



CITY OF PETALUMA

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June 26, 2020

Mr. Rich Wallach
Burbank Housing
790 Sonoma Avenue
Santa Rosa, CA 95404

RE: North Quarry Apartments Project
1601 Petaluma Boulevard South
SB-35 Streamline Application
File No. PLSR-20-0006

Mr. Wallach,

This letter provides approval of the North Quarry Apartments Project, pursuant to Government Code Section 65913.4 (Senate Bill [SB] 35). The project proposes the development of a 50-unit multifamily residential development on a vacant 2.08-acre project site comprised of three underlying parcels at 1601 Petaluma Boulevard South (APNs 019-210-010, -038 and -039). The North Quarry Apartments project proposes 49 affordable housing units and one manager unit within a 65,605 square-foot building measuring a minimum of two stories and a maximum of four stories in height. The affordable units will be designated as rentals for households earning between 30 percent and 80 percent of area median income (AMI). A surface parking lot will provide 67 vehicular parking spaces and an interior bicycle room will provide 38 bicycle parking spaces.

The project's SB-35 Streamlining Application was originally submitted to the City on March 31, 2020. Based on this submittal, staff provided a written determination of the project's preliminary eligibility for streamlining and requested corrections that were necessary to process the application. The project was re-submitted on May 27, 2020, with materials reflecting the previously requested corrections. Supplemental correction materials were submitted on June 19, 2020.

Based on plans and materials submitted to the City on May 27, 2020, as well as supplemental information submitted on June 19, 2020, **the project has been determined to be: 1) eligible for SB 35 ministerial review; and, 2) consistent with all applicable objective development standards.**

**Community Development
Department**

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Summary of Project's Consistency with SB 35 and the City's Objective Criteria

Under Government Code Section 65913.4(a), a development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b). Furthermore, projects that are determined to be eligible for streamline processing are not subject to a conditional use permit. The development has been found to satisfy all of the following objective planning standards as follows:

Eligibility Criteria

1. **Number of Units.** Where at least 10 dwelling units must be provided, the project provides 50 dwelling units as part of a multi-family residential project.
2. **Affordability.** Where at least 50 percent of the units must be affordable to low-income households (80 percent or less of Area Median Income (AMI)), the project proposes to provide 98 percent of the total number of units as affordable to households earning at either extremely low income (30 percent or less of AMI), very-low-income (50 percent or less of AMI) and low-income (80 percent or less of AMI).
3. **Urban Infill.** The project is located on a legal parcel located within the City of Petaluma's jurisdiction. The project site abuts residential and industrial uses which are considered "urban uses" pursuant to definitions included in SB-35.
4. **Zoned or Planned Residential Use.** The subject property is zoned Mixed Use 1A (MU1A) and has the General Plan land use designation of Mixed Use. The Mixed Use General Plan designation allows for residential development with a maximum density of 30.0 units/net acre and a maximum floor area ratio (FAR) of 2.5. The multi-family residential project complies with both standards with a FAR of 0.72 and a dwelling unit density of 24 units per net acre. Pursuant to the Petaluma Implementing Zoning Ordinance, multi-family residential development in the MU1A zoning district is allowed with a Conditional Use Permit. However, pursuant to SB-35, the applicant is not subject to a Conditional Use Permit as the project complies with the objective planning standards listed in subdivision (a) of SB-35.
5. **Consistent with Objective Standards.** The project has been determined to be consistent with the objective General Plan and zoning standards as outlined in Attachment A of this letter. Furthermore, the project is eligible to- and will utilize a Development Concession/Incentive as allowed by Chapter 27 of the Implementing Zoning Ordinance and State Density Bonus Law to allow the project to exceed the height limits prescribed by the applicable MU1A Zoning District development standards.
6. **Parking.** The project is not located within one-half mile of public transit as defined by Section 102(r) of HCD's SB35 Guidelines; is not located within an architecturally and historically significant historic district; is not located where on-street parking permits are required but not offered to the occupants of the development; and, is not located within one block of a carshare space. Therefore, according to Housing and Community Development's SB35 Streamlined Ministerial Approval Process Guidelines ("SB-35 Guidelines"), the project is subject to one parking space per unit under SB-35. The project has met this standard by providing 67 parking spaces where a minimum of 50 parking spaces are required.

