



AGENDA
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS

TUESDAY, OCTOBER 11, 2016

PUBLIC BUSINESS SESSION: 6:30 p.m.
PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425

The Cloverdale City Council welcomes you to its meetings that are typically scheduled for the 2nd and 4th Tuesday of the month. Your interest and participation are encouraged and appreciated. ***Please silence all pagers, cellular telephones and other communications devices upon entering the meeting.***

ADDRESSING THE CITY COUNCIL:

When asked to do so by the Mayor, those wishing to address the City Council are asked to step up to the podium. Speak directly into the microphone so everyone in the audience can hear your comments and so they'll be recorded into the official record. State your name and City of Residence for the record. Per City Council Policy, three (3) minutes are typically allotted to each speaker. However, Council may at its discretion revise the amount of time allotted. Public comments will normally be received after staff presentations on an agenda item and before the City Council starts deliberations. A Talking Tips sheet is available for your use.

We may disagree, but we will be respectful of one another.
All comments will be directed to the issue at hand, and addressed to the City Council.
Personal attacks are unacceptable.

DISABLED OR SPECIAL NEEDS ACCOMMODATION: In compliance with the Americans with Disabilities Act, if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at 894-2521. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

WAIVER WARNING: If you challenge decisions/directions of the City Council in court, you may be limited to raising only those issues you or someone else raised at public hearings(s) described in this Agenda, or in written correspondence delivered to the City of Cloverdale at, or prior to, the public hearing(s).

CONVENE PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Conflict of Interest Declaration
- Agenda Review – Regular Session (Changes and/or Deletions)

PUBLIC COMMENTS:

Any person wishing to speak to the City Council on any item not listed on the agenda may do so at this time. Members of the public have the right to speak on any items on the Council Agenda during that item. Pursuant to the Brown Act, the City Council is not allowed to consider issues or take action on any item not listed on the agenda. Each person wishing to speak must go to the podium when advised by the Mayor and speak directly into the microphone.

PROCLAMATIONS / PRESENTATIONS:

1. **Commercial cannabis manufacturing presentation** – Matthew VanBenschoten, TC Labs Management/ Extract Outfitters (Pages 1-26)

CONSENT CALENDAR:

All items under Consent Calendar will be considered together by one action of the Council unless any Council Member or member of the public requests that an item be removed and considered separately.

2. **Minutes of Previous Meeting:** August 23, 2016 – Matlock (Pages 27-40)
3. **Minutes of previous Meeting:** September 27, 2016 – Moore (Pages 41-43)
4. **Adoption of Resolution No. 074-2016, adopting the City of Cloverdale Five-Year Strategic Plan for 2016-2021** – Caylor (Pages 45-47)
5. **Adoption of Ordinance No. 711-2016, amending the Zoning Map and Zoning Ordinance, to Rezone a 0.52 acre property from “P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” for the Rink Parcel Map Project located at 531 N. Cloverdale Boulevard** – Kelley (Pages 49-146)

COMMUNICATIONS: None.

Council may discuss at this time written communications sent to Council members since the last council meeting. Written communication to be discussed will be listed below, if any.

PUBLIC HEARINGS:

6. **Proposed Annexation, General Plan Amendment, Rezoning and CEQA document for an approximate 42.5-acre area lying east of existing City boundaries in an unincorporated portion of Sonoma County. The properties all lie within the City of Cloverdale Sphere of Influence and City’s Urban Growth Boundary. The Project also includes consideration of a Conditional Use Permit and Major Design Review for Nu Forest Products, Inc. on approximately 26.85 acres of the overall annexation area-** Kelley, Haag (Pages 147-405)

Recommendation: Staff recommends the following Council action:

- 1) Open the public hearing and take testimony.
- 2) Adopt City Council Resolution No. 075-2016, adopting a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Project.

- 3) Adopt City Council Resolution No. 076-2016, directing City staff to file an annexation application with Sonoma County Local Agency Formation Commission (LAFCO) for the Nu Forest Products and adjacent properties to the City of Cloverdale.
- 4) Adopt City Council Resolution No. 077-2016, approving an amendment to the Cloverdale General Plan relating to five properties lying adjacent to the Nu Forest site.
- 5) Adopt City Council Resolution No. 078-2016, approving the Conditional Use Permit and Major Design Review for Nu Forest Products.
- 6) Introduce and waive the first reading of Ordinance No. 710-2016, of the City Council of the City of Cloverdale amending Cloverdale Municipal Code zoning, making certain changes to Chapters 18.06 and Chapter 18.09 to add live work units as a conditionally permitted use in the M--1 District and zoning approximately 42.5-acres of land lying east of Asti Road, south of existing City limits, generally west of the Russian River and north of the City of Cloverdale wastewater treatment plant and corporation yard (APNs 116-260-04, -030, -033, -045, -046 -050 & -55) as a combination of M-1 (General Industrial), R-R (Rural Residential) and P-1 (Public Institutional).

NEW BUSINESS:

7. **Action on Resolution No. 079-2016, opposing Proposition 57 ("The Public Safety and Rehabilitation Act of 2016")** – Cramer *(Pages 407-410)*

Recommendation: The Cloverdale Police Department and the City Manager recommend that Council adopt the Resolution opposing Proposition 57 and supporting the "No on Proposition 57" campaign.

8. **Action on a Resolution No. 080-2016, authorizing the City Manager to execute an agreement amendment for professional services with RRM Design Group for professional services for additional engineering services related to trailhead and pre-engineered trail bridge construction documents, and trail design details for the Clover Springs Open Space Preserve** – Cayler *(Pages 411-433)*

Recommendation: The City Manager recommends the City Council review the RRM Design Group proposal for Clover Springs Open Space engineering and permitting services, and adopt the resolution, authorizing the City Manager to execute an amendment to the professional service agreement with RRM Design Group.

SUBCOMMITTEE REPORTS:

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting, TBA
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) - Next Meeting: October 13, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) - Next Meeting: October 12, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: November 29, 2016, 10:30 a.m.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: TBA.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: November 28, 2016, 5:00 p.m.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON): (VERBAL REPORTS: 15 minutes)

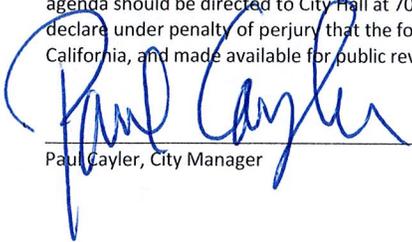
LEGISLATIVE REPORT:

CITY MANAGER/CITY ATTORNEY REPORT:

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:

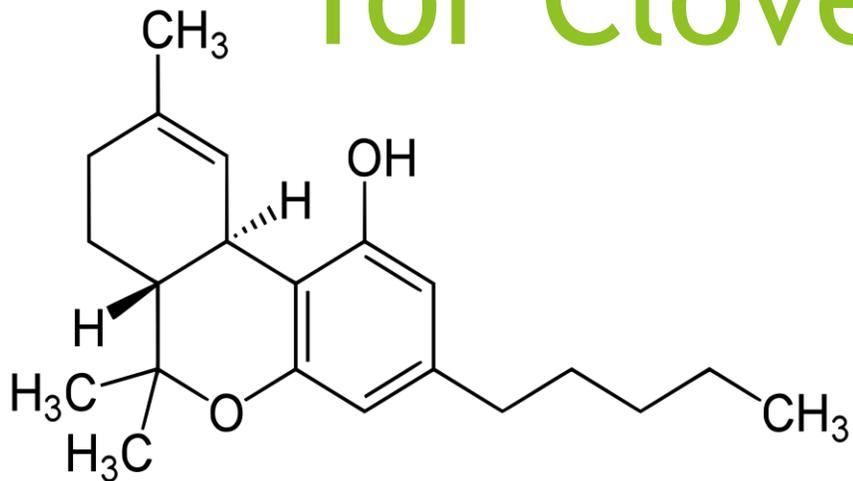
ADJOURNMENT: Adjourn to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, October 25, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

The City does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation. Questions about this agenda should be directed to City Hall at 707/894-2521. State of California, County of Sonoma, City of Cloverdale. CERTIFICATION I, Paul Cayler, do hereby declare under penalty of perjury that the foregoing agenda was posted on the outdoor bulletin board at the City Hall, 124 N. Cloverdale Blvd., Cloverdale, California, and made available for public review, prior to or on this 6th day of October, 2016, at or before 5:00 p.m.



Paul Cayler, City Manager

How is Cannabis Manufacturing Beneficial for Cloverdale?



Who I am...

Matthew VanBenschoten

matt@tclabsco.com

Partner- Extract Outfitters, TC Labs, Nomad Extracts, and Concentrate Supply Co.



State of Colorado

Concentrate Manufacturing Guidelines (2013)- contributor of OSHA, NFPA, NEC, and ISO practices applicable to cannabis concentrate manufacturing that was utilized as the basis for current standards.

Concentrate Residual Solvent Guidelines (2014)- contributed batch data analytics and conducted a series of ring studies and triplicate testing for testing lab competency study requested by State.

Concentrate Equivalency Study (2015)- contributor to State study conducted by the Leeds School of Business on behalf of the Colorado Department of Revenue.

City of Denver

Building Department- provided resources to the Fire Protection Engineers about concentrate manufacturing practices and developed a 3rd party inspection model for facilities within city limits. Also provided guidelines for City of Denver MIP regulations and building code.

Fire Department- provided educational/training seminars for fire inspectors tasked with compliance enforcement of solvent-based manufacturing for the City of Denver.

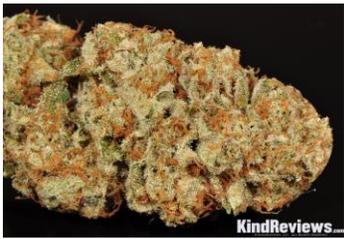
Presentation Overview

- ▶ What are cannabis concentrates?
 - ▶ Background
 - ▶ Why are they important?
- ▶ Why are there negative stereotypes associated with manufacturing?
 - ▶ No workplace standards
 - ▶ No oversight over extraction processes or equipment
 - ▶ No Quality Control Oversight
- ▶ What do regulated facilities look like?
 - ▶ Facility Requirements
 - ▶ Equipment Standards
 - ▶ Employee Training
 - ▶ Mandatory batch testing/ process validation
- ▶ Why will these operations benefit Cloverdale?
 - ▶ Revenues expected from manufacturing businesses
 - ▶ Excise tax revenue
 - ▶ Vital to patient health
 - ▶ State-wide Marketplace



Why are they important?

- ▶ Cannabis concentrates are vital in providing clean, consistent, medicine to patients utilizing cannabis to combat debilitating health conditions.



Cannabis Flower (dried)

- < +/- 25% Cannabinoids
- Smoked or vaporized
- Contains known allergens
- Not always suitable for immune compromised patients

Cannabis Concentrates

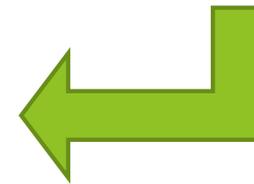
- > +/- 75% Cannabinoids
- Vaporized or ingested
- Free of most contaminants
- Can be directly infused into edibles, capsules, tinctures, and topicals

Extractions Background

- Cannabis concentrate manufacturing is the act of removing the active ingredients (cannabinoids) stored in the trichome gland (crystals) from the cannabis plant material.
- Primitive cannabis concentrate manufacturing began utilizing physical extraction methods to separate the glands.
- As technology has advanced, so too has cannabis manufacturing. The biggest advances occurred with the regulation of legal cannabis and the incorporation of pharmaceutical and food manufacturing equipment and practices.
- Extraction facilities have begun incorporating post-production refinement methods providing 90%+ pure active ingredient for several cannabinoid delivery methods including edibles, tinctures, and topicals.

What are Cannabis Concentrates?

Coffee

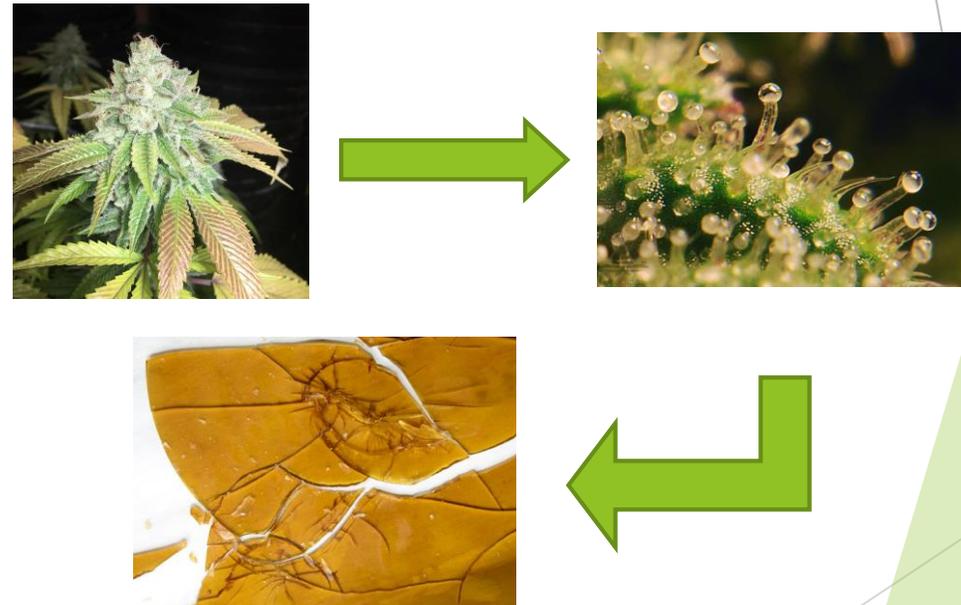


What are Cannabis Concentrates?

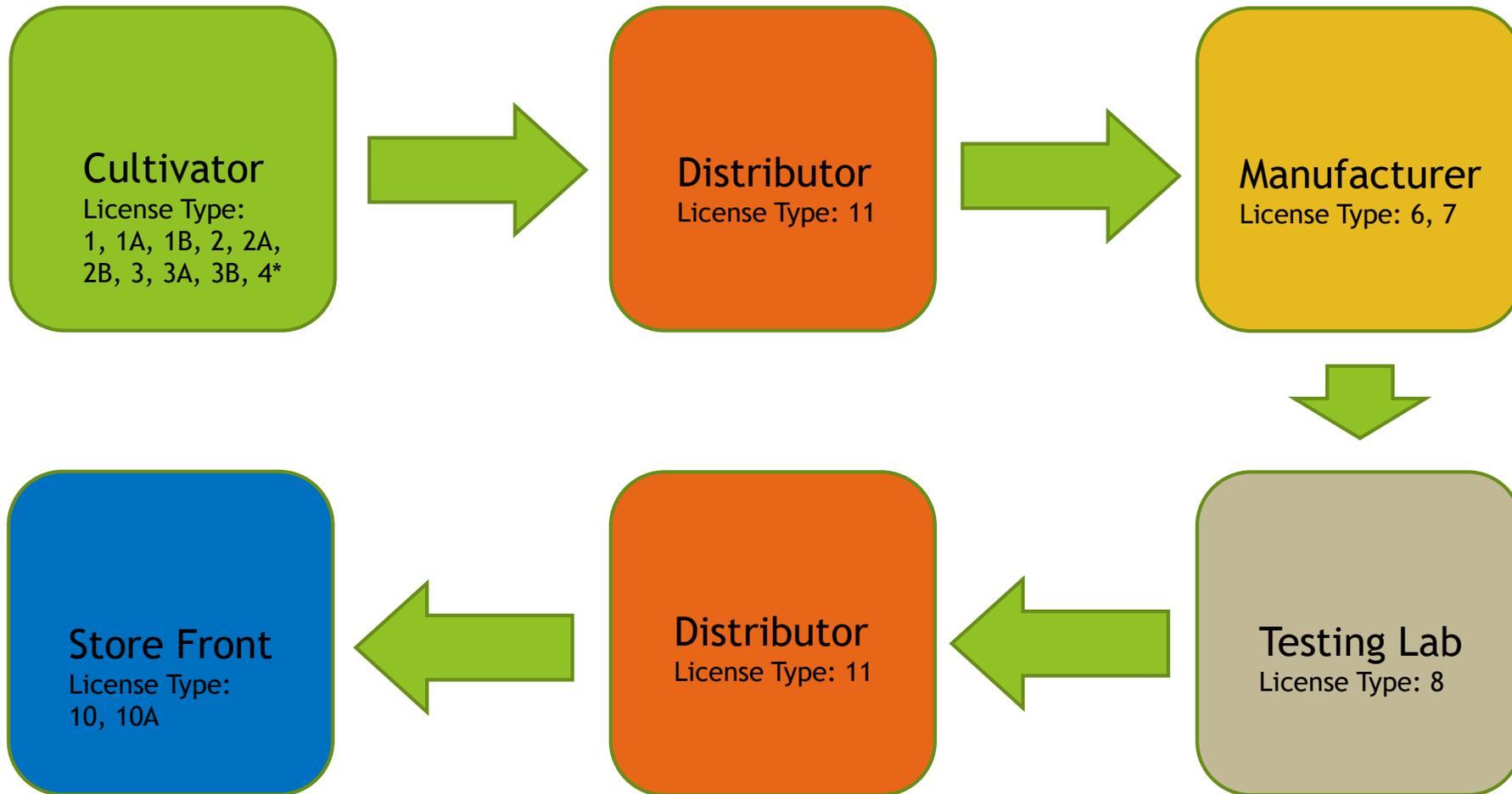
Wheat



Cannabis



Cannabis Business Model



What are cannabis concentrates?

The Farm



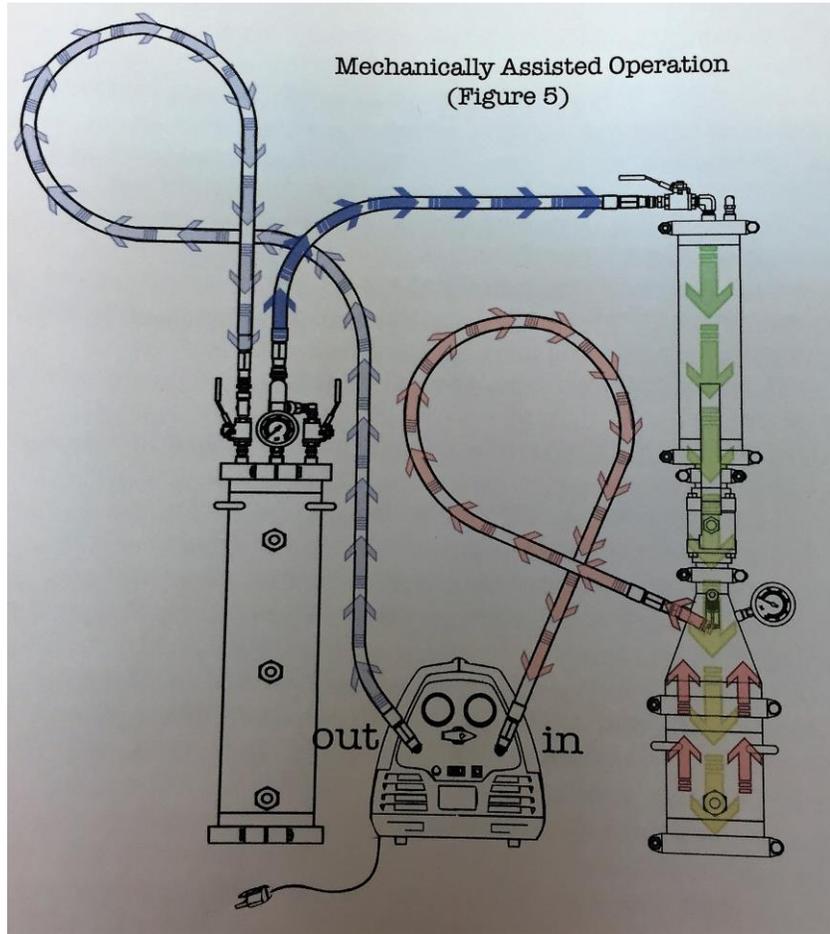
What are cannabis concentrates?

