

**REGIONAL HOUSING NEEDS ALLOCATION**

Association of Bay Area Governments

**2023-2031 Regional Housing Needs Assessment (RHNA) Appeal Request***Submit appeal requests and supporting documentation via DocuSign by 5:00 pm PST on July 9, 2021.****Late submissions will not be accepted.*** Send questions to [rhna@bayareametro.gov](mailto:rhna@bayareametro.gov)Jurisdiction Whose Allocation is Being Appealed: County of SonomaFiling Party: ☐ HCD ☒ Jurisdiction: County of SonomaContact Name: Brian Oh, AICP Title: Planning ManagerPhone: 707-565-1931 Email: brian.oh@sonoma-county.org**APPEAL AUTHORIZED BY:**Name: Tennis WickSignature: Date: 7/9/2021**PLEASE SELECT BELOW:**

- ☐ Mayor
- ☐ Chair, County Board of Supervisors
- ☐ City Manager
- ☐ Chief Administrative Officer
- ☒ Other: Director

**IDENTIFY ONE OR MORE BASES FOR APPEAL [Government Code Section 65584.5(b)]**

- ☐ ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors (Government Code Section 65584.04(e)) and Affirmatively Furthering Fair Housing (See Government Code Section 65584.04(b)(2) and 65584(d)(5)):
- ☐ Existing and projected jobs and housing relationship.
  - ☐ Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.
  - ☐ Availability of land suitable for urban development or for conversion to residential use.
  - ☐ Lands protected from urban development under existing federal or state programs.
  - ☐ County policies to preserve prime agricultural land.
  - ☐ Distribution of household growth assumed for Plan Bay Area 2050.
  - ☐ County-city agreements to direct growth toward incorporated areas of county.
  - ☐ Loss of units contained in assisted housing developments.
  - ☐ Households paying more than 30% or 50% of their income in rent.
  - ☐ The rate of overcrowding.
  - ☐ Housing needs of farmworkers.
  - ☐ Housing needs generated by the presence of a university campus within a jurisdiction.
  - ☐ Housing needs of individuals and families experiencing homelessness.
  - ☐ Loss of units during a declared state of emergency from January 31, 2015 to February 5, 2020.
  - ☐ The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.
  - ☐ Affirmatively furthering fair housing.
- ☐ ABAG failed to determine the jurisdiction's Draft RHNA Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine the RHNA Objectives (see Government Code Section 65584(d) for the RHNA Objectives).
- ☒ A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted in the Local Jurisdiction Survey (*appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change occurred*).

Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). An appeal shall be consistent with, and not to the detriment of, [the development pattern in the sustainable communities strategy \(Plan Bay Area 2050 Final Blueprint\)](#). (Click [here](#))

**Number of units requested to be reduced or added to jurisdiction's Draft RHNA Allocation:**

☒ Decrease      Number of Units: 60      ☐ Increase      Number of Units: \_\_\_\_\_

**Brief description of appeal request and statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d) and how the revision is consistent with, and not to the detriment, of the development pattern in Plan Bay Area 2050.** Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

The County of Sonoma appeals its draft RHNA allocation and requests a reduction of 60 units because of a significant and unforeseen circumstance that occurred between the time that ABAG staff stopped collecting data in mid-2020, and the deadline for filing the RHNA appeals. This change was an annexation of County land into the City of Cloverdale, and warrants a revision of the information that was submitted by both jurisdictions in the Local Jurisdiction Survey.

In August of 2020, the City of Cloverdale approved a pre-zoning and development project for the Baumgardner property, 31.10 acres on the southwest side of Cloverdale, adjacent to its City limits and within its Sphere, Urban Growth Boundary, and Urban Service Area. The development project consists of 305 residential units and includes apartments and townhomes as well as single-family homes.

In November of 2020, City applied to LAFCO for annexation of the property. The annexation was approved, and officially recorded on May 11, 2021.

County requests that its RHNA be reduced by 60 units, and that those units instead be assigned to the City of Cloverdale. The granting of this request will further the intent of the objectives in Government Code 65584(d) because it will promote infill development, protect environmental and agricultural resources, encouragement efficient development patterns, and help the Bay Area to achieve the region's greenhouse gas reductions targets. This request is also consistent with the development pattern of Plan Bay Area 2050 and its final blueprint.

**List of supporting documentation, by title and number of pages**

1. Annexation Application, 122 pages
2. \_\_\_\_\_
3. \_\_\_\_\_



The maximum file size is 25MB. To submit larger files, please contact [rhna@bayareametro.gov](mailto:rhna@bayareametro.gov).

Click here to  
attach files

**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404

707-565-2577 sonomalafco.org

**6. APPLICATION FOR CHANGE OF ORGANIZATION / REORGANIZATION**

DATE SUBMITTED \_\_\_\_\_

APPLICANT Baumgardner Family, Et.Al.MAILING ADDRESS 125 Allen Avenue, Cloverdale, CA 95425PHONE NUMBER 707-894-3111TITLE OF PROPOSAL Cloverdale Reorganization No: ANNEX 030-2019 (Baumgardner & Weiss)Including Annexation into to the City of Cloverdale and Detachment from CSA 41 (Multi-Services)

This proposal is made pursuant to Sections 56000 and following of the California Government Code under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. (LAFCO or city can assist with title).

**1. PROJECT DESCRIPTION**Annexation to the City of CloverdaleAnd/or Detachment from County Service Area No. 41 (Multi-Services) containing 31.10 acres more or less lying within Rancho Musalcon.

**2. LOCATION** (also state the nearest cross streets): Unincorporated portion of Sonoma County lying South of the City of Cloverdale. The nearest cross streets are Sandholm Lane and Foothill Boulevard.

**3. DESCRIPTION AND JUSTIFICATION****A. Development Plans:**

1. Is the subject territory to be developed at this time? Yes
2. If yes, generally describe the anticipated development (building types, facilities, number of units). Baumgardner Ranch will include 71 Single Family Homes, 59 Row Homes, 166 Multi-Family Apartments, an approximate 1.3 acre park and over eight acres of hillside conservation and a protected seasonal creek. The old homestead on the hillside will remain. This development will have a total of 296 housing units with some being available to low and moderate income households. The Weiss Property is currently developed as Payless Storage and will continue to operate as such.
3. If no development is planned at this time, will approval of the proposed jurisdictional change increase the development potential of the property? N/A  
(If yes, please indicate in terms of allowable uses, and number of units)

## Sonoma Local Agency Formation Commission

4. If development is not planned at this time, when is development of the area anticipated?

N/A

5. In as much detail as possible, please explain why this proposal is necessary at this time (e.g. an approved development or an existing structure requires service not currently provided or available).

City services are necessary to serve a development approved by the City of Cloverdale that will provide critically needed market rate and affordable housing units.

### B. General Information

1. Please describe the general location and physical features of the territory which is the subject of this proposal. Refer to major highways, roads, watercourses and topographical features.

The property is located at the southern edge of the City of Cloverdale in Sonoma County, California. The project site is bounded by Sandholm Lane and single-family residential homes (north); undeveloped land (west), Kelly Road and undeveloped land (south); and industrial uses (east).

2. How many acres of territory are included in this proposal? 31.10 +/-

3. How many people live within the subject territory? Less than five.

### C. Land Use Information

*For general plan and zoning information call the city or county planning department.*

#### 1. County

1. What is the County General Plan land use designation? Limited Industrial (LI)

- b. What is the existing County zoning? M-1 B8, Limited Urban Industrial District, Scenic Resources Combining District

- c. Is the subject territory within the "Urban Service Boundary" of the Sonoma County General Plan? Yes

#### 2. City

- a. What is the city's general plan land use designation? Baumgardner Ranch = HDR (High Density Residential), CF (Conservation Feature) & Payless Storage = GI (General Industry)

- b. How is the subject territory zoned or prezoned? Baumgardner Ranch = P-D (Planned Development) Payless Storage = M-1 (General Industrial)

3. How is the territory presently used? Please be specific.

Baumgardner Ranch is vacant land with a Rural Residential Home. Payless Storage is a storage facility.



## Sonoma Local Agency Formation Commission

---

4. How are the adjacent lands used?

North Single Family Residential and Industrial

East Gas Station and Automotive Services

South Undeveloped Land

West Undeveloped Land

---

5. Does any portion of the subject territory contain any of the following?

Agricultural Land Uses \_\_\_\_\_

Agricultural Preserve \_\_\_\_\_

Open Space Easement \_\_\_\_\_

Open Space Easement \_\_\_\_\_

Community Separator \_\_\_\_\_

Public Lands \_\_\_\_\_

Williamson Act Contract \_\_\_\_\_

6. Does any portion of the subject territory contain a hotel, motel, inn, bed and breakfast, or campground currently in operation that generates sales tax revenue? No

If yes, what is the estimated annual transient occupancy tax paid to the County? \_\_\_\_\_

(Contact Jonathan Kadlec at the Tax Collector's Office at 707-565-6124 to obtain the estimate)

7. Does any portion of the subject territory contain a commercial business currently in operation that generates sales tax revenue? Yes If yes, please list names and addresses of businesses (Use back of this page or additional sheets, if necessary)

Payless Storage, 28243 Old Redwood Highway, Cloverdale, CA 95425

---

8. Should the annexation or detachment provide for any special conditions? No

What are the special conditions that should be applied? (Use back of this page or additional sheets, if necessary) N/A

---



---

### 4. PUBLIC SERVICES INVENTORY

#### A. Sewage Disposal

1. Public Sewer System (If a septic system is intended)

a. Is the subject territory currently within a district or city providing public sewer service? No

If so, what agency? \_\_\_\_\_

b. Is annexation for sewer service necessary? Yes

c. What is the distance for connection to the agency(ies) existing sewer system? 10 feet from property line to the point of connection. The existing sewer system runs within Sandholm Lane which is directly north of the subject property.

## Sonoma Local Agency Formation Commission

- d. Has the affected agency indicated that they will provide sewer? Yes  
If yes, provide a copy of their confirmation. See City of Cloverdale Resolution No. 079-2020 & 009-2019
- e. Will the agency be prepared to furnish service immediately? If not, please explain.  
Yes
- f. Is the territory in a sewer moratorium area? No
- g. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and the method of financing (e.g. general property tax, assessment district, landowner or developer fees).  
Providing sewer service to the proposed development will require the installation of: Approximately 20 linear feet of sewer pipe and two connections to the existing sewer in Sandholm Ln (offsite work); then approximately 20 manholes, minor cleanouts, and 4,750 linear feet of sewer pipe for routing within the proposed development of the site (onsite work). Rough estimated cost for sewer improvements is \$650,000, with method of financing to be landowner payment.
- h. Capacity of Treatment Facility:
- (1) What is the physical design capacity of the sewage treatment plant that will serve the annexation area (MGD)? 2.2 million gallons per day
  - (2) What is the current average daily sewage treatment volume of wastewater being treated at the plant (MGD)? 0.514 million gallons per day per section 3.12.1 of the City's 2020 Water and Wastewater Rate Study.
  - (3) Does the affected agency currently have sufficient capacity to service the territory? Yes  
If not, what plan does the agency have to increase its capacity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - (4) How will the increased capacity be financed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- i. Capacity of Transmission Lines:
- (1) What is the physical design capacity of the affected sewer main (transmission line or pipeline) which conveys wastewater to the treatment facility (MGD)? 4.90 million gallons per day for the existing 24-inch line conveying wastewater to the treatment facility.
  - (2) What is the current load rating of the sewer main (MGD)? 0.514 million gallons per day
  - (3) Does the affected agency currently have sufficient capacity in its sewer system main to serve the territory? Yes If not, what plan does the agency have to increase its capacity?  
The affected agency currently has sufficient capacity in its sewer system main.  
\_\_\_\_\_
  - (4) How is the increased capacity to be financed? N/A

## Sonoma Local Agency Formation Commission

### 2. Septic System

- a. Is a septic system(s) currently used on the property? Yes – the single existing home on the homestead is on septic and Payless Storage.
- b. Will the septic system(s) be used upon annexation and development of the property? Yes – only for the existing home on the homestead.
- c. Is the existing septic system(s) failing? No

### B. Water Supply

1. Is the subject territory currently within a district or city that provides water service? No
  - a. If so, what district or city? \_\_\_\_\_
2. Is annexation for water service necessary? Yes
  - a. If so, what district or city? Cloverdale
3. Is the agency prepared to immediately furnish the necessary service? Yes If not please explain. \_\_\_\_\_
4. Is water service currently provided to the territory? No
  - a. If so, what is the current water demand (MGD)? 0.0
  - b. For what purpose? N/A
5. Will the project be connected to an existing water line? Yes
  - a. Distance to tie-in: The existing water line is at the site and an existing blow-off onsite will facilitate the connection point to the water main located at the intersection of Foothill Boulevard and Sandholm Lane.
  - b. When will service be extended to the territory? At time of construction beginning
  - c. The total anticipated water demand will be:
    - (1) Residential use (MGD) 0.101 million gallons per day
    - (2) Industrial/Commercial use (MGD) \_\_\_\_\_
    - (3) Agricultural use (MGD) \_\_\_\_\_
6. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and methods of financing (e.g., general property tax, assessment district, landowner or development fees).  
Providing water service to the proposed development will require the installation of 7,720 linear feet of water pipe, 21 fire hydrants, 55 protective bollards 24 gate valves and approximately 2

## Sonoma Local Agency Formation Commission

double check detector assemblies. Rough estimated cost for water improvements is \$750,000,  
with method of financing to be developer payment.

### C. Fire Protection

1. Is the territory currently within a fire district or city? Yes \_\_\_\_\_  
 a. If so, which one? Cloverdale Fire Protection Station and the CAL FIRE Sonoma Lake  
Napa Unit – Cloverdale
2. If not, is annexation for protection part of this application? N/A

### D. Police Protection

1. What police agency currently serves this territory? Sonoma County Sheriff
2. What police agency would serve this territory if this jurisdictional change were approved?  
Cloverdale Police Department

### E. Schools

1. Will development of the territory generate any school age children? Indicate number below  
 a. Grades K - 6 Per the MND, the CUSD determined that the project would generate  
approximately 300 to 600 new students, but did they did not break down per grade level.  
 b. Grades 7 - 9 \_\_\_\_\_  
 c. Grades 10 - 12 \_\_\_\_\_
2. The subject territory is within which school district(s)? Cloverdale Unified School District  
 \_\_\_\_\_  
 \_\_\_\_\_
3. Are any elementary or secondary schools serving the subject territory operating above design capacity? Per the MND, CUSD stated that as a whole, CUSD is near capacity.  
 If so, which schools or districts? \_\_\_\_\_
4. How will increase in capacity be financed? Per the MND, "CUSD collects mandatory school  
facility fees on new development projects in accordance with SB50 and related State laws. As  
part of the project entitlement process, the project applicant would be responsible for paying its  
fair share of these school facility fees in accordance with applicable laws. As such, while the  
project would result in additional school-age children, mandatory development fees would help  
offset potential impacts related to capacity and budget. Therefore, impacts would be less than  
significant."

### F. Flood Control

1. Describe the major drainage area within which the subject territory is located: The subject  
property is located in the drainage area that drains to the Icaria Creek, with the ultimate  
discharge point being the Russian River.
2. Are there existing flood control facilities within the subject territory? No

## Sonoma Local Agency Formation Commission

3. If so, please describe: \_\_\_\_\_
4. If this territory is annexed to a city, has the city planned for improvements to provide for flood control in the area (on/off-site)? Yes \_\_\_\_\_

### G. Transportation

1. Designate the names and types of roads that the project will use for primary and secondary access (include direct access streets from the project site to the nearest freeway):

<u>Street Name</u>	<u>Type (Right-of-Way Width)</u>
<u>Foothill Boulevard</u>	<u>Modified Collector (70' ROW)</u>
<u>Sandholm Lane</u>	<u>Collector (60' ROW)</u>
<u>Street A (to be renamed as part of development)</u>	<u>Modified minor (43' ROW)</u>

2. Is widening of an existing street necessary? Yes \_\_\_\_\_
3. Is the project served by County-maintained roads? No \_\_\_\_\_
4. Is construction of new access streets necessary? Yes \_\_\_\_\_
5. Is public transportation available? Yes \_\_\_\_\_ How distant? 0.15 \_\_\_\_\_ miles.
6. Are any roads and/or access rights-of-way bounding the subject territory to be annexed as a part of this project? Yes \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### 5. SPHERES OF INFLUENCE

- A. Is the territory to be annexed or reorganized located within the sphere of influence of the city/district to which it is proposed to be annexed? Yes \_\_\_\_\_
- B. Will a sphere of influence amendment for any affected agency be required? No \_\_\_\_\_
- Which agency(ies)? \_\_\_\_\_
- \_\_\_\_\_

### 6. LANDOWNER/REGISTERED VOTER SENTIMENT

- A. Have all landowners for all parcels within the area proposed to be annexed or detached signed this application and petition? Yes \_\_\_\_\_
- Number of parcels Four \_\_\_\_\_ Number of Landowners Two \_\_\_\_\_ Number Signed Two \_\_\_\_\_



## Sonoma Local Agency Formation Commission

### 7. CITY / DISTRICT INFORMATION PAGE

For annexations to either a city or district, an authorized representative from that city or district must complete this form and sign below. The form, with original signatures, must be submitted as part of the completed application.