7. **Location.** The following analyzes the how the project satisfies the locational requirements of SB-35 subsection (a).
- a. The project is not located on prime farmland or farmland of statewide importance as defined by United States Department of Agriculture's land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.
 - b. The project is not located on wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - c. The project is not located within a very high fire hazard severity zone as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.
 - d. The project is not located on a hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code (<https://calepa.ca.gov/sitecleanup/corteselist/>).
 - e. The project is not located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
 - f. A narrow band of a special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency exists along the project site's boundary with the Petaluma River. No development or ground disturbance will occur in this narrow band; thus, satisfying the locational requirement.
 - g. A narrow band of a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency exists along project's boundary with the Petaluma River. No development or ground disturbance will occur in this narrow band; thus, satisfying the locational requirement.
 - h. The project is not located on lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game

Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

- i. The project is not located on lands that provide habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - j. The project is not located on land under conservation easement.
 - k. The project is not located on a site that previously contained housing of any kind or on a site that is subject to the Mobile Home Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobile Home Parks Act, or the Special Occupancy Parks Act.
 - l. The project is not located on a site with historic structures listed on a local, state, or federal register.
8. **Prevailing Wage.** The applicant has submitted a letter committing to providing prevailing wages as required for a project that is not a public work. The project applicant shall also be required to provide on a monthly basis, while the project is in construction, a report demonstrating compliance with the requirement to provide skilled and trained workforce. Pursuant to SB35, the applicant will also be required to pay all contractors and subcontractors on the project at least the general prevailing rate of per diem wages.
9. **Skilled and Trained Workforce.** A skilled and trained workforce defined in (a)(8)(B)(iii) is not required to complete the project's construction as the project contains less than 75 units.
10. **Subdivisions.** The project does not involve a subdivision of a parcel that is subject to the California Subdivision Map Act.

Conditions of Approval and Next Steps

Pursuant to Section 301(a)(5) of the State's Streamlined Ministerial Approval Process (published 2018), approval of ministerial processing does not preclude imposed standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality regardless of streamline approval. This includes any objective process requirements related to the issuance of a building permit. Standard conditions of approval applicable to the project have been included in Attachment B.

With the issuance of this determination, the project is now eligible to proceed with the process to obtain construction permits including grading and building permits. Please contact the [Building Division](#) at 707-778-4301 or at cdd@cityofpetaluma.org for more information on grading and building permit submittal requirements.

Conclusion

Please do not hesitate to contact me at ahollister@cityofpetaluma.org or at (707) 778-4422 with any follow-up questions and discussion items that result from this letter. The City looks forward to working with you on implementing the project.

Sincerely,

A handwritten signature in black ink that reads "Aaron Hollister". The signature is written in a cursive style with a large, stylized 'A' and 'H'.

Aaron Hollister
Senior Planner

cc: Heather Hines
Steven J. Lafranchi
Nathan Fishman
Laura Moffet-Fehlberg
Phil Vandetoolen

Attachments

Attachment A – Objective Standards Consistency Table
Attachment B – Objective Conditions of Approval

OBJECTIVE DEVELOPMENT STANDARDS REVIEW

North Quarry Apartments
Located at 1601 Petaluma Boulevard South
APNs: 019-210-010, -038 and -039
File No. PLSR-20-0006

| COMPLIANCE WITH OBJECTIVE DEVELOPMENT STANDARDS | | |
|--|----------------------------------|--|
| STANDARD | REQUIRED/ALLOWED | PROPOSED |
| GENERAL PLAN | | |
| Dwelling Unit Density | 30 units per net acre | 24 units per net acre |
| Lot Coverage | 2.5 Max FAR | 0.72 FAR |
| IMPLEMENTING ZONING ORDINANCE | | |
| Front Setback | 0 feet | Minimum 25.66 feet from Petaluma Blvd S, Minimum 132 feet from Caulfield Lane |
| Side Setback | N/A | N/A |
| Rear | N/A ¹ | Minimum 2.25 feet from the top of riverbank |
| Building Height | 30-45 feet max ² | 41 feet, 10 inches max ³ |
| Usable Open Space | 30 square feet/unit | 200 square feet/unit |
| Vehicular Parking | 50 spaces minimum ^{4,5} | 67 spaces |
| Bicycle Parking | 5 spaces | 38 spaces |

- 1) No specific setback is established from the Petaluma River.
- 2) When the building is more than 30 feet from an abutting property line, one additional foot of height is permitted with each additional foot of setback over 30 feet for a maximum building height of 45 feet in the MU1A district.
- 3) A Development Concession/Incentive will be utilized to allow the building height to exceed the stepped height limits of the MU1A District.
- 4) For the subject project, SB 35 requires a minimum vehicular parking ratio of one space per unit
- 5) Tandem spaces no more than two spaces deep are allowed by SB35. Twenty-two tandem spaces are proposed.