The Harvest



What are cannabis concentrates?

The Extraction



Why is cannabis manufacturing viewed as dangerous?

- ▶ Due to no oversight or established industry standards, manufacturing facilities have been set up in residential neighborhoods to avoid detection from law enforcement
- ▶ Clandestine extractors utilizing unsafe practices known as “open blasting” release a flammable cloud of gas needing just a single source of ignition to explode.



Why is cannabis manufacturing viewed as dangerous?

As a result:



Potential Hazards:

- Fire
- Environmental
- Public Safety

Why is cannabis manufacturing viewed as dangerous?

- ▶ One downfall from no established industry standards is the lack of quality control and mandatory testing of products:



What do these facilities look like in a regulated cannabis model?

Facility Requirements



- Commercial/Industrial Zones
- OSHA Compliant Class 1 Division 1 hazardous location air flow
- Fire sprinklers
- NEC approved electrical systems



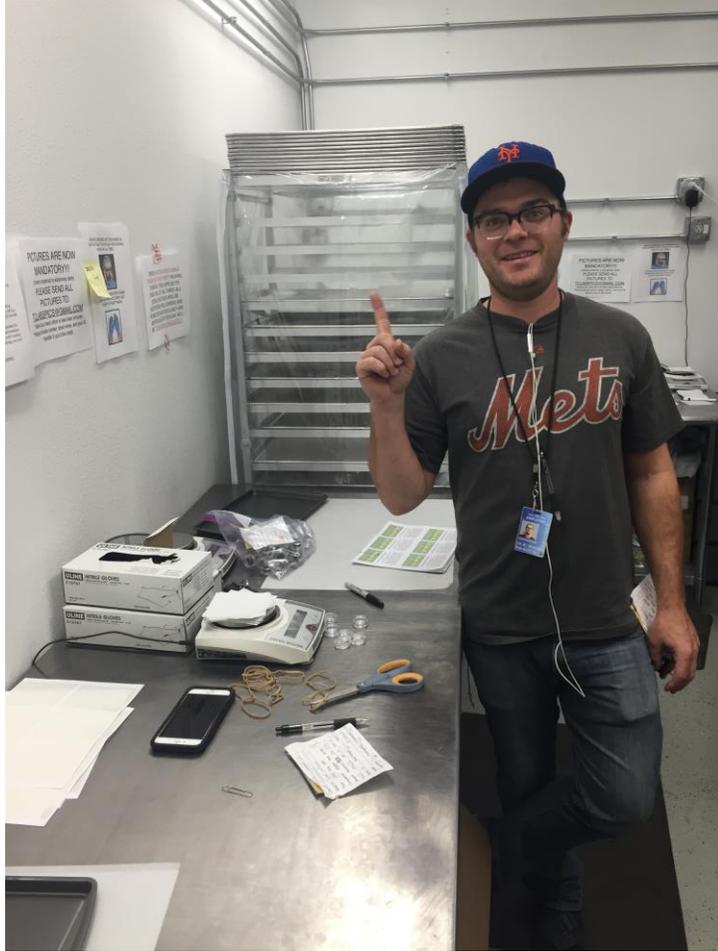
Equipment Standards



- National Fire Protection Association (NFPA) Compliant
- UL listed components
- American Standards for Mechanical Engineers (ASME) Rated
- Rated for OSHA Class 1 Div 1 Environment
- Professionally designed
- 3rd Party Engineer Approved



Employee Training



- ▶ Established and approved Standard Operating Procedures (SOPs)
- ▶ Solvent handling and storage training
- ▶ Compliance training
- ▶ ServeSafe Food Service training
- ▶ Emergency Preparedness and Action Plan

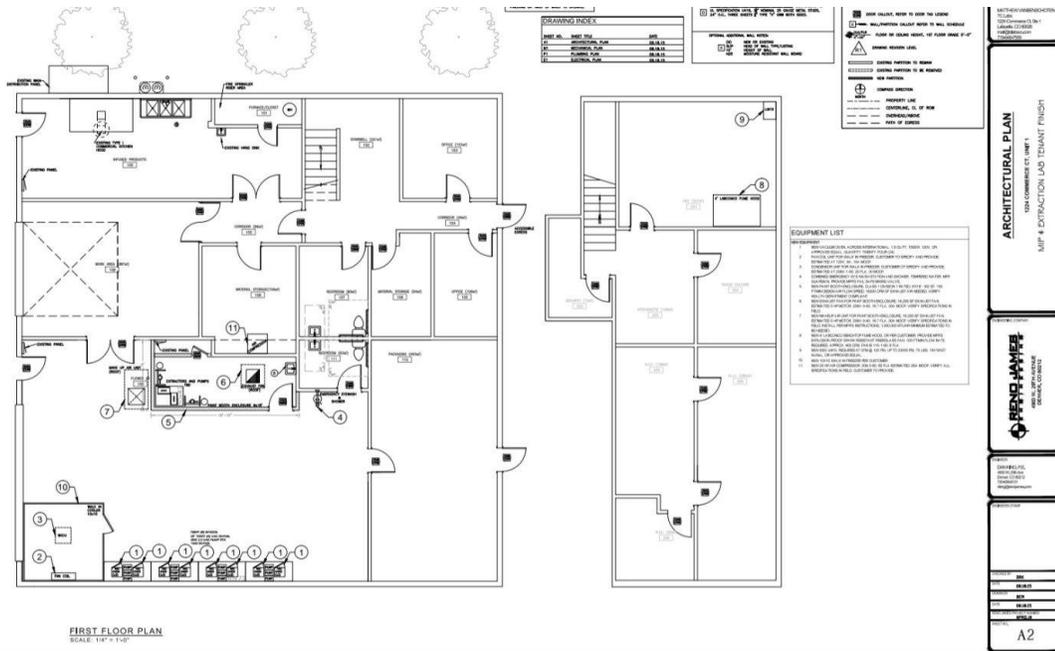
Solvent and Waste Management



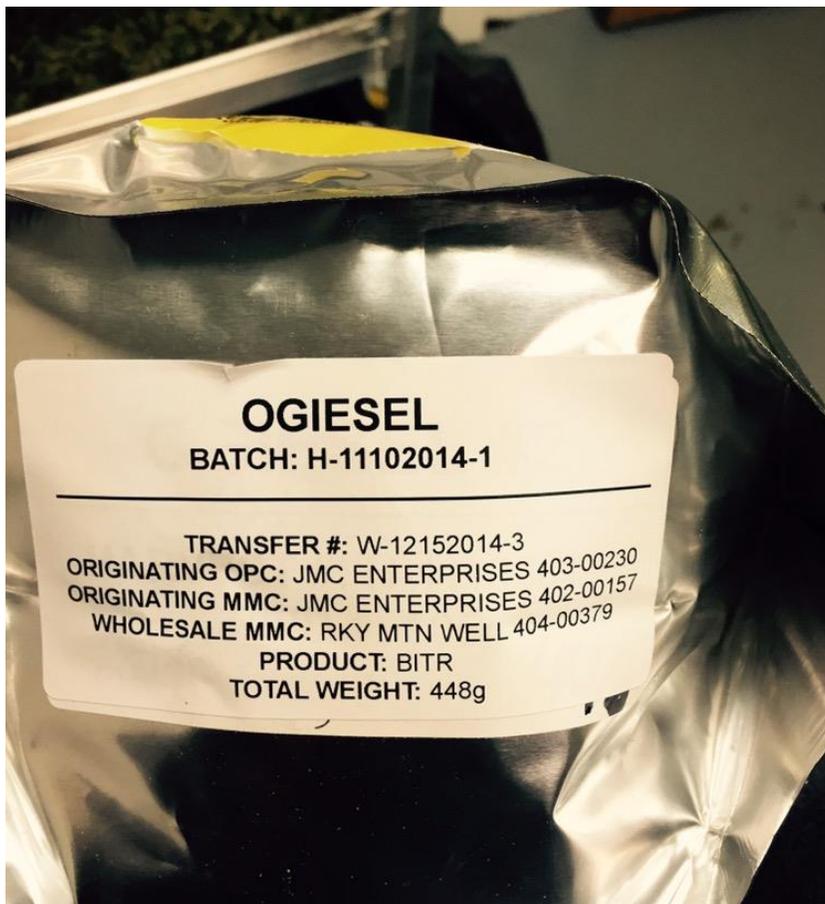
- ▶ Solvents stored in compliance with NFPA Standards
- ▶ Lower Explosive Limit (LEL) Monitoring
- ▶ Materials are off-gassed of remaining solvents
- ▶ Materials are mixed with inert medium before being discarded

Security

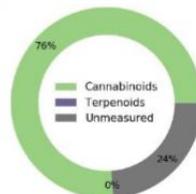
- All activities are monitored and recorded on 24hr surveillance equipment
- All materials are stored in access/climate controlled rooms
- Emergency Action Plans Approved by Local Law Enforcement



Mandatory Batch Testing and Tracking



Sample Overview



Blue Widow

Cannabinoid Profile

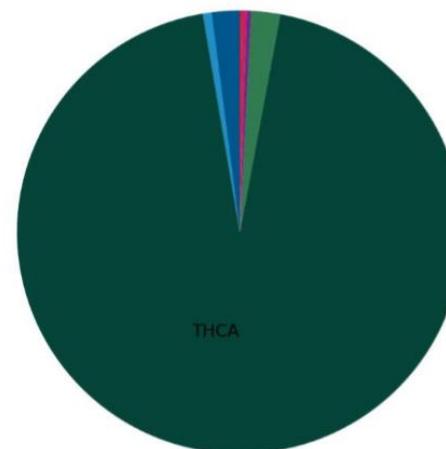
Compound	% Mass	mg/g
CBG-A	1.6	16
CBG	0.48	4.8
THC-A	72	720
THC-A-C4	N.D.	N.D.
THCVA	N.D.	N.D.
Δ-9-THC	1.6	16
Δ-8-THC	N.D.	N.D.
THC-V	N.D.	N.D.
CBN-A	0.27	2.7
CBN	N.D.	N.D.
CBD-A	0.25	2.5
CBDV-A	N.D.	N.D.
CBD	N.D.	N.D.
CBDV	N.D.	N.D.
CBC-A	0.11	1.1
CBC	N.D.	N.D.
CBL-A	N.D.	N.D.

Sample Details

Pesticides: Not Detected
Mycotoxins: Not Requested

For more information about this report, including how to calculate your own approximate post-decarboxylate THC and CBD values, please visit www.steephillab.com/FAQ

Fractions of Measured Cannabinoids



What benefits could Cloverdale see?

Local Economic Benefits

- Skilled Labor Employment
- Projects for Local Contractors
- Increase Demand for Commercial Properties
- Influx of Potential Tax Revenue

Cannabis Manufacturing Facility

Annual Gross Revenues:	\$6,000,000*
Operating Expenses:	\$1,980,000
City Tax:	\$300,000
Net Profits:	\$3,720,000

Tax Revenue (5% on Gross)

Annual Tax Revenue:	\$300,000
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*- this number is based off a real CO based business. CA's marketplace is estimated to surpass \$2.7 billion, that's 5x larger than CO market.



Patient Needs

- ▶ Demand for concentrate derived products at local dispensaries will be great considering up to 70% of the marketplace is comprised of concentrates or concentrate derived products.
- ▶ Most medicinal cannabis products (not flowers) begin with cannabis extracts as the active ingredient.
- ▶ Solvent-based manufacturing acts as a “pasteurization process” rendering the product free of any biological contaminant and safe for consumption by immune compromised patients.
- ▶ Post-extraction refinement allows for the removal of unwanted contaminants including most pesticides and fungicides.

Marketplace

- ▶ Manufacturers are able to wholesale vend to all dispensaries across the State.
- ▶ Manufacturers act as 3rd party processing providers to cultivators across the State.
- ▶ Cloverdale is situated to capitalize on the large volume of cultivators in close proximity while serving as a processing and distribution hub for the rest of the state-wide marketplace.
- ▶ The counties north of Cloverdale have not adopted any concentrate manufacturing guidelines while Sonoma County and in particular, Santa Rosa are actively working to accommodate this vital segment of the industry.

Closing Comments



**DRAFT MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

TUESDAY, AUGUST 23, 2016

CLOSED SESSION 5:30 p.m.

CLOSED SESSION LOCATION: CITY HALL CONFERENCE ROOM, 124 N. CLOVERDALE BLVD. CLOVERDALE, CA 95425

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

CONVENE PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 6:30 p.m.
- Pledge of Allegiance
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Report out of Closed Session –Actions Taken: City Attorney, Jose Sanchez, stated the City Council conducted and concluded a positive evaluation of the City Manager.
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): None

PUBLIC COMMENTS: None

PROCLAMATIONS / PRESENTATIONS:

Mayor Brigham requested introduction of the new student liaison. Chief Cramer introduced Lupita Gonzales, one of the two newly appointed student liaisons to the City Council.

1. Presentation of the Cloverdale Senior Multipurpose Center Annual Report for 2015

Dana Johnson, current president of the board of the Cloverdale Senior Center, stated Colleen Hale, former Executive Director of the Cloverdale Senior Center, has resigned and Brooke Greene has been hired as Interim Executive Director to serve until a new Executive Director is hired. Ms. Johnson presented the annual report.

CONSENT CALENDAR:

- 2. Minutes of previous meeting- August 9, 2016**
- 3. Action on Resolution 064-2016, authorizing the City Manager to execute a professional services agreement with First Carbon Solutions for the preparation of an initial study for the proposed Vista Oaks Subdivision Project**

Action: Motion was made by Vice Mayor Wolter to approve the consent calendar; seconded by Councilmember Palla. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

COMMUNICATIONS: None

PUBLIC HEARINGS:

- 4. Public Hearing to seek approval from City Council for Cost Report relating to abatement of property located at 650-680 S. Cloverdale Boulevard and authorization to impose a special assessment on the property where the nuisance condition was abated by the City pursuant to Municipal Code Section 1.14.140 (D)**

City Attorney Sanchez presented this item stating this is an attempt to recover costs the City undertook to abate a nuisance that Code Enforcement became aware of in November of 2015, which consisted of a small, non-permitted shed that suffered from severe fire damage. Mr. Sanchez gave a brief report including multiple violations of both Municipal Code and California Building Code, attempts to contact the property owner without response, the City's abatement procedure, action, and the procedure for recouping expenses. A note received from the property owner, August 23, 2016, was distributed to Councilmembers (attached). Discussion ensued among the Councilmembers and Staff.

Mayor Brigham opened the public comment period.

Shawn Bovee, Cloverdale, stated that while he likes the idea of the City working with the property owner, the property owner had ample opportunity to remedy this situation.

Mayor Brigham closed the public comment period.

Action: Motion was made by Councilmember Palla to adopt Resolution No. 065-2016, confirming the Cost Report and authorize the imposition of a special assessment on the property located at 650-680 South Cloverdale Boulevard, Cloverdale, California; seconded by Councilmember Cox. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

NEW BUSINESS:

- 5. Action on Resolution No. 067-2016, authorizing City Manager to execute the First Amendment to Lease Agreement between the City of Cloverdale and NorCal Skydiving, LLC, to require tenant improvements, including American with Disabilities Act (ADA) compliant parking space and accessible pathway**

City Manager Cayler presented this item, giving a brief background of this item. Mr. Halliday of NorCal Skydiving, LLC, was invited to the podium where he made a presentation including the history of this item and the improvements that are being proposed to solve ADA compliance issues and answered Councilmembers' questions.

Mayor Brigham opened and closed the public comment period, as there was none. A printed packet was given to the clerk by Jacqueline Kennedy and is attached.

Discussion ensued regarding the completion date and its possible extension, the timeline for plan approval, the demolition permit, and attorney fees.

Action: Motion was made by Councilmember Cox to adopt Resolution No. 067-2016, authorizing the City Manager to execute the First Amendment to the Lease Agreement with NorCal Skydiving at the Cloverdale Municipal Airport with the modification in Section 2 of the lease allowing a potential 30-day extension from the completion date of November 30, 2016, for good cause, as determined and approved by the City Manager after consultation with the Airport Manager. The motion was seconded by Councilmember Russell. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

6. Action on Resolution No. 068- 2016, authorizing the submittal of the Fiscal Year 2016, Federal Aviation Administration (FAA) Grant Application, acceptance of an allocation of funds and execution of a Grant Agreement with the California Department of Transportation, Aeronautics Division for an Airport Improvement Program Matching Grant for further work to conduct environmental assessment of obstruction removal

City Manager Cayler presented this item giving a brief explanation of the FAA grant application process and the need for an environmental assessment for mitigating identified obstructions. Airport Manager, Michael Morrissey, commented that the most urgent obstructions to be removed are large trees along the south end of the runway for northbound traffic and between the runway and the river. Mr. Cayler emphasized this resolution authorizes the environmental assessment to be conducted, which is a necessary step before the actual removal of the trees, not the tree removal itself and discussion ensued.

Mayor Brigham opened and closed the public comment period, as there was none.

Action: Motion was made by Councilmember Russell to adopt Resolution No. 068-2016, authorizing the submittal of the FY 2016 FAA Grant Application, acceptance of an allocation of funds and execution of a grant agreement for an Airport Improvement Program Matching Grant; seconded by Councilmember Cox. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

Mayor Brigham recessed the meeting at 7:37 p.m. and reconvened the meeting at 7:42 p.m.

7. Action on Ordinance No. 709-2016, amending Cloverdale Municipal Code Section 2.04.010, to increase Council Member compensation

City Attorney Sanchez presented this item stating that Cloverdale council member compensation has remained \$300 per month since 1998. Mr. Sanchez explained that the 5% increase per year allowed by Government Code is \$15 for each of the 17 years since the last adjustment for a total increase of \$255, which would bring the total monthly council member compensation to a maximum of \$555 per month. Finance Manager, Joanne Cavallari, reported the results of a survey of neighboring communities' council member compensation. Mr. Sanchez further explained that council member compensation can only be changed when council members are up for election and the new term starts, effective January 1, 2017, and, if approved, the Ordinance would be approved on that date. Mr. Sanchez stated that the law is very specific and that the Council can approve council member compensation for a lesser amount or vote for no increase. Vice Mayor Wolter added that the council member compensation increase is included in the 2016-2017 budget.

Mayor Brigham opened the public comment period.

Shawn Bovee, Cloverdale, stated his approval for the increase.

Mayor Brigham closed the public comment period.

Mayor Brigham called for each council member's comments.

Mr. Cayler stated that council members not only attend the two City Council meetings each month, but also provide essential representation for our City by serving on regional boards and attending statewide events.

Mayor Brigham re-opened the public comment period.

Walter Gendell, Cloverdale, recommended a more thorough survey before increasing council member compensation.

Mayor Brigham closed the public comment period.

Action: Motion was made by Vice Mayor Wolter to introduce and waive the first reading of Ordinance No. 709-2016, amending Cloverdale Municipal Code Section 2.04.010, to increase Council Member compensation; seconded by Councilmember Palla. The motion passed by roll call vote (3-ayes – Councilmember Palla, Vice Mayor Wolter, and Mayor Brigham; 2-noes - Councilmember Cox and Councilmember Russell).

8. Action on Resolution No. 066-2016, accepting the Five Year and Annual AB 1600 Report of development impact fee activity for fiscal years 2011-12, 2012-13, 2013-14, 2014-15 and 2015-16

Assistant City Manager/Community Development Director, David Kelley, presented this item explaining the mandated accounting guidelines for collected development impact fees. Councilmember Palla commended Staff on the assemblage of the information in the report and Mr. Kelley acknowledged the Finance Manager's work in developing these reports.