**City Annexations** – Complete Items A through H

**District Annexations** – Complete Items A through E

- A. Does the city/district have current plans to establish new assessment districts which would include the subject territory, in order to pay for new or extended services? Yes ☒ No ☐  
If yes, please explain: City is establishing a South Cloverdale Planning area district to help pay for new expanded services in the south end of town.
- B. Will the subject territory assume any existing bonded indebtedness upon annexation to city/district? Yes ☐ No ☒ If yes, please explain and indicate taxpayer cost.  
\_\_\_\_\_  
\_\_\_\_\_
- C. Will the subject territory be subject to any new or additional special taxes, benefit charges, or fees? Yes ☐ No ☒ If yes, please explain and indicate taxpayer cost.  
\_\_\_\_\_  
\_\_\_\_\_
- B. Which service(s) to be provided to the subject territory by your city/district is/are presently being provided by another local agency? (Please list each service and current provider)  
Police (Sonoma County Sheriff) water & sewer (well/septic)
- E. Does the subject territory contain existing commercial/industrial activities? Yes ☐ No ☒ (NO)
- F. Name of City Project Planner: Rafael Miranda Phone: 707 494 0385
- G. The city agrees to the terms and conditions of the master property tax exchange agreement for this annexation/reorganization: Yes ☒ No ☐
- H. Does the subject territory contain land designated for housing, in the City or County General Plan Housing Element, including affordable or high-density housing? Yes ☐ No ☐ If yes, please explain how the addition of this site to your City and loss of this site from the County impact the ability of each jurisdiction to meet its housing needs as set forth in its Housing Element?  
The city doesn't have much vacant land within city limits and the annexation of this large vacant property will help the city meet its future RHMA.
- Signature of City or District Representative Rafael Miranda Date 11-28-20  
Print Name and Title Rafael Miranda, Associate Planner Phone Number 707-494-0385

**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404

707-565-2577 sonomalafco.org

**8. CHIEF PETITIONER(S)/AGENT(S) - (return form with original signatures to LAFCO)**

- A. It is hereby requested that proceedings be taken for the annexation, detachment, or reorganization herein proposed as per Section 56700 of the Government Code of the State of California. A maximum of three petitioners may be designated. All chief petitioners must also sign the landowner petition.

Virginia C. Neat  
 Chief petitioner signature

\_\_\_\_\_  
 Chief petitioner signature

Virginia C. Neat for Baumgardner Family, Et.Al.  
 Print or type full name here

\_\_\_\_\_  
 Print or type full name here

125 Allen Avenue, Cloverdale, CA 95425  
 Mailing address

\_\_\_\_\_  
 Mailing address

707-894-3111  
 Daytime phone #

\_\_\_\_\_  
 Daytime phone #

\_\_\_\_\_  
 Chief petitioner signature

\_\_\_\_\_  
 Print or type full name here

\_\_\_\_\_  
 Mailing address

\_\_\_\_\_  
 Daytime phone #

- B. List any agent(s) filing this application for you.

Integrated Community Development

\_\_\_\_\_

C/O Jake Lingo

\_\_\_\_\_

20750 Ventura Blvd., Ste: 155, Woodland Hills, CA 91364

\_\_\_\_\_

818-974-2966  
 Daytime phone #

\_\_\_\_\_  
 Daytime phone #



**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404  
707-565-2577 sonomalafco.org

**9. LANDOWNER PETITION** (return form with original signatures to LAFCO)

- A. The following is to be completed by landowners within the subject territory. Applications submitted to an affected governmental agency must attach their resolutions of application containing the elements as required by the Cortese-Knox Local Government Reorganization Act of 1985, Division 3, commencing with Section 56000 of the California Government Code. Additionally, applications submitted by a city shall include a plan for providing services as required by Government Code Section 56653.

LANDOWNER PETITION

Signature of Petitioners	Date	Print Name	APN
<u>Virginia C. Neat</u>	<u>1-5-2021</u>	<u>Virginia C. Neat for</u>	<u>117-040-053 &amp; 084</u>
		<u>Baumgardner Family, Et.Al.</u>	

Note: The minimum requirement is the signature(s) of landowner(s) representing 5% of the total land in the proposal and 5% of the total assessed evaluation of land. Only one signature is necessary for multiple ownership but there should be a signature for each Assessors Parcel Number (APN) above. If the signature represents a change in ownership since the last tax bill (assessment roll) send documentation of change of ownership (i.e. copy of deed of transfer). If signature represents assigned agent to property owner, send document signed by the landowner that the agent is to sign in lieu of the property owner for this proposal. You may attach as many signatures as you wish using the above format. (Use additional pages if necessary.)

If you wish to file with LAFCO by Resident-Voter Petition, contact the LAFCO Office for the appropriate form.

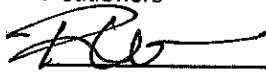
**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404  
707-565-2577 sonomalafco.org

**9. LANDOWNER PETITION** *(return form with original signatures to LAFCO)*

- A. The following is to be completed by landowners within the subject territory. Applications submitted to an affected governmental agency must attach their resolutions of application containing the elements as required by the Cortese-Knox Local Government Reorganization Act of 1985, Division 3, commencing with Section 56000 of the California Government Code. Additionally, applications submitted by a city shall include a plan for providing services as required by Government Code Section 56653.

LANDOWNER PETITION

Signature of Petitioners	Date	Print Name	APN
	26 NOV '20	Robert WEISS	117-040-086 & 087
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Note: The minimum requirement is the signature(s) of landowner(s) representing 5% of the total land in the proposal and 5% of the total assessed evaluation of land. Only one signature is necessary for multiple ownership but there should be a signature for each Assessor's Parcel Number (APN) above. If the signature represents a change in ownership since the last tax bill (assessment roll) send documentation of change of ownership (i.e. copy of deed of transfer). If signature represents assigned agent to property owner, send document signed by the landowner that the agent is to sign in lieu of the property owner for this proposal. You may attach as many signatures as you wish using the above format. (Use additional pages if necessary.)

If you wish to file with LAFCO by Resident-Voter Petition, contact the LAFCO Office for the appropriate form.

**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404  
707-565-2577 sonomalafco.org

**10. MAP AND BOUNDARY DESCRIPTION APPROVAL FORM**

Review of Boundaries, File No. & Title: CLOVERDALE REORGANIZATION NO.  
## -2020 (BAUMGARDNER PARK), INVOLVING ANNEXATION INTO THE CITY  
OF CLOVERDALE & DETACHMENT FROM CSA No. 41 (Multi-Services)

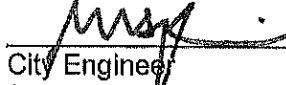
**CITY ENGINEER OR COUNTY SURVEYOR FINDINGS:**

I have reviewed the boundaries of the preliminary map and boundary description filed for the above proposal and find that they:

- a. ☐ are definite and certain.  
b. ☐ are not definite and certain

Comments: \_\_\_\_\_

October 26, 2020  
Date

  
City Engineer (City annexations) OR County Surveyor (All other reorganizations)  
City of Cloverdale  
(If City Annexation, Name of City)

**ASSESSOR'S OFFICE MAPPING SECTION FINDINGS:**

I have reviewed the boundaries of the preliminary map and boundary description submitted for the above proposal and find that this office:

1. ☒ approves map and boundary description  
2. ☐ does not approve map and boundary description

Comments: \_\_\_\_\_

11/30/2020  
Date

  
Mapping Technician  
Sonoma County Assessor's Office

**NOTE: These are preliminary maps and may be subject to change. After approval of the proposal, LAFCO will send a letter to the applicant specifying any additions or modifications that must be made to the map prior to final printing and recordation.**

Attachments: Map, Boundary Description

**Sonoma Local Agency Formation Commission**

111 Santa Rosa Avenue, Suite 240, Santa Rosa, CA 95404

707-565-2577 sonomalafco.org

**11. APPLICATION REQUIREMENTS FOR MAPPING AND BOUNDARY DESCRIPTIONS**

Maps and boundary descriptions filed as part of an application to LAFCO must meet certain specifications to be acceptable to the Commission and, ultimately, to the State Board of Equalization. The State Board will not file a finalized proposal unless and until the standards specified in these Application Requirements are met.

The Application Requirements assume that a proposal for annexation has already been made to the agency - city or special district - to which annexation is desired. Each city/special district has its own requirements for annexation and its own timeline for approval/denial, which must be followed. Applicants who submit map and boundary description to LAFCO without meeting city/special district requirements, including payment of fees, beforehand, may incur unnecessary costs if changes are needed.

The Professional Land Surveyors Act requires that a land surveyor or a civil engineer licensed to do land surveying draw the map and write the boundary description.

Compliance with the Application Requirements specified on the following pages must occur **BEFORE** a formal application for a change of organization or reorganization is submitted to LAFCO.

**PLEASE NOTE:**

- For all annexations to or detachments from **CITIES**, maps and boundary descriptions must be submitted initially to the City Engineer.
- For district formations and annexations to or detachments from **INDEPENDENT SPECIAL DISTRICTS**, maps and boundary descriptions must be submitted initially to the County Surveyor.

**Applicants/representatives must follow, in sequence, the process described below for submitting maps and boundary descriptions as part of the pre-LAFCO application process.**

1. The applicant/representative must submit **two** preliminary check print maps and **two** copies of the corresponding written boundary description to the City Engineer (for annexations and detachments from cities) OR to the County Surveyor (for annexations/detachments from special districts) for approval. **NOTE: The city or special district might require additional maps and/or boundary descriptions. Applicant is advised to check with annexing agency to determine its policy.**

**Sonoma Local Agency Formation Commission**

2. When the requirements of the City Engineer or County Surveyor are met, the City Engineer or County Surveyor will complete and sign the top portion of the Map and Boundary Description Approval Form ("the Approval Form") and do the following:
  - Give the *original* Approval Form to the applicant
  - Retain a copy of the approved preliminary map and boundary description, and, if desired the Approval Form.
3. Applicant/representative must then submit the completed and signed original Approval Form to the County of Sonoma Assessor's Office/Mapping Section, along with **two** copies of the City Engineer- or County Surveyor-approved preliminary map and **two** copies of the accompanying approved boundary description.

***Note: Mapping Section personnel will accept maps/boundary descriptions ONLY if they are accompanied by the original Approval Form, completed and signed by the City Engineer or County Surveyor, as appropriate.***

4. Under provisions of the Professional Land Surveyors Act, County Assessor's Office/Mapping Section technicians will complete their review of the preliminary map and boundary description within 20 business days of submittal, if no corrections or changes to these are needed. If corrections/changes are necessary, the Mapping Technician will contact the City Engineer or County Surveyor and applicant's engineer directly; this will add to the review time. *Please note that special projects may require a longer period of time for review.*
5. When the preliminary map and boundary description are acceptable, meeting State Board of Equalization and LAFCO requirements, the Assessor's Office Mapping Technician will complete and sign the *bottom* portion of the original Approval Form. The Assessor's Office will provide a copy of the Approval Form to the applicant/representative.

**NOTE: These are preliminary maps and may be subject to change. After approval of the proposal, LAFCO will send a letter to the applicant specifying any additions or modifications that must be made to the map prior to final printing and recordation.**

6. The Assessor's Office will keep on file one copy of each of the following: completed, signed Approval Form, preliminary map, and boundary description. The completed, signed *original* Approval Form and one copy of the map and boundary description approved by both City Engineer or County Surveyor and Assessor's Office will be forwarded to LAFCO.

## Sonoma Local Agency Formation Commission

7. After completion of Steps 1 – 6 above, applicant/representative can submit the LAFCO application to the LAFCO office, including all required documents listed on the application checklist.
8. *For all applications to LAFCO: An electronic version of the approved map must also be included, in AUTOCAD format.*

### MAPS

1. **MAP SIZE:** Maps must be professionally drawn, shall be 18" x 26" in size, and shall conform to County Recorder requirements for recording. Maps are to be drawn at a scale large enough to show details clearly. (See No. 11 below for handling large area proposals.)
2. **CERTIFICATIONS:** Maps must contain the **exact** wording and signature blocks as shown on Attachment A; this wording must be included for LAFCO, Recorder, City Engineer or County Surveyor and the engineer or surveyor who completed the map.
3. **MAP REQUIREMENTS:**
  - a. Maps shall bear a north arrow, scale, date, title, the name of the affected agency(ies), area of each noncontiguous geographical area in square feet or acres, and Point of Beginning of the boundary description. The Point of Beginning must be clearly shown on the map.
  - b. The name of the applicant is required to appear in the title block.
  - c. Parcel(s) being annexed should be identified by current Assessor's Parcel Numbers (APNs), name of property owner(s), deed number, and address (or be labeled "vacant"). Name(s) of property owner(s) must match those found on landowner petition(s).
  - d. Parcels adjoining the annexation area must show APNs, names of property owner(s), and deed number. (For larger proposals or formations, the APNs and names of property owners of the affected area may be tabled, if necessary).
4. **DISCLAIMER:** Each map must include the following wording: "All bearings and distances shown on this map are for informational purposes only and are not intended to affect the boundaries of this annexation."
5. **TITLES:** See Attachment B for requirements relating to titles of various kinds of proposals and examples.
6. **STREETS & ADDRESSES:** The names and full width of existing streets, roads and highways within and adjacent to the subject territory must be indicated. ***Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.*** For city annexations, both sides of the streets bounding the proposal are to be included. Such streets, roads, and highways must be

## Sonoma Local Agency Formation Commission

labeled with street addresses at each point the boundary of the subject territory crosses a thoroughfare. For city annexations of developed territory, the street addresses of all parcels must be indicated on the map or on a separate map sheet. For proposals involving fire districts, the APN of *each* parcel must be shown.

7. **BOUNDARIES**: The boundaries of the existing district or city and the proposed boundaries must be distinctively shown without obliterating any essential geographic or political features. The boundaries of the subject territory shall be the most predominant line on the map. For existing City boundaries, information regarding previous annexations (annexation number, resolution or ordinance number, map recording details) must be provided.
8. **LOCATION MAP**: A location map showing the affected territory in relationship to a major highway or street access and surrounding areas must be included. The location map should be drawn as an inset on the map.
9. **BEARINGS & DISTANCES**: Bearings and distances should be shown on all lines. If not, alternative information should be shown to clearly identify the line. If the scale of the map is such that it is impractical to letter adjacent to or near the line, a table may be used and the course designated by a number or, if a series, by inclusive numbers. The table should appear on the same sheet as the map.
10. **CALLS & REFERENCES**: All boundary description calls, deeds, lot or subdivision references should be noted on the map to clarify a point, line or direction.
11. **FOR LARGE AREA PROPOSALS OR FORMATIONS**: Maps cannot exceed a maximum size of 18" x 26" but must clearly show streets and major features, and, for annexations, must show existing parcels. To meet this requirement, several sheets may be necessary. A key map must be used when there are more than two map sheets. The key map may be of reduced size, if used as an inset.
12. **LOT LINE ADJUSTMENTS**: The proposal may require a lot line adjustment or, if it can be justified, an adjustment of the assessment line by the Assessor to annex a smaller portion of a parcel (See No. 6 under "Boundary Descriptions: Subject Area"). Such justification may be due to topographical barriers to service extensions or because it has been determined that a smaller area annexation is a more logical proposal.