GENERAL PLAN

In addition to the General Plan standards for dwelling unit density and floor area ratio, the following objective standards from the General Plan are applicable to the project.

Floodway and Flood Plain. The Floodway designation applies to a very narrow strip of land on the project site adjacent to the river. The Floodway delineates the channel of the Petaluma River or other watercourse and the adjacent land areas that must be reserved in order to discharge the

“base flood” without cumulatively increasing the water surface elevation more than one foot. No new development is allowed in areas designated Floodway.

The Flood Plain Land Use Overlay is also located on a very narrow strip of land on the project site adjacent to the river. The Floodplain represents lands subject to periodic inundation in a 100-year storm event, as defined by the FEMA Flood Insurance Rate Maps. The Floodplain delineation is intended as an overlay for informational purposes and to distinguish properties subject to regulations outlined in the IZO.

The project is consistent with the regulations established under both the Floodway designation and the Flood Plain Overlay. No development, site improvements, grading or any other proposed work on the project site will be located in these areas.

Bicycle and Pedestrian Improvements. The General Plan and the Bicycle and Pedestrian Plan envision Class II bicycle facilities (on-street, striped travel lane with signs) along both the Caulfield Lane and Petaluma Boulevard frontage. A Class I river trail is also envisioned along the project’s river frontage.

The project will construct an eight to 10-foot-wide trail improved to a Class I bicycle facility standard (concrete surface, gravel shoulders, two divided travel lanes) that will run adjacent to the river for the length of the property’s river frontage. This trail has been envisioned by both the General Plan and the Bicycle and Pedestrian Plan as a trail that would eventually connect Downtown to the SMART Pathway on the east side of U.S. Highway 101. Due to the site constraints with the river and associated riparian corridor, the proposed Class I river trail will feature an eight-foot-wide paved width instead of the typical 10-foot-wide paved width. Where possible, the trail would be expanded to 10 feet in width.

The trail will connect to the existing Class I/Class II bicycle facility on Petaluma Boulevard South via a 12-foot-wide, Class I bicycle facility on Caulfield Lane. The Caulfield Lane frontage will also provide a connection to the Class II facility on the southern side of the proposed Caulfield Lane Bridge.

The project meets these requirements with the implementation of the bicycle and pedestrian facilities included in the plans dated May 27, 2020.

Noise. At the Building Permit stage, the project will need to demonstrate that interior noise levels do not exceed 45 dB CNEL to the satisfaction of the Chief Building Official.

IMPLEMENTING ZONING ORDINANCE

A residential multi-family land use ordinarily has a conditional use permit requirement in the MU1A zoning district; however, the conditional use permit requirement is not applicable to projects eligible for the permit streamlining provisions of SB-35. Consequently, the conditional use permit requirement of the IZO does not apply to the project based on the project’s eligibility for streamlining under SB-35.

The objective standards of IZO Chapter 6 (Floodway and Flood Plain Districts), Chapter 11 (Parking and Loading, Off Street), Chapter 14 (Landscaping and Screening), Chapter 17 (Tree

Preservation) and Chapter 27 (Residential Density Bonus) were also analyzed in the review of the project. Chapter 18 (Public Art) does not apply to the project as the project is a residential project.

Floodway and Flood Plain. The Floodway Zoning District applies to a very narrow strip of land on the project site adjacent to the river. Only select land uses are principally or conditionally allowed in the Floodway. Most development and land uses, such as the subject project, are not allowed in the Floodway.

The Flood Plain Overlay (Chapter 6 in the IZO) also applies to a very narrow strip of land on the project site adjacent to the river. The Flood Plain Overlay is intended, in part, to minimize property damage from flood waters and safeguard public health, safety, and general welfare, as well as minimize business interruptions. Construction of new residential structures in the overlay requires elevation of the lowest habitable floor by 12 inches or more above the base flood elevation or depth number specified on the Flood Insurance Rate Map.