Mayor Brigham opened and closed the public comment period, as there was none.

Discussion ensued regarding allowed uses for collected funds and whether funds could be consolidated. Mr. Sanchez stated his office will look into this.

Action: Motion was made by Councilmember Palla to adopt Resolution No. 066-2016, accepting the Five Year and Annual AB 1600 Report of development impact fee activity for fiscal years 2011-12, 2012-13, 2013-14, 2014-15 and 2015-16; seconded by Vice Mayor Wolter. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

9. Action on Resolution No. 069-2016, setting the Ad Valorem Tax Rate for Public Employee Retirement System Retirement Benefits For Fiscal Year 2016/2017

Finance Manager, Joanne Cavallari, presented this item giving a brief background and formulas used to calculate the setting of the Ad Valorem Tax Rate. Ms. Cavallari presented two options for setting the Ad Valorem Tax Rate for Fiscal Year 2016/2017. Mr. Cayler stated Staff recommends Option 2 to set the tax rate at 10.7% of assessed value, rather than Option 1, which sets the tax rate at 12.2% of assessed value. Discussion was conducted among the councilmembers.

Action: Motion was made by Councilmember Cox to adopt Resolution No. 069-2016, Option Two, setting the Ad Valorem Tax Rate for Public Employee Retirement System Retirement Benefits for Fiscal Year 2016/2017; seconded by Councilmember Russell. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

10. Action on Minute Order to appointment two Council Members to an Ad Hoc Committee for the purpose of reviewing and recommending potential changes to the Second Street City Park

Public Works Director, Mark Rincon, presented this item with Councilmember Palla stating the objective of coming up with a master plan that could be taken to local service clubs for funding, see about matching that with skilled volunteer labor, and meet with the City Attorney to determine what is possible in this regard. Vice Mayor Wolter stated he would like to be appointed to this ad hoc committee, as did Councilmember Palla. Discussion ensued amongst councilmembers and Staff regarding City Park improvements, needs, planning projects for the park, funding, and volunteer possibilities.

Action: Motion was made by Councilmember Russell, and seconded by Councilmember Cox, to, by Minute Order, form an Ad Hoc Committee of no more than two City Council Members for the purpose of reviewing and making recommendations relating to the City's vision, use and plans for Second Street Park. The motion passed unanimously by voice vote with Vice Mayor Wolter and Councilmember Palla being appointed to the Second Street City Park ad hoc committee.

SUBCOMMITTEE ITEMS:

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting: October 4, 2016, 9:00 a.m.
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) - Next Meeting: August 25, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) - Next Meeting: August 24, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: September 27, 2016, 10:30 a.m.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) – Councilmember Palla reported that Police Chief Cramer and Fire Chief Jenkins are planning an earthquake simulation tabletop exercise tentatively set for November. Next Meeting: TBA.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Councilmember Palla reported that funding sources for two student liaisons are being developed. Next Meeting: September 19, 2016, 5:00 p.m.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON): (VERBAL REPORTS: 15 minutes)

Student Liaison, Guadalupe “Lupita” Gonzalez gave a report identifying new teachers, reporting on sports, ASB and student government data collection, Back to School Night, planning for Homecoming, Project Grad, and Cash for College Night.

Councilmember Russell gave a report that included information on the Regional Climate Protection Authority, SMART and the need for contact with bicycle coalitions and mobile ticketing.

Councilmember Cox reported that he and Councilmember Palla attended the League of California Cities Division meeting in Arcata and that Councilmember Palla was elected to Division Director. Councilmember Cox toured two homeless facilities there. Councilmember Cox stated the Sonoma County Water Agency had a meeting at the Cloverdale Veterans Hall displaying the reduction in summertime river flow and how it will affect recreation, fish habitat, and water availability.

Councilmember Palla thanked the Council for their support in his election to the Division Director position. He stated he is honored and looks forward to serving two more years.

Mayor Brigham gave a report on the ad hoc committee on cannabis. She stated an in-favor-of statement was received for Measure P but no statement in opposition was submitted. Mr. Cayler added that the impartial analysis has been submitted and endorsed, so everything regarding Measure P is completed.

ACM/CDD Kelley reported that, as of the date of this meeting, Dollar General has been issued their Certificate of Occupancy and plan a soft opening by the end of this week.

LEGISLATIVE REPORT: None.

CITY MANAGER/CITY ATTORNEY REPORT: None.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:

ADJOURNMENT: Adjourned at 8:56 p.m. to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, September 13, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

8-23-16

I AM ASKING THE COUNCIL TO
DRASTICALLY REDUCE THE FEES
YOU ARE ASKING FOR. I HAVE PAID
THE CONTRACTORS FEES BUT HAVE
LESS MONEY THAN YOUR FEES.

I HOPE YOU CAN FIND IT
IN YOUR COUNCIL TO DO THAT
FOR ME. I WAS LOOKING
OVER THE FIRST PAGE OF ABATE-
MENT AND NOTICED THE TERM
UNPERMITTED BUILDING. WELL THAT
BUILDING WAS ON THAT PROPERTY
WHEN MY FATHER BOUGHT THE
PROPERTY BACK IN 1973 OR EARLIER.
IT WAS A PUMP HOUSE & STILL
WAS WHEN IT WAS DISMANTLED
BY YOUR SAY. I CAN PROBABLY
HANDLE THE CITY STAFF TIME BUT
WOULD SURE APPRECIATE A LITTLE
BREAK ON THE ATTY. FEES.

Sincerely

CONT H. Amelung,
FL





FOR THE PUBLIC RECORD

Aug 23, 2016

Jacqueline Kennedy
Jacqueline Kennedy

C Jeff Kennedy
PO Box 401
Geyserville, CA 95441
Cjeffkennedy@gmail.com

Cloverdale City Council and City Manager Paul Cayler

Delivered by Hand

August 23, 2016

RE: Cloverdale Municipal Airport Accessibility Non-Compliance

Dear Members and Mr. Cayler,

At this point I am especially concerned about the proposed plans of NorCal Skydiving and their attempts to comply with minimal ADA requirements. After a cursory review of their plans I found many items that do not meet basic ADA requirements or, the requirements of the California Building Code Chapter 11(CBC).

Please do not infer that the following is a complete list of proposed non-compliant items:

- The plans do not show grade, nor do they reference the required 2% maximum side slope.
- The proposed chemical toilet is under definition of the CBC a temporary structure and cannot remain in place past the maximum duration allowed. The accessible restroom, to be compliant, needs to be of a permanent construction. This means that it needs to be connected to water and sewer. Hot water, for hand washing, at a maximum temperature of 110 degrees Fahrenheit, needs to be installed.
- The hook up to the sewer (septic tank) is more problematic. The capacity and the details of the installation of the septic system cannot be found. Either can any records of inspection of and maintenance of the septic system can be found. Or, they were not made available after a request from the airport manager. Please remember that the septic system is in a designated flood zone and it may difficult to modify it to take on the added load.

NorCal has spoken of their intentions to abandon the illegal trailer/office and move their office and assembly area to the hanger.

- The proposed new location is in a building not certified as an 'assembly occupancy.'
- The building itself is of questionable seismic integrity.
- It is not constructed to 'basic '1-hour' specifications.
- If it is to be rated as an assembly occupancy, then it is required to have a 'threaded iron pipe' fire sprinkler installation. I doubt that a NFPA-13 PVC

system would suffice. The water supply (well) on the property cannot handle the design of an adequate fire sprinkler system, without the addition of a 10,000-gallon tank and a 'hot-wired' pumping system.

The entire airport, other than the footprint identified by NorCal's is fraught with ADA and CBC (Chapter 11) non-compliant items.

The main parking lot is loose gravel of ¾" or larger making it non-compliant.

There is no striping designating standard or accessible parking.

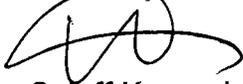
There are no designated 'paths of accessibility'.

Proper signage is non-existent.

The restrooms are out of compliance on so many levels; door widths, fixture locations, lack of 60" 'turn around', Restroom door thresholds are located 4" above exterior grade.

To protect both the City of Cloverdale and Coastland Engineering I would suggest that the City, or that Coastland strongly suggest to the City that one of their certified CASp inspectors review all the questionable items mentioned in this letter.

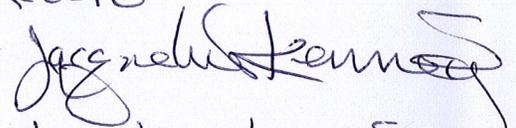
Sincerely,

A handwritten signature in black ink, appearing to read 'C Jeff Kennedy', written over the word 'Sincerely,'.

C Jeff Kennedy

Aug. 23, 2016 FOR THE PUBLIC RECORD

C Jeff Kennedy
PO Box 401
Geyserville, CA 95441
cjeffkennedy@gmail.com


Jacqueline Kennedy

March 11, 2016

James W. Lomen
Federal Aviation Administration
San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005-1835

RE: Letter (Lomen 2-22-2016) to Paul Cayler (City Manager, City of Cloverdale)
FAA Comments.

Dear Mr. Lomen,

In your letter of February 22nd, you stated only some, but not all, **Grant Assurances** that the City of Cloverdale has to guarantee because of their acceptance of **\$1,963,626**. Not one cent of these funds has been, as required, spent on ADA upgrades.

While the City of Cloverdale may be following some of the 'assurances', the ones that are most self-serving, they are not following all of them. I shall enumerate below just some of the Assurances that have not been complied with by the City of Cloverdale.

Federal Legislation: (Page 2 of 20) I refer you specifically to: C. Sponsor Certification
Section o. Americans with Disabilities Act
Section r. Architectural Barriers Act of 1968

Federal Regulation: (Page 3 of 20)

Section f. 28 CFR Part 35-Discrimination on the Basis of Disability in State and Local Government Services.

Section n. CFR Part 21-Nondiscrimination in federally-assisted program of the Department of Transportation -effectuation of Title VI of the Civil Rights Act of 1964

Section r. CFR Part 27-Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.

Section v. 49 CFR Part 37-Transportation Services for Individuals with Disabilities (ADA)

30. Civil Rights

Section b. Applicability;

- 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.'

- 2) Facilities. Where it receives a grant or other federal assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

I also refer you to **Current FAA advisory Circulars Required for Use in AIP Funded and PFC Approved Projects.**

Specifically:

No. 150/5340-18F Standard for Airport Sign Systems

No. 150/5340-30H Design and Installation Details for Airport Visual Aids

And more importantly:

No. 150/5360-14 Access to Airports by Individuals with Disabilities. A key definition in this circular is: ' **(3) "Facility"** means all or any portion of building, structures, roads, walks, parking lots, parks, sites, or other real property or interstate in such property.' (Key FAA Definitions applying to ADA).

Any, and all, regulations regarding disabled access have been willfully and conspiratorially, ignored by the City of Cloverdale and it's preferred tenants. Whether the regulations emanated from the Civil Rights Division (ADA) of the DOJ and the FAA or the State of California Building and Fire Code(s), all the regulations have been either ignored by the City of Cloverdale, or purposely circumvented.

I ask that the FAA do not award any more 'grant' money to the City of Cloverdale Municipal Airport until they, or the DOJ, do a full investigation and review of these allegations. I also request that the FAA fine the City of Cloverdale an appropriate percentage of past 'grants' for failure to comply with the minimum FAA and DOJ minimum ADA upgrades.

I am enclosing a letter sent three times previously to the City of Cloverdale specifically listing the ADA and CBC (California Building Code) deficiencies.

Respectfully,

C Jeff Kennedy 

Enc: Copy of letter to Michael Morrissey, Airport Manager, (8-26-2015)
List of those CC'd
Copy of e-mail to Michael Morrissey, Airport Manager ((3-9-2016)

CC: see attached

CC:

<p>Rollie Atkinson Cloverdale Reveille 207 N. Cloverdale Blvd. Cloverdale, CA 95425</p>	<p>Rebecca Bond U.S. Department of Justice 950 Pennsylvania Avenue, NW Civil Rights Division Disability Rights Section - NYA Washington, D.C. 20530</p>
<p>Rep. Jarred Huffman 1630 Longworth House Office Building Washington, DC 20515</p>	<p>Mr. Paul Cayler City Manager City of Cloverdale 124 North Cloverdale Blvd. Cloverdale, CA 95425</p>
<p>Salvatore Lucido Coastland Engineering 1400 Neotomas Avenue Santa Rosa, CA 95405</p>	<p>Robert Y. Lee FAA Compliance Specialist Federal Aviation Administration San Francisco Airports District Office 1000 Marina Boulevard, Suite 220 Brisbane, CA 94005-1835</p>
<p>Bambi Jakes Aviation Funding Specialist Division of Aeronautics MS 40 PO Box 942874 Sacramento, CA 94174-0001</p>	<p>US Department of Transportation Civil Rights Division Federal Aviation Administration 800 Independence Avenue, SW Washington, DC 20591</p>
<p>James Gore Board of Supervisors 575 Administration Drive Room 100 A Santa Rosa, CA 95403</p>	<p>Attorney General's Office California Department of Justice Attn: Public Inquiry Unit Civil Rights (Disability) P.O. Box 944255 Sacramento, CA 94244-2550</p>

<p>Tennis Wick County of Sonoma PRMD 2550 Ventura Avenue Santa Rosa, California 95403</p>	<p>National Disability Rights Network 820 1st Street NE, Suite 740 Washington, DC 20002</p>
<p>CDFW Headquarters 1416 9th Street, 12th Floor, Sacramento, CA 95814</p>	<p>Clark Mason Press Democrat 427 Mendocino Ave. Santa Rosa, CA 95401</p>

Aug 23, 2016 FOR THE PUBLIC

RECORD

J. Kennedy
Jacqueline Kennedy

Claude Kennedy
PO Box 401
Geyserville, CA 95441
cjeffkennedy@gmail.com

US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Division Section -1425 NYAV
Washington, D.C. 20530

January 20, 2015

RE: Cloverdale Airport ADA Non-Compliance (Cloverdale CA)

To whom it may concern

Please find attached a letter of items found to be ADA non-compliant at the Cloverdale Airport. The list on the letter is not meant to be comprehensive in scope but only to show some of the most egregious items.

The Cloverdale Airport received a federal grant in excess of \$1,000,000 for physical upgrades to the airport, but nothing was spent on barrier removal or any other federally mandated accessibility items. At the minimum, the grant should have triggered at least a few accessibility upgrades.

Please note that when the Airport and the chief business, Norcal Skydiving received the FAA grant it should have, as promised in a 2009 letter of understanding, to implement accessibility upgrades.

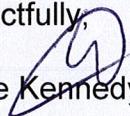
Now I see where the City of Cloverdale and Norcal Skydiving has not completed, nor even started, the legal minimum upgrades that both parties agreed to in a letter of understanding of 2009.

It seems to me after this time both parties should either repay the FAA grant, or make the upgrades.

Please let me know if you have any questions, or want any photographs.

Is there anything that can be done?

Respectfully,


Claude Kennedy

Aug 23, 2016 FOR THE PUBLIC RECORD

C Jeff Kennedy
PO Box 401
Geyserville, CA 95441

Jacqueline Kennedy
Jacqueline Kennedy

August 26, 2015

Michael Morrissey
Manager (ADA Compliance Monitor), Cloverdale Airport
PO Box 217
Cloverdale, CA 95425

RE: Cloverdale Airport, ADA Non-Compliance

Mr. Morrissey,

The FAA protocol regarding complaints to the FAA for accessibility deficiencies at airports requires that you be notified of any communications made to the FAA regarding non-compliance.

It has been stated that the Cloverdale Airport has received more than \$1,500,000 in grants from the FAA for the improvement of the facilities. But I have not seen where any of these funds, as required in any grant agreement with the FAA, were used for *barrier* modifications. Please note that this grant acts as a 'trigger' for the review and needed remedy of any accessibility deficiencies that should have been discovered and noted when the grant was accepted by the City of Cloverdale.

The following is a list of includes some, but not all, *barriers* (ADA deficiencies) to accessibility that have been observed.

- No accessible paths to offices.
- Parking lot not accessible. (No pavement, only mud $\frac{3}{4}$ " gravel)
- No designated (legal) DP parking areas.
- No designated, or legal paths of travel to the restrooms.
- Restrooms: These are non-compliant in so many ways (doors, size (no 60" clear turn around), spacing of fixture, grab bars, signage, thresholds, etc.) that new restrooms will need to be constructed.
- The waiting area for patrons of the skydiving business (end of the south hanger) is not rated for human occupancy. It is a building of questionable seismic stability, no fire sprinklers. For ADA, the threshold into the waiting area is greater than $\frac{1}{2}$ " in height.
- The office of the skydiving operation: The building floor level is approximately 3' above the ground. There are no ramps or mechanical lifts to enable those in wheel chairs to be able to enter the office. (At this time, the interior of the office has not been inspected.)
- No ADA approved drinking fountains.

It is not to be inferred that this is a complete list of accessibility issues. But, only a list compiled after a cursory review of the property.

Please note that this communication is date sensitive and requires a response within ten days.

Respectfully,



C Jeff Kennedy

CC: DOJ / FAA



DRAFT MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS

TUESDAY, SEPTEMBER 27, 2016

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

CONVENE PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 6:30 p.m.
- Pledge of Allegiance
- Roll Call: Present-Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): None

PUBLIC COMMENTS:

Larry Brown, Cloverdale, expressed disappointment that the Sonoma County Transit bus no longer stops at the Chase Bank. He commented that the current stops require too much walking for those with mobility challenges. City Manager Cayler offered to contact Bryan Albee, with Sonoma County Transit, to request that a bus stop at the Chase Bank be added and follow up with Mr. Brown regarding Mr. Albee's response.

PROCLAMATIONS / PRESENTATIONS:

1. Proclamation for Fall Prevention Awareness Week

Mayor Brigham presented the proclamation to Tracy Repp, Manager for Area Agency on Aging. Ms. Repp thanked the Council for recognizing the Fall Prevention Awareness Week. Another representative from the Area Agency on Aging, Lia Black, also addressed the Council thanking them for the proclamation and discussed the most common reasons older adults fall and the ways to lessen the chance of a fall.

2. Proclamation honoring Mr. Arturo Ibleto upon his 90th Birthday for his lifetime of achievements

Chris Smith, writer for the Press Democrat, accepted the proclamation on behalf of Mr. Ableto who could not be present. He shared some details of Mr. Ibleto's lifetime and journey to the U.S. Mr. Smith praised Mr. Ableto's many achievements, stating that Mr. Ableto is a Titan of Sonoma County.

3. Proclamation proclaiming October 5 through October 15, 2016, as International Jack London Museum Remembrance Days

Mayor Brigham presented the proclamation to Elissa Morrash, Executive Director for the Cloverdale History Museum. Ms. Morrash thanked the Council for their continued and long-time support of the museum. She acknowledged and thanked City Manager Cayler for his assistance. Ms. Morrash discussed Jack London's accomplishments and the upcoming celebrations honoring him, which includes a classic film and lecture series that commences on October 5th. She introduced Joaquin Espinosa who came to the podium to share information on Jack London and upcoming events.

4. Strategic Planning Presentation.

Sue Haun, consultant from Strategies by Design, provided a PowerPoint presentation giving the highlights of the Five Year Strategic Plan for the City of Cloverdale. She discussed the results of an employee survey and a meeting with key community leaders and media, which gathered information used to create a new vision and mission for the City. Ms. Haun defined five focal areas and twelve performance measures. She discussed the importance of a framework for implementation and accountability and steps to measure success, which include an online customer survey and monthly reviews and reports. Council voiced approval of the plan, noting some of the performance measurements are already in place, such as department written reports on a regularly scheduled basis. City Manager Cayler reported that the next step would be to bring the Strategic Plan back to the Council to formally adopt the plan by resolution.