### BOUNDARY DESCRIPTIONS

A typed metes and bounds description of the affected territory must accompany the maps.

1. **DATE AND TITLE**: The description must be headed with the date and title as shown on the map.

## Sonoma Local Agency Formation Commission

2. **DESCRIPTION REFERENCE:** Every description must be self-sufficient within itself and without the necessity of reference to any extraneous document. When a description refers to "record data," bearings and distances to supplement calls for adjoiners or existing district boundaries are recommended.
3. **TOWNSHIP, RANGE AND SECTION NUMBERS:** State the township and range, section number(s) or rancho(s).
4. **POINT OF BEGINNING:** The boundary description shall have a point of beginning referenced to a known major geographic position (*Example: section corners, intersection of street or road centerlines, intersection of street centerline and city, county or district boundary at time of filing, etc*). A point of beginning that is tied to a fencepost, tree or pipe in the ground is not considered a major geographic position. A point of beginning that refers only to a tract map, a subdivision map or a recorded survey map will be rejected. It is preferred that the point of beginning be the point of departure from an existing subject boundary.
5. **CONTIGUOUS PORTIONS:** When writing a metes and bounds description of a contiguous annexation, all details of the contiguous portion(s) of the boundary should be omitted. The junction points between the proposed boundary and the existing boundary must be clearly established.
6. **PERIMETER BOUNDARY:** A description making reference to only a subdivision or a lot within a subdivision or similar references without actually describing the perimeter boundary of the subject area is not acceptable.
7. **SUBJECT AREA:** The description must describe only the subject area. Descriptions of larger areas with exceptions are not acceptable unless the exception is an "island" totally surrounded by lands proposed for annexation.
8. **PARCEL LINES:** Boundary descriptions should not divide an existing Assessor's Parcel unless such division can be justified to the Assessor and LAFCO. (The new Assessor's Parcel line cannot be formed until the State Board of Equalization assigns a new tax rate area.)
9. **AREA:** Boundary descriptions must denote the size of area to be annexed (square feet or acres). *When describing more than one non-contiguous geographical area, state acreage for each separate area and the combined total acreage of the subject territories.*
10. **DISCLAIMER:** All boundary descriptions must include the following wording: "All bearings and distances shown in this boundary description are for informational purposes only and are not intended to affect the boundaries of this annexation."



**Sonoma Local Agency Formation Commission****CERTIFICATIONS**

The following certifications must appear on all maps submitted for approval.

**ENGINEER'S or SURVEYOR'S STATEMENT:**

This map has been compiled under my direction.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name, License No., and Expiration Date

**CITY ENGINEER:** *(For reorganizations, annexations, detachments involving CITIES)*

I, \_\_\_\_\_, City Engineer of the \_\_\_\_\_, hereby certify that the map hereon shown conforms to the requirements of Title 4, Division 1, Chapter 1, Article 3, of the Government Code of the State of California and to the description of the reorganization as adopted by Sonoma LAFCO in Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name, Title, License Number

\_\_\_\_\_  
Deputy

**COUNTY SURVEYOR:** *(For reorganizations, annexations, detachments involving SPECIAL DISTRICTS)*

I, \_\_\_\_\_, Surveyor for the County of Sonoma, hereby certify that the map hereon shown conforms to the requirements of Title 4, Division 1, Chapter 1, Article 3, of the Government Code of the State of California and to the description of the reorganization as adopted by Sonoma LAFCO in Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name, Title, License Number

\_\_\_\_\_  
Deputy

**LAFCO:**

Approved by Sonoma Local Agency Formation Commission in Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Executive Officer

**RECORDER:**

Recorded at the request of the Executive Officer of the Sonoma Local Agency Formation Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Book \_\_\_\_\_ of Maps, at Page \_\_\_\_\_, Sonoma County Records

\_\_\_\_\_  
County Recorder

\_\_\_\_\_  
Deputy

## **Sonoma Local Agency Formation Commission**

## Sonoma Local Agency Formation Commission

### PROPOSAL TITLES

---

**NOTE: Please contact LAFCO staff for the exact titles for of agencies involved in the annexation or detachment.**

### REORGANIZATION/ANNEXATION/DETACHMENT

---

Reorganization (or Annexation) No. \_\_\_\_ (year + chronological number of proposal for that year), last name of applicant or readily identifiable name of project, and "Annexation To \_\_\_\_ Detachment From \_\_\_\_" specifics

Example: Annexation No. 87-3 (Vine Hill Ranch) to Forestville Water District

Example: Reorganization No. 88-1 (Redwood Business Park) Involving Annexation to City of Petaluma and Detachment from Penngrove Fire Protection District

**NOTE: City of Santa Rosa proposal titles** should begin with a directional designation, i.e., Northwest, Northeast, Southwest, Southeast. Santa Rosa's numbering system consists of the sequential number followed by the last two digits of the year, i.e., "No. 5-88."

Example: Northwest Santa Rosa Reorganization No. 5-88 (Smith) Involving Annexation to City of Santa Rosa and Detachment from Bellevue Fire Protection District

### SPHERE OF INFLUENCE (SOI) AMENDMENTS

---

Sphere of Influence amendments should be numbered in sequence and should **not** reflect the year in which filed.

Example: Amendment No. 3 to City of Santa Rosa Sphere of Influence

For Sphere of Influence amendment proposals involving cities, the city determines the sequence number based on the number of previous amendment proposals. Sequence numbers for special district SOI amendments are available from the district or the LAFCO office.

### DISTRICT FORMATIONS

---

Appropriate wording is:

Formation of (indicate correct name of new district) and Establishment of a Sphere of Influence for the District

Exhibit A

CLOVERDALE REORGANIZATION NO. ANNEX 030-2019  
(BAUMGARDNER RANCH)  
INVOLVING ANNEXATION INTO THE CITY OF CLOVERDALE AND  
DETACHMENT FROM COUNTY SERVICE AREA NO. 41 (MULTI SERVICES)  
31.10 ACRES MORE OR LESS  
LYING WITHIN RANCHO MUSALACON  
Prepared by Cinquini & Passarino, Inc. on October 1, 2020

All that certain real property lying within Rancho Musalacón, in the County of Sonoma, State of California, being more particularly described as follows:

Beginning at the most westerly corner of the annexation to the City of Cloverdale described in LAFCO Resolution Number 2114 and as shown on Annexation Map filed in Book 492 of Maps at Page 27, Sonoma County Records also being a point on the southeasterly boundary of the annexation to the City of Cloverdale described in LAFCO Resolution Number 945 and as shown on Annexation Map filed in Book 348 of Maps at Page 21, Sonoma County Records; thence along the boundary of said Resolution Number 2114, South 44°34' East 225.00 feet to the intersection with the boundary of the annexation to the City of Cloverdale described in LAFCO Resolution Number 2713 and shown on Annexation Map filed in Book 807 of Maps at Page 30, Sonoma County Records; thence along the boundary of said Resolution Number 2713 the following two courses:

South 44°34'00" East 468.71 feet; thence

North 46°00'00" East 300.00 feet to the intersection with said Resolution Number 2114;

thence along the Boundary of said Resolution Number 2114, South 44°34'00" East 31 feet more or less to the intersection with the annexation to the City of Cloverdale as described in LAFCO Resolution Number 2716 and shown on Annexation Map filed in Book 809 of Maps at Page 3, Sonoma County Records; thence along the boundary of said Resolution Number 2716, South 49°18'33" West 482.74 feet to the most westerly corner of said Resolution Number 2716; thence along the boundary of the Lands of Baumgardner Trust et al. as described by Declaration of Death of Trustee recorded under Document Number 2017-026473, Sonoma County Records, the following two courses:

South 46°40'28" West 1713.74 feet; thence

North 56°24'05" West 759.64 feet to the most westerly corner of said lands of Baumgardner Trust et al. being the most southerly corner of the annexation to the City of Cloverdale per LAFCO Resolution Number 2481 and shown on Annexation Map filed in Book 679 of Maps at Page 23, Sonoma County Records;

thence along the boundary of said Resolution Number 2481, North 47°51'10" East 476.86 feet to the intersection with said Resolution Number 945; Thence along the boundary of said Resolution Number 945, Northeasterly 1575 feet more or less to the Point of Beginning.

Containing 31.10 acres more or less.

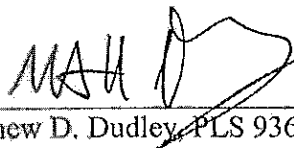
Assessor Parcel Numbers: 117-040-053, 117-040-084, 117-040-086, and 117-040-087

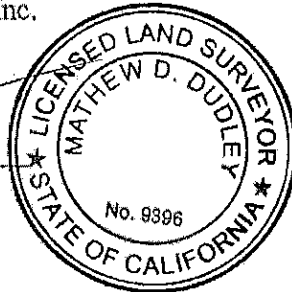
All directions and distances shown in this boundary description are for informational purposes only and are not intended to affect the boundaries of this annexation.

This description is based upon record data only and is for assessment purposes only. This description is not a legal property description as defined in the subdivision map act and may not be used as the basis for an offer for sale of the area described.

END OF DESCRIPTION

Prepared by Cinquini & Passarino, Inc.

  
Mathew D. Dudley, PLS 9363



12/2/20  
Date

**LIST OF PARCEL NUMBERS & STREET ADDRESSES OF ALL  
PROPERTIES WITHIN THE BOUNDARIES OF THE AFFECTED TERRITORY**

<b>APN</b>	<b>ADDRESS</b>	<b>OWNER</b>
117-040-053	28195 OLD REDWOOD HWY	BAUMGARDNER ROBERT TRUST ET. AL.
117-040-084	28193 OLD REDWOOD HWY	BAUMGARDNER ROBERT W EST OF
117-040-086	28277 HWY 101	WEISS ROBERT & PATRICIA TR
117-040-087	28243 OLD REDWOOD HWY	WEISS ROBET TR & WEISS PATRICIA L TR



**City Council/Successor Agency  
Agenda Item Summary**

Agenda Item: **7**  
Meeting Date: Aug 12, 2020

<b>Agenda Section:</b> Public Hearing	<b>Staff Contact:</b> Kevin Thompson, Assistant City Manager / Comm. Dev. Dir.
--	---

**Agenda Item Title:**

Adopting Resolutions to Approve an Initial Study and Mitigated Negative Declaration for the Baumgardner Ranch Residential Project (Integrated Community Design- Baumgardner Ranch Residential Development); Approving a Precise Development Plan, Major Design Review, General Plan Amendment and Tentative Map (PD GPA ANNEX TM 030-2019) and Introducing, for First Reading by Title Only, an Ordinance Approving a Pre-Zoning/Annexation proposal review.

**Recommended Council Action(s):**

Hold Public Hearing to Consider:

1. Resolution (**Attachment 1**) Approving a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) prepared in accordance with the California Environmental Quality Act For The Baumgardner Ranch Annexation & Prezoning Project on Approximately 28.42 +/- acres of undeveloped land located at 28195 & 28193 Old Redwood Highway (APNs 117-040-053 & -084).
2. Resolution (**Attachment 2**) Approving a Precise Development Plan, Design Review, General Plan Amendment, Tentative Map and Prezoning Approximately 28.42 +/- acres of land located at 28195 & 28193 Old Redwood Highway (APNs 117-040-053 & -084) to the "Planned Development (P-D)" Zoning District.
3. Introduce for First Reading, by Title Only, of an Ordinance (**Attachment 3**) entitled "An Ordinance of the City of Cloverdale Amending Title 18, "Zoning," of the City Municipal Code, Prezoning Certain Properties Containing Approximately 28.42 acres of land located at 28193 & 28195 Old Redwood Highway to the Planned Unit Development (P-D) Zoning District (APNs 117-040-053 & 084).
4. Consider Possible Project Alternative, described below.

**Background / Summary:**

The Baumgardner Ranch residential development is a 305-unit project proposed for a 26-acre parcel just south of the City limits. The project has been working through the entitlement process for the past two years and is now ready for consideration of approval by the City Council. At their February 13, 2019 meeting, the City Council adopted Resolution 008-2019, allowing the submittal of a pre-annexation application for the project. After a thorough review at their June 23, 2020 and July 8, 2020 meetings the Planning Commission adopted Resolutions 007-2020, and 008-2020 recommending approval of the project to the Council. The Planning Commission offered some suggested amendments for the Council to consider, see list below.

**Project Description-** The project site is divided into five sections containing a different style of housing and preservation space including, single-family, row homes, multi-family units, a Homestead and Oak



City Council/Successor Agency Agenda Item Summary  
 Meeting Date: August 12, 2020  
 Item No. 7  
 Page 2 of 5

Woodland, Riparian and Creek Preservation areas totaling 8.5 acres. A total of 305 units are proposed on the 28.42-acre project site. Please see Attachment 4, or click here: <http://www.cloverdale.net/AgendaCenter/ViewFile/Agenda/07072020-933> for the Planning Commission report dated July 8, 2020 containing a detailed land use analysis of the project.

Use	Gross Acreage	Development	Open Space/Conservation Area
Single Family	9.4 acres	79 single-family residences	
Row Houses	4.9 acres	60 row house units and 1 community clubhouse	0.77 acres
Multi-Family	5.9 acres	166 apartment units and 1 community clubhouse	0.96 acres
Homestead	1.5 acres	1 existing single-family residence to remain	
Preservation	6.8 acres	Oak Woodland Preservation Space	6.79
	28.5 acres	305 residential units and 2 clubhouses	8.5 acres

*Single-Family:* Located on a 9.37-acre parcel on the western portion of the project site below the foothills. On this portion of the project 79 lots for single-family homes would be created, composed of a mix of five different plan sets:

- **Plan 1**—13 units, 3 bedrooms, 2.5 bathrooms, 1,363 square feet
- **Plan 2**—12 units, 4 bedrooms, 2.5 bathrooms, 1,525 square feet
- **Plan 3**—18 units, 4 bedrooms, 3.5 bathrooms, 1,700 square feet
- **Plan 4**—18 units, 4 bedrooms, 2.5 bathrooms, 1,800 square feet
- **Plan 5**—18 units, 3 bedrooms, 3.5 bathrooms, 1,880 square feet

Each home would include a covered 2-car garage. Lot sizes range from 2,353 sf – 4,805 sf.

*Row Homes:* This 4.9-acre parcel is in the central portion of the project site adjacent to Sandholm Lane. On this parcel, the project would include 60 row houses a 1,600 square foot community clubhouse and a pocket park with a tot-lot, bbq and picnic area. The building site coverage would total 41,340 square feet or 19 percent of the 4.9-acre parcel. The project would preserve 0.77 acres along the enhanced riparian / creek area as open space and walking trails.

*Multi-Family:* This 5.9-acre parcel is located on the central portion of the project site and adjacent to Street A. On this parcel, the project would include 166 apartment units and a community clubhouse. Ninety-two of the total 166 units will be affordable to families earning 60% or less of area median income (AMI). The building site coverage would total 41,875 square feet or 16 percent of the 5.9-acre parcel. The project includes a 10,000-square-foot centrally located open space area in the middle of the apartment development that



## City Council/Successor Agency Agenda Item Summary

Meeting Date: August 12, 2020

Item No. 7

Page 3 of 5

includes a playground, tot-lots, bbq's, picnic areas and would preserve approximately 1 acre along the enhanced riparian / creek area as open space and walking trails.

*Parking:* To support the project, the applicant is proposing.

Parcel	Type of Parking	Amount
Single-Family	Covered garage spaces	158
	Driveway parking spaces	158
Row Homes	Covered garage spaces	120
	Shared street parking	35
Multi-Family	On-site surface parking	184
Total		655

**On Site Amenities:**

The project includes several amenities including:

Community Rooms- at both the multi-family and row homes portions of the project

Tot Lots- at the multi-family and row home portions

BBQ area- at the multi-family and row home portions

Picnic Area- at the multi-family portion

Creek side linear Trail- at the multi-family and row homes portions

Potential open space- along the western portion of the project, above the 400' elevation mark, is 6.79 acres of open space. The current plan is to keep the parcel as private open space. The applicant has agreed to continue discussions aiming to convert the private open space to public provided it can be accomplished through a non-profit or City resources. A condition of approval has been agreed too by the applicant that will keep the conversion going regarding this topic.