The project is consistent with the regulations established under both the Floodway District and the Flood Plain Overlay. No development, site improvements, grading or any other proposed work on the project site will be located in these areas.

Parking and Loading. The project is consistent with the standards of IZO Chapter 11 (Parking and Loading, Off-Street). Chapter 11 outlines standards such as parking dimensions, drive aisle widths, site distance, access, driveway gradients, lighting, and surfacing. Photometric specifications were included in the project submittal to allow staff to conclude that the proposed parking lot lighting will comply with both Chapter 11 and Chapter 21 (Performance Standards) of the IZO. As previously outlined, the project complies with the parking ratio standards of SB-35, the bicycle parking requirements of IZO Chapter 11 and is installing pedestrian and bicycle circulation features consistent with the General Plan. It should also be noted that the Fire Department has concluded that the project site offers adequate access for emergency responders.

Landscaping. The project is consistent with the standards of IZO Chapter 14 (Landscaping and Screening) in that the project will provide landscaping along the exterior of the project site, within vehicular circulation/parking areas, adjacent to the building and in common area. Also, the selected landscaping species are well-suited for Petaluma's climate.

Tree Preservation. The project will result in the loss of one protected tree, a 10-inch Coast Live Oak. Due to the location of the river trail, the building footprint, and a required retaining wall along Petaluma Boulevard South, the tree cannot be preserved on-site. The removal of the 10-inch Coast Live Oak with a health condition rating of "good" as appraised by a certified arborist requires a one-inch-to-one-inch on-site replacement standard as the base replacement requirement. The replacement tree species should be the same species as the removed tree if possible. For on-site replacement, a 24-inch box replacement tree is equal to two inches of required mitigation.

With 10 inches of required replacement, the project must provide at least five 24-inch box Coast Live Oak trees. The project complies with the required tree removal mitigation of IZO Chapter 17 by providing seven 24-inch Coast Live Oak replacement trees on the project site. The replacement trees are spaced to ensure their long-term survival as per the project's certified arborist. Accordingly, the project complies with IZO Chapter 17.

Residential Density Bonus. Under Chapter 27 of the IZO (Residential Density Bonus) and State Density Bonus Law, the project is eligible to pursue development concessions/incentives. Concessions/incentives allow for the reduction of site development standards or zoning code requirements, direct financial assistance, approval of mixed-use zoning in conjunction with the Housing Development or any other regulatory incentive which would result in identifiable cost avoidance or reductions. Over 35 percent of the project's units will be offered at low income, or potentially lower levels of affordability. This will allow the project up to three development concessions/incentives under IZO Chapter 27 and State Density Bonus Law. Additionally, the project could be eligible for a residential density bonus to allow for a dwelling unit density greater than the allowed 30 units per acre.

Although the project is not requesting an increased density, the applicant is requesting approval of a residential density bonus to utilize one of the three allowed development concessions/incentives to exceed the stepped height limit of the MU1A District. This concession allows the building height to be increased by two to five feet above the applicable height limits per project plan page A1.4 in the project plan set dated May 27, 2020. The development/concession is automatically afforded to the project per the provisions of SB-35.

CONDITIONS OF APPROVAL
Burbank Affordable Housing Project
Located at 1601 Petaluma Boulevard South
APNs: 019-210-010, -038 and -039
File No. PLSR-20-0006

