the project is consistent with this General Plan policy.

- Policy 1-P-14 Require provision of street trees, landscaping, parking, and access features to help integrate land uses and achieve an effective transition between uses of disparate intensities.

The project features new landscaping, including 15 trees as street trees and within parking areas. The project also includes parking onsite and pedestrian access improvements including a five-foot public sidewalk along the east side of Rovina Lane, adjacent to the project site. A robust planting plan, including street trees and low-growing shrubs along the Jacquelyn Lane public frontage, softens the massing of the three-story structure. Additionally, the project exceeds the required rear yard setback adjacent to the single-family residence to the east and the finished grade elevation is lower than surrounding single-family uses. Therefore, the project provides an effective transition between existing low-density single-family uses and the proposed medium-density multifamily use.

- Policy 1-P-27 Encourage innovative site and building design to address parking solutions such as shared, structured, and/or underground facilities.

The project provides an innovative site design to address parking solutions through a combination of tandem parking, tuck-under structured parking, and covered carport parking.

- Policy 1-P-48 Ensure all new development provides necessary public facilities to support the development.

The project would connect to existing infrastructure with capacity to serve the site. The project would connect to the existing water main within Rovina Lane and provide an 18-inch-wide 526-foot-long private storm drain and an 8-inch-wide 596-foot public sewer connection downhill to Petaluma Boulevard South.

- Policy 1-P-49 Preserve existing tree resources and add to the inventory and diversity of native/indigenous species.

- Policy 1-P-50 Preserve and expand the inventory of trees on public property by undertaking the following:

As detailed in the arborist report, the project would preserve 21 of the 29 trees surveyed on the site and immediately adjacent and provide 15 new trees, both as street trees and within parking areas. Proposed tree plantings would include 7 Oak trees, which are native to California and are the most prevalent tree species proposed on-site. Therefore, the project is consistent with the above policy in that it adds to the Citywide inventory of native species.

Chapter 4: The Natural Environment

- Policy 4-P-3 Protect special status species and supporting habitats within Petaluma, including species that are State or Federal listed as endangered, threatened, or rare.

As detailed in the Biological Resources Analysis prepared for the project, the site is not within the range nor does it contain suitable habitat for state or federal endangered, threatened, or rare species. However, it does contain suitable

habitat for nesting birds. As such, prior to tree removal, the project is required to conduct a bird nesting survey performed by a qualified biologist to prevent any incidental takes.

- Policy 4-P-9 Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging facilities.

The project would provide a combination of EV-capable or EV-ready parking spaces in compliance with CalGreen requirements.

- Policy 4-P-19 Encourage use and development of renewable or nontraditional sources of energy.

The project would provide development of renewable energy sources through rooftop solar. Building A proposes 1,400 square feet of rooftop solar while Building B proposes 900 square feet of rooftop solar.

Chapter 5: Mobility

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

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

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

Provisions for pedestrian and bicycle site access are included in the project plans. The project incorporates site access by providing a five-foot-wide public sidewalk along Rovina Lane adjacent to the project site. In addition, a network of perimeter site walkways are provided which provide access to secure and covered bicycle parking facilities at the rear of the site.

Chapter 7: Community Facilities, Services, and Education

- Policy 7-P-27 Reduce the impacts of wildland fires.

The project has been reviewed for compliance by the City's Fire Department. The project is located with the City's mapped Wildland Urban Interface (WUI), and, as such, the establishment of buffer zones and defensible space is a mandatory requirement under Chapter 7A of the Building Code and Chapter 49 of the Fire Code. The Project is fully compliant with these regulations. The project would incorporate only non-pyrophytic trees and adhere to all fire hardening requirements specified in the Building and Fire Code. This includes the use of Class A shingles, siding, vents, and windows. Lastly, the project exceeds the ingress and egress requirements by providing two points of Fire access, which exceeds the mandatory one point required for developments with 100 units or less (Petaluma Municipal Code (PMC) Section 17.20D106.1) and is conditioned to include a KnoxBox or opticom system located between the project site and the private portion of Rovina Lane, which would allow access to emergency responders in the event of a fire.