**California Density Bonuses Law (Gov't Code Section 65915) and Requested Incentives**

California Gov't code section 65915 requires jurisdictions to provide up to three development incentives and/or concessions to developers who produce low-income housing units. Specifically, if a developer agrees to construct at least 30% of the units for low-income households or 15% for very low-income households, the developer is entitled to more than one density bonus, concession, or incentive. In this case, 30% of the units within the Baumgardner Ranch Development will be leased at rent levels of 60% AMI or less, qualifying these units as low income, and the affordability covenant will be in place for 55 years. Given the number of affordable units proposed, this project is entitled to three incentives. The applicant has proposed these incentives:

- A reduction in the amount of off-street parking required for the 166 apartment units from 341 to 184 off-street parking spaces.
- A waiver of the development standard that requires a rear yard setback of 20 feet.
- A waiver of the development standard that requires no lots less than 3,000 square feet in Planned Unit Developments (P-D).

City Council/Successor Agency Agenda Item Summary  
Meeting Date: August 12, 2020  
Item No. 7  
Page 4 of 5

**Planning Commission Review and Comments:**

Planning Commission reviewed the project on both June 23, 2020 and July 8, 2020. After a complete review of the project, and robust conversation, the Planning Commission provided the following comments:

1. Pre-Wire both community rooms for generator use during PSPSs.
2. Install purple pipe for future recycled water use.
3. Provide additional screening along the back of lots 1-10 of the single-family portion to create more of a buffer between the existing houses and the proposed homes.
4. Encourage the installation of EV charging stations, strive to exceed Building Code requirements.
5. Encourage as much photovoltaic as possible, strive to exceed Building Code requirements.
6. Encourage the applicant to work with the School District for recreational development.

The applicant has agreed to incorporate these comments into the project. Staff is seeking Council verification to include these comments.

**Fiscal Analysis:**

Per City requirements, all annexations over 5-acres require a fiscal analysis be conducted and submitted as a part of any development application. An analysis authored by New Economics and Advisory (April 20, 2020) was completed for the project and can be found in Attachment 5.

*Summary of Fiscal Analysis Study Findings:*

1. The project is considered to achieve a neutral impact to the City's General Fund.
2. The project will contribute approximately \$114,000 annually to the ad-valorem fund.
3. The project will generate nearly \$30,000 in SB1 and Gas Tax funds at buildout, the cost to provide road maintenance is expected to be in the range of \$61,000 annually. The resulting deficit is approximately \$32,000 or \$105 per residential unit. This amount is about \$8,000 more than the deficit generated to the General Fund but represents 52 percent over projected revenues generated by the Project to cover road maintenance costs.

**Community Facility District (CFD) Potential:**

The applicant has indicated his willingness to work with the City to form a Community Facility District at the onset of the project. If formed, the district would offset expenses incurred by the City resulting from the project. Included in the Conditions of Approval is a condition committing the applicant to explore the idea of forming a Community Facilities District. Staff will continue to work with the applicant on the formation of a CFD.

**Possible Project Alternative:**

Since the Planning Commission review and recommendation, Mayor Wolter approached staff with a possible alternative for the project and potential opportunity for the City. The Mayor and staff discussed the following possible alternative: the applicant would agree to reduce the number of units at the Baumgardner site and dedicate property for a recreational facility in exchange for the opportunity to develop multi-family units on Lot "A" (1.3 acres) of the Thyme Square site. Although a full commitment has not been made and the details have not been negotiated, Integrated Community Design, the applicant of Baumgardner Ranch, has agreed to further explore this idea provided only minimal delays would be experienced for the project. Integrated Community Design has agreed to preserve the ability to explore

City Council/Successor Agency Agenda Item Summary

Meeting Date: August 12, 2020

Item No. 7

Page 5 of 5

this idea by making changes to the Baumgardner project leaving the potential park site without developable entitlements (not designated for residential construction).

It is important to note, this concept is not fully developed or agreed to by either party. If the Council is interested in pursuing this concept, a step forward would be to approve the project with certain amendments that would facilitate further discussion. See Attachment 6 for information provided by Integrated Community Design regard this idea. Approval of the Baumgardner project with the amendments to the plan is not an approval of any land swap or development at Thyme Square, however, it does preserve the possibility and provides staff and Integrated Community Design with the ability to continue discussing such concept.

---

**Alternative Options:**

1. Modify the Resolution(s) or Ordinance; or
2. Reject the Resolution(s) or Ordinance; or
3. Provide alternative direction to City Staff.

---

**Subcommittee Recommendation:** Bring project forward.

---

**Budget/Financial Impact:** N/A

---

**Attachments:**

1. Resolution adopting an Initial Study and Mitigated Negative Declaration
2. Resolution approving a Precise Development Plan of Baumgardner Ranch property involving Major Design Review, General Plan Amendment and Tentative Map
3. Ordinance approving a Pre-Zoning/Annexation
4. Planning Commission Agenda Report dated July 7, 2020
5. Fiscal Analysis dated April 2020
6. Information provided by Integrated Community Design regarding the Possible Project Alternative
7. Subdivision Map
8. 3D Renderings of Buildings
9. Letter submitted by the Cloverdale Unified School District

**CITY OF CLOVERDALE  
CITY COUNCIL**

**RESOLUTION NO. 078-2020**

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

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

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

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

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

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

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

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

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

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

City Council Resolution No. 078-2020

Page 2 of 3

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

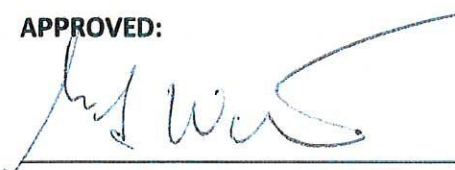
**NOW, THEREFORE BE IT RESOLVED** the above recitals are true and correct and incorporated herein by reference; and

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

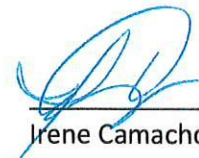
Resolution No. 078-2020 was duly adopted on this the 26<sup>th</sup> day of August 2020, by the following roll call vote:

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

**APPROVED:**

  
Gus Wolter, Mayor

**ATTEST:**

  
Irene Camacho-Werby, City Clerk

**Attachments:**

Exhibit A – CEQA Initial Study and Mitigated Negative Declaration

Exhibit B – Mitigation Monitoring and Reporting Program

Exhibit C - Initial Study/Mitigated Negative Declaration SCH #2020029033

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

  
Irene Camacho-Werby, City Clerk



**CITY OF CLOVERDALE  
CITY COUNCIL**

**RESOLUTION NO. 079-2020**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **CONDITIONS OF APPROVAL**

##### **BAUMGARDNER RANCH DEVELOPMENT**

**28195 & 28193 OLD REDWOOD HIGHWAY (APNS 117-040-053 & -084)**

#### **Planning Department:**

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

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

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

#### Landscaping

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

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

#### Trees

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

#### Signs



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

#### Design

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

#### Lighting

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

#### Construction

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

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

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

**Fire District:**

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

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

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

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

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

**Public Works/Engineering:**

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

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

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

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

**DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:**

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

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

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

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

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

**OTHER SPECIAL CONDITIONS:**

**STREETS**

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

88. Sandholm Lane shall be classified as a Collector and shall be widened to the south along the project frontage and shall meet the following requirements:

- a. Street section shall comply with the Collector Street Section of the City's Design and Construction Standards with a curb to curb width of 40 feet (12' travel lanes and 8' parking lanes).
- b. Curb and gutter and sidewalk shall be constructed on the south side of the street. Sidewalks shall have a minimum width of 5'.
- c. Street trees and lighting to be provided in accordance with the City's Design and Construction Standards.
- d. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.

89. Foothill Boulevard shall be classified as a Modified Collector and shall be extended from the intersection with Sandholm Lane to Street A as shown on the entitlement plans and shall meet the following requirements:

- a. Street section shall comply with the Collector Street Section of the City's Design and Construction Standards with a curb to curb width of 50 feet (12' travel lanes, 5' Class II bike lanes and 8' parking lanes).
- b. Curb and gutter, and sidewalk to be constructed in accordance with the City's Design and Construction Standards.
- c. Sidewalks shall have a minimum width of 5'.
- d. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.

90. Street A shall be classified as a Minor Street and constructed from the extension of Foothill Boulevard to the intersection with South Cloverdale Boulevard and shall meet the following requirements:

- a. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a curb to curb width of 32 feet (11' travel lanes and 5' Class II Bike Lanes) from South Cloverdale Boulevard to the northeast corner of APN 117-040-055. Curb and gutter and sidewalk shall be constructed on both sides of the street. Sidewalks shall have a minimum width of 5'.
- b. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a width of 25 feet (10' travel lanes and a westbound 5' Class II Bike Lane) from the northeast corner of APN 117-040-055 to the intersection of the Foothill Boulevard Extension. Curb and gutter and sidewalk shall be constructed on the north side of the street and an asphalt concrete curb shall be constructed on the south side of the street.
- c. Pavement structural sections shall be designed to a Traffic Index (TI) of 6.0.

91. Streets on Parcel A, the new residential subdivision, shall be classified as a Minor Street and constructed from and shall meet the following requirements:

- a. Street section shall comply with the Minor Street Section of the City's Design and Construction Standards with a curb to curb width of 36 feet (10' travel lanes and 8' parking lanes). Curb and gutter and sidewalk shall be constructed on both sides of the street. Sidewalks shall have a minimum width of 5'.
- b. Pavement structural sections shall be designed to a Traffic Index (TI) of 5.0.



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

#### **STORM DRAIN**

92. The applicant shall demonstrate for each building pad to the satisfaction of the City of Cloverdale as follows:

- a. Adequate protection from 100-year frequency storm; and
- b. Feasible access during a 10-year frequency storm.

A copy of the applicable FIRM map and hydrology and hydraulic calculations shall be submitted with the improvement plans per current City and Sonoma County Water Agency Standards.

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

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

#### **GRADING**

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

#### **WATER & SANITARY SEWER IMPROVEMENTS**

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

#### **WATER**

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

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

**SEWER**

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

**UTILITIES**

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

**Building Department:**

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

***Attached Row Houses / Townhouses***

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

***Apartments***

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

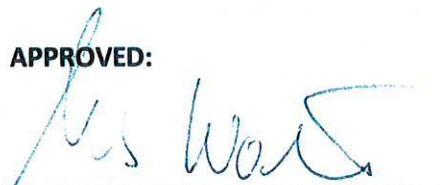
*Accessibility*

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

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

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

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

**APPROVED:**  
  
Gus Wolter, Mayor

**ATTEST:**  
  
Irene Camacho-Werby, City Clerk







**City Council/Successor Agency**  
**Agenda Item Summary**

Agenda Item: **6**  
 Meeting Date: Aug 12, 2020

**Agenda Section:**

Public Hearing

**Staff Contact:**

Kevin Thompson, Assistant City Manager/Comm. Dev. Dir.

**Agenda Item Title:**

Resolution Approving a Conditional Use Permit and Introducing, for First Reading by Title Only, an Ordinance Rezoning Approximately 4.55 +/- Acres of Developed Land Located at 28243 & 28277 Old Redwood Highway, Generally Referred to as the Payless Storage Annexation and Rezoning Project to the General Industrial (M-1) Zoning District.

**Recommended Council Action(s):**

- a. Adopt a resolution (**Attachment 1**) entitled, "A Resolution of the City of Cloverdale City Council approving a conditional use permit for approximately 4.55 +/- acres of developed land located at 28277 & 28243 Old Redwood Highway (APNs 117-040-086 & -087); and
- b. Introduce for First Reading, by Title Only, of an Ordinance entitled "An Ordinance of the City of Cloverdale Amending Title 18, "Zoning," of the City Municipal Code, Rezoning certain properties containing approximately 4.55 Acres of land located at 28243 & 28277 Old Redwood Highway to the General Industrial (M-1) Zoning District (APNs 117-040-086 & 087).

**Background:**

The Planning Commission considered this item at their June 23, 2020 meeting, and adopted Resolution No. 009-2020 (**Attachment 3**) recommending approval of the project to the City Council, see Attachment 5 for the Planning Commission staff report. The proposed project consists of the annexation of two parcels south of the current City boundary. The properties are developed with an existing storage business (Payless Storage) consisting of an onsite managers residence, storage structures and outdoor storage of recreational vehicles. The project site is located between Sandholm Road and an existing private driveway off of S. Cloverdale Boulevard just south of the Renner Petroleum gas station.

**Surrounding uses include:**

North: Mini storage

South: Vacant undeveloped (future wine storage facility site)

East: Renner gas station/tool and equipment repair shop

West: Vacant undeveloped land (proposed Baumgardner Ranch project site)

Properties to the north and east of the project site are located within the Cloverdale City limits and are also zoned M-1, with the exception of the Bear Republic Brewery which is zoned M-P (Industrial Park). These properties are currently developed with the Renner Petroleum gas station and related storage structures. Properties to the west and south of the project site are not located within the City limits and are undeveloped for the most part except for a couple detached single-family residences and out-buildings.

On February 13, 2019, the City Council adopted Resolution 009-2019 (**Attachment 4**) allowing the submittal of a pre-zoning and annexation application for Payless Storage. Two conditions of approval were included in the resolution.

**City Council/Successor Agency Agenda Item Summary**

**Meeting Date: August 12, 2020**

**Item No. 6**

**Page 2 of 2**

1. Prior to the project site being formally annexed into the City, all existing and/or outstanding code enforcement violations, building violations or any other type of violation or unresolved matter on record with any County of Sonoma Departments shall be completed to the satisfaction of the appropriate County of Sonoma Department or other appropriate jurisdictions satisfaction.

*Staff has confirmed that Mr. Wiess has resolved all code enforcement and building violations with Sonoma County.*

2. Prior to any future entitlements proposed for the site, the properties and existing uses shall be brought into compliance with all applicable Cloverdale Zoning Ordinance standards including but not limited to lot coverage, setbacks and screening requirements as well as all other applicable Cloverdale Municipal Code standards.

---

**Summary:**

The attached Resolution, if adapted will allow the Payless Storage facility at 28243 & 28277 Old Redwood Highway to move forward with their annexation request. It also grants the project a Use Permit, including conditions of approval. Conditions include recreational vehicles be screened through the installation of solid fencing and that the owner apply for a Building Permit prior to installing any new storage structures in the future. Approval of this Conditional Use Permit would preserve the industrial character of the neighborhood and allow for the continued use of the existing industrial business. For detailed land use information see Attachment 5, the Planning Commission staff report dated June 23, 2020. The next step for the project will be to apply to the Sonoma County LAFCO for annexation approval.

---

**Alternative Options:**

1. Modify the Resolution or Ordinance; or
2. Reject the Resolution or Ordinance; or
3. Provide alternative direction to City Staff.

---

**Subcommittee Recommendation:** Not reviewed.

---

**Budget/Financial Impact:** Increased property and sales tax revenue.

---

**Attachments:**

1. Draft Resolution Approving Use Permit
2. Draft Ordinance Approving Pre-Zoning
3. Planning Commission Resolution 009-2020 (Unsigned)
4. City Council Resolution 009-2019
5. Planning Commission Staff Report Dated June 23, 2020

**CITY OF CLOVERDALE  
CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_-2020**

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

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

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

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

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

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

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

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

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

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

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

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



City Council Resolution No. \_\_\_\_-2020

Page 2 of 7

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Planning Department:**

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

**Outdoor Storage**

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

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

**Lighting**

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

**Fire District:**

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

City Council Resolution No. \_\_\_\_-2020

Page 6 of 7

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

**Public Works/Engineering:**

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

**Building Department:**

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

City Council Resolution No. \_\_\_\_-2020  
Page 7 of 7

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

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

AYES: ☐  
NOES: ☐  
ABSTAIN: ☐  
ABSENT: ☐

**APPROVED:**

\_\_\_\_\_  
Gus Wolter, Mayor,

**ATTEST:**

\_\_\_\_\_  
Irene Camacho-Werby, City Clerk

X:\Community Development\Applications\2019\ANNEX CUP 03B-2019 Payless Storage\City Council\Payless Storage CUP & Rezoning Reso.docx

**ATTACHMENT 2**

**CITY OF CLOVERDALE  
CITY COUNCIL**

**ORDINANCE NO. \_\_\_\_-2020**

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

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

**SECTION 1. RECITALS**

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

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

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

D. The California Environmental Quality Act ("CEQA"), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. The project involves the annexation of two parcels totaling 4.55-acres developed with an existing storage business (Payless Storage) consistent with the General Industrial (M-1) Zoning District with no variances or exceptions and requiring the extension of all City services to serve the two subject parcels. Based upon the information contained in the application materials, the project qualifies for a Class 19 (Annexations of Existing Facilities and Lots for Exempt Facilities) CEQA Exemption. Furthermore, based on the application materials,

existing site conditions, the fact that the project does not introduce any new uses or construction and location of the project, the project qualifies for a CEQA exemption under CEQA guidelines section 15061 (Review for Exemption – common sense exemption) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. Finally, none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced exemptions for the project.