PUBLIC COMMENTS:

Theresa Mahoney, Cloverdale, asked if implementing this strategic plan and creating subcommittee would create another layer of bureaucracy. City Manager Cayler responded that the subcommittees already exist and meet regularly, adding that he does not believe the strategic plan will create another layer of bureaucracy but instead will serve as a tool to assist the City in setting and reaching goals. The Council explained the subcommittees and invited Ms. Mahoney to attend.

A Cloverdale resident, commented that he did not approve of his property taxes increasing and asked for an explanation. City Manager Cayler and Finance Manager Cavallari explained the background and rate increase for the Ad Valorem tax.

CONSENT CALENDAR:

- 5. Minutes of Previous Meeting September 13, 2016**
- 6. Ordinance 709-2016, approving Council Compensation**

Councilmember Cox requested to pull item number 6 for a separate vote.

Action: Motion was made by Vice Mayor Wolter to approve the consent calendar minus item 6; seconded by Councilmember Palla. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

Discussion ensued regarding Council Compensation. Councilmember Palla asked for confirmation that individual Councilmembers may decline the added compensation if they so choose. City Attorney Sanchez confirmed that the Ordinance set the amount of allowable compensation but Councilmembers are free to decline the additional compensation.

Action: Motion was made by Vice Mayor Wolter to approve Ordinance 709-2016, of the City of Cloverdale, Amending Cloverdale Municipal Code Section 2.04.010, "Compensation for Council Members," to Increase Council Member Compensation; seconded by Councilmember Palla. The motion passed by roll call vote (3-ayes – Councilmember Palla, Vice Mayor Wolter, and Mayor Brigham; 2-noes (Councilmember Cox, Councilmember Russell)).

COMMUNICATIONS: None.

PUBLIC HEARINGS: None

NEW BUSINESS: None

SUBCOMMITTEE ITEMS: None

SUBCOMMITTEE REPORTS:

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting, which was scheduled for October 4, 2016, 9:00 a.m. was cancelled. City Manager Cayler reported that the Red Bull event that was to be discussed was cancelled, adding that although the Red Bull executives wished to return to Cloverdale for an event in November, the weather at that time is too risky for the event.
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) - Next Meeting: October 13, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) - Next Meeting: October 12, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: November 22, 2016, 10:30 a.m. The Committee met and discussed the purchase of a new mower, Main Street striping, crosswalks, and a City Plaza reconfiguration, which the Committee recommended taking to full Council for discussion. Councilmember Palla requested the Committee look at the Treadway Dr.-Cloverdale Blvd. intersection and the possibility of a future signal light being installed at the intersection.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: TBA.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: November 28, 2016, 5:00 p.m. The Committee met and discussed a pedestrian safety crosswalk, the partnering of the school district and library, the Boys and Girls Club building and membership funding, the student liaison program and publicity.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON):

Councilmember Russell shared that she was interviewed by the Bay Area Reporter newspaper. She discussed the coordination with Health Action and the Boys and Girl's Club. She provided news from the Health Action Council and information on SMART, including the General Manager's Report.

Councilmember Cox reported that he attended an event honoring the POWs and MIAs at the Memorial Cemetery in Santa Rosa, commenting that only two City Councilmembers from the County were present.

LEGISLATIVE REPORT: None

CITY MANAGER/CITY ATTORNEY REPORT: City Manager Cayler reported that staff had been monitoring the saw mill fire closely and was impressed with the expedient work of CAL FIRE and the local fire protection agency, adding that the local airport was instrumental in supporting CAL FIRE aviation.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS: None

ADJOURNMENT: Mayor Brigham adjourned the meeting at 7:58 p.m. to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, October 11, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

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

Agenda Item: 4
Meeting Date: October 11, 2016

Agenda Section

Consent

Staff Contact

Paul Cayler, City Manager

Agenda Item Title

Adoption of Resolution No. 074-2016, of the City Council of the City of Cloverdale approving the City of Cloverdale Strategic Plan for 2016-2021.

Summary

During a goal setting workshop, the Council designated developing a five-year strategic plan as the number two goal for the City of Cloverdale for fiscal year 2015-2016. The City responded by enlisting the services of Sue Haun, with Strategies by Design, to facilitate the process to develop a five-year strategic plan for the City of Cloverdale. On October 28, 2016, the Council accepted a proposal presented by Strategies by Design to facilitate in the development of a five-year strategic plan for the City of Cloverdale. Ms. Haun recommended utilizing workshops with the City Council, employee and customer surveys, and meetings with staff and the community to gather input to be used in the development of a five-year plan.

The City Council participated in a strategic planning workshop with Sue Haun and City Staff on February 3, 2016, to discuss the City’s vision, mission, key service areas, and to develop a framework for creating a strategic plan, which included gathering input from employees, customers, and community stakeholders. City Staff held a meeting with key community stakeholders on March 24, 2016, for the purpose of gathering their input. Strategies by Design conducted an anonymous online survey to gather and compile data from City employees and met with employees on April 26, 2016, to share and discuss the survey results and prioritize employee’s concerns and desires. The City Council then participated in second strategic planning workshop on May 26, 2016, to discuss the results from the employee survey and meeting, customer survey, and the community stakeholders’ meeting. Council and City Staff discussed priorities and set a plan direction for the City

Sue Haun, developed and presented the proposed City of Cloverdale Strategic Plan for 2016-2021 to the City Council on September 27, 2016. The Council voiced approval of the plan and directed staff to agendize the plan for formal approval by resolution.

Options

- 1) Adopt the City of Cloverdale Strategic Plan for 2016-2021, as attached.
- 2) Revise the City of Cloverdale Strategic Plan for 2016-202, for adoption at a future meeting.

Budget/Financial Impact

None.

Recommended Council Action

Adopt Resolution No. 074-2016, of the City Council of the City Of Cloverdale approving the City of Cloverdale Strategic Plan for 2016-2021.

Attachments:

- 1) Resolution No. 074-2016, a Resolution of the City Council of the City of Cloverdale, adopting the City of Cloverdale Strategic Plan for 2016-2021.
- 2) City of Cloverdale Strategic Plan for 2016-2021.

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 074-2016**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE APPROVING
THE CITY OF CLOVERDALE FIVE YEAR STRATEGIC PLAN FOR 2016-2021**

WHEREAS, the City Council's number two goal for the City of Cloverdale for the fiscal year 2015-2016, was to prepare a five-year strategic plan to serve as a road map as the City moves forward; and

WHEREAS, the City of Cloverdale embarked on a strategic planning process to establish priorities for the five year period of 2016- 2021, which included the recommendation to hire Sue Haun, with Strategies by Design, to assist with the preparation of a strategic plan; and

WHEREAS, at the October 28, 2016, City Council meeting, the Council accepted a proposal presented by Strategies by Design to facilitate in the development of a five-year strategic plan for the City of Cloverdale; and

WHEREAS, the City Council participated in a strategic planning workshop with Sue Haun on February 3, 2016, to discuss the City's vision, mission, key service areas, and to develop a framework for creating a strategic plan, which included gathering input from employees, customers, community stakeholders; and

WHEREAS, City Staff held a meeting with key community stakeholders on March 24, 2016, for the purpose of gathering their input; and

WHEREAS, Strategies by Design conducted an anonymous online survey to gather and compile data from City employees and met with employees on April 26, 2016, to share and discuss the survey results and prioritize employee's concerns and desires; and

WHEREAS, the City Council participated in second strategic planning workshop on May 26, 2016, to discuss the results from the employee survey and meeting, customer survey, and the community stakeholders' meeting. Council and City Staff discussed priorities and set a plan direction for the City; and

WHEREAS, Sue Haun, developed and presented the proposed City of Cloverdale Strategic Plan for 2016-2021 to the City Council on September 27, 2016.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Cloverdale does hereby adopt the City of Cloverdale Strategic Plan for 2016- 20121 as attached.

It is hereby certified that the foregoing Resolution No. 074-2016 was duly introduced and legally adopted by the City Council of the City of Cloverdale at its regular meeting held on this 11th day of October, 2016, by the following roll call vote: (Ayes- ; Noes-0)

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

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

Agenda Item: 5
Meeting Date: October 11, 2016

Agenda Section Consent	Staff Contact David Kelley, Assistant City Manager/ Community Development Director
----------------------------------	----------------------------------------------------------------------------------------------

Agenda Item Title

Waive the second reading and adopt Ordinance No. 711-2016 amending the adopted Zoning Map and Zoning Ordinance, Title 18 of the Cloverdale Municipal Code to Rezone a 0.52 acre property from “P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” and eliminate “P-D/15 Rink Mixed Use” from Section 18.08.020 of the Zoning Ordinance for the for the Rink Parcel Map Project located at 531 N. Cloverdale Boulevard (APN 001-021-021).

Summary

On September 13, 2016, the City Council held a noticed public hearing to introduce and waive the first reading of Ordinance No. 711-2016 amending the adopted Zoning Map and Zoning Ordinance, Title 18 of the Cloverdale Municipal Code to Rezone a 0.52 acre property from “P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” and eliminate “P-D/15 Rink Mixed Use” from Section 18.08.020 of the Zoning Ordinance for the for the Rink Parcel Map Project located at 531 N. Cloverdale Boulevard (APN 001-021-021). On a vote of 5-0, the City Council waived the first reading and introduced the ordinance.

The Ordinance amends the Cloverdale Municipal Code to eliminate the P-D/15 Zoning District from the Zoning Ordinance and Zoning Map and rezones the property to the Two-Family Residential (R-2) Zoning District. The Ordinance to amend the property to the R-2 Zoning District is consistent with the density range provided by the property’s current Medium Density Residential (MDR) General Plan Land Use Designation, which allows for a maximum of 8 dwelling units per acre.

Background

The P-D/15 Rink Mixed Use project and Zoning District were originally approved and adopted by the City Council in 2007. The P-D/15 Mixed Use zoning allowed the property owner to subdivide the property into eight lots for the construction of four townhomes, three live-work units that featured first floor office space and common space amenities on the eighth lot. In June of 2015, the City received an application from the property owner’s representative for a Tentative Parcel Map, rezoning and PUD Permit to subdivide the property at 531 N. Cloverdale Boulevard into four parcels (Attachment 1). On August 2nd, the Planning Commission held a public hearing on the project on August 2, 2016 and recommended approval of the project to the City Council.

Discussion

The Rink Parcel Map project (“Project”), allows a four-lot residential subdivision with an exception to the minimum lot size and lot depth requirements and creates a small lot single-family detached subdivision. Adoption of the Ordinance deletes the P-D/15 Zoning District from the Zoning Ordinance and Zoning Map and rezones the property to the Two-Family Residential (R-2) Zoning District.

The Ordinance rezoning the property is necessary because the site is currently zoned Planned Development (P-D/15 Rink Mixed Use) on the City’s Official Zoning Map and is specifically identified as a Planned Unit Development (PD) Zoning district in Section 18.08.020.P of the Cloverdale Zoning Ordinance. A Zoning Ordinance Text and Map Amendment are necessary to allow for the Project. The zoning amendment from

“P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” is consistent with the density range provided by the property’s MDR General Plan Land Use Designation, which allows for a maximum of 8 dwelling units per acre.

Environmental Assessment. In accordance with CEQA Guidelines section 15063, staff prepared an Initial Study to evaluate the potential impacts of the project on the environment and surrounding properties. Based on the result of the Initial Study, staff prepared a Mitigated Negative Declaration. A Notice of Intent to adopt a Mitigated Negative Declaration for the project was posted with the Sonoma County Clerk for 30 days beginning on February 23, 2016 and concluded on March 23, 2016. No public comments were received. A Mitigating Monitoring and Reporting Program was subsequently prepared for reporting on and monitoring of all of the proposed mitigation measures included in the Mitigated Negative Declaration. All mitigation measures and requirements as listed in the Mitigation Monitoring and Reporting Program for the Rink Parcel Map are incorporated as Conditions of Approval for this project. At the close of the Public Hearing on September 13, 2016, City Council adopted Resolution No. 070-2016, adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for the project.

Tentative Parcel Map, PUD permit, and Zoning Ordinance Amendment Rezone. At the close of the Public Hearing on September 13, 2016, the City Council adopted Resolution No. 071-2016 (Attachment 4), approving a Tentative Parcel Map, PUD Permit, Zoning Ordinance Amendment and Zoning Map Amendment for the 0.52-acre parcel located at 531 N. Cloverdale Boulevard (APN 001-021-021). Findings for the approval of the Tentative Map, PUD Permit and Zoning Amendment as required by Section 17.48.140, Section 18.03.130 and Section 18.03.080 of the Zoning Ordinance were included in the resolution.

Ordinance. City staff recommends waiving the second reading of Ordinance No. 711-2016 (Attachment 5), amending the adopted Zoning Map and Zoning Ordinance, Title 18 of the Cloverdale Municipal Code to Rezone a 0.52-acre property from “P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” and eliminate “P-D/15 Rink Mixed Use” from Section 18.08.020 of the Zoning Ordinance for the for the Rink Parcel Map Project located at 531 N. Cloverdale Boulevard (APN 001-021-021).

Options

1. Adopt Ordinance No. 711-2016, amending the adopted Zoning Map and Zoning Ordinance to delete the Planned Development (P-D/15 Rink Mixed Use Project) Zoning District and rezone the parcel located at 531 N. Cloverdale Boulevard to the Two-Family Residential (R-2) Zoning District.
2. Provide alternative direction to Staff.

Budget/Financial Impact

If approved, there would be no immediate fiscal (budgetary or financial) impact associated with the project. Upon future construction of the project, the assessed valuation of the property could increase, which in turn could increase local property tax revenues.

Subcommittee Recommendation

None.

Recommended Council Action

Waive the second reading and adopt Ordinance No. 711-2016 amending the adopted Zoning Map and Zoning Ordinance, Title 18 of the Cloverdale Municipal Code to Rezone a 0.52 acre property from “P-D/15 Rink Mixed use” to “R-2 Two-Family Residential” and eliminate “P-D/15 Rink Mixed Use” from Section 18.08.020 of the Zoning Ordinance for the for the Rink Parcel Map Project located at 531 N. Cloverdale Boulevard (APN 001-021-021).

Attachments:

1. Tentative Parcel Map (date stamped June 2, 2016)
 2. Council Resolution 070-2016, adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for a Tentative Parcel Map, PUD Permit, Zoning Ordinance Amendment and Zoning Map Amendment for the 0.52-acre parcel located at 531 N. Cloverdale Boulevard (APN 001-021-021).
 3. Council Resolution 071—2016, approving a Tentative Parcel Map, PUD Permit, Zoning Ordinance Amendment and Zoning Map Amendment for the 0.52-acre parcel located at 531 N. Cloverdale Boulevard (APN 001-021-021).
 4. Ordinance No. 711-2016
-

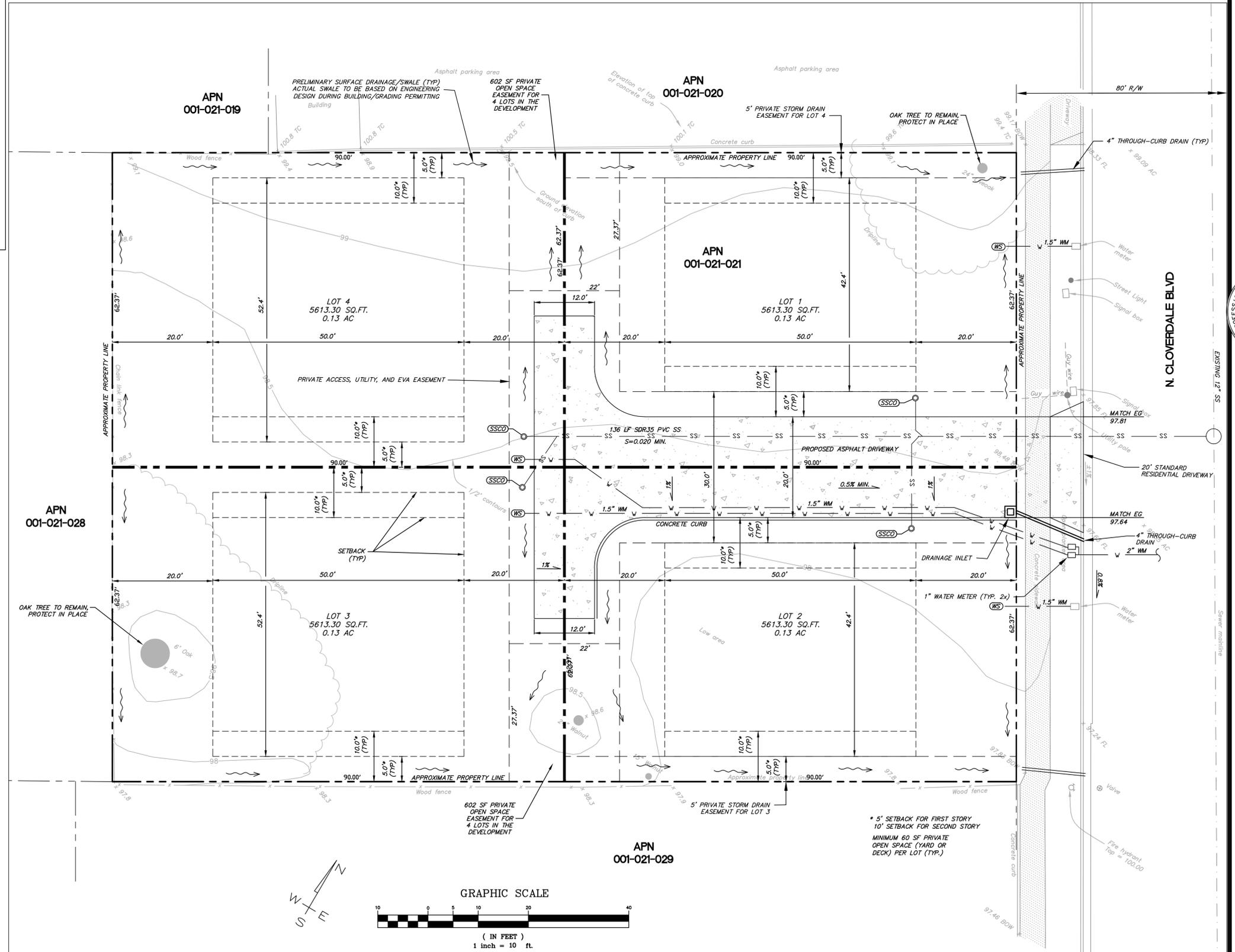
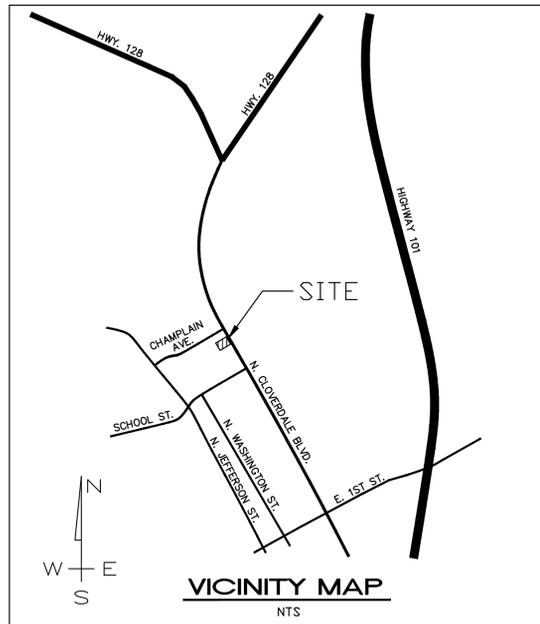
X:\Agenda Development\COUNCIL\2016 REPORTS\10.11.16\B. Consents\Ord 711-2016 second reading (Rink Rezoning)\City Council Agenda Report - Rink Parcel Map and Rezone Ordinance_10-11-2016.docx

RINK PARCEL MAP TENTATIVE SUBDIVISION MAP

LANDS OF PAUL A. RINK
APN 001-021-021

PROPOSED LOTS

LOT 1	0.13 ACRES
LOT 2	0.13 ACRES
LOT 3	0.13 ACRES
LOT 4	0.13 ACRES



SURVEY NOTES

FIELD SURVEY WORK DONE ON OCTOBER 16, 2002.
HORIZONTAL DATUM IS PER FOUND PIPE AT THE SOUTH CORNER AND CLOVERDALE BLVD. (THIS IS PRELIMINARY BASIS, TO BE REVISED).
VERTICAL DATUM IS ASSUMED. TOP OF FIRE HYDRANT AS SHOWN, ELEVATION = 100.00.