Planning Division

1. Plans submitted to the City of Petaluma for purposes of construction shall be in substantial conformance with plans on file with the Planning Division and date stamped May 27, 2020, and June 19, 2020, except as modified by these conditions of approval. A determination of substantial conformance shall be made by the Planning Manager during the plan check review process.
2. The Conditions of Approval shall be listed on the first sheet of the office and job site copies for all building permit plans prior to issuance.
3. The applicant shall be subject to all applicable development impact fees in affect at time of building permit issuance. Said fees are due prior to final inspection or certificate of occupancy.
4. The site shall be kept cleared of garbage and debris at all times. No outdoor storage shall be permitted.
5. Both construction and post-construction business operations shall comply with all performance standards of Implementing Zoning Ordinance Chapter 21.
6. Prior to issuance of the building permit, the building permit plans and materials shall demonstrate that interior noise levels do not exceed 45 dB CNEL to the satisfaction of the Chief Building Official.
7. All lighting shall be glare-free, hooded, and downcast in order to prevent glare into bicyclists' and pedestrians' eyes and/or light pollution onto adjacent properties and must be consistent with all performance standards of the Implementing Zoning Ordinance.
8. All river trail enhancement features such as benches, dog pick-up stations, and landscaping included in the project plans dated May 27, 2020, and June 19, 2020, shall be shown on the building permit plans and shall be installed prior to the project's Certificate of Occupancy.
9. Roof-mounted photovoltaic arrays shall be provided as per the project plans dated May 27, 2020. The building permit plans shall designate the exact locations of the photovoltaic arrays on the rooftop.
10. Bicycle racks shall comply with size dimensions and location/installation requirements outlined in the Bicycle and Pedestrian Master Plan. Applicant shall ensure adequate access to each bicycle rack from all sides and avoid placing racks too close to any wall or structure.

11. All plantings shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.
12. All tree stakes and ties shall be removed within one year following installation or as soon as trees are able to stand erect without support.
13. No signage is approved by this permit. Separate sign permits in compliance with Chapter 20 of the Implementing Zoning Ordinance shall be obtained prior to the installation of signage.
14. Prior to commencing construction activities, a sign shall be posted on the site regarding the allowable hours of construction and contact information for complaints. Per Chapter 21 of the Implementing Zoning Ordinance, the allowed hours of construction shall be 7:00 a.m. to 10:00 p.m. daily except Saturday, Sunday and local, state, or federal holidays when the prohibited construction time shall be before 9:00 a.m. and after 10:00 p.m. Proof of sign installation shall be provided to the Planning Manager prior to construction commencing.
15. In the event that human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended, and the following measures shall be undertaken:
 - a. The Sonoma County Coroner shall be contacted.
 - b. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.
 - c. The project sponsor shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
 - d. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American and shall contact such descendant in accordance with state law.
 - e. The project sponsor shall be responsible for ensuring that human remains and associated grave goods are reburied with appropriate dignity at a place and process suitable to the most likely descendent.
16. The proposed tree removal and replacement shall be in conformance with the approved tree removal and mitigation plan dated June 17, 2020, prepared by the project's certified arborist, the project's landscaping plan date-stamped June 19, 2020, and Chapter 17 of the Implementing Zoning Ordinance.
17. To protect existing trees identified for preservation, the project applicant shall implement the following measures as set forth in Zoning Ordinance 17.050, Preservation of Existing Trees in Development Proposals:
 - Plastic or chain link tree protection fencing shall be installed at the driplines of trees to be preserved
 - A pre-construction meeting shall occur with the tree service to perform pruning in consultation with the arborist to agree on the extent of pruning as warranted

- Pruning shall be to the minimum extent necessary for hazard reduction and access, vertical clearance and crown restoration and shall be conducted in accordance with ISA pruning guidelines and SNASI 300 standards
- The Project arborist shall be notified 48 hours in advance to be present when grading or trenching will occur within the driplines of trees to be preserved
- No parking, storage of materials, disposal of waste, operation of equipment, or other construction activity shall occur within the dripline of trees to be preserved.
- Four inches of arbormulch shall be applied to the soil surface within the dripline of trees to be preserved. No arbormulch shall be introduced within the riparian corridor.

18. For the protection of special-status birds, and native nesting birds protected by the MBTA and the CDFW, project development activities shall occur outside of the bird nesting season, to the extent feasible. If development activities must occur during the nesting season (February 1 – August 31), a qualified biologist shall conduct a nesting bird survey no more than 14 days prior to the commencing the Project activities. The nesting survey shall include an examination of all trees onsite and within 200 feet of the development footprint (i.e., within a zone of influence of nesting birds), not just trees slated for removal. The zone of influence includes those areas outside the project site where birds could be disturbed by earth-moving vibrations and/or other construction-related noise.

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

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

19. To avoid impacts to pallid bats, a “species of special concern” in the state, a qualified biologist shall conduct a bat survey 15 days prior to the commencement of groundwork. If no special-status bats are found during the survey, then construction may begin without restriction.