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

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



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

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

#### **SECTION 1. PURPOSE AND INTENT**

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

#### **SECTION 2. FINDINGS**

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

#### **SECTION 3. RECLASSIFIED PROPERTIES**

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

of Government Code section 65859, the zoning established for the properties by this ordinance shall become effective at the same time that the annexation becomes effective.

#### **SECTION 4. SEVERABILITY**

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

#### **SECTION 5. EFFECTIVE DATE**

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

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

Ordinance No. \_\_\_\_-2020 was duly adopted on this the \_\_\_\_ day of August 2020, by the following roll call vote: (\_-ayes, \_-noes)

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

**APPROVED:**

\_\_\_\_\_  
Gus Wolter, Mayor

**ATTEST:**

\_\_\_\_\_  
Irene Camacho-Werby, City Clerk

**Exhibits Attached:**

Exhibit 1 – Prezoning District

**CITY OF CLOVERDALE  
PLANNING COMMISSION  
RESOLUTION NO. 009-2020**

**RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A CONDITIONAL USE PERMIT AND THE ADOPTION OF AN ORDINANCE PREZONING APPROXIMATELY 4.55 +/- ACRES OF DEVELOPED LAND LOCATED AT 28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087) TO THE "GENERAL INDUSTRIAL (M-1)" ZONING DISTRICT**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt the **Ordinance attached as Exhibit 1** incorporated herein by reference, which prezones approximately 4.55 +/- acres of unincorporated land located at 28277 & 28243 Old Redwood Highway (APNs 117-040-086 & -087) to General Industrial (M-1).

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

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

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

**Planning Department:**

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

**Outdoor Storage**

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

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

**Lighting**

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

**Fire District:**

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

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

**Public Works/Engineering:**

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

**Building Department:**

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



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

\* \* \* \* \*

It is hereby certified that the foregoing Resolution No. 009-2020 was duly introduced and duly adopted by the Planning Commission of the City of Cloverdale at a special meeting date held on June 23, 2020, by the following roll call vote: (Ayes- 5; Noes- 0).

Ayes: Asay, Hoevertsz, Cox, Shanahan, Sanders  
Noes: None  
Absent: Wagy  
Recuse: None

APPROVED:

ATTEST:

\_\_\_\_\_  
Mike Shanahan, Chair

\_\_\_\_\_  
Kevin Thompson, Secretary

Attached:  
Exhibit 1 – Draft Rezoning Ordinance

X:\Community Development\Applications\2019\ANNEX CUP 038-2019 Payless Storage\Planning Commission\Payless Storage CUP & Rezoning Reso1.docx

Attachment 4

**CITY OF CLOVERDALE  
CITY COUNCIL RESOLUTION NO. 009--2019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE ALLOWING SUBMITTAL OF A PRE-ZONING AND ANNEXATION APPLICATION FOR FUTURE ANNEXATION OF THE PAYLESS STORAGE 4.57-ACRE SITE LOCATED AT 28243 REDWOOD HIGHWAY (APN 117-040-087) & 28277 HIGHWAY 101 (APN 117-040-086)**

**WHEREAS**, on behalf of the property owner Robert Weiss, J. Kapolchok and Associates (Applicant) submitted an application for Pre-Application Review for future annexation of the a 4.57-acre project site located at 28243 Redwood Hwy (APN 117-040-087) & 28277 Hwy 101 (APN 117-040-086); and

**WHEREAS**, Applicant has submitted a pre-application to the City of Cloverdale Planning & Community Development Department requesting a review of their pre-application by the Cloverdale City Council for an existing outdoor storage business; and

**WHEREAS**, the property is designated General Industry on the City's adopted General Plan Land Use Map; and

**WHEREAS**, the City of Cloverdale provides water and sewer service to its customers and currently has adequate capacity to serve the property; and

**WHEREAS**, the Applicant has submitted an application to the City for pre-annexation review to begin the application process for annexation into the City Limits to connect to the City's water and sewer systems; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOVERDALE AS FOLLOWS:**

The City Council approves the Applicant's request to initiate the annexation process for 28243 Redwood Hwy (APN 117-040-087) & 28277 Hwy 101 (APN 117-040-086) in order to allow the property to connect to the City's water and sewer systems, subject to the following and all other conditions of approval recommended by the Planning Commission and approved by the City Council:

**CONDITIONS OF APPROVAL  
ANNEXATION PRE-APPLICATION REVIEW OF PAYLESS STORAGE  
28277 HIGHWAY 101 & 28243 REDWOOD HIGHWAY  
APNS 117-040-086 & -087**

1. Prior to the project site being formally annexed into the City, all existing and/or outstanding code enforcement violations, building violations or any other type of violation or unresolved matter on record with any County of Sonoma Departments shall be completed to the satisfaction of the appropriate County of Sonoma Department or other appropriate jurisdictions satisfaction.
2. Prior to any future entitlements proposed for the site, the properties and existing uses shall be brought into compliance with all applicable Cloverdale Zoning Ordinance standards including but not limited to lot coverage, setbacks and screening requirements as well as all other applicable Cloverdale Municipal Code standards.

It is hereby certified that the foregoing resolution No. 009-2019 was duly introduced and duly adopted by the City Council in the City of Cloverdale at its regular meeting held on the 13<sup>th</sup> day of February 2019, by the following roll call vote: (Ayes-5; Noes-0; Absent-0).

AYES: Councilmember Cruz, Vice Mayor Wolter, Councilmember Brigham, Councilmember Turner,  
and Mayor Bagby  
NOES: None  
ABSENT: None  
ABSTAIN: None

APPROVED:

  
Melanie Bagby, Mayor

ATTESTED:  
  
Linda Moore, Deputy City Clerk



AGENDA ITEM No. 2  
City of Cloverdale  
Planning Commission  
*Staff Report*

---

<b>Meeting Date:</b>	June 23, 2020
<b>Applicant:</b>	Robert Weiss
<b>Property Owner:</b>	Robert Weiss
<b>Project Location:</b>	28243 & 28277 Old Redwood Highway (APN 117-040-087 & -086) (Figure 1)
<b>Existing Zoning:</b>	<i>County of Sonoma</i> M-1 B8, Limited Urban Industrial District SR, Scenic Resources Combining District
<b>Proposed Prezoning:</b>	<i>City of Cloverdale</i> General Industrial (M-1)
<b>Existing General Plan:</b>	<i>County of Sonoma</i> Limited Industrial (LI)
<b>Proposed General Plan:</b>	<i>City of Cloverdale</i> General Industrial (GI)
<b>Project Description:</b>	Proposed Prezoning, Conditional Use Permit and Annexation to the City of Cloverdale for the +/- 4.55-acres project site located at 28243 & 28277 Old Redwood Highway (APN 117-040-087 & -086) ("Subject Property") into the City limits of Cloverdale. The property is within the City of Cloverdale Sphere of Influence and the City's Urban Growth Boundary.
<b>Environmental Assessment:</b>	Categorically Exempt under Section 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) and Exempt under Section 15061 (Review for Exemption) of the CEQA Guidelines.

---

#### **A. Staff Recommendation**

That the Planning Commission adopt Resolution No. 009-2020 (**Attachment 1**), recommending to the City Council approval of a Conditional Use Permit and adoption of an Ordinance Prezoning approximately 4.55 +/- acres of developed land located at 28243 & 28277 Old Redwood Highway (APN 117-040-087 & -086) generally referred to as the Payless Storage Annexation and Prezoning Project to the General Industrial (M-1) Zoning District.



**Figure 1 – Payless Storage Prezoning**



## B. Background

### Existing Conditions

The proposed project consists of the annexation of two parcels south of the current City boundary. The properties are developed with an existing storage business (Payless Storage) consisting of an onsite managers residence, storage structures and outdoor storage of recreational vehicles. The project site is located between Sandholm Road and an existing private driveway off of S. Cloverdale Boulevard just south of the Renner Petroleum gas station.

Surrounding uses include:

North:	Mini-storage
South:	Vacant undeveloped (future wine storage facility site)
East:	Renner gas station/tool and equipment repair shop
West:	Vacant undeveloped land (proposed Baumgardner Ranch project site)

Properties to the north and east of the project site are located within the Cloverdale City limits and are also zoned M-1, with the exception of the Bear Republic Brewery which is zoned M-P (Industrial Park). These properties are currently developed with the Renner Petroleum gas station and related storage structures. Properties to the west and south of the project site are not located within the City limits and are undeveloped for the most part except for a couple detached single-family residences and out-buildings.

On February 13, 2019, the city Council adopted Resolution 009-2019 (**Attachment 4**) allowing the submittal of a pre-zoning and annexation application for Payless Storage. Two conditions of approval were included in the resolution.

1. Prior to the project site being formally annexed into the City, all existing and/or outstanding code enforcement violations, building violations or any other type of violation or unresolved matter on record with any County of Sonoma Departments shall be completed to the satisfaction of the appropriate County of Sonoma Department or other appropriate jurisdictions satisfaction.

*Staff has confirmed that Mr. Wiess has resolved all code enforcement and building violations with Sonoma County.*

2. Prior to any future entitlements proposed for the site, the properties and existing uses shall be brought into compliance with all applicable Cloverdale Zoning Ordinance standards including but not limited to lot coverage, setbacks and screening requirements as well as all other applicable Cloverdale Municipal Code standards.

Staff has included Conditions of Approval to

## C. Project Description

The property owners are requesting Annexation and Conditional Use Permit to allow for annexation of the 4.55-acre project site located at 28243 & 28277 Old Redwood Highway (APNs 117-040-087 & -086), west of and behind the Renner Petroleum gas station property at 1313 S. Cloverdale Boulevard. The location of the project site and existing site layout are provided in **Attachment 3**.

## D. Analysis

*Prezoning:* The City proposes to prezone the properties to the General Industrial (M-1) Zoning District. If approved by the Cloverdale City Council, the zoning would become effective upon approval of the

annexation by LAFCO and completion of the annexation process. The proposed rezoning would allow for the continuation of the existing Payless Storage outdoor and mini storage use. If approved, proposed zoning would be consistent with the existing General Plan Land Use Map and the General Industrial (GI) General Plan land use designation. The proposed City of Cloverdale rezoning district is identified on Exhibit 2 – Existing General Plan Land Use Designation Map.

#### *Conditional Use Permit*

The Conditional Use Permit process is intended to allow uses that are generally consistent with the purpose of the Zoning District in which they are proposed, but require special consideration because of their special impacts, to ensure that the use can be designed, located and operated in a manner that will not interfere with the use and enjoyment of surrounding properties.

Conditions of approval require that the outdoor storage of recreational vehicles be screened through the installation of solid fencing. The conditions also require the property owner to apply for a Building Permit prior to installing any new storage structures in the future. Approval of this Conditional Use Permit would preserve the industrial character of the neighborhood and allow for the continued use of the existing industrial business.

#### *Compatibility with Adjacent Uses*

Industrial uses significantly surround the property and encompass a majority of the surrounding neighborhood on Sandhom Road as well as this segment of S. Cloverdale Boulevard. As previously mentioned in this report, storage and manufacturing uses are located across Sandholm Road to the north as well as a repair shop and gas station to the east.

Strict adherence to the conditions of approval would help to ensure that the existing storage use continue to be compatible with adjacent land uses. Moreover, the Conditional Use Permit could be brought back before the Planning Commission at a public hearing should the property owners or operators of the storage use (Payless Storage) fail to comply with any conditions of approval, or if enough complaints are received such that City staff or the Commission determine that such a review is warranted.

*Annexation to the City of Cloverdale:* The property owner has requested annexation to the City of Cloverdale. The Cloverdale City Council would be requested to adopt a resolution formally requesting this action. No other properties are proposed to be included in the annexation at this time.

See Table 1 with a summary of the Assessor's Parcel, ownership and estimated acreage for property included in the annexation.

**Table 1. Characteristics of Annexation Area**

<b>Assessor Parcel No.</b>	<b>Site Address</b>	<b>Owner</b>	<b>Acres</b>	<b>Existing Use</b>	<b>Proposed Use</b>
117-040-087	28243 Old Redwood Highway	Robert & Patricia Weiss	2.96-acres	Payless Storage	Payless Storage
117-040-086	28277 Old Redwood Highway	Robert & Patricia Weiss	1.59-acres	Payless Storage	Payless Storage

Upon completion of the annexation process, Police services from the Cloverdale Police Department would be extended to service the annexation area. The Property is currently within the boundary of the Cloverdale Fire Protection District (CFPD) and the annexation would not affect CFPD boundaries or operations. No changes are proposed to the boundaries of the Cloverdale Unified School District, since the affected properties already lie in this District. All other municipal services would be extended to the property.

#### Public Notice

The Notice of Public Hearing was published in the Press Democrat and properly posted on June 11, 2020. Notice of the public hearing was also mailed to property owners within 300 feet of the boundaries of proposed project on or before June 11, 2020 and posted on the City website.

#### CEQA Environmental Review

Since the proposed annexation, zoning map amendment and other related actions constitute a "project" under the California Environmental Quality Act and implementing guidelines, the City completed an Initial Study, as required by the California Environmental Quality Act (CEQA).

The project involves the annexation of two parcels totaling 4.55-acres developed with an existing storage business (Payless Storage) consistent with the General Industrial (M-1) Zoning District with no variances or exceptions and requiring the extension of all City services to serve the two subject parcels. The City also completed the AB52 Native American Tribal Consultation process with no responses from affected local tribes. Based upon the information contained in the application materials, as proposed, the project qualifies for a Class 19 (Annexations of Existing Facilities and Lots for Exempt Facilities) CEQA Exemption. Furthermore, based on the application materials, existing site conditions, the fact that the project does not propose any new uses or construction and location of the project qualifies for a CEQA exemption under CEQA guidelines section 15061 (Review for Exemption – common sense exemption) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. Finally, none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced exemptions for the project.

#### General Plan Consistency

The Property is designated General Industry (GI) on the City's General Plan Land Use Map. This designation is intended to allow for industrial uses that have as little environmental effect as possible and are located away from residential uses and sensitive habitats where possible. The proposed annexation of the properties with the existing storage use would help to further a number of goals and policies contained in the Land Use Element of the General Plan. Some of these include:

- Land Use Policy LU 1-4, to provide for a balance of commercial and industrial lands on areas reserved for non-residential uses and to ensure that there is a buffer between industrial and residential uses.

*Discussion:* If approved, the project would prezone the property M-1 (General Industrial), maintain the existing GI General Plan land use designation as well as the existing industrial land use (Payless Storage).

- Land Use Goal LU-4, maintain the built environment to support the quality of life and the friendly, rural, small town atmosphere.

*Discussion:* If approved, conditions of approval would require that the existing outdoor storage of recreational vehicles be appropriately screened as required by the Zoning Ordinance.



- Conservation, Design and Open Space Policy CDO 3-9, develop a design plan for the industrial and commercial areas visible from the freeway. Freeway visible uses should de-emphasize freeway-oriented signage and designs with parking as a main visible element from the freeway. Standards should encourage significant landscape areas, including tree screening, between the freeway and the uses.

*Discussion:* Although the properties are already developed with an industrial use (Payless Storage) and no new development or uses are proposed at this time, should the property owner propose to significantly modify the property or existing use in the future, the standards mentioned in CDO 3-9 above would be required to be incorporated into future development plans. Furthermore, as stated above, if approved conditions of approval would require that the existing outdoor recreational vehicle storage area would be required to be screened.

The proposed project would be consistent with the goals, policies and implementation measures of the General Plan and the GI land use designation as it would bring an existing industrial use into the City limits of Cloverdale and subject future development of the properties to City standards. The project would also allow for an industrial use that would not affect an established residential area. Based upon the information contained in the application materials, as proposed, staff concludes that the project would be consistent with the goals and policies of the General Plan.