LEGEND

- SURFACE DRAINAGE/SWALE (TYP)
- SANITARY SEWER CLEANOUT
- WATER SERVICE

PROJECT INFORMATION

PROJECT ADDRESS: 531 N. CLOVERDALE BOULEVARD
CLOVERDALE, CA 95425

ASSESSOR PARCEL NO: 001-021-021

PROJECT OWNER: RINK LIVING TRUST
PO BOX 835
CLOVERDALE, CA 95425
(707) 696-2594

ENGINEER: CRT MUNSSELLE, P.E. #69941
MUNSSELLE CIVIL ENGINEERING, INC
513 CENTER STREET
HEALDSBURG, CA 95448

SURVEYOR:

WATER SUPPLY: CITY OF CLOVERDALE

SEWER SUPPLY: CITY OF CLOVERDALE

NUMBER OF PARCELS: 4 PARCELS

PRESENT USE: EMPTY PARCEL

PROPOSED USE: 4 RESIDENTIAL LOTS

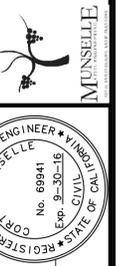
PROPOSED IMPROVEMENTS: PRIVATE DWY, UTILITIES

ZONING INFORMATION: EXISTING: P-D/15, PROPOSED: R-2

FLOOD ZONE PER FEMA MAPPING: NONE

REVISION	DESCRIPTION	BY	DATE

MUNSSELLE CIVIL ENGINEERING
CIVIL ENGINEERING • LAND PLANNING
513 CENTER STREET
HEALDSBURG, CA 95448
(707) 386-0988



CORT L. MUNSSELLE
PCE 69941

TENTATIVE SUBDIVISION MAP-ALT 2
LANDS OF PAUL A. RINK
APN 001-021-021
531 N. CLOVERDALE BOULEVARD
CLOVERDALE, CA

MAY 26, 2016
JOB NO. 10-14
SHEET NO.

1
OF 1

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 070 -2016**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM (MMRP) FOR A TENTATIVE PARCEL MAP, PUD PERMIT, ZONING
ORDINANCE AMENDMENT AND MAP AMENDMENT FOR THE 0.52 ACRE PARCEL LOCATED
AT 531 N. CLOVERDALE BOULEVARD (APN 001-021-021)**

WHEREAS, an application for a Tentative Parcel Map, PUD Permit, Zoning Ordinance Amendment and Map Amendment (the "Project") to rezone the 0.52 acres parcel located at 531 N. Cloverdale Boulevard from the Planned Development (P-D/15) Zoning District to the Two-Family Residential (R-2) Zoning District to allow for a small lot single-family detached four-lot subdivision with an exception to the minimum lot size and lot depth requirements was submitted by the applicant; and

WHEREAS, the site is currently designated Medium Density Residential (MDR) on the City's General Plan Land Use Map and the proposal is consistent with the Medium Density Residential (MDR) land use designation of the General Plan which allows for a variety of development types including attached or detached single-family residential uses; and

WHEREAS, the Project would provide a single-family residential subdivision with an approximate density of 8 dwelling units per acre within the density range allowed by the Medium Density Residential General Plan Land Use Designation, which is a maximum of eight dwelling units per acre and therefore has been determined to be consistent with the goals, policies and implementation measures of the General Plan; 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; and

WHEREAS, the City prepared an Initial Study for the Project dated February 2016, to determine whether additional environmental review is required. Pursuant to CEQA Guidelines Section 15064 the City determined that with the incorporation of mitigation measures any impacts to the environment would be reduced to a less than significant level and posted a Notice of Intent to adopt a Mitigated Negative Declaration for the Project with the Sonoma County Clerk and was open for public comment from February 23, 2016 through March 14, 2016 during which no public comments were received; and

WHEREAS, on August 2, 2016 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, a Staff Report dated August 2, 2016, and incorporated herein by reference described and analyzed the Project and related Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program ("IS/MND and MMRP") for the Planning Commission and recommended City Council adoption of the IS/MND and MMRP; and

WHEREAS, the Planning Commission considered the IS/MND and MMRP, and all above-referenced reports, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, on September 13, 2016 the City Council held a properly noticed public hearing on the IS/MND and MMRP and the related Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated September 13, 2016 and incorporated herein by reference described and analyzed the Project and related IS/MND and MMRP for the City Council and recommended adoption of the IS/MND and MMRP and approval of the Project.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Cloverdale does hereby adopt an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Rink Tentative Parcel Map project as noted in the recitals above.

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

BE IT FURTHER RESOLVED that the City Council of the City of Cloverdale adopts the IS/MND and MMRP attached as Exhibit A (and incorporated herein by reference), pursuant to Article 7 of the CEQA Guidelines for the Rink Tentative Parcel Map.

It is hereby certified that the foregoing Resolution No. 070-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on September 13, 2016 by the following roll call vote: (3-ayes; 1-no; 1-absent)

AYES: Councilmember Cox, Vice Mayor Wolter, and Mayor Brigham
NOES: Councilmember Russell
ABSENT: Councilmember Palla
ABSTAIN: 0

APPROVED:


Mary Ann Brigham, Mayor

ATTESTED:


Linda Moore, Deputy City Clerk

Attachment:

Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

X:\Agenda Development\COUNCIL\2016 REPORTS\09.13.16\D. Public Hearing\Rink Rezone\Attachment 6 - Rink Parcel Map CC Reso for CEQA MND - MMRP.docx

- 1. Project title:** Rink Minor Subdivision
- 2. Lead agency name and address:** City of Cloverdale
124 N. Cloverdale Boulevard
Cloverdale, CA 95425
- 3. Contact person and phone number:** Rafael Miranda, Associate Planner
- 4. Project location:** 531 North Cloverdale Boulevard (west side approximately 100 feet south of Champlain Avenue) APN 001-021-021
- 5. Project sponsors name and address:** Munselle Civil Engineering
513 Center Street
Healdsburg, CA 95448
- 6. General Plan designation:** Medium Density Residential
- 7. Zoning:** P-D/15 (Planned Development)
- 8. Description of project:** Subdivision of a 0.52 acre lot (22,650 square feet) into four residential lots ranging in size from approximately 4,300 square feet to 6,900 square feet. One new 12-foot wide driveway would provide direct access to Lot 1 from North Cloverdale Boulevard. Lots 2 through 4 would be accessed from a new 20-foot wide shared driveway off of North Cloverdale Boulevard. The lots would be graded at the time of construction, and an existing fire hydrant would be relocated to make room for the shared driveway. A six-foot diameter oak tree would be preserved in the south west corner of Lot 4, where a public open space easement would provide all lots with access to a shared open space area.
- 9. Surrounding land uses and setting:** The project is located on the west side of North Cloverdale Boulevard. The property to the north at 543 North Cloverdale Boulevard contains a commercial building and is zoned Service Commercial (S-C), while the other property to the north at 119 Champlain Avenue contains a single-family residence and is zoned Single-Family Residential (R-1). The properties to the south and

east are zoned Two-Family Residential (R-2) and developed with residential uses. The property to the west is part of Cloverdale High School and is zoned Public Institutional (P-I).

10. Other public agencies whose approval is required:

The City of Cloverdale is the only agency involved in permit issues including, but not limited to, encroachment permits, the Building Department for building permits and the Planning Department for Design Review.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "potentially significant impact" as indicated by the checklist on the following pages.

X	Aesthetics	-	Agricultural Resources	-	Air Quality
X	Biological Resources	-	Cultural Resources	-	Geology/Soils
-	Greenhouse Gas Emissions	-	Hazards and Hazardous Materials	-	Hydrology/Water Quality
-	Land Use/ Planning	-	Mineral Resources	-	Noise
-	Population/Housing	-	Public Services	-	Recreation
-	Transportation/ Circulation	-	Utilities/Service Systems	-	Mandatory Findings of Significance

Determination (to be completed by Lead Agency):

On the basis of this initial evaluation:

 I find that the proposed project **could not** have a significant effect on the environment and a **Negative Declaration** will be prepared.

 X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **Mitigated Negative Declaration** will be prepared.

 I find that although the proposed project **may** have a significant effect on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on the attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **Environmental Impact Report** is required, but must only analyze the effects that remain to be addressed.

 I find that although the proposed project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed on the proposed project.

Signature: _____ Date: _____

Printed Name: _____ For: _____

Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "no impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "no impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "no impact" answer should be explained where it is based on project-specific factors as well as general factors (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "potentially significant impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less-Than-Significant Unless Mitigation Incorporated" implies elsewhere the incorporation of mitigation measures has reduced an effect from "potentially significant effect" to a "less than significant impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less-Than-Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each agency should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.
- 10) In 2003, the Cloverdale City Council adopted an Initial Study and Mitigated Negative Declaration for a different project that was previously planned for this property. The previous application was for a Conditional Use Permit and Design Review to construct a mixed use project featuring 10 apartment units totaling 8,055 square-feet and 1,166 square-feet of office space. The Initial Study included mitigation measures related to tree protection, as well as the protection and preservation of any prehistoric or archeological remains that could be uncovered during the course of construction.

V. ENVIRONMENTAL CHECKLIST

The following Environmental Checklist form is used to describe the impacts of the proposed project, as detailed in the Project Description. Potential environmental impacts are described as follows:

Potentially Significant Impact: An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an Environmental Impact report (EIR) must be prepared.

Potentially Significant Unless Mitigated: An environmental impact that requires the incorporation of mitigation measures to reduce that impact to a less-than-significant level.

Less-Than-Significant-Impact: An environmental impact may occur, however, the impact would not be considered significant based on CEQA environmental standards.

No Impact: No environmental impacts are proposed.

1. Aesthetics

Environmental Setting

The project site is currently vacant and undeveloped. No public parks, playgrounds or scenic overlooks exist on the site and the site is not located along a scenic highway. Similarly, no natural features such as stands of trees, rock outcroppings, bodies of water or similar features, are present on the site.

Surrounding uses include residential and commercial to the north, residential uses to the east and south, and public institutional (Cloverdale High School) to the west.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X		
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

- a) The project site is located on the valley floor and does not contain scenic views or dynamic vistas. The eventual homes to be constructed on the lots would be limited to the maximum building height allowed by the Zoning Ordinance for the R-2 Zoning District, which is 35 feet or two-stories, whichever is less. Furthermore, residential structures located to the south and across the street to the east are located far enough away that any views which currently exist of the surrounding hillsides would not be significantly impacted by the eventual construction of single-family residential homes on the proposed lots.

- b) Potentially Significant Unless Mitigated - Although the project proposes to retain a significant 6-foot diameter oak tree or a 24" oak tree the property, significant impacts to the trees remain a possibility due to their proximity to the proposed building envelope on Lots 1 and 4. As a result, the trees should be protected during construction. Standard conditions of approval could accomplish most of these recommendations, however additional mitigation is required to design a tree protection plan and mitigation monitoring program. The overall impact to the trees, and the existing site aesthetics, would be reduced to a less-than-significant level by adherence to the following measures to be added to the conditions of approval:

Mitigation Measure Aesthetics-1: An arborist shall prepare a plan that would reduce the impact of development to a less than significant level by requiring incorporation and implementation of specific tree protection measures into development plans. Staff may require changes in response to the arborist recommendations prior to issuance of the grading permit.

Mitigation Measure Aesthetics-2: No grading shall occur under the 6-foot diameter oak tree. The final grading plan shall be design so that drainage does not flow into the dripline of the oak tree and that water is directed away from the dripline of the oak tree.

Mitigation Measure Aesthetics-3: Prior to any grading, an arborist shall develop a tree protection plan for the two oak trees for review and approval by the Community Development Department. The grading plan shall have a note that no grading shall occur until the tree protection plan is approved and in place.

Mitigation Measure Aesthetics-4: An arborist shall be present for any grading within the dripline of the 24" oak tree. An arborist shall supervise all limb and/or root pruning for either of the two oak trees.

Mitigation Measure Aesthetics-5: Include the following standard tree protection conditions of approval:

- 1. The developer shall adhere to the following tree protection measures during the construction of this project:
- 2. All trees to be saved shall be enclosed by a construction barrier placed around the protected zone of the tree, such as chain link fence 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.

3. Any excavation, cutting, filling, paving or compaction of the existing ground surface within the protected zone shall be minimized. No adverse significant change in existing ground level shall occur within the dripline of the protected tree.
4. Construction equipment shall not be stored within the protected zone. No 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.
5. 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 may units as possible.
6. The 6-foot valley oak and 24 inch live oak shall be preserved and removal is not anticipated. In the event that the 24 inch live oak tree is removed or killed because of circumstances unforeseen at time of approval, it shall be replaced with three boxed live oak trees, minimum 36-inch box tree.

c-d) The project site is located on the valley floor and does not contain scenic views or dynamic vistas. The two mature oak trees would be protected through construction of the homes to be eventually constructed on the proposed lots, helping to preserve some of the existing visual character of the project site. The eventual homes to be constructed on the lots would be limited to the maximum building height allowed by the Zoning Ordinance for the R-2 Zoning District, which is 35 feet or two-stories, whichever is less. Finally, impacts related to lighting and glare would be reduced to a less-than-significant level by adherence to the requirements of Section 18.09.050 (Outdoor Lighting) of the Zoning Ordinance, as these requirements would be included along with the standard conditions of approval. These regulations seek to prevent glare and light pollution by requiring all exterior lighting and lighting fixtures to be designed, located, installed, aimed and maintained downward or toward structures.

2. Agricultural and Forestry Resources

Environmental Setting

No portion of the project site is used for or zoned for agricultural production. No timber resources exist on the site. No Williamson Act contract or Timber Preserve contract exists on the site

Project Impacts:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Convert Prime Farmland,				

<p>Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>			<p>X</p>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>			<p>X</p>
<p>c. Conflict with existing zoning for, or cause rezoning of forest land (as defined by PRC Sec. 12220(g), timberland (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g))?</p>			<p>X</p>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>			<p>X</p>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to a non-agricultural use or conversion of forest land to a non-forest use?</p>			<p>X</p>

Discussion

a-e) There would be no impact to agricultural or forestry resources since the site is surrounded by urban uses and aside from a few fruit trees and shrubs only four trees

exist on the property (two oak trees and two walnut trees). The site is zoned Two-Family Residential (R-2) wherein small lot detached single-family residences are allowed with approval of a PUD Permit, which the applicants have applied for as well. The site does not contain land that is part of a Williamson Act contract. Furthermore, the project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as the site is not listed on any maps prepared pursuant to the Farmland Mapping and Monitoring Program.

3. Air Quality

Environmental Setting

The City of Cloverdale is located at the northern end of Sonoma County, and lies within the Northern Sonoma County Air Pollution Control Districts (NSCAPCD) jurisdiction. The NSCAPCD develops rules and regulations, and establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines when necessary.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X

d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

Discussion

a-e) Air pollution concerns for the City of Cloverdale were addressed in the Environmental Impact Report (EIR) for the last General Plan update completed in 2009. According to the EIR, due to the temporary nature of construction related impacts and required compliance with NSCAPCD rules and regulations, these impacts would not result in excess exposure of pollutant levels to sensitive receptors and are considered to be less than significant.

The NSCAPCP is currently in attainment for all criteria pollutants and any increase in criteria emissions is already accommodated for by the air district. As a result, the area would remain in attainment for criteria pollutants and any impacts from increased emissions from the City of Cloverdale are considered less than significant.

4. Biological Resources

Environmental Setting

The project site is undeveloped and vacant with minimal natural features except for a number of trees. The site is surrounded by urban uses and aside from fruit trees and shrubs only four trees exist on the property (two oak trees and two walnut trees). The oak trees measure 24” and 6 feet in diameter. No wetlands or special-status species currently exist on the site, nor is the project site located within a Habitat Conservation Plan area.

Impacts and Mitigation Measures from Previous CEQA documents.

The 2003 IS/MND contained the following impacts and mitigation measures related to biological resources; The current project would also be required to comply with the following:

- **Mitigation Measure Biology-1:** An arborist shall prepare a plan that would reduce the impact of development to a less than significant level by requiring incorporation and implementation of specific tree protection measures into development plans. Staff may require changes in response to the arborist recommendations prior to issuance of the grading permit.
- **Mitigation Measure Biology-2:** No grading shall occur under the 6-foot diameter oak tree. The final grading plan shall be design so that drainage does not flow into the dripline of the oak tree and that water is directed away from the dripline of the oak tree.

- **Mitigation Measure Biology-3:** Prior to any grading, an arborist shall develop a tree protection plan for the two oak trees for review and approval by the Community Development Department. The grading plan shall have a note that no grading shall occur until the tree protection plan is approved and in place.
- **Mitigation Measure Biology-4:** An arborist shall be present for any grading within the dripline of the 24" oak tree. An arborist shall supervise all limb and/or root pruning for either of the two oak trees.
- **Mitigation Measure Biology-5:** Include the following standard tree protection conditions of approval:
 1. The developer shall adhere to the following tree protection measures during the construction of this project:
 2. All trees to be saved shall be enclosed by a construction barrier placed around the protected zone of the tree, such as chain link fence 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.
 3. Any excavation, cutting, filling, paving or compaction of the existing ground surface within the protected zone shall be minimized. No adverse significant change in existing ground level shall occur within the dripline of the protected tree.
 4. Construction equipment shall not be stored within the protected zone. No 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.
 5. 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.
 6. The 6-foot valley oak and 24 inch live oak shall be preserved and removal is not anticipated. In the event that the 24 inch live oak tree is removed or killed because of circumstances unforeseen at time of approval, it shall be replaced with three boxed live oak trees, minimum 36-inch box tree.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any				X

species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife			X

- nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
 - f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

	X		
			X

Discussion

a-f) The City of Cloverdale does not currently have a Tree Preservation Ordinance, although the General Plan encourages the preservation of mature trees. The mitigation measures referenced above related to tree impacts and preservation from the 2003 IS/MND are included as conditions of approval and would be required to be incorporated into any development plans for the site, reducing impacts to a less-than-significant level. Tree protection measures and mitigations are also included in the Aesthetics section of this Initial Study that would be added to the conditions of approval for this project to ensure that the two mature oak trees on the project site would be protected.

5. Cultural Resources

Environmental Setting

The project site contains no above ground historic resources, as it is vacant and undeveloped.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result in impacts to:</i>				
a. Cause a substantial adverse change in the significance of a historical			X	

resource as defined in Sec. 15064.5?			
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?		X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X
d. Disturb any human remains, including those interred outside of formal cemeteries?		X	

Discussion

a-d) Based on existing site conditions, no disturbance of any cultural, historic, archeological or Native American resource has been or would be impacted should the project be approved and implemented. The site has not been identified on any cultural resources surveys. Standard conditions of approval include conditions and procedures to be followed if prehistoric or archaeological resources are discovered that would reduce any potential impacts to these resources to a less-than-significant level. 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 would be stopped until a qualified prehistoric archaeologist evaluated the situation and made recommendations for mitigation to the resource. If human remains are encountered the Sonoma County Coroner would be notified immediately.