2023-2031 Housing Element

Goal 1: Housing Availability and Choices

Policy 1.4 Establish flexibility in the City's standards and regulations to encourage a variety of housing types, including mixed-use and flexible-use buildings, and affordable housing development.

The project would provide 31 affordable housing units for households earning 30-60% AMI. Pursuant to State Density Bonus, the project requests flexibility from development standards such as maximum building height, maximum retaining wall height, and usable open space area through Density Bonus concessions and waivers.

Policy 1.5 Encourage the efficient use of residential and mixed-use land by facilitating development at the upper end of the density range.

The project proposes a base density at the highest range permitted by the Medium Density Residential and is utilizing State Density Bonus to allow for greater density at the site.

Goal 2: Development Constraints

Policy 2.2 Streamline the City's review and approval process for residential and mixed-use projects to ensure objective evaluation and greater certainty in outcomes to facilitate affordable housing production.

Policy 2.3 Develop incentives such as streamlined review, fee adjustments, and objective design standards to encourage residential development that is affordable and environmentally appropriate.

The project has been processed under SB 330, which provides a streamlined City review and limit on the number of public hearings. Therefore, the application for affordable housing has been processed with greater certainty. The City also allows for affordable housing projects that would be owned and operated by a non-profit entity to qualify for fee waivers to certain development impact fees pursuant to PMC Title 19, City Council Resolution 2014-037 N.C.S., and City Council Resolution 2022-182 N.C.S.

Goal 3: Affordable Housing

Policy 3.3 Facilitate the entry of lower and moderate income households into the housing market.

The project includes 100% of the units, including total units and density bonus units for lower income households, as defined by Section 50079.5 of the Health and Safety Code.

Goal 4: Housing Preservation

Policy 4.2 Ensure the long-term affordability of units developed or provided with City assistance

A Density Bonus Housing Agreement between the developer and the City is required pursuant to IZO Section 27.090 to ensure the number of Restricted Affordable Units, their size, location, terms and conditions of affordability, and production schedule.

Goal 5: Special Needs Housing

Policy 5.6 Promote the construction of adequately sized rental units for large households.

The project would provide nine rentable two-bedroom units of 934 square feet and 12 three-bedroom units upwards of 1,278 square feet, which would provide for larger households.

Goal 6: Fair Housing

Policy 6.2 Promote housing mobility by expanding housing choices and increasing housing opportunities in high resource areas.

Policy 6.4 Promote the integration of affordable and special needs housing projects in existing neighborhoods.

The project expands housing choice within a high-resource area in an existing neighborhood in that it is located adjacent to two existing PUDs, Riverview Planned Unit District and Quarry Heights PUD, both of which contain an existing bicycle and pedestrian network. The project is also located 0.2 miles from Petaluma Transit Route 501, which enables broader access to retail and personal services downtown and one block north of Riverview Park, in addition to providing on-site recreational opportunities for children and teenagers.

Housing Programs

Program 4 Efficient Use of Multi-Family Land. The City permits single-family homes in all residential zones and the MU1 C mixed-use zone, potentially reducing the achievable density in multi-family zones. Establishing increased minimum densities for multifamily and mixed-use zones will ensure efficient use of the City's multi-family land, including requiring multifamily densities in multi-family zones.

The proposed project would achieve the efficient use of multi-family land by proposing a multi-family development on a site designated Medium Density Residential site. In addition the project is eligible for an 80% increase of the allowable density pursuant to State Density Bonus, and would provide increased densities beyond the minimum to ensure efficient use of multi-family land.

Program 25 Adequately Sized Rental Housing for Families. The rental housing market of Petaluma offers limited large rental units that would be considered adequate for large households or families with children. When such units are available, the rents are not affordable to lower and moderate income households. The City may consider policies to facilitate the development of large rental units. Potential considerations may include:

- Requiring projects above a certain size to include units with three or more bedrooms
- Allowing large units to qualify as more than one inclusionary unit
- Reducing parking requirements (currently one per bedroom) to facilitate larger rental units
- Allowing ADUs to exceed State size requirements

The project would provide nine rentable two-bedroom units of 934 square feet and 12 three-bedroom units upwards of 1,278 square feet, which would provide for larger households. Reduced parking requirements for these units are requested pursuant to CA Gov't Code §65915(p)(1)(A-B), which reduces the required parking ratio to 1.5 spaces per 2- and 3-bedroom unit in the Density Bonus application.