#### Annexation Analysis

Robert and Patricia Weiss have requested annexation of two parcels one parcel of land located at 28243 & 28277 Old Redwood Highway. With the properties immediately to the north and east on S. Cloverdale Boulevard and Sandholm Road already located within City limits and zoned M-1, a "County island" would not be created.

The subject properties included in the proposed annexation are located within the City's approved Sphere of Influence and within the Cloverdale Urban Growth Boundary Area. Based on preliminary discussions with LAFCO staff, no major issues exist with the proposed annexation in terms of consistency of the proposal with the Cortese-Knox-Herzberg Local Government Reorganization Act of 2000.

#### Prezoning Ordinance Analysis/Zoning Ordinance Consistency

As noted above, prezoning of the annexation area is required by State annexation law to ensure that the proposed prezoning districts are consistent with the General Plan, as required by other portions of State law. The site is proposed to be pre-zoned General Industrial (M-1). It is the intent of the M-1 Zoning District that industrial uses be located away from residential uses and sensitive habitats to the fullest extent possible. Primary uses include manufacturing, warehousing and distribution. Secondary uses include office and research and development.

Due to the indoor and outdoor storage nature of the business operation, the use falls under the category of wholesale and warehouse uses. Outdoor storage of recreational vehicles is permitted in the M-1 Zoning District subject to approval of a Conditional Use Permit, which is typically completed subject to Planning Commission review and approval. However, the project is also subject to Prezoning/Annexation by the City Council in accordance with Zoning Ordinance Section 18.03.080 because it involves the adoption of an Ordinance to amend the Zoning Map. Additionally, Annexation and Prezoning by the City Council under Government Code Section 56654 (Change of Organization or Reorganization) is required as well.

For efficiency in project review, the Conditional Use Permit, Annexation and Rezoning applications are being considered by the Planning Commission prior to review by the City Council, as allowed under Zoning Ordinance Section 18.03.020(E). Based upon the information contained in the application materials, as proposed, staff concludes that the proposed Conditional Use Permit, Annexation and Rezoning of the properties to M-1 would be in conformance with all applicable standards and requirements of the Zoning Ordinance.

#### **D. Staff Recommendation**

Staff recommends the following:

1. Adopt Resolution No. 009-2020 (**Attachment 1**) recommending to the City Council approval of a Conditional Use Permit and adoption of an Ordinance Rezoning approximately 4.55 +/- acres of developed land located at 28243 & 28277 Old Redwood Highway (APN 117-040-087 & -086) generally referred to as the Payless Storage Annexation and Rezoning Project to the General Industrial (M-1) Zoning District.)

#### **Attachments**

1. Draft Resolution No. 009-2020
2. Written Description
3. Site Plan
4. City Council Resolution (009-2019)

X:\Community Development\Agenda Development\2020\6-23-2020 Special Meeting\Public Hearing\Payless Storage\PC Staff Report Payless Storage Annex CUP.docx

**CITY OF CLOVERDALE  
PLANNING COMMISSION  
RESOLUTION NO. 009-2020**

**RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A CONDITIONAL USE PERMIT AND THE ADOPTION OF AN ORDINANCE PREZONING APPROXIMATELY 4.55 +/- ACRES OF DEVELOPED LAND LOCATED AT 28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087) TO THE "GENERAL INDUSTRIAL (M-1)" ZONING DISTRICT**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit 1 incorporated herein by reference, which rezones approximately 4.55 +/- acres of unincorporated land located at 28277 & 28243 Old Redwood Highway (APNs 117-040-086 & -087) to General Industrial (M-1).

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

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

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

**Planning Department:**

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

**Outdoor Storage**

9. The recreational vehicle outdoor storage area shall be screened through the installation of solid fencing within two (2) years of the subject properties being annexed into the Cloverdale City

limits. Chain-link fencing with wood, plastic or metal slating is not permitted when visible from the public right-of-way.

10. Screening for outdoor storage shall be a minimum of eight (8) feet and a maximum of 12 feet.
11. Outdoor storage of goods, materials, wood pallets, cardboard, recyclables, etc., is prohibited outside of a screened outdoor storage area.

**Lighting**

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

**Fire District:**

13. Each lot shall be identified with a numeric address based upon the street used to access the property. Neither property abuts South Cloverdale Boulevard. The north lot is accessed by Sandholm Road, the south lot is accessed by Kelly Road. CFC 505
14. Submitted application materials prevented the Cloverdale Fire Protection District from fully evaluating the site for fire department access. However, the existing main access point is a gravel road more representative of a driveway and is a non-compliant fire department access. If a compliant access to the south lot does not exist from Sandholm Road, the gravel road will require improvement and identification as a fire lane. CFC 505
15. Both properties lack a sufficient water supply for firefighting. Buildings on the site are in excess of 500 feet from the nearest fire hydrant. RV's parked on site are in excess of 700 feet from the nearest fire hydrant. One, or more, on-site fire hydrants are needed to provide coverage to existing buildings, storage containers and RV storage areas. CFC 507
16. The water service connection to serve this project shall include a Fire Flow Analysis including proposed building areas, type of construction, and calculated available fire flow at the proposed fire hydrants and shall be provided to the Fire Department for review and approval concurrent with submittal of Grading plans. Minimum adjusted (50% sprinkler credit) Fire Flow for this commercial project is estimated at 1500 gallons per minute with 20 residual psi in the water main for a minimum 2-hour duration. CFC 507.
17. Hydrant spacing for this commercial property shall comply with current Fire District standards of CA Fire Code Chapter 9 and Appendix C and three (3) copies of the final site plan shall be submitted for approval of hydrant locations within 2 years of the properties being annexed into the City. Fire hydrants shall be provided along fire department access roads with spacing not greater than 300', at entrances to flag lots and in locations supporting fire department operations. CFC Appendix C.
18. The Cloverdale Fire Protection District has adopted a local ordinance which requires automatic fire sprinkler systems in certain type/size of new construction. All new structures, or those undergoing significant renovation, shall be protected with automatic fire sprinkler systems in accordance with CA Fire Code Chapter 9 as adopted by the Fire District. CFC 903.
19. Private Underground Fire Mains (aka on-site mains behind the detector check) require a separate Fire Department permit. Public or private fire mains may not run under buildings. CFC 507.
20. The project is located in excess of an 8-minute response time from the nearest fire station. This exceeds the local and national standards for fire service delivery.

21. Upon annexation into the City of Cloverdale, the property owner shall provide the fire department with a Fire Safety Plan that addresses:
  - a. Placement of minimum 2A:10BC rated fire extinguishers and signs
  - b. Installation of NO SMOKING signs
  - c. Identification of fire lanes and "No Parking-Fire Lane" signage
  - d. Installation of hazard control signs for "NO REPAIRS, WELDING OR CUTTING"
  - e. Abatement of weeds, especially in the 10' no storage area adjacent property lines
  - f. Identification of waste receptacles (location of dumpster(s))
  - g. Maintenance of the no storage area within 10' of property lines
  - h. Removal of old tires, non-compliant structures (wooden canopy), especially in the NW corner
  - i. Placement of a spill kit (container, absorbent, shovel, gloves, eye protection) to address minor leaks and spills from parked vehicles
  - j. Location of any propane tanks or cylinders not mounted on a vehicle.
22. The project site is located in an area designated as a "moderate" Wildland Urban Interface location per CalFire. This reinforces the importance of weed abatement, hazard reduction and maintaining storage setbacks (minimum 10 feet) from property lines.
23. Required Fire Department access roads shall be signed "No Parking-Fire Lane" per current Fire Department standards and the CA Vehicle Code. CFC 503.
24. Traffic calming measures or controls (speed bumps, humps, undulations, gates, etc.) are not approved as a part of this review and require specific approval from the Fire Department. CFC 503.4.
25. Lockable gates limiting vehicle access to commercial developments shall be equipped with a Fire Department approved locking device ("Knox" lock or "Knox" keyed lock). CFC 506.
26. Fire hydrants, gas meters, propane tanks, etc. shall be provided with Vehicle Impact Protection. CFC 312
27. Access roads (1st lift of asphalt) and water supplies for fire protection shall be installed and made serviceable prior to storage of, or construction with, any combustible materials. CFC 3312.

**Public Works/Engineering:**

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



32. All boundary line monuments shall be constructed in accordance with City Standards and CMC 17.12.090. Missing boundary line monuments shall be replaced prior to annexation.

**Building Department:**

33. All future construction and/or building modifications shall meet the applicable building and fire safety codes in effect at the time of building permit application.
34. The applicant shall submit construction documents for plan review as part of any future building permit application process for all improvements subject to the California Building Code (CBC). A Building Permit shall be obtained prior to any future construction and all work shall be inspected and approved prior to issuance of Certificate of Occupancy.

\* \* \* \* \*

It is hereby certified that the foregoing Resolution No. 009-2020 was duly introduced and duly adopted by the Planning Commission of the City of Cloverdale at a special meeting date held on June 23, 2020, by the following roll call vote: (Ayes- ; Noes- ).

Ayes:  
Noes:  
Absent:  
Recuse:

APPROVED:

ATTEST:

\_\_\_\_\_  
Mike Shanahan, Chair

\_\_\_\_\_  
Kevin Thompson, Secretary

Attached:  
Exhibit 1 – Draft Prezoning Ordinance

X:\Community Development\Agenda Development\2020\6-23-2020 Special Meeting\Public Hearing\Payless Storage\Attachment 1 - Payless Storage CUP & Prezoning Reso1.docx

**EXHIBIT 1 to Planning  
Commission Resolution  
No. 009-2020**

**CITY OF CLOVERDALE  
CITY COUNCIL  
ORDINANCE NO. XX-2020**

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

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

**SECTION 1. RECITALS**

- A. The owners of the Payless Storage properties (APNs 117-040-086 & -087), containing approximately 4.55 acres of land located in unincorporated Sonoma County territory have requested annexation to the City of Cloverdale.
- B. As required by California State Law, California Government Code Sec. 56375 (a) (7), all requests for annexation must not create "county islands" which would not promote the local or efficient expansion of communities in California. In this instance, with the properties immediately to the north and east on S. Cloverdale Boulevard and Sandholm Road already located within City limits and zoned M-1, a "County island" would not be created.
- C. As mandated by state law and Sonoma County Local Agency Formation Commission (LAFCO) requirements, the City of Cloverdale is obligated to prezone the affected properties identified above prior to annexation. Proposed prezoning includes classifying individual properties within the annexation area to the M-1 (General Industrial) district as summarized above and as shown on Exhibit 1, which is hereby incorporated by reference to this ordinance.
- D. The California Environmental Quality Act ("CEQA"), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. The project involves the annexation of two parcels totaling 4.55-acres developed with an existing storage business (Payless Storage) consistent with the General Industrial (M-1) Zoning District with no variances or exceptions and requiring the extension of all City services to serve the two subject parcels. Based upon the information contained in the application materials, the project qualifies for a Class 19 (Annexations of Existing Facilities and Lots

for Exempt Facilities) CEQA Exemption. Furthermore, based on the application materials, existing site conditions, the fact that the project does not introduce any new uses or construction and location of the project, the project qualifies for a CEQA exemption under CEQA guidelines section 15061 (Review for Exemption – common sense exemption) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. Finally, none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced exemptions for the project.

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

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

3. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.D of the Cloverdale Municipal Code, as follows.

- a. The proposed rezoning has been requested prior to annexation of the properties requested for annexation to the City of Cloverdale and will not become effective until the annexation process is complete.*

4. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.E of the Cloverdale Municipal Code, as follows.

- a. The rezoning is consistent with the Cloverdale General Plan.*

- b. The project is consistent with all other provisions of the Cloverdale Municipal Code.*

- c. The rezoning will not be detrimental to the public health, safety or welfare to the use of land in the annexation area or adjacent lands as documented by finding #2, above.*

- d. The properties for rezoning are suitable for the existing storage use that is allowed by the City of Cloverdale M-1 Zoning District.*

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

#### **SECTION 1. PURPOSE AND INTENT**

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

#### **SECTION 2. FINDINGS**

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

#### **SECTION 3. RECLASSIFIED PROPERTIES**

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

#### **SECTION 4. SEVERABILITY**

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

#### **SECTION 5. EFFECTIVE DATE**

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

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

Ordinance No. 737-2020 was duly adopted on this the \_\_\_\_ day of \_\_\_\_\_ 2020, by the following roll call vote: (\_-ayes, \_-noes)

Ayes:

Noes:

Abstain:

Absent:

---

Gus Wolter, Mayor

ATTEST:

---

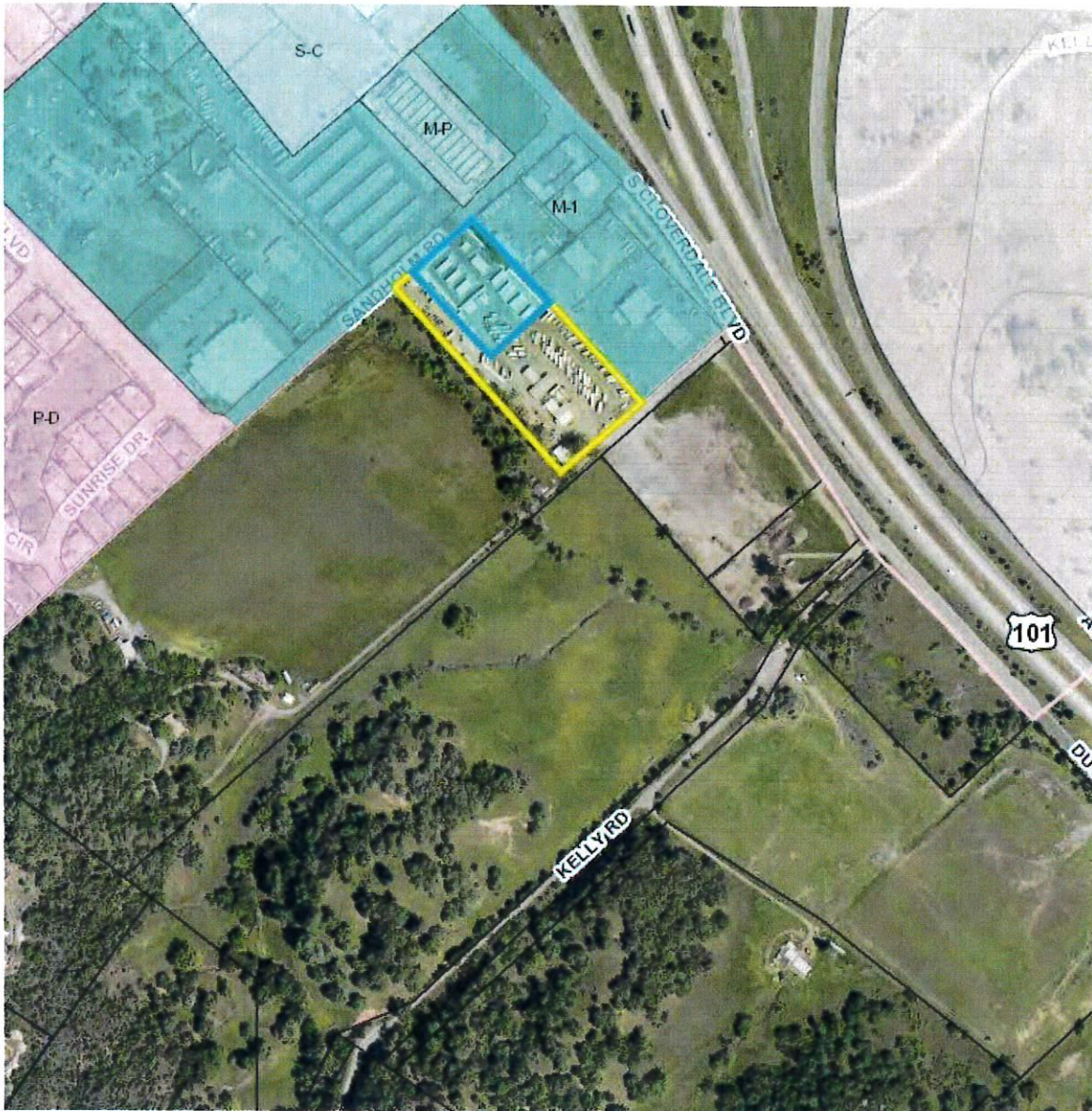
Irene Camacho-Werby, City Clerk

**Exhibits Attached:**

Exhibit 1 – Rezoning District

X:\Community Development\Agenda Development\2020\6-23-2020 Special Meeting\Public Hearing\Payless Storage\Ordinance to  
PreZone Payless Storage Ex to Reso.docx