If special-status bat species are found roosting on the project site, the biologist shall determine if there are young present (i.e., the biologist should determine if there are maternal roosts). If young are found roosting in any tree that will be impacted by the project, such impacts shall be avoided until the young are flying and feeding on their own. A non-disturbance buffer installed with orange construction fencing will be established around the maternity site. The

size of the buffer zone will be determined by a qualified bat biologist at the time of the surveys. If adults are found roosting in a tree on the project site but no maternal sites are found, then the adult bats can be flushed or a one-way eviction door can be placed over the tree cavity for a 48-hour period prior to the tree removal.

20. The SB-35 streamlined review approval shall not expire as long as the project continues to provide 50 percent of the units contained in the project are affordable to households making below 80 percent of the area median income. In the event that the project is amended so that less than 50 percent of the units contained in the project are affordable to households making below 80 percent of the area median income, the project approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.
21. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul any of the approvals of the project, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so appellant shall reimburse City for attorneys' fees by the City.

Public Works & Utilities Department

22. A Public Improvement Plan application is required for all work within the public right of way or other public property and all on-site work within public easements. A public improvement agreement ("Agreement for Public Construction") package including necessary bonds and insurance is required. City Engineer approval of the public improvement plans is required prior to issuance of Building Permit. Execution of the Agreement for Public Construction is required prior to the start of construction of public improvements.
23. All land conveyances shall be fully executed prior to approval of the Public Improvement Plans and shall be recorded prior to issuance of any Building Permit.
24. The Class I multi-use path (River Trail MUP) shall be signed for public use and shall be maintained by Owner. A maintenance agreement shall be executed prior to issuance of Certificate of Occupancy.
25. The Class I multi-use path (MUP) bike/ped facility proposed on along the Petaluma River frontage and the Class I/II bike/ped facility proposed on the Caulfield Lane frontage shall be installed per the project plans date stamped May 27, 2020, and prior to the issuance of the first Certificate of Occupancy to the satisfaction of the City Engineer.
26. Prior to issuance of any certificates of occupancy, City Standard Frontage improvements shall be installed and accepted including but not limited to Caulfield Lane improvements: sidewalk,

curb & gutter, curb ramps, landscape areas, and paving. Pavement conform locations and sections are subject to the approval by the City Engineer.

27. Applicant shall provide a construction traffic, access & security plan prior to issuance of building permit. The applicant shall notify adjacent property owners at least one week in advance prior to starting any construction.
28. Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the City Engineer for review. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Petaluma's Grading and Erosion Control Ordinance #1576, Title 17, Chapter 17.31 of the Petaluma Municipal Code. Plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during all construction activity.
29. Prior to issuance of a grading permit, a project-level soils and geological report shall be submitted to the City Engineer for review pursuant to the City of Petaluma's Ordinance #1576, Title 17, Chapter 17.31.180. The soils report shall detail the characteristics of the soils onsite and provide conclusions and recommendations for grading procedures, foundations, paving sections, and design criteria as appropriate.

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

Nothing in this condition shall preclude the City Engineer and/or Chief Building Official from requiring additional information to determine compliance with applicable standards. The geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy that the improvements have been constructed in accordance with the geotechnical specifications.

30. New curb ramps at Caulfield Lane and Petaluma Boulevard South shall be "Case A" Caltrans standard or alternate as approved by City Traffic Engineer.
31. With the Building Permit submittal, applicant shall provide a construction level storm water quality report that demonstrates compliance with "BASMAA Post-Construction Manual: Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties", January 2019. (Provision E.12 of the City's storm water permit) or an approved alternative Best Practice Management (BMP's) acceptable to the City Engineer.
32. The project shall comply with E.10 Construction Erosion and Sediment Control requirements: with the building permit application, applicant shall provide Notice of Intent (N.O.I.) documentation as well as the Storm Water Pollution Prevention Plan (SWPPP) and erosion

and sediment control plan.