Implementing Zoning Ordinance

R4 Development Standards

The project includes the construction of two multifamily buildings and associated site improvements. The proposed project would be sited within a parcel zoned R4. **Table 1** below compares the project to R4 Zone development standards. As shown in **Table 1** (below, next page), the project complies with the development standards of the R4 zoning district, except for requested relief from development standards through State Density Bonus waivers (see **Attachment 2**).

IZO Chapter 27, Residential Density Bonus

The purpose of IZO Chapter 27, Residential Density Bonus, is to comply with the state density bonus law in accordance with the requirements of California Government Code Section 65915 and amendments and successor statutes and facilitate the development of affordable housing consistent with the goals, policies, and programs of the City's Housing Element.

As described in the Density Bonus Eligibility Letter, **Attachment 2**, the project is eligible for an 80% State Density Bonus pursuant to CA Gov't Code § 65915, subd. (f)(3) (D)(i). In accordance with CA Gov't. Code § 65915, subd. (d)(2)(D), the proposed project is entitled to a maximum of four incentives or concessions. In addition, the applicant has requested waivers to development standards that will have the effect of physically precluding construction of the development pursuant CA Gov't. Code § 65915, subd. (e)(1).

A Density Bonus Housing Agreement between the developer and the City is required pursuant to IZO Section 27.090 to ensure the number of Restricted Affordable Units, their size, location, terms and conditions of affordability, and production schedule. Per IZO Section 27.090, Planning Commission may approve the associated entitlement (SPAR) prior to and conditioned upon City Council approval of the agreement and subsequent recordation.

TABLE 1 – COMPLIANCE WITH R4 ZONE DEVELOPMENT STANDARDS		
STANDARD	REQUIRED	PROPOSED
Primary Structure Setbacks		
Front	10 feet	11 feet
Side (Interior)	0 feet	6.7 feet
Side (Street)	10 feet	10 feet
Rear	10 feet	79.3 feet
Detached Accessory Structure Setbacks		
Rear	5 feet	6.3 feet (carport)
Side (Street)	10 feet	15 feet (trash enclosure)
Height Limit		
Principal building	35 feet	39 ¹
Accessory Structure	25 feet	11.5 feet (trash enclosure)
Site Coverage		
Primary structure	60%	47%
Usable Open Space	300 sf/unit	169 sf/unit ¹
Parking		
Automobile	60 spaces (min) ²	51 spaces ³
Bicycle	6 spaces (min) ⁴	6 spaces
Density	8.1-18.0 hu/net acre	33.06 hu/ac ⁵

1. The applicant has requested waivers to development standards that will have the effect of physically precluding construction of the development pursuant CA Gov't. Code § 65915, subd. (e) (1).
2. IZO Table 11.1 requires the minimum parking for multiple household dwellings is 1 per bedroom, or 60 parking spaces.
3. The project proposes 51 parking stalls. A waiver from this standard is requested pursuant to CA Gov't Code §65915(p)(1)(A-B), which reduces the required parking ratio to 1.5 spaces per 2- and 3 bedroom unit, in the Density Bonus application.
4. At a rate of 10% of the automobile spaces required per IZO Section 11.090.A.
5. Per CA Gov't. Code § 65915, subd. (b)(1) (G), 100% of the units, including total units and density bonus units, exclusive of the manager's unit, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, the project is eligible for an 80% increase in the maximum allowable residential density.

IZO Section 24.010 (Site Plan and Architectural Review)

The project is also subject to the provisions of IZO Section 24.050 (Site Plan and Architectural Review), including the standards in Section 24.050.E, which govern the scope of Planning Commission review. Staff analysis is included in *italics* below.

1. The project uses quality materials, and the overall design is harmonious and in proportion in itself and in relation to adjacent development.

The project uses quality materials and the overall design is harmonious and in proportion in

itself and in relation to adjacent development. As designed, the project uses two earhtone exterior colors, horizontal and vertical siding, articulated rooflines, and jogs in the building footprint to reduce the appearance of the size of the mass of the overall buildings. The project would provide a durable fiber cement siding, Class A composition shingles, split-face concrete block retaining walls, and metal canopy structures. Together, these building features and materials result in a project that includes quality materials and is harmonious and in proportion in itself and in relation to the residential development adjacent to the project.