**Payless Storage Prezone District**







**J. Kapolchok**  
**+ Associates**

Land Use Planning  
Urban Design

**Payless Storage**  
**Proposal Statement**  
**Pre-zoning/Annexation**  
**August 20, 2019**

<b>Owner/Applicant:</b>	Robert Weiss P.O Box 1442 Healdsburg, CA
<b>Land Use Planner/ Agent:</b>	J. Kapolchok & Associates 843 Second Street Santa Rosa, CA 95404
<b>Location:</b>	28243 and 28277 Old Redwood Highway Cloverdale, CA
<b>APN:</b>	117-040-086,087
<b>Site Size:</b>	± 4.57 acres
<b>General Plan:</b>	General Industry
<b>Proposal:</b>	The request is for a Pre-zoning and Annexation of ±4.57 acres to the City of Cloverdale. The property is designated General Industry in the City's General Plan, adjacent to property within the city limits of Cloverdale and developed with the Payless Storage facility. The request is to pre-zone to the M-1 Industrial Zoning District

843 Second Street  
Santa Rosa, CA 95404  
TEL: 707.526.8939  
FAX: 707.526.8985

email: jkapolchok@sbcglobal.net  
email: jkapolchok@sonomacountylanduse.com



## PROJECT SETTING

### Location:

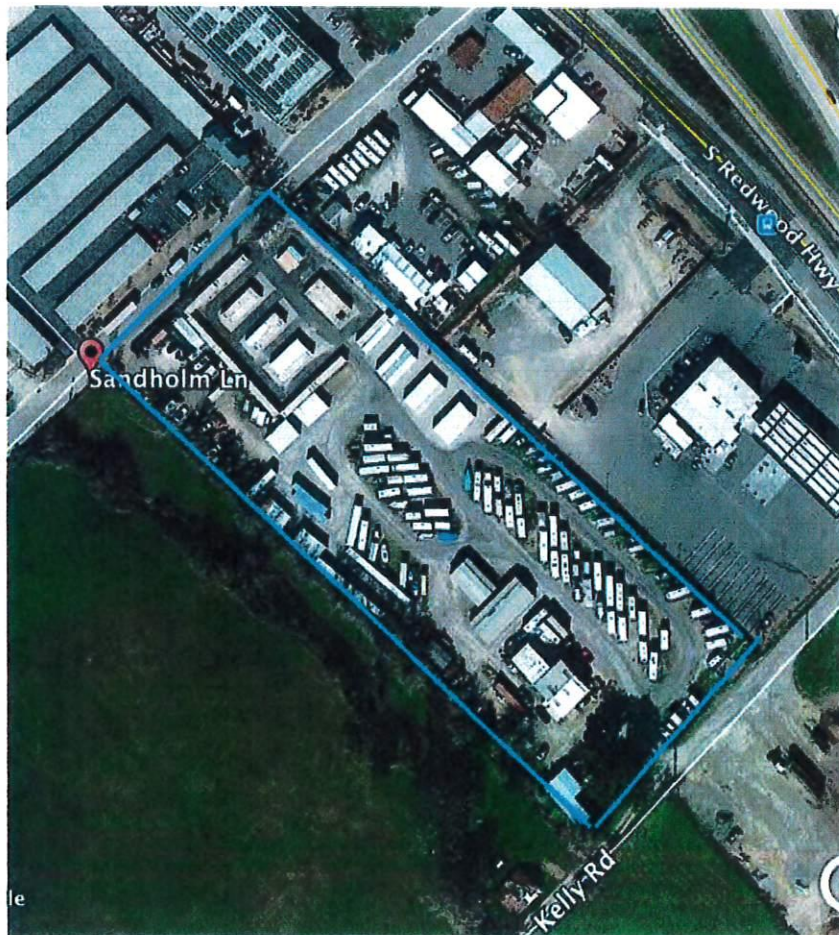
The request is for consideration of the annexation of  $\pm 4.57$  acres of general industrial property to the City of Cloverdale.

The  $\pm 4.57$ -acre site (APN 117-040-086,087) is situated on the west side of Sandholm Lane, approximately 400 ft. south of the intersection of Sandholm Road and South Redwood Highway.

The project address is 28277 & 28243 Redwood Highway, Cloverdale CA.

### Existing Uses:

As depicted in Figure 1 below, the site is currently developed with approximately 56 Land/Sea Cargo containers, associates parking and an on-site manager's residential unit. The cargo containers are used for the storage of personal belongings of individuals. The owner offers free storage to all persons impacted by the October 2017 fire. The site is served by municipal water and a septic system.



**Figure 1: Project Site**

## **REQUEST**

The applicant is submitting a request for pre-zoning (M-1 zoning district) and annexation in order to connect to the City's water and sewer systems. On 2/13/2019, the Cloverdale City Council approved the applicants request to move forward with the pre-zoning and annexation of the site property subject to conditions. Conditions include: Clearing all existing and/or outstanding code enforcement violations in the County of Sonoma and, prior to any proposed future entitlements, all existing uses shall be brought into compliance with applicable Cloverdale Zoning Ordinance standards.

The applicant is currently pursuing a written agreement with the County of Sonoma Code Enforcement Division to remove the abatement on the property following submittal of this pre-zoning/annexation request.



**CITY OF CLOVERDALE  
CITY COUNCIL RESOLUTION NO. 009-2019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE ALLOWING SUBMITTAL OF A PRE-ZONING AND ANNEXATION APPLICATION FOR FUTURE ANNEXATION OF THE PAYLESS STORAGE 4.57-ACRE SITE LOCATED AT 28243 REDWOOD HIGHWAY (APN 117-040-087) & 28277 HIGHWAY 101 (APN 117-040-086)**

**WHEREAS**, on behalf of the property owner Robert Weiss, J. Kapolchok and Associates (Applicant) submitted an application for Pre-Application Review for future annexation of the a 4.57-acre project site located at 28243 Redwood Hwy (APN 117-040-087) & 28277 Hwy 101 (APN 117-040-086); and

**WHEREAS**, Applicant has submitted a pre-application to the City of Cloverdale Planning & Community Development Department requesting a review of their pre-application by the Cloverdale City Council for an existing outdoor storage business; and

**WHEREAS**, the property is designated General Industry on the City's adopted General Plan Land Use Map; and

**WHEREAS**, the City of Cloverdale provides water and sewer service to its customers and currently has adequate capacity to serve the property; and

**WHEREAS**, the Applicant has submitted an application to the City for pre-annexation review to begin the application process for annexation into the City Limits to connect to the City's water and sewer systems; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOVERDALE AS FOLLOWS:**

The City Council approves the Applicant's request to initiate the annexation process for 28243 Redwood Hwy (APN 117-040-087) & 28277 Hwy 101 (APN 117-040-086) in order to allow the property to connect to the City's water and sewer systems, subject to the following and all other conditions of approval recommended by the Planning Commission and approved by the City Council:

**CONDITIONS OF APPROVAL  
ANNEXATION PRE-APPLICATION REVIEW OF PAYLESS STORAGE  
28277 HIGHWAY 101 & 28243 REDWOOD HIGHWAY  
APNS 117-040-086 & -087**

1. Prior to the project site being formally annexed into the City, all existing and/or outstanding code enforcement violations, building violations or any other type of violation or unresolved matter on record with any County of Sonoma Departments shall be completed to the satisfaction of the appropriate County of Sonoma Department or other appropriate jurisdictions satisfaction.
2. Prior to any future entitlements proposed for the site, the properties and existing uses shall be brought into compliance with all applicable Cloverdale Zoning Ordinance standards including but not limited to lot coverage, setbacks and screening requirements as well as all other applicable Cloverdale Municipal Code standards.

It is hereby certified that the foregoing resolution No. 009-2019 was duly introduced and duly adopted by the City Council in the City of Cloverdale at its regular meeting held on the 13<sup>th</sup> day of February 2019, by the following roll call vote: (Ayes-5; Noes-0; Absent-0).

AYES: Councilmember Cruz, Vice Mayor Wolter, Councilmember Brigham, Councilmember Turner, and Mayor Bagby  
NOES: None  
ABSENT: None  
ABSTAIN: None

APPROVED:

  
Melanie Bagby, Mayor

ATTESTED:  
  
Linda Moore, Deputy City Clerk



## INTEGRATED COMMUNITY DEVELOPMENT

20750 VENTURA BLVD. Suite 155  
WOODLAND HILLS, CA 91364

PACIFIC WESTERN BANK  
400 North Brand Blvd.  
Glendale, CA 91203

2336

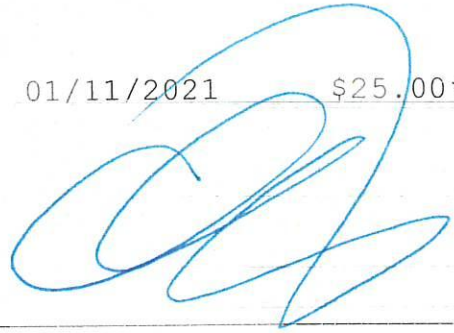
90-3820/1222

\*\*\*\* TWENTY FIVE AND 00/100 DOLLARS

TO THE  
ORDER OF

Sonoma County Clerk  
585 Fiscal Dr., Rm 103  
Santa Rosa, CA 95403

01/11/2021 \$25.00\*\*\*\*\*



THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈002336⑈ ⑆122238200⑆

⑈1001103702⑈

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

## CORPORATION FOR BETTER HOUSING

20750 VENTURA BLVD. Suite 155  
WOODLAND HILLS, CA 91364

PACIFIC WESTERN BANK  
400 North Brand Blvd.  
Glendale, CA 91203

6891

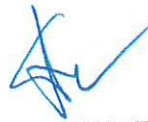
90-3820/1222

\*\*\*\* TWENTY FIVE AND 00/100 DOLLARS

TO THE  
ORDER OF

Sonoma County Clerk  
585 Fiscal Dr., Rm 103  
Santa Rosa, CA 95403

01/11/2021 \$25.00\*\*\*\*\*



THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈006891⑈ ⑆122238200⑆

⑈1000826725⑈

**CITY OF CLOVERDALE  
CITY COUNCIL**

**ORDINANCE NO. 736-2020**

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

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

**SECTION 1. RECITALS**

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

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

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

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

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

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

#### **SECTION 1. PURPOSE AND INTENT**

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

#### **SECTION 2. FINDINGS**

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

#### **SECTION 3. RECLASSIFIED PROPERTIES**

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



### Exhibit A – Payless Storage Prezoning



**CITY OF CLOVERDALE  
CITY COUNCIL**

**RESOLUTION NO. 076-2020**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Planning Department:**

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

**Outdoor Storage**

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

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

Lighting

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

Fire District:

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



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

**Public Works/Engineering:**

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

**Building Department:**

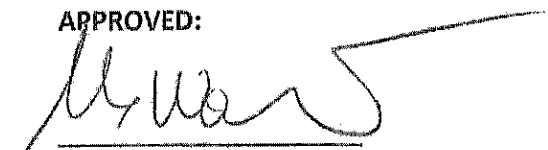
32. All future construction and/or building modifications shall meet the applicable building and fire safety codes in effect at the time of building permit application.

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


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

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

**APPROVED:**

  
Gus Wolter, Mayor,

**ATTEST:**

  
Irene Camacho-Werby, City Clerk

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

  
Irene Camacho-Werby, City Clerk





# **PUBLIC SERVICES PLAN**

**BAUMGARDNER RANCH DEVELOPMENT and WEISS PROPERTY  
SANDHOLM LANE, CLOVERDALE, CA 95425**

**PREPARED FOR:**

INTEGRATED COMMUNITY DEVELOPMENT  
JAKE LINGO  
20750 VENTURA BOULEVARD, SUITE 155  
WOODLAND HILLS, CA 91364

**PREPARED BY:**



**PREPARATION DATE: JANUARY 8, 2021**

## **INTRODUCTION**

This proposed Public Services Plan is for annexation of the Baumgardner Ranch and Weiss parcels into the City of Cloverdale, being a portion of land 33.10 +/- acres in size. Said land is located directly south of the intersection of Foothill Boulevard and Sandholm Lane, on the south side of the City of Cloverdale. The development proposed on this land will require annexation in order to connect to the City's water and sewer services. See Figure 1 for a Vicinity Map of the Area.

## **ACCESS AND CIRCULATION**

Existing access to the Baumgardner Ranch property is provided via Sandholm Lane and Foothill Boulevard. The proposed development will extend Foothill Boulevard to the south approximately 720 feet and will then take a turn to connect to South Cloverdale Boulevard. There will also be a public street provided connecting the Foothill Boulevard extension to Sunrise Drive. Access to the existing development on the Weiss Parcel is from Sandholm Lane and Street A. This access will be maintained. See Figure 2 for a Circulation Exhibit.

## **WATER SERVICE**

Fire protection and domestic water service for the Baumgardner Ranch property will be provided by connecting to the existing 12-inch main within Foothill Boulevard and extending it south. To the west of the extension of Foothill Boulevard, the proposed water system will connect to the existing main within Sunrise Drive, creating a looped system. To the east of the extension of Foothill Boulevard, the proposed water system will connect to the existing main within South Cloverdale Boulevard, creating a looped system. Fire protection and domestic water service for the Weiss property will be provided by connecting to the proposed water line extension running within Street A. See Figure 3 for proposed water layout.

## **SANITARY SEWER SERVICE**

Sanitary sewer service for the Baumgardner Ranch property will be provided by connecting to the existing system within Sandholm Lane. The proposed development west of the extension of Foothill Boulevard will connect to the existing manhole located at the intersection of Sandholm Lane and Foothill Boulevard, and the proposed development east of the extension of Foothill Boulevard will connect to the existing 8-inch main within Sandholm Lane. Sanitary sewer service for the Weiss property will be provided by connecting to the existing system within Sandholm Lane. See Figure 4 for proposed sanitary sewer layout.

## **STORM DRAIN SYSTEM**

The existing Baumgardner Ranch property drains to the eastern property line, where runoff then enters a drainage ditch and is carried south, underneath the existing dirt road via a corrugated metal culvert pipe. The proposed development will match this historical path of drainage.

The Baumgardner Ranch development has been designed to comply with the Santa Rosa Storm Water Low Impact Development Technical Design Manual and Sonoma County's Flood Control Design Criteria Manual. As such, stormwater runoff will be treated via onsite bioretention basins prior to leaving the site. See Figure 5 for proposed storm drain system layout.

The existing Weiss property drains to the southeast, where runoff eventually enters the existing public storm drain system within Street A. This historical path of drainage is to remain.

**JANUARY 8, 2021**  
**PAGE 3 OF 3**

**WALSH ENGINEERING**

## **PUBLIC SCHOOLS**

The proposed annexation is located in the Cloverdale Unified School District. Cloverdale High School, Washington Middle School and Jefferson Elementary School are the schools in the district.