6. Geology and Soils

Environmental Setting

This section of the Initial Study is based on an analysis of local geologic conditions conducted by the firm of PJC & Associates Inc dated October 7, 2015, which is incorporated by reference into this Initial Study. The PJC report is available for review at the Cloverdale Planning Department during normal business hours.

The project site is relatively flat with no steeply sloping areas located on or adjacent to the site. The site is blanketed by a layer of porous and organic rich clayey sand topsoil near the surface. Boreholes encountered this weak and compressible topsoil to depths of approximately three feet below the existing ground surface.

The PJC report notes that the project site is located in a region that contains numerous active earthquake faults. The nearest known active faults are the Maacama South and the Maacama Central Faults located approximately 2.7 and 2.9 miles from the site, respectively. The project site is not located in an Earthquake Fault Zone.

The presence of groundwater was not encountered during their filed exploration, and the report states that groundwater should not be a significant consideration during construction of the project.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X

b. Result in substantial soil erosion or the loss of topsoil?		X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X

Discussion

a-d) A Geotechnical Investigation was prepared for this site by PJC & Associates Inc, dated October 7, 2015. The report states that the soils are satisfactory to support the proposed project, but the soils are weak and would need compaction and proper foundations constructed to respond to soils conditions. The report concludes that the project site is not located within an Alquist-Priolo Earthquake Fault Zone or State of California Earthquake Fault Studies Zone, and there are no active faults on the site.

There is a potential for strong seismic shaking, and buildings would be designed in accordance with the California Building Code standard adopted for the City, and as required by standard conditions of approval. Additionally, the standard conditions of approval require that the project be developed in accordance with the Geotechnical Investigation prepared for this site by PJC & Associates Inc, dated October 7, 2015. Therefore, this impact would be reduced to a less than significant level.

- e) The project would not be utilizing alternative means of disposing of wastewater. The development would be required to connect to existing City services.

7. Greenhouse Gas Emissions

Environmental Setting

Since certification of the General Plan EIR in 2009, the issue of contribution of greenhouse gasses to climate change has become a more prominent issue of concern. On March 18, 2010, amendments to the State CEQA Guidelines took effect which set forth requirements for the analysis of greenhouse gasses. The topic of the project’s contribution to greenhouse gas emissions and climate change was not analyzed in the 2009 General Plan EIR. Since the 2009 General Plan was certified, the determination of whether greenhouse gasses and climate change needs to be analyzed for this proposed project is governed by the law on supplemental or subsequent EIRs (Public Resources Code section 21166 and Guidelines, Sections 15162 and 15163). Greenhouse gas and climate change is not required to be analyzed under those standards unless it constitutes “new information of substantial importance, which was not known and could not have been known at the time the previous EIR was certified as complete” (CEQA Guidelines Sec. 15162 (a) (3).) Greenhouse gas and climate change impacts is not new information that was not known or could not have been known at the time the General Plan EIR was adopted. The issue of climate change and greenhouse gasses was widely known prior to the certification of these EIRs. The United Nations Framework Convention on Climate Change was established in 1992. The regulation of greenhouse gas emissions to reduce climate change impacts was extensively debated and analyzed throughout the early 1990s. The studies and analyses of this issue resulted in the adoption of the Kyoto Protocol in 1997. In the early and mid 2000s, GHGs and climate change were extensively discussed and analyzed in California. In 2000, SB 1771 established the California Climate Action Registry for the recordation of greenhouse gas emissions to provide information about potential environmental impacts. In 2005, the Governor issued Executive Order # S-03-05 establishing greenhouse gas emission reduction targets in California. AB 32 was adopted in 2006. Therefore, the impact of greenhouse gases on climate change was known at the time of the certification of the General Plan EIR in 2009. Under CEQA standards, it is not new information that requires analysis in a supplemental EIR or negative declaration. No supplemental environmental analysis of the project’s impacts on this issue is required under CEQA.

Project Impacts:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Generate greenhouse gas				

emissions, either directly or indirectly, that may have a significant impact on the environment?

- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

			X
			X

Discussion:

a-b) As discussed above, no additional environmental analysis is required.

8. Hazards

Environmental Setting

The site does not contain contaminated soils, and no public or private airports or airstrips exist within or near the project site.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or				

<p>acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>			<p>X</p>
<p>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p>			<p>X</p>
<p>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p>			<p>X</p>
<p>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p>			<p>X</p>
<p>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation</p>			<p>X</p>

plan?

- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fire, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

			X

Discussion

- a-d) No hazards have been identified on this site in studies from surrounding properties or from the geotechnical investigation performed for this project.
- e-h) This project site is not near an airstrip nor would the development of the site impair implementation of emergency response plans. The site is located on the valley floor and is not located in a Wildland Urban Interface (WUI) area.

9. Hydrology and Water Quality

Environmental Setting

No creeks, wetlands or other bodies of water exist on the site. The project is not located within a 100-year flood hazard area as documented on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Community Panel No. 06097C0117E.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater				X

table level?

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?
- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f. Otherwise substantially degrade water quality?
- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

			X
			X
			X
			X
			X

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j. Inundation by seiche, tsunami, or mudflow?

			X
			X
			X

Discussion

- a) A primary concern of storm water runoff is the pollution associated with the construction and development at the site. Sediment from grading and excavation activities, oil and grease from equipment and vehicles, fertilizers and herbicides are all considered non-point source (NSP) pollutants. An Erosion Control Plan for project is required to be submitted showing that it would not increase the flow or intensity of flow of rainwater runoff from the existing conditions. Low Impact Development (LID) measures are to be added to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City of Cloverdale. The plan would be required to be submitted and approved by the Engineering Department prior to issuance of grading permits. Standard conditions of approval would address these impacts and they would be reduced to a less than significant level.
- b) The project would utilize City water service. The project is not expected to significantly impact the water supply, evaluated annually for the Infrastructure Audit and deemed by the Engineering Department to be sufficient for the proposed development. Current water supplies have been evaluated to supply a population of up to 12,000 citizens. The current population of Cloverdale is approximately 8,738 citizens.
- c) No watercourse is present on the project site.
- d-f) An Erosion Control Plan for project would be required showing that it would not increase the flow or intensity of flow of storm water runoff from the existing conditions. Low Impact Development (LID) measures are to be added to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City

of Cloverdale. The plan would be required to be submitted and approved by the Engineering Department prior to issuance of grading permits. Standard conditions of approval would address these impacts. Additionally, the standard conditions require payment of development impact fees, targeted for construction of Citywide public infrastructure projects that address the cumulative impacts of development.

- g-j) The project site lies outside of a 100-year flood hazard area, as noted in the Environmental Setting section, so no impact would result with respect to this topic. Also, the site is located a sufficient distance from San Francisco Bay and the Pacific Ocean to minimize any significant impact related to tsunami action.

10. Land Use

Environmental Setting

The project site is currently vacant and undeveloped, and zoned for residential land uses including detached single-family residences. Surrounding uses include residential and commercial to the north, residential uses to the east and south, and public institutional (Cloverdale High School) to the west.

Project Impacts:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

a-c) If approved, the project would not divide an established community as the project site is currently vacant and located entirely within the Cloverdale City limits. The project is a 0.52 acre infill site in a developed area that conforms to the Zoning Ordinance and the General Plan.

11. Mineral Resources

Environmental Setting

No significant mineral resources exist in the project area based on the Land Use Diagram of the Cloverdale General Plan.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Discussion

a-b) The General Plan notes no deposits of minerals on or adjacent to the project site and no impacts would result.

12. Noise

Environmental Setting

The project site is not located in close proximity to a fixed noise-producing source, such as the Highway 101 freeway or the Cloverdale airport. The railroad and Highway 101 freeway are

located approximately a half mile to the east of the site, separated by a hillside and ridgeline. Standard conditions of approval require that noise levels on the project site not exceed standards established in the General Plan.

Project Impacts and Mitigation Measures

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or, where such				

a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

			X
			X

Discussion

a-c and e-f) The project involves the addition of residential uses to the area. The primary noise source for the residential portion of the project would be noise associated with vehicles along Cloverdale Boulevard. The General Plan noise analysis identifies that a small portion of the project site is above the exterior residential thresholds 60 dBA CNEL established within the General Plan Noise Element. However, conditions of approval would require construction assembly on Lots 1 and 2 to reduce the interior noise levels to 45 dBA CNEL. Acceptable interior noise levels are defined as 45 dBA CNEL or less. Therefore, this impact would be reduced to a less than significant level.

Conditions of approval are not required to reduce the exterior noise level as the approximate exterior noise level for properties along Cloverdale Boulevard north of Third Street is 61 dBA at 100 feet from the Cloverdale Boulevard. As the project does not propose any backyards facing Cloverdale Boulevard, the eventual homes and fences to be constructed on the lots would provide a buffer between the noise source (Cloverdale Boulevard) and the active outdoor recreation areas of the development where the City's noise standards apply.

The Project would not generate ground borne vibrations nor ground borne noise levels because normal construction would be used that would not involve pile driving or similar activity. There would be no impacts with regard to aircraft noise on the project site since no public or private airports or airstrips exist near the site.

d) Noise levels would be expected to increase during the later phases of development involving construction. The transport of workers, construction equipment, and materials to the project site would incrementally increase noise levels for the surrounding

residential dwellings adjacent to the project. Grading and excavation generates the highest noise levels with earthmoving equipment. Noise levels would be expected to increase to up to 88dba at 50 feet during earth moving activities. A condition of approval has been included that would limit noise-producing activities resulting from construction activity to 7 a.m. to 7 p.m. Monday through Saturday, and from 9 a.m. to 5 p.m. on Sundays and holidays, unless a waiver is granted by the Community Development Director and adjacent neighbors have provided their written approval to the City. Therefore, this impact would be reduced to a less than significant level.

13. Population and Housing

Environmental Setting

The project site is currently vacant and undeveloped. Surrounding uses include single-family residential and commercial to the north, single-family residential uses to the east and south, and public institutional (Cloverdale High School) to the west.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing				X

elsewhere?

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Discussion

- a) The proposed project would have less than significant impacts on the population growth within the City of Cloverdale as the project ultimately proposes developing 4 single-family residences. Based on ABAG standards (3.21 persons per household) this is an increase of less than 13 residents. Infrastructure is adequate to handle this growth.
- b-c) The proposed project would take place on vacant, underutilized land within the City core. No residential units would be displaced, necessitating reconstruction elsewhere.

14. Public Services

Environmental Setting

Essential public services to the project area are provided as follows:

- *Fire Protection.* Fire protection services are provided by the Cloverdale Fire Protection District, which is headquartered at 451 S. Cloverdale Boulevard. A fire station is also located at the district headquarters.
- *Police Protection.* Police and security protection is provided by the Cloverdale Police Department, headquartered at the 112 Broad Street.
- *Schools.* Public educational services for residents of the project site are provided by the Cloverdale Unified School District. The District provides K-12 educational services for residents of Cloverdale and the surrounding unincorporated area.

Local schools serving the project site include Jefferson Elementary School, Washington Middle School and Cloverdale High School.

- *Library Service.* Sonoma County Library provides library service to Cloverdale as well as the greater Sonoma County. Numerous branch libraries are located in both incorporated cities and unincorporated communities throughout the County. The library administrative headquarters is located in Santa Rosa. The branch library closest to the project site is located at 401 N. Cloverdale Boulevard in Cloverdale.
- *Maintenance.* Maintenance of local streets, roads and other governmental facilities are the responsibility of the City of Cloverdale.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless	Less Than Significant	No Impact
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Would the proposal:

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Mitigated	Impact	
			X
Fire protection?			X
Police protection?			X
Schools?			X
Parks?			X
Other public facilities?			X

Discussion

a) Details of the proposed development were provided to the Police Department as well as the Fire District and it was determined that the development would not adversely impact the level of service provided by the Fire District, Police Department, or School District. No new or expanded facilities would be required to serve the proposed project. The developer would pay development impact fees that support these Departments and Districts City Wide. Maintenance of local roads and other public facilities would be provided by the City of Cloverdale and would be funded by increased property taxes and fees paid by future residents. Library service to the project area would continue to be provided by the Sonoma County Library system.

For impacts to parks, refer to item 15, below.

15. Recreation

Environmental Setting

The project site is vacant and undeveloped. No parks, playgrounds or similar uses are present on the site.

The closest public parks are south of the site on West Second Street and West First Street. City Park is located at 450 W. Second and the City pool is located at 205 West First Street.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

- a-b) The proposed project would not significantly impact the existing recreational facilities located within the City of Cloverdale, such that the facilities would be substantially degraded. The project is also subject to Public Facilities Development, as well as Parks and Recreation Facilities development impact fees, which are used for City wide projects relating to community needs.

16. Traffic and Transportation

Environmental Setting

Cloverdale Boulevard is the main arterial through the City, extending in a north-south direction, and provides direct access to the project site. In this section, the roadway has two travel lanes; one northbound and one southbound).

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase				

hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e. Result in inadequate emergency access?			X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X

Discussion

a-f) The General Plan Update Environmental Impact Report from 2008 anticipated the resulting traffic volumes expected to be generated by the complete residential build out of the General Plan. A Level of Service (LOS) B for the intersection at Cloverdale Boulevard and Third Street would result at complete build-out of the General Plan. This intersection is the closest intersection to the project site that was included in the study at the time. A Level of Service B, which is associated with a delay of approximately 10 to 15 seconds and drivers may have to wait for one or two vehicles to clear the intersection before proceeding, is considered an acceptable LOS for a four-way stop controlled intersection.

Furthermore, the Streets and Thoroughfare Development Impact Fee would be collected before the project is developed, which provide for cumulative improvements of the roadway system to meet traffic needs at ultimate General Plan build-out. No new streets are proposed, and the proposed driveway locations and design have been reviewed by the Fire District and Public Works Department to ensure adequate emergency vehicle access is provided to the project. Therefore, these impacts would be reduced to a less than significant level.

17. Utilities and Service Systems

Environmental Setting

The Project area is served by the following service providers:

- *Water supply.* City of Cloverdale.
- *Sewage collection.* City of Cloverdale.

- *Sewage treatment and disposal.* City of Cloverdale Wastewater Treatment Plant
- *Storm drainage.* The City of Cloverdale maintains a local stormwater drainage system with ultimate drainage into the Russian River.
- *Solid waste service.* Redwood Empire Disposal provides residential and non-residential solid waste hauling and recycling services to dwellings and businesses.

Project Impacts

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the project</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing water entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or			X	

may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state and local statutes and regulations related to solid waste?			X	

Discussion

- a) The project would not exceed the wastewater treatment requirement of the Sonoma County Regional Water Quality Control Board, as the waste water treatment plant is operating at an acceptable level and has adequate capacity to properly treat wastewater from the proposed development.

- b,d,e) According to the 2014 Infrastructure Audit, the city has adequate water, wastewater, stormwater facilities, and water supply for the project. In addition, the standard conditions of approval limit stormwater impacts off site. 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. Therefore, these impacts would be reduced to a less than significant level.

- c) Refer to the Hydrology section of this Initial Study for a discussion of drainage facilities.

- f, g) Construction of future development within the project area would result in a slight increase in the amount of solid waste generated by the project that would be accommodated in local and regional landfill facilities. The proposed project would have no impact with regard to federal, state or local statutes or laws governing solid waste. Therefore, this impact would be reduced to a less than significant level.

18. Mandatory Findings of Significance

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				X
c) Does the project have impacts that are individually limited, but cumulatively considerable?				X
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Discussion

a-b) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal

community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The project is located on property not involving a creek, stream or other waterway, nor is the area identified as having populations of wildlife.

- c) Cumulative impacts have been reviewed in the annual infrastructure audit. There are sufficient public facilities to serve the proposed future development.
- d) The project would not have direct nor indirect environmental effects on human beings. Noise and other impacts from the development would be minimal and within the thresholds set forth in the General Plan.

Initial Study Preparers

Rafael Miranda, Associate Planner, project manager and author

References

CEQA Guidelines, American Council of Engineering Companies, 2016

Cortese List, California Environmental Protection Agency
(<http://www.calepa.ca.gov/SiteCleanup/CorteseList/>)

City of Cloverdale General Plan Update Draft Environmental Impact Report, PMC,
October 2008

California Department of Water Resources (<http://wdl.water.ca.gov>)

Attachments

Zoning / Vicinity Map

Site Plan / Parcel Map

Rink Parcel Map Mitigation Monitoring and Reporting Plan – 531 N. Cloverdale Boulevard

Mitigation Measure	Mitigation	Responsible Party for Monitoring/Enforcement	Timeframe	Monitoring Actions / Verification of Compliance
Aesthetics				
A1	An arborist shall prepare a plan that would reduce the impact of development to a less than significant level by requiring incorporation and implementation of specific tree protection measures into development plans. Staff may require changes in response to the arborist recommendations prior to issuance of the grading permit.	Planning	Prior to issuance of a grading permit	
A2	No grading shall occur under the 6-foot diameter oak tree. The final grading plan shall be design so that drainage does not flow into the dripline of the oak tree and that water is directed away from the dripline of the oak tree.	Planning	Prior to issuance of a grading permit	
A3	Prior to any grading, an arborist shall develop a tree protection plan for the two oak trees for review and approval by the Community Development Department. The grading plan shall have a note that no grading shall occur until the tree protection plan is approved and in place.	Planning	Prior to issuance of a grading permit	

Rink Parcel Map Mitigation Monitoring and Reporting Plan – 531 N. Cloverdale Boulevard

Mitigation Measure	Mitigation	Responsible Party for Monitoring/Enforcement	Timeframe	Monitoring Actions / Verification of Compliance
A4	<p>An arborist shall be present for any grading within the dripline of the 24" oak tree. An arborist shall supervise all limb and/or root pruning for either of the two oak trees.</p>	Planning	On-going / during construction and grading activities	
A5	<p>The developer shall adhere to the following tree protection measures during the construction of this project:</p> <ol style="list-style-type: none"> All trees to be saved shall be enclosed by a barrier placed around the protected zone of the tree, such as chain link fence 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. 	Planning	Prior to commencement of grading and construction activities / On-going	

Rink Parcel Map Mitigation Monitoring and Reporting Plan – 531 N. Cloverdale Boulevard

Mitigation Measure	Mitigation	Responsible Party for Monitoring/Enforcement	Timeframe	Monitoring Actions / Verification of Compliance
	<p>2. Any excavation, cutting, filling, paving or compaction of the existing ground surface within the protected zone shall be minimized. No adverse significant change in existing ground level shall occur within the dripline of the protected tree.</p> <p>3. Construction equipment shall not be stored within the protected zone. No 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.</p>			

Rink Parcel Map Mitigation Monitoring and Reporting Plan – 531 N. Cloverdale Boulevard

Mitigation Measure	Mitigation	Responsible Party for Monitoring/Enforcement	Timeframe	Monitoring Actions / Verification of Compliance
	<p>4. 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 may units as possible.</p> <p>5. The 6-foot valley oak and 24 inch live oak shall be preserved and removal is not anticipated. In the event that the 24 inch live oak tree is removed or killed</p>			

Rink Parcel Map Mitigation Monitoring and Reporting Plan – 531 N. Cloverdale Boulevard

Mitigation Measure	Mitigation	Responsible Party for Monitoring/Enforcement	Timeframe	Monitoring Actions / Verification of Compliance
	<p>because of circumstances unforeseen at time of approval, it shall be replaced with three boxed live oak trees, minimum 36-inch box tree.</p>			