2. The architectural style is appropriate for the project, and compatible with the character of the neighborhood.

The architectural style is appropriate for the project, and compatible with the character of the neighborhood. The project incorporates Farmhouse architectural elements including horizontal and vertical siding with board and batten elements, modest roof pitches, and a combination of projecting and recessed balconies. The design choices are appropriate in that they provide visual interest to the streetscape, compliment the scale and design of the single-family residences in the neighborhood.

3. The siting of the structures on the property is appropriate for the site and as compared to the siting of other structures in the neighborhood.

The siting of the structure on the property is appropriate for the site and as compared to the siting of other structures in the neighborhood. The proposed buildings are proposed on a pad cut into the hillside and present a two-story façade to the single-family houses in the neighborhood to the south and east and will be separated from other adjacent residences to the west, south, and east by approximately 85 feet, 65 feet, and 93 feet, respectively. The building on the City-owned site to the north is approximately 260 feet away.

4. The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures is in accordance with all applicable requirements of this Zoning Ordinance and appropriate for the site and compatible with the character of the neighborhood.

The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures will be considered if signs are proposed and when a sign permit application is submitted.

5. The bulk, height, and color of any proposed structure is appropriate for the site and as compared to the bulk, height, and color of other structures in the neighborhood.

The bulk, height, and color of the proposed structures is appropriate as compared to the bulk, height, and color of other structures in the neighborhood. Two-story single-family structures and three-story townhouses are located on adjacent properties to the east and two-story single-family structures are located to the west across Rovina Lane and to the south across Jacquelyn Lane. A single-story house is located to the northwest of the project site across Rovina Lane. The mass and height of the surrounding structures vary with the largest structures presenting an approximate width of 115 feet and three stories tall and the smallest housing measuring approximately 30 feet wide and one-story. Likewise, a range of colors are used including neutral tones and earhtone tans.

The proposed buildings are 122 feet deep and 75 feet wide and are dark tan in color on the

vertical board and batten siding at the first floor and as an accent on at the upper floors and light tan is used on the horizontal siding at the upper floors. Jogs in the building footprint and balconies break up the appearance of the building's mass. On the east and south elevations, the building pad is recessed from seven to 18 feet below the street level and therefore, the building presents a one- to two-story profile on the south and east elevations. Along the Rovina Lane frontage, the pad is cut about seven feet into the hillside at the southwest corner of the site and at the northwest corner, the building pad is elevated above the street approximately 8 feet. Retaining walls are constructed of split-face concrete block. Except at the northwest corner, the bulk, perceived building height and colors are appropriate as compared to the other structures in the neighborhood. To soften the visual impact of the retaining wall and building height at the northwest corner, two oak trees and shrubs are proposed in the yard area between the street and the retaining wall.

6. Landscaping in accordance with applicable City standards and that is appropriate for the site and compatible with the character of the neighborhood will be provided on the site. Existing trees shall be preserved wherever possible and shall not be removed unless approved by the Planning Commission.

Landscaping would be in accordance with applicable City standards and appropriate for the site and compatible with the character or design of the neighborhood in that proposed landscaping consists of 15 new trees including 7 oak trees. There are 29 existing trees on the site, and within street frontages and easements, of which eight will be removed to accommodate the proposed development. The proposed landscaping is compatible with the character of the neighborhood and only trees necessary to allow reasonable development of the site are proposed for removal. In addition, an enhanced privacy screen consisting of a 10- to 15-foot evergreen, sight-obscuring hedge is proposed adjacent to single-family living areas to the east.

7. Ingress, egress, internal circulation for bicycles and automobiles, off-street automobile and bicycle parking facilities and pedestrian ways are designed so as to promote safety and convenience and conform to applicable City standards. Any plans pertaining to pedestrian, bicycle, or automobile circulation have been routed to the Pedestrian and Bicycle Advisory Committee for review and approval or recommendation.