## **PARKS AND RECREATION**

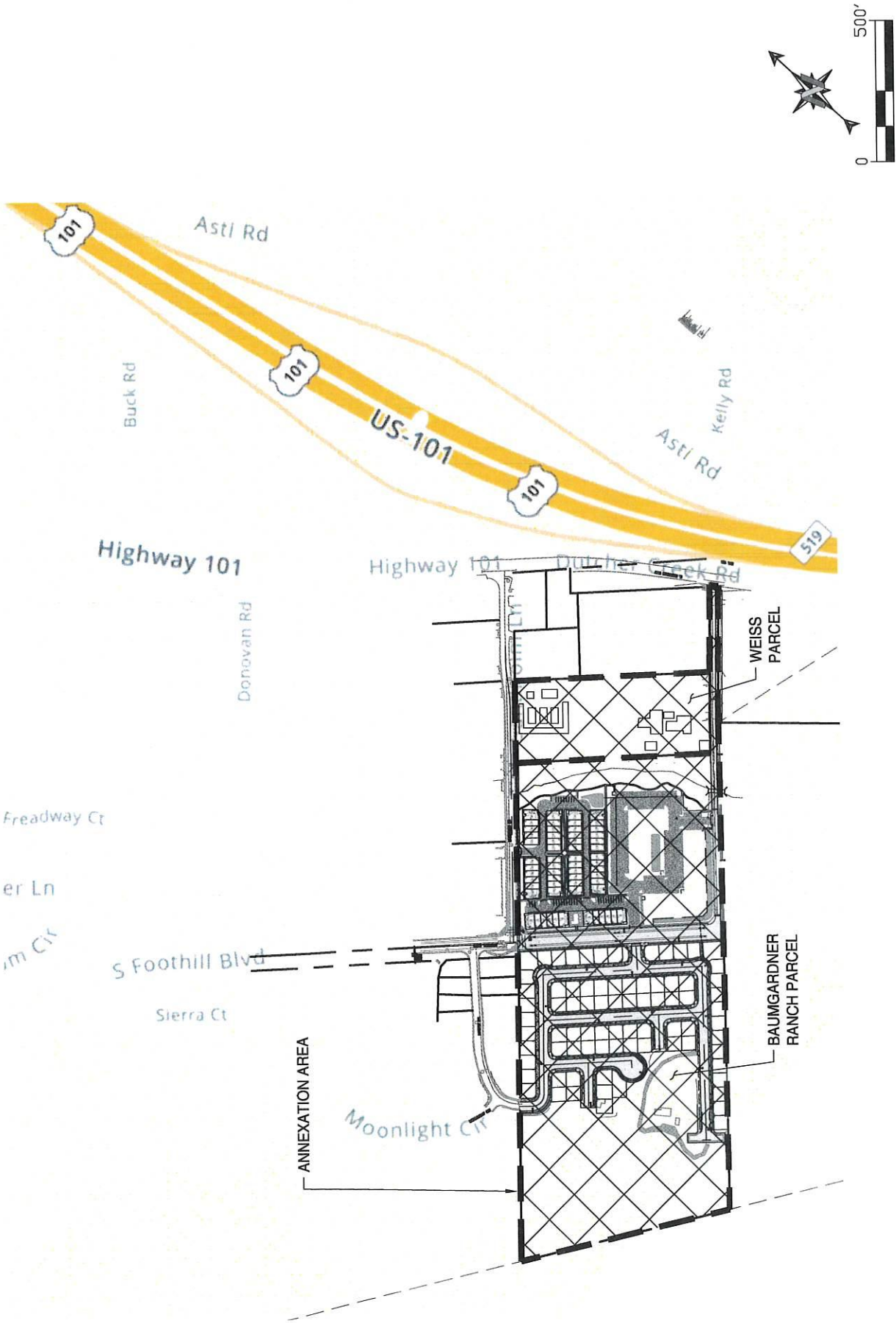
There is one existing park within a radius of 5,000 feet. Furber Park is located 2,900 linear feet northwest of the area.

## **POLICE AND FIRE**

The City of Cloverdale Police Department and Cloverdale Fire Protection District currently serve the City area that neighbors the site to the north and east. Upon annexation, the area will be served by the City's Police Department and Fire Protection District.

## **FINANCING**

The only costs associated with this annexation will be future onsite development costs and the cost to extend the existing utility lines to serve the proposed development. These costs shall be determined at the time of development.



DATE: 1/8/2021

**WALSH**  
ENGINEERING  
WALSHENGINEERING.NET (805) 319-4948  
1108 GARDEN STREET, SUITE 202-204 SAN LUIS OBISPO, CA 93401

**PUBLIC SERVICES PLAN**  
**BAUMGARDNER RANCH AND WEISS PARCELS**  
**CLOVERDALE, CA**

**FIGURE 1:**  
**VICINITY MAP**

DATE: 1/8/2021

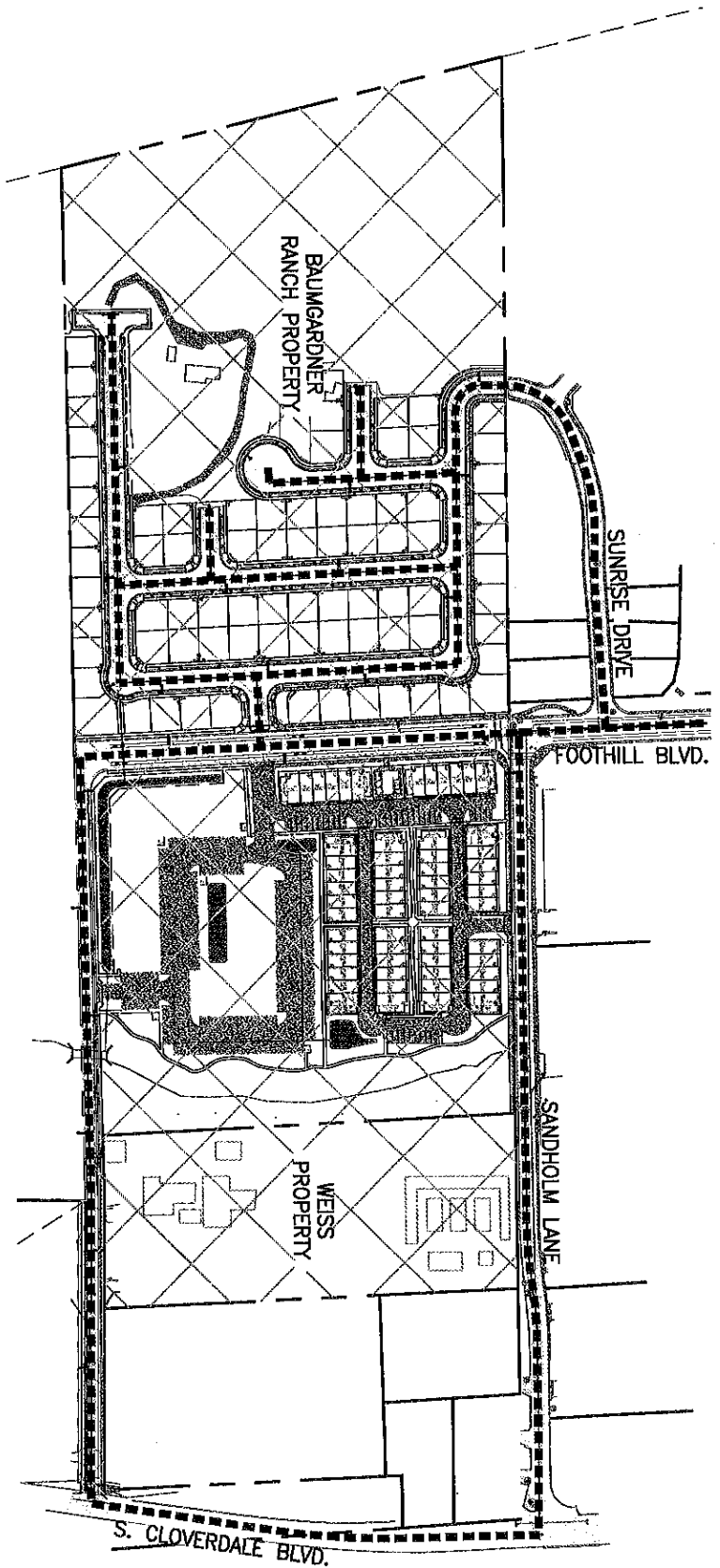
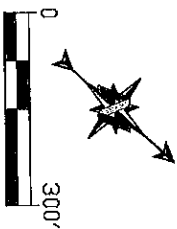


WALSHENGINEERING.NET (805) 319-4948  
1108 GARDEN STREET, SUITE 202-204 SAN LUIS OBISPO, CA 93401

## PUBLIC SERVICES PLAN

BAUMGARDNER RANCH AND WEISS PARCELS  
CLOVERDALE, CA

FIGURE 2:  
CIRCULATION EXHIBIT



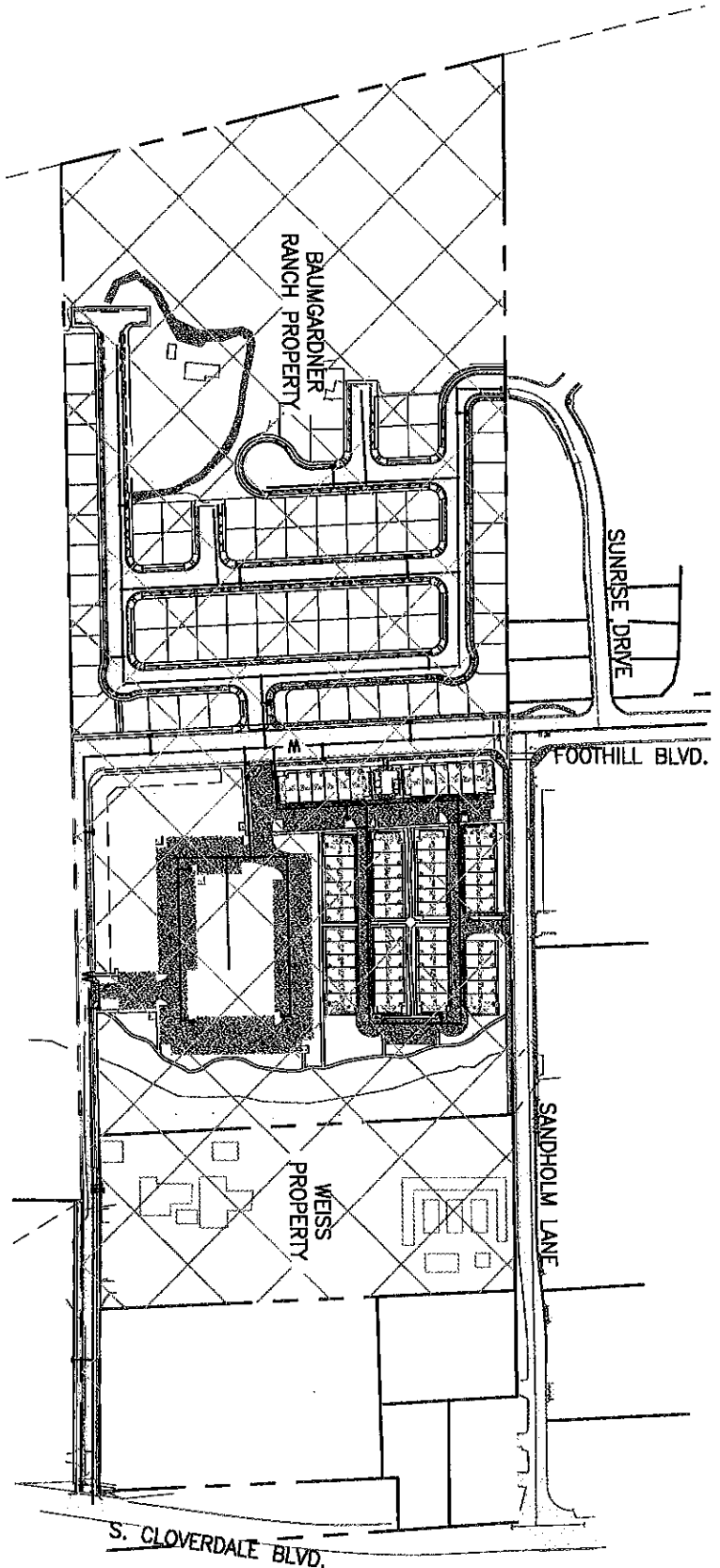
t:\projects\_eng\2017240\_cloverdale\_apartments\_ii\_sandholm\_ln\drawings\public services plan.dwg

DATE: 1/8/2021

**WE WALSH**  
**ENGINEERING**  
WALSHENGINEERING.NET (805) 319-4948  
1108 GARDEN STREET, SUITE 202-204 SAN LUIS OBISPO, CA 93401

**PUBLIC SERVICES PLAN**  
**BAUMGARDNER RANCH AND WEISS PARCELS**  
**CLOVERDALE, CA**

**FIGURE 3:**  
**WATER SYSTEM**  
**EXHIBIT**





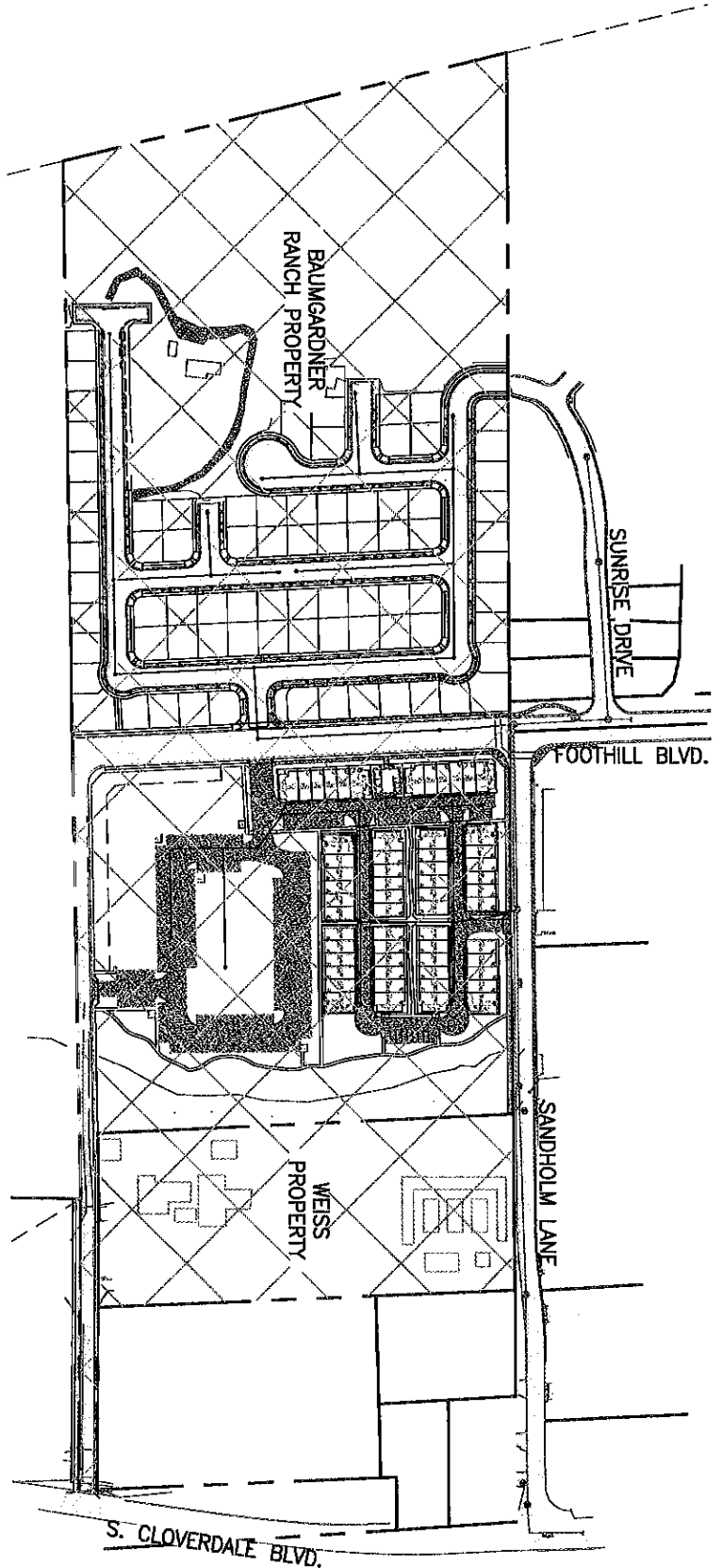
**WALSH**  
ENGINEERING

# PUBLIC SERVICES PLAN

**BAUMGARDNER RANCH AND WEISS PARCELS  
CLOVERDALE, CA**

**FIGURE 4:**

# SANITARY SEWER SYSTEM EXHIBIT



DATE: 1/8/2021

**WE WALSH**  
ENGINEERING  
WALSHENGINEERING.NET (805) 319-4948  
1108 GARDEN STREET, SUITE 202 SAN LUIS OBISPO, CA 93401

**PUBLIC SERVICES PLAN**  
**BAUMGARDNER RANCH AND WEISS PARCELS**  
**CLOVERDALE, CA**

**FIGURE 5:**  
**STORM DRAIN SYSTEM**  
**EXHIBIT**