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 071-2016**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE
APPROVING A TENTATIVE PARCEL MAP, PUD PERMIT AND ZONING ORDINANCE AND MAP
AMENDMENT FOR THE 0.52 ACRE PARCEL LOCATED AT 531 N. CLOVERDALE BOULEVARD
(APN 001-021-021)**

WHEREAS, an application for a Tentative Parcel Map, PUD Permit, Zoning Ordinance and Map Amendment to rezone the 0.52 acres parcel located at 531 N. Cloverdale Boulevard from the Planned Development (P-D/15) Zoning District to the Two-Family Residential (R-2) Zoning District to allow for a small lot single-family detached four-lot subdivision with an exception to the minimum lot size and lot depth requirements was submitted by the applicant; and

WHEREAS, the site is currently designated Medium Density Residential (MDR) on the City's adopted General Plan Land Use Map and the proposal is consistent with the Medium Density Residential (MDR) land use designation of the General Plan which allows for a variety of development types including attached or detached single-family residential uses; and

WHEREAS, the project would provide a single-family residential subdivision within the density range allowed by the Medium Density Residential General Plan Land Use Designation of a maximum of eight dwelling units per acre and therefore has been determined to be consistent with the goals, policies and implementation measures of the General Plan; and

WHEREAS, the City Council adopted Ordinance No. 652-2007 on September 12, 2007, which changed the zoning of the project site to Planned Unit Development District (P-D/15) in accordance with a previously approved Tentative Map to subdivide the property into eight lots to allow a mixed use project, for which all entitlements have since expired; and

WHEREAS, the proposal to delete the P-D/15 Zoning District from the Zoning Text and Map and rezone the subject property to the Two-Family Residential (R-2) Zoning District is consistent with the applicant's request to allow for a small lot single-family detached four-lot subdivision with an exception to the minimum lot size and lot depth standards, which is an allowed use in the R-2 Zoning District, subject to PUD Permit approval; and

WHEREAS, Section 18.03.130 of the Zoning Ordinance authorizes the Planning Commission to approve PUD Permits on small parcels which do not meet the minimum acreage (minimum two acres) provisions for a Planned Unit Development District in accordance with the PUD Permit Provisions for Residential Zoning Districts set forth in Zoning Ordinance Section 18.04.060; and

WHEREAS, Chapter 17.48.080 of the Cloverdale Municipal Code authorizes the Planning Commission to approve Tentative Parcel Maps; and

WHEREAS, Chapter 18.03.020.E of the Zoning Ordinance allows projects to be forwarded to the City Council for approval when the original approval authority rests with the Planning Commission and one or more related permit, license, or entitlement required for the same project requires approval of the City Council and is being processed concurrently; and

WHEREAS, Section 18.03.080 of the Cloverdale Zoning Ordinance authorizes the City Council to approve a Zoning Ordinance and Map Amendment after receiving recommendation from the Planning Commission; and

WHEREAS, on August 2, 2016, 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, based on the staff report, public testimony and other relevant information available to the Commission, the Commission voted to recommend approval of the Tentative Parcel Map, PUD Permit, Zoning Ordinance and Map Amendment, and adoption of an Ordinance to the City Council; and

WHEREAS, on September 13, 2016, the City Council held a properly noticed public hearing on the requested Tentative Parcel Map, PUD Permit, Zoning Ordinance and Map Amendment at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council has determined that the findings for Tentative Parcel Map approval required by Section 17.48.140 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. That the proposed map is consistent with applicable General and Specific Plans as specified in Section 65451 of the Government Code.

The project provides a limited number of small lots within a conventional single-family area and contributes to the variety of housing within the City in accordance with General Plan Implementation LU 1-1.c. Additionally, although the project creates smaller lots than would normally be allowed, usable rear yards generally consistent with a private rear yard that could be expected in a standard single-family residential subdivision are provided for in accordance with General Plan Implementation LU 1-6.d. Therefore, the project is determined to be consistent with the goals, policies and implementation measures of the General Plan. There is no applicable specific plan.

2. That 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 traditional single-family residential subdivision within the density range allowed by the Medium Density Residential (MDR) General Plan Land Use Designation of a maximum of eight dwelling units per acre. Therefore, the improvements and design are consistent with the General Plan. There is no applicable specific plan.

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

The project site is relatively flat with direct access onto North Cloverdale Boulevard, and is large enough to support the four single-family residential lots of approximately 5,613 square-feet each. The project site does not support stands of trees, waterways, wetlands or wildlife habitat and all existing trees are proposed to remain except for some bushes and a few non-native fruit trees. Together with the fact that the surrounding properties are developed with a mix of commercial, public and single-family residential uses, the project site is physically suitable for this type of development.

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

The 0.52 acre project site is large enough to support four single-family residential lots, which is consistent with the density range allowed by the MDR land use designation. The four lots are approximately 5,613 square-feet each in size and all would have useable front, side rear yards.

5. That 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 project site does not support a significant amount of vegetation and is devoid of any stands of trees, waterways, wetlands or wildlife habitat. Existing trees would remain including a large oak tree at the southwest corner of the site, and trees to be removed consist of a few non-native fruit trees.

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.

Therefore, the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The project would 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 proposed 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. Finally, side and rear yard setbacks would provide a buffer between the eventual homes to be constructed on the lots and the existing adjacent uses, and the design of the single-family residential subdivision is not likely to cause serious public health problems.

7. That 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 would not conflict with easements because the submitted title report did not reveal that any easements exist on or through the property.

WHEREAS, the City Council has determined that the findings for PUD Permit approval required by Section 18.03.130 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 Zoning District pursuant to the provisions of Section 18.03.130 and is in conformance with the goals, objectives and densities of the Cloverdale General Plan.

According to Table 18.04.040-A of the Zoning Ordinance, Small Lot Single Family Detached units are an allowed use in the R-2 Zoning District, subject to approval of a PUD Permit. The Planning Commission is authorized to approve a PUD Permit for projects that meet all requirements of the underlying residential zoning district with the exception that minimum building site, minimum lot width and minimum front yard setbacks may be reduced, according to Section 18.04.060. Furthermore, in accordance with Section 18.03.150.C, a condition of approval has been added requiring that prior to submittal for a building permit to construct a house on any of the proposed lots, a Design Review Permit application shall be submitted for review and approval by the Planning Commission to ensure the objectives of the General Plan and substantial compliance with the Residential Design Guidelines for the City.

The project is consistent with applicable General Plan policies and will provide the City with a traditional single-family residential subdivision within the density range allowed by the MDR General Plan Land Use Designation of a maximum of eight dwelling units per acre, and therefore is determined to be consistent with the goals, policies and implementation measures of the General Plan. There is no applicable specific plan.

2. The proposed project results in a use of land and a physical environment which equals or surpasses the quality of development that would be allowed under the regulations otherwise applicable to the Zoning District in which the project is located.

With the project providing an opportunity for four detached single-family residences to be constructed on what would be considered small lots (less than 6,000 square feet), the resulting product type would be more affordable to first time home buyers or people looking to downsize than if the property was split into two or three larger lots that would allow for the creation of larger homes that would command a higher purchase price. The City is currently experiencing a need for more housing that falls within a price range that would be considered affordable to families with children, first time home buyers, retirees and people who currently live in Cloverdale.

Although the minimum lot size and lot depth have been reduced, the proposed Tentative Parcel Map provides building envelopes showing where a home could be constructed on the proposed lots outside of the required setbacks and still provide usable front, side and rear yards on all lots. Finally, two separate public open space areas of 602 square feet each have been located on either side of the hammerhead driveway.

As such, the resulting development would be an asset to the City because it would provide an opportunity for the creation of a more affordable housing type than what would be developed through strict interpretation of the R-2 Zoning District development standards.

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

The project will subdivide an approximately 0.52 acre property into four single-family residential lots. The proposed density of eight dwelling units per acre falls within the allowable density range of the MDR General Plan Land Use Designation. A minimal amount of grading would be required as the project site is relatively flat and direct access onto North Cloverdale Boulevard would be provided to each lot. The site is large enough to support four single-family residential lots of approximately 5,613 square-feet each in size. The project site does not support stands of trees, waterways, wetlands or wildlife habitat and is entirely surrounded by urban uses.

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

The project will not exceed the wastewater treatment requirement of the Sonoma County Regional Water Quality Control Board and According to the 2014 Infrastructure Audit, the city has adequate water, wastewater, stormwater facilities, and water supply for the project. In addition, the standard conditions of approval limit stormwater impacts off site. 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. Current water supplies have been evaluated to supply a population of up to 12,000 citizens.

The proposed development would not adversely impact the level of service provided by the Fire District, Police Department, or School District. The developer would pay development impact fees that support these Departments and Districts City Wide. Maintenance of local roads and other public facilities would be provided by the City of Cloverdale and would be funded by increased property taxes and fees paid by future residents. Library service to the project area would continue to be provided by the Sonoma County Library system.

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.

Conditions of approval require that prior to construction the homes go through the Design Review process by the Planning Commission to ensure compatibility with the existing neighboring uses. The Building Permit process would also help to ensure that the development would not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity as the homes would be required to be constructed in compliance with the latest adopted CA Building and Fire codes.

WHEREAS, the City Council has determined that the findings for Zoning Ordinance and Map Amendment approval required by Zoning Ordinance Section 18.03.080 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 is consistent with the adopted General Plan.

The project will remove the P-D/15 Zoning District and replace it with the Two-Family Residential (R-2) Zoning District. The R-2 Zoning District is most compatible with the Medium Density Residential (MDR) General Plan Land Use Designation as the density range for the MDR designation provides for a maximum of eight dwelling units per acre, an increase from the Low Density Residential (LDR) General Plan Land Use Designation which allows for a maximum of four dwelling units per acre.

The project would subdivide an approximately 0.52 acre property into four single-family residential lots. The proposed density of 8 dwelling units per acre falls within the allowable density range of the Medium Density Residential (MDR) General Plan Land Use Designation. The project provides a limited number of small lots within a conventional single-family area and contributes to the variety of housing within the City in accordance with General Plan Implementation LU 1-1.c. Additionally, although the project creates smaller lots than would normally be allowed, usable rear yards generally consistent with a private rear yard that could be expected in a standard single-family residential subdivision are provided for in accordance with General Plan Implementation LU 1-6.d. Therefore, the amendment is determined to be consistent with the goals, policies and implementation measures of the General Plan.

2. The proposed amendment is internally consistent with other applicable provisions of this Zoning Ordinance.

The amendment would delete the P-D/15 Zoning District from the Zoning Ordinance Text and Zoning Map. This amendment is internally consistent with all applicable provisions of the Zoning Ordinance as the P-D/15 Zoning District was created for a specific mixed use development project for which all land use entitlements have since expired. The previous project included a Tentative Map to subdivide the property into eight lots to allow for seven dwelling units, three of which were live/work units featuring ground floor office space. Amending the P-D/15 Zoning District to the R-2 Zoning District is internally consistent with the project as the proposed use is an allowed use in the R-2 Zoning District.

3. The proposed amendment will not be detrimental to the public health, safety, or welfare or to the use of land in any adjacent zone.

Conditions of approval require that prior to construction the homes go through the Design Review process by the Planning Commission to ensure compatibility with the existing neighboring uses. The Building Permit process would also help to ensure that the development would not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity as the homes would be required to be constructed in compliance with the latest adopted CA Building and Fire codes.

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 use/developments.

The project would subdivide an approximately 0.52 acre property into four single-family residential lots. The proposed density of eight dwelling units per acre falls within the allowable density range of the MDR General Plan Land Use Designation. A minimal amount of grading would be required as the project site is relatively flat and direct access onto North Cloverdale Boulevard will be provided to each lot. The site is large enough to support four new lots of approximately 5,613 square-feet each. The project site does not support stands of trees, waterways, wetlands or wildlife habitat and is entirely surrounded by urban uses. City services and utilities will be provided to the

project site including sewer and water, and a fire hydrant will be relocated slightly to the south in order to make room for the shared driveway.

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 Tentative Parcel Map (Exhibit "A"), PUD Permit, Zoning Ordinance and Map Amendment (ZOA/TM/PUD 023-2015) for the Rink Tentative Parcel Map located at 531 N. Cloverdale Blvd with an exception to the minimum lot size and lot depth requirements at 531 N. Cloverdale Boulevard, subject to the conditions listed below:

**CONDITIONS OF APPROVAL
RINK TENTATIVE PARCEL MAP, ZONING ORDINANCE AMENDMENT AND PUD PERMIT
531 N. CLOVERDALE BOULEVARD**

Planning:

1. Zoning Ordinance and Map Amendment, PUD Permit and Tentative Parcel Map (ZOA/TM/PUD 023-2015) approval is granted to rezone the property located at 531 N. Cloverdale Blvd from the P-D/15 Zoning District to the Two-Family Residential (R-2) Zoning District to allow for a small lot single-family detached four lot subdivision with an exception to the minimum lot size and lot depth requirements at 531 N. Cloverdale Boulevard, Cloverdale, CA as summarized above and shown in the application materials submitted October 20, 2015, May 4, 2016 and June 2, 2016, to the Community Development Department. The applicant shall adhere to the Tentative Parcel Map, PUD Permit and Zoning Ordinance and Map Amendment (ZOA/TM/PUD 023-2015) 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 or City Council approval.
2. This approval is subject to appeal within 10 consecutive days from the date of approval.
3. The applicant shall print all of these Conditions of Approval on the building plan set prior to issuance of the Building Permit.
4. All conditions of this Tentative Parcel Map, PUD Permit and Zoning Ordinance and Map Amendment (ZOA/TM/PUD 023-2015) 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.
5. This Tentative Parcel Map and PUD Permit (TM/PUD 023-2015) shall expire, and become null and void, two years from the date of approval unless exercised through the issuance of a building permit, 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.
6. The approval of this permit shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Cloverdale. Applicant shall be responsible for any and all costs associated with any required special inspections necessary for the project.
7. The Developer shall pay all applicable development impact fees for Public Facilities, Parks & Recreation Facilities, Quimby Act (or Non-Quimby Act) Parkland Acquisition, Administration, Streets and Thoroughfares, Storm Drainage, Fire Facilities and Health Care Public Facilities, upon the earlier of the date of final inspection or issuance of the certificate of occupancy for each lot, new development, or addition. Developer shall be charged and shall pay all applicable development impact fees for Water Capacity and Wastewater Capacity at the time an application for utility service is received. The developer shall pay all applicable school impact fees for each lot to the Cloverdale Unified School District per the school district policies and/or code.

Landscaping

8. The applicant or landowner shall maintain all landscaping, buildings, lighting, and 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, the permit may be brought before the Planning Commission for enforcement action.
9. Landscaping and irrigation shall meet the requirements of the State of California's Model Water Efficient Landscape Ordinance (per Governor's Executive Order B-29-15) and shall be installed prior to issuance of Certificate of Occupancy.

Design

10. Prior to issuance of a Building Permit for any residence, a Major Design Review application shall be submitted to the Planning Department for review and approval of the construction drawings by the Planning Commission to ensure compatibility with the surrounding uses, compliance with the Residential Design Standards of Zoning Ordinance Section 18.10.050 and Table 18.10.030-B, as well as substantial conformance with the adopted Residential Design Guidelines.
11. Construction drawings for a home to be constructed on Lots 1 and 2 shall provide evidence in the form of an acoustical report prepared by a qualified acoustical engineer demonstrating that the proposed building construction will meet interior noise levels of 45 dBA CNEL required by General Plan Policy NE 1-1.

Lighting

12. When homes are constructed on the lots, all outdoor lighting fixtures shall comply with the requirements of Zoning Ordinance Section 18.09.050 and shall be installed prior to issuance of Certificate of Occupancy. All building mounted 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.

Construction

13. 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.
14. 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.
15. 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.
16. 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 notify Vickey Macias of the Cloverdale Rancheria of Pomo Indians of California by email at vpeppernut@cloverdalerancheria.com or by phone at (707) 894-9860 and currently located at 555 South Cloverdale Boulevard, Cloverdale, California.

Trees

17. Upon submittal of an application for Design Review for construction of any home on the proposed lots, an arborist report shall be submitted that addresses the potential impacts of development and provides site specific tree protection measures.
18. Prior to initiating any construction activity on the project site, including demolition or grading, temporary protective fencing shall be installed at each site tree identified on the parcel map to remain.
19. Protective Fencing shall be located at the Tree Protection Zone (TPZ) illustrated on the Improvement Plans.
20. Fencing shall serve as a barrier to prevent encroachment of any type by construction activities, equipment, materials storage, or personnel.

21. The Tree Protection Zone (TPZ) shall be identified on the Improvement Plans and represents the area around each tree, or group of trees, which must be protected at all times with tree protection fencing.
22. No encroachment into the TPZ is allowed at any time without approval from the project arborist.
23. Contractors and subcontractors shall direct all equipment and personnel to remain outside the fenced area of the TPZ at all times until project is complete, and shall instruct personnel and sub-contractors as to the purpose and importance of fencing and preservation.
24. No grading shall occur within the protective barriers without prior approval by the Director.
25. No attachments or wires other than those of a protective or non-damaging nature shall be attached to a protected tree.
26. Excavation or landscape preparation within the protective barriers shall be limited to the use of hand tools and small hand held power tools and shall not be of a depth that could cause root damage.
27. No equipment, solvents, paint, asphalt, or debris of any kind shall be placed, stored, or allowed within the protective barrier
28. 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.
29. 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.

Mitigation Monitoring and Reporting Program

30. All mitigation measures and requirements as listed in the Mitigation Monitoring and Reporting Program for the Rink Parcel Map are hereby incorporated as Conditions of Approval for this project.

Public Works/Engineering:

General Conditions:

31. Developer shall design and construct all improvements and facilities shown on any approved tentative map, site plan, or other documents submitted for permit approval, in accordance with the Cloverdale Municipal Code (CMC), the City of Cloverdale Design and Construction Standards. Approval of a tentative map depicting improvements that do not conform to the CMC or City standards does not constitute approval of an exception to the CMC or City standards unless explicitly stated herein or in another City resolution.
32. The developer shall be responsible for all City plan check, map check and inspection costs. The developer shall deposit funds with the City upon the initiation of plan or map check services. Additional funds may be required based upon actual plan check and inspection costs.
33. 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.
34. The applicant shall place an empty utility box and conduits along the entirety of the property's street frontage to the satisfaction of the City Engineer to facilitate the future undergrounding of existing overhead utilities.
35. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Sonoma County Department of Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.

Improvement Plan and Construction Conditions:

36. Improvement plans shall be prepared and submitted by a California Registered Civil Engineer for the construction of all necessary and required on-site and off-site improvements including grading, water, sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips and streetlights. All design and construction shall conform to the City of Cloverdale Design and Construction Standards, as applicable.
37. The applicant shall post sufficient surety guaranteeing the construction of any public improvements.
38. 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.
39. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
40. All private water mains, sewer mains and storm drains shall be clearly labeled "Private" on the improvement plans.
41. Improvement plans shall include a storm water pollution prevention plan. Erosion control measures shall include hydroseeding of all graded slopes within 60 days of completion of grading.
42. Roadway Improvements:
 - a. Where new improvements abut existing paving or concrete, the existing surface shall be saw-cut and reconstructed to provide adequate conforms. The limits of such reconstruction shall be as determined by the City Engineer or Public Works Director.
 - b. Sidewalk warps shall be provided as necessary to allow a clear four-foot wide walkway at all locations, including areas where mailboxes, streetlights, and fire hydrants obstruct sidewalks.
 - c. All broken or sunken curb, gutter and sidewalk along the project frontage shall be repaired as part of the improvements for this project. All existing nonconforming pedestrian facilities shall be brought up to current accessibility standards.
 - d. It shall be the responsibility of parcel owner(s) to ensure that existing sidewalks along the contiguous property frontage and new driveway approaches comply with current accessibility (ADA) requirements and applicable City Standards. This may require reconstruction of all or part of the existing sidewalk fronting the parcels. Ongoing

maintenance and responsibility shall apply to parcel owners as defined in the project's CC&Rs.