33. Prior to issuance of a building permit, an Operations & Maintenance Manual is required for any proposed storm water detention and treatment system if used and shall be submitted with the building permit application for review and approval by the City Engineer. The manual shall include provisions for owner's annual inspection. Plans shall be prepared by a Civil Engineer registered in the State of California, to ensure the detention and treatment systems are operating as designed and constructed as well as provisions to make any necessary repairs to the system. A signed and sealed copy of the report shall be provided annually to the Office of the City Engineer.
34. The proposed water main system shall be public and have the capacity to deliver a continuous fire flow as designated by the Fire Marshal. Submit fire flow and pressure calculations for the existing and proposed extended water main with the building permit improvement plans.
35. All new utility facilities, including but not limited to, electrical, communication and television shall be located underground.
36. New water, sanitary sewer, landscape and irrigation, storm drain, and street improvements shall be designed and installed per City Standards. <https://cityofpetaluma.org/city-standards/>.
37. The storm drain system shall be designed and constructed in accordance with Sonoma County Water Agency requirements. Final construction level storm water calculations shall be provided demonstrating that the project complies with the City's storm water regulations.
38. Joint trench plans shall be included with the public improvement plan submittal. All trench cuts are subject to the City Standards street pavement restoration requirements.
39. All existing pavement and sidewalk/curb and gutter disturbed during construction shall be restored in compliance with the City Standards.
40. A building permit is required for on-site grading, utility, and drainage improvement work. All improvements shall be completed and accepted by the City, including on-site improvements, prior to issuance of the certificate of occupancy.
41. Traffic Control Plans (TCP) per State MUTCD standards are required for work that is performed in the public Right of Way.
42. Night time work for public improvements on Petaluma Boulevard South may be required as determined by City Sr. Traffic Engineer.
43. All improvements shall meet current ADA code standards for accessibility. All new pedestrian ramps shall have "Federal Yellow" detectible warning surfaces (truncated domes) installed.
44. A pre-construction meeting with City staff and the applicants construction team is required prior to the start of any construction.

45. If sub-metering of the water system is proposed, the applicant shall enter into the City's standard Sub-Metering Agreement.
46. Prior to the issuance of a building permit, the applicant shall submit a complete landscape and irrigation documentation package consisting of all the required elements found in the Landscape Water Use Efficiency Standards located in Petaluma Municipal Code Section 15.17.050. A water efficient landscape worksheet including ETWU and MAWA calculations shall be submitted with the project's first building permit application.
47. Plants with similar water needs shall be grouped together in distinct hydrozones and where irrigation is required the distinct hydrozones shall be irrigated with separate valves
48. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas and shall be demonstrated on the first building permit plans.
49. The landscape design plan submitted with the first building, at a minimum, shall include:
 - a. Delineate and label each hydrozone by number, letter, or other method.
 - b. Identify each hydrozone as very low, low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation.
 - c. Identify type of mulch and application depth.
 - d. Identify plant sizes and quantities in all areas of landscape, including planters and containers.
 - e. Identify plants by botanical name and common name in all areas of landscape, including planters and containers.
 - f. The following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and,
 - g. The signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.
50. A complete irrigation design plan that meets all the design criteria shall be submitted at the time of first building permit application as a part of the landscape documentation package.
51. The irrigation design plan submitted with the first building permit application shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan." The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system shall also be included with the statement.

Fire Department

52. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with Section 505.2. CFC 501.4

53. Pursuant to California Fire Code Appendix D105.3, plans submitted for purposes of construction shall relocate streetlights and obstructive landscaping adjacent to aerial apparatus access areas identified on the proposed plans, subject to Fire Marshal review and approval.
54. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders. CFC D103.1
55. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. CFC 503.1.1
 - h. In lieu of fire access road within 150 feet of the building, a wet standpipe system, at exterior locations, supplied by the building automatic fire sprinkler system is has been shown on the plans. Plans accurately reflect discussions and tentative agreements for alternate means of protection in accordance with CFC 104.9. A formal alternate means of protection in compliance with CFC 104.96 will need to be submitted for approval during the Building Permit process.
56. Multiple-family residential projects having more than fifty (50) dwelling units shall be provided with two (2) separate and approved fire apparatus access roads. PMC 17.20 D106.1
57. Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official. CFC 503.2.4
58. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. CFC D105.1
59. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof. CFC C105.2
60. An approved automatic fire sprinkler system shall be installed and maintained in all newly constructed buildings. PMC 17.20 903.2.20.1
 - i. The fire sprinkler system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-13R.
61. New and existing buildings shall be provided with approved illuminated address numbers or letters. They shall be contrasting with the background and be plainly visible from the street or road fronting the property. Address numbers shall be Arabic numerals or alphabetic letters. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall comply with Fire Department Standards. PMC 17.20 505.1