Ingress, egress, internal circulation for bicycles and automobiles, off-street automobiles, bicycle parking facilities, and pedestrian ways is designed as to promote safety and convenience and shall conform to approved City standards in that site access would be proposed via a 30-foot-wide, two-way driveway from Rovina Lane and an internal drive aisle between the buildings. The project would provide 51 parking spaces through a combination of tuck-under parking below each building and a surface parking area at the rear of the site. Internal walkways are proposed on either side of the project which circumvent the buildings. Internal vehicular circulation consists of a "T" shaped driveway which bisects the site and terminates at a fire truck hammerhead turnaround along the east property line. In addition, the project would provide public improvements such as a Rovina Lane widening from 20 feet to 32 feet, a 5-foot-wide public sidewalk along Rovina Lane.

8. The design is of good character and has been prepared by a professional designer, such as an architect, landscape architect or other practicing urban designer or person with equivalent skill

and qualifications.

The project was professionally designed by a CA licensed architect and is of good character and quality and it incorporates input provided through a neighborhood meeting.

9. The application and the project for which it seeks approval are exempt from the California Environmental Quality Act (CEQA), or the environmental impacts of the project including impacts to or of biological resources, greenhouse gas emissions, vehicle miles travelled, land use, population and housing, agriculture and forestry resources, cultural resources, hazards and hazardous materials, mineral resources, public services, utilities and service systems, air quality, geology and soils, hydrology and water quality, noise, and recreation are avoided, or are mitigated by conditions imposed by the reviewing authority so as to be less than significant, or are approved based on overriding considerations in accordance with all applicable CEQA requirements.

*As demonstrated in the CEQA Exemption Memo included as **Attachment 5**, the proposed project is exempt pursuant to CEQA Guidelines Section 15194 (Affordable Housing Exemption). As detailed therein, the project meets the eligibility requirements set forth in Section 15192 (Threshold Requirements for Exemptions for Affordable Housing) and is consistent with the criteria set forth in Section 15194. As such, no further environmental review is required.*

10. The proposed structure and use, subject to any conditions which may apply, conforms with the applicable requirements of this Zoning Ordinance and applicable policies and programs of the City's General Plan and any applicable specific plan, and the proposed use will not, under the circumstances of the conditional use application, constitute a nuisance or be detrimental to the public welfare of the community.

The proposed structure and use, subject to any conditions which may apply, conforms with the applicable requirements of the Zoning Ordinance, except for requested relief from development standards through State Density Bonus waivers as detailed in Attachment 2 of the April 23, 2024 staff report, and applicable policies and programs of the City's General Plan and any applicable specific plan, and the proposed use will not, under the circumstances of the conditional use application, constitute a nuisance or be detrimental to the public welfare of the community. The proposed structures and use will not constitute a nuisance or be detrimental to the public welfare of the community as it conforms with the applicable requirements of the Implementing Zoning Ordinance and applicable policies and programs of the Petaluma General Plan, with concessions to certain zoning code standards and a density bonus as allowed under CA State law.

No adverse public health or safety impacts associated with this project can be found that would allow the City to deny the project under HAA, SB 330, or State Density Bonus. The City concludes (Fire, Public Works, Building, and Planning) that there are no specific adverse impacts that could reasonably result in denial of this project.

CASE STUDIES

No case studies are associated with this staff report.

ENVIRONMENTAL REVIEW

As detailed above, the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15194 (Affordable Housing Exemption). A full analysis of the project's applicability is included in **Attachment 5**.

FURTHER RECOMMENDATION

There are no further recommendations beyond the recommendation provided in this staff report.

ATTACHMENTS

- Attachment 1: Draft Resolution approving Site Plan and Architectural Review & State Density Bonus Concession and Waiver Requests
- Attachment 2: Density Bonus Eligibility Determination Letter, April 3, 2024
- Attachment 3: Project Plans, date received April 17, 2023
- Attachment 4: Arborist Report, prepared by Horticultural Associates, dated November 9, 2023
- Attachment 5: CEQA Exemption Memo, April 16, 2024
- Attachment 6: Biological Resources Analysis, prepared by Madrone Ecological Consulting, dated June 26, 2023
- Attachment 7: Public Comments received prior to April 12, 2024
- Attachment 8: Vehicle Miles Traveled (VMT) Assessment and Traffic Analysis, prepared by DKS Associates, dated March 23, 2024