43. Water and Sanitary Sewer Improvements:

- a. Sewer grades must be designed such that ultimate finished floors are a minimum of 12" above the upstream manhole or clean-out rim elevation. Inadequate elevation differentials or grade on private laterals, as determined by the City, must be mitigated by either raising finished floor elevation(s) or installing privately owned and operated sewer lift station(s) with grinder/ejector pump(s) on site.
- b. Installation and maintenance of Water and Sewer service laterals shall be the responsibility of the individual parcel owners. Parcel owners shall retain ownership of Water and Sewer service laterals.
- c. Private sewer mains shall be installed by the developer in accordance with City Standards and ongoing maintenance and responsibility thereof shall apply to parcel owners as defined in the project's CC&Rs.
- d. Impact fees for new Water and Sewer service shall apply.

44. Drainage Improvements:

- a. All project related flooding impacts shall be mitigated by the project developer. Drainage improvements shall be designed in accordance with the Sonoma County Water Agency Design Criteria and any applicable adopted City drainage plans.
- b. The applicant shall submit for review and approval, drainage plans and hydraulic calculations prepared by a Registered Civil Engineer. The drainage plans and calculations shall indicate the following conditions before and after development:

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. Storm drain flows post-development shall be limited to pre-development flows from the 10 and 100-year frequency storm. Any facilities needed to accommodate this (i.e. oversized pipes, detention basins, etc.) shall be installed within the development and be privately owned and maintained.
- c. The applicant shall demonstrate for each building pad to the satisfaction of the City of Cloverdale as follows:
 - I. Adequate protection from 100-year frequency storm; and
 - II. Feasible access during a 10-year frequency storm.
- d. The capacity and condition of proposed drainage facilities shall be analyzed and drainage improvements shall be constructed as necessary. This includes gutters and drainage inlets and swales. Site grading and drainage improvements shall be shown on the improvement plans.
- e. All new drainage inlets shall be permanently marked "No Dumping-Flows to River"
- f. 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.
- g. Applicant shall design the project to include storm water post construction low-impact development best management practices (BMPs), CMC Section 16-10 et. seq. Refer to the City of Santa Rosa Low-Impact Development Manual and calculator for details. Both references are available online at:

<http://srcity.org/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtechManual.aspx>

- h. The applicant shall submit to the City of Cloverdale for review and approval, evidence of provisions for ongoing maintenance of bio-retention facilities and planting areas.

45. Parcel Map Conditions:

- a. A parcel map, as defined in the State Subdivision Map Act, shall be prepared by a licensed surveyor or civil engineer, showing all parcels, rights-of-way, and easement(s) shall be filed with the City Engineers Office. The parcel map shall be in substantial conformance with the approved Tentative Map and all applicable conditions of approval. The parcel map is not valid until it has been approved and recorded.
- b. The developer shall secure all necessary rights-of-way and easements for both onsite and offsite improvements. Rights-of-way and easements shall be dedicated on the map or provided by separate instrument. The developer shall prepare all necessary legal descriptions and deeds.
- c. Pursuant to City Code Section 17.36.040, prior to parcel map submittal, detailed CC&Rs shall be submitted for City approval. The parcel map shall include reference to the CC&R document(s) with recording information.
- d. The parcel map shall not be approved prior to approval of the improvement plans.
- e. Prior to approval of the parcel map, the developer shall either complete required improvements in accordance with the approved improvement plans, or enter into an Improvement Agreement in accordance with Cloverdale Municipal Code Sections 17.44.230 and 17.44.240. A certificate of occupancy shall not be issued for any structure until required improvements are completed to the satisfaction of the City Engineer.

46. Construction Conditions:

- a. No grading or other construction shall be performed until the improvement plans have been approved and signed by the City Engineer. Encroachment Permits and Building Permits will not be issued prior to the approval of the improvement plans. An Encroachment Permit is required for any work within the City's rights of way.
- b. 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.
- c. Before or any construction activity that would result in a land disturbance of one acre or larger, the developer shall provide evidence that a Notice of Intent has been submitted and received by the North Coast Regional Water Quality Control Board for a General Construction Activity Storm Water Permit. A copy of the project Storm Water Pollution Protection Plan shall be submitted to the City.
- d. 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.
- e. 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.

- f. 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. Additionally, if field conditions warrant installation of any subdrains, the location, size and construction details must be provided to the City for review and approval prior to construction.
- g. All streets, curbs, gutters, sidewalks or other public facilities damaged in the course of construction associated with this development shall be the responsibility of the Developer and shall be repaired to the satisfaction of the City at the Developer's expense.
- h. The applicant shall submit a proposed haul route for all trucking associated with this project to the City Engineer for review and approval prior to commencement of construction.
- i. All noise mitigation measures recommended in the Illingworth and Rodkin Inc. Noise Study dated January 15, 2003 shall be adhered to.
- j. Dust control must be maintained to the City's satisfaction. Appropriate provisions shall be noted on the project plans and incorporated into the project CC&Rs to address any ongoing nuisance that may be caused by the access drive surfacing.
- k. Work 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 9:00 a.m. to 5:00 p.m. No work shall occur on Sundays or Holidays. Contractors shall schedule inspections 48 hours in advance by calling the Building Department at (707) 894-1725.

47. Subdivision Final and/or Release of Securities Conditions:

- a. Prior to release of securities, all improvements shown on the Improvement Plans shall be completed and accepted by the City.
- b. All punch-list work shall be completed and any outstanding inspection fees or other charges shall be paid prior to acceptance of the public improvements.
- c. Developer shall provide sufficient surety guaranteeing the public improvements for a period of one year.
- d. A complete set of As-Built or Record improvement plans showing all substantial changes from the original plans shall be certified by the Civil Engineer of record and submitted to the City Engineer prior to acceptance of the public improvements.
- e. Prior to acceptance of the work, the developer shall provide a written statement signed by his or her engineer certifying that they observed the work during construction and that site grading and all private site improvements have been completed in accordance with the improvement plans approved by the City Engineer.
- f. Prior to acceptance of the work, the developer shall provide a written statement signed by his or her geotechnical engineer certifying that they observed the work and reviewed testing results, and that all of work was performed in accordance with the recommendations included in the Soils Investigation/Geotechnical Report or other recommendations necessitated by field conditions.

Building:

- 48. All new construction and/or building modifications shall meet the applicable building and fire safety codes in effect at the time of **building permit application**. The 2013 edition of California Title 24, as adopted and amended by the City of Cloverdale, is currently in effect through December 31, 2016. Please be advised that the 2016 edition will become effective starting January 1, 2017.

49. The applicant shall submit construction documents for plan review as part of the required building permit application process. A Building Permit shall be obtained prior to construction and all work shall be inspected and approved prior to issuance of Certificate of Occupancy. The applicant shall include all conditions of approval on the building plans that are submitted to the Building Department.
50. The City of Cloverdale has adopted CALGreen Tier 1 compliance which requires exceeding the minimum energy Code compliance margin by 15 percent. One or more elective measures must be chosen from each Division of the CALGreen Code for Tier 1 compliance (such as electrical vehicle charging station(s) per Division 5.1). The applicant shall identify the Tier 1 compliance methodology on the plans and on checklists acceptable to the Building Department.
51. A design level soils report prepared by a California licensed Geotechnical Engineer is required per CBC 1803. The Geotechnical Engineer of Record shall provide a letter of review stating that the project construction documents are in conformance with the report recommendations. The Geotechnical Engineer of Record shall also provide construction observation for conformance to the report recommendations.

Fire:

52. All structures will require full NFPA 13D fire sprinkler systems, residential fire and carbon monoxide systems.
53. The existing fire hydrant on North Cloverdale Boulevard shall be replaced with a City standard fire hydrant (TBD) to the satisfaction of the Cloverdale Fire Protection District.
54. Fire impact fees shall be paid directly to the City of Cloverdale. All fire code compliance plan check and permit fees will be paid directly to the Cloverdale Fire Protection District.

* * * * *

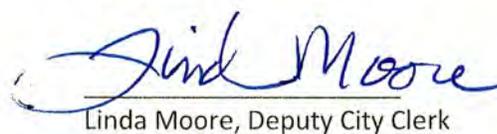
It is hereby certified that the foregoing Resolution No. 071-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on September 13, 2016, by the following roll call vote(3-ayes; 1-no; 1-absent)

AYES: Councilmember Cox, Vice Mayor Wolter, and Mayor Brigham
 NOES: Councilmember Russell
 ABSENT: Councilmember Palla
 ABSTAIN: 0

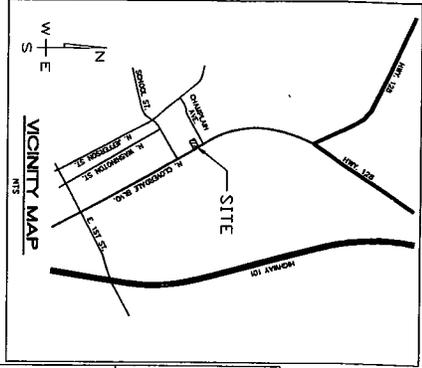
APPROVED:


 Mary Ann Brigham, Mayor

ATTESTED:


 Linda Moore, Deputy City Clerk

Attachment:
 Exhibit "A" - Tentative Parcel Map date stamped 6-2-2016



SURVEY NOTES

FIELD SURVEY WAS MADE BY SURVEYOR R.C. BORG...
 HORIZONTAL SURVEY WAS MADE BY SURVEYOR R.C. BORG...
 VERTICAL SURVEY WAS MADE BY SURVEYOR R.C. BORG...
 ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF...
 ALL ANGLES ARE IN DEGREES, MINUTES AND SECONDS...
 ALL CURVES ARE FULL CIRCULAR...
 ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE...
 ALL POINTS ARE IDENTIFIED BY THE INSTRUMENT...
 ALL POINTS ARE IDENTIFIED BY THE INSTRUMENT...

LEGEND

- SURFACE BOUNDARY (TYP)
- SANITARY SEWER (TYP)
- WATER SERVICE

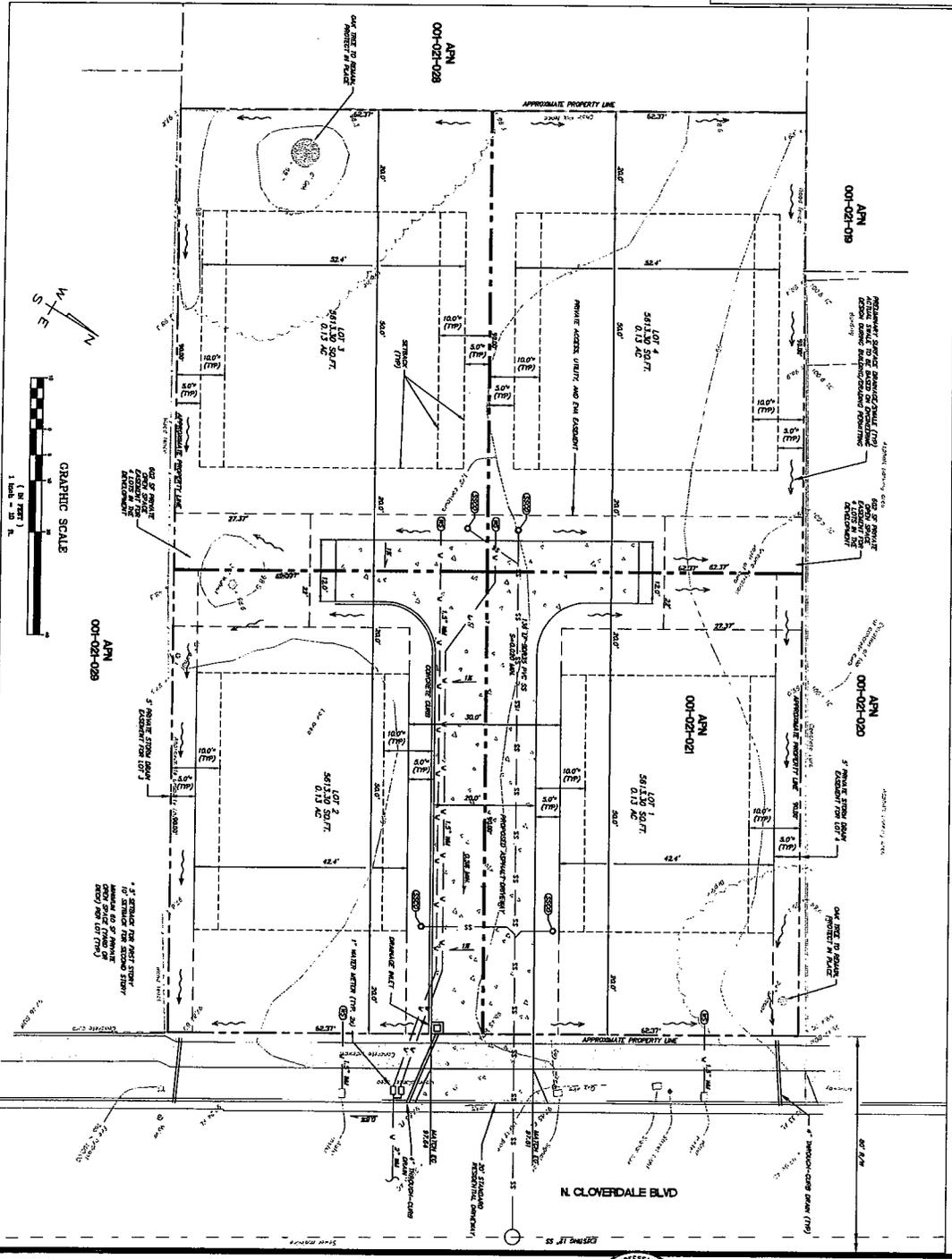
PROJECT INFORMATION

PROJECT ADDRESS: 531 N. CLOVERDALE BOULEVARD, CLOVERDALE, CA 95425
 ASSESSOR PARCEL ID: 001-021-021
 PROJECT OWNER: RINK LIVING TRUST, 10000 RINK BLVD, RIVERSIDE, CA 92504, (707) 882-2534
 ENGINEER: GARY MUNSSELLE, P.E., MUNSSELLE CIVIL ENGINEERING, 810 CENTER STREET, HEALDSBURG, CA 95448
 SURVEYOR: [Redacted]
 WATER SUPPLY: CITY OF CLOVERDALE
 SEWER SUPPLY: CITY OF CLOVERDALE
 NUMBER OF PARCELS: 4 PARCELS
 PRESENT USE: EMPTY PARCEL
 PROPOSED USE: 4 RESIDENTIAL LOTS
 PROPOSED IMPROVEMENTS: PRIVATE SEW UTILITIES
 ZONING INFORMATION: EXISTING R-2/15, PROPOSED R-2
 FLOOD ZONE FOR FEMA MAPPING: NONE

PROPOSED LOTS

LOT 1	0.13 ACRES
LOT 2	0.13 ACRES
LOT 3	0.13 ACRES
LOT 4	0.13 ACRES

**RINK PARCEL MAP
 TENTATIVE SUBDIVISION MAP
 LANDS OF PAUL A. RINK
 APN 001-021-021**



<p>TENTATIVE SUBDIVISION MAP-ALT 2 LANDS OF PAUL A. RINK APN 001-021-021 531 N. CLOVERDALE BOULEVARD CLOVERDALE, CA</p>	<p>DATE: 5-26-16 DRAWN BY: [Redacted] CHECKED BY: [Redacted]</p>	<p>MUNSSELLE CIVIL ENGINEERING CIVIL ENGINEERING • LAND PLANNING 810 CENTER STREET HEALDSBURG, CA 95448 (707) 595-0966</p>	<table border="1"> <thead> <tr> <th>REVISION</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISION	DESCRIPTION	BY	DATE												
REVISION	DESCRIPTION	BY	DATE																

CITY OF CLOVERDALE
ORDINANCE NO. 711-2016

AN ORDINANCE OF THE CITY OF CLOVERDALE AMENDING THE ADOPTED ZONING MAP AND ZONING ORDINANCE, TITLE 18 OF THE CLOVERDALE MUNICIPAL CODE, TO REZONE A 0.52-ACRE PROPERTY FROM “P-D/15 RINK MIXED USE” TO “R-2 TWO-FAMILY RESIDENTIAL” AND ELIMINATE “P-D/15 RINK MIXED USE” FROM SECTION 18.08.020 OF THE ZONING ORDINANCE FOR THE RINK PARCEL MAP PROJECT LOCATED AT 531 N. CLOVERDALE BOULEVARD (APN 001-021-021)

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

SECTION 1. RECITALS

- A. The Rink Parcel Map project (“Project”), is located at 531 N. Cloverdale Boulevard.
- B. The property owner is requesting an amendment to the Zoning Ordinance and Map to rezone the 0.52-acre site from “P-D/15 Rink Mixed Use” to “R-2 Two-Family Residential”. The Zoning Ordinance amendment designating the 0.52-acre site as R-2 would allow detached single-family residential uses to be developed on the 0.52-acre site.
- C. 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 for the Project dated February 2016, to determine whether additional environmental review is required. Pursuant to CEQA Guidelines Section 15064 the City determined that with the incorporation of mitigation measures any impacts to the environment would be reduced to a less than significant level and posted a Notice of Intent to adopt a Mitigated Negative Declaration for the Project with the Sonoma County Clerk and was open for public comment from February 23, 2016 through March 14, 2016 during which no public comments were received
- D. The City Council makes the following findings listed in Section 18.030.080.E related to (1) rezoning the parcel of land located at 531 N. Cloverdale Boulevard and described as County Assessor’s Parcel Number (APN) 001-021-021 to the R-2 Zoning District; (2) the amendment to Section 18.08.020 of the Zoning Ordinance to eliminate the “P-D/15 Rink Mixed Use”:

1. The proposed amendment is consistent with the adopted General Plan.

The project will remove the P-D/15 Zoning District and replace it with the Two-Family Residential (R-2) Zoning District. The R-2 Zoning District is most compatible with the Medium Density Residential (MDR) General Plan Land Use Designation as the density range for the MDR designation provides for a maximum of eight dwelling units per acre, an increase from the Low Density Residential (LDR)

General Plan Land Use Designation which allows for a maximum of four dwelling units per acre.

The project would subdivide an approximately 0.52 acre property into four single-family residential lots. The proposed density of 8 dwelling units per acre falls within the allowable density range of the Medium Density Residential (MDR) General Plan Land Use Designation. The project provides a limited number of small lots within a conventional single-family area and contributes to the variety of housing within the City in accordance with General Plan Implementation LU 1-1.c. Additionally, although the project creates smaller lots than would normally be allowed, usable rear yards generally consistent with a private rear yard that could be expected in a standard single-family residential subdivision are provided for in accordance with General Plan Implementation LU 1-6.d. Therefore, the amendment is determined to be consistent with the goals, policies and implementation measures of the General Plan.

2. The proposed amendment is internally consistent with other applicable provisions of the Zoning Ordinance.

The amendment would remove the P-D/15 Zoning District from the Zoning Ordinance Text and Zoning Map. This amendment is internally consistent with all applicable provisions of the Zoning Ordinance as the P-D/15 Zoning District was created for a specific mixed use development project for which all land use entitlements have since expired. The previous project included a Tentative Map to subdivide the property into eight lots to allow for seven dwelling units, three of which were live/work units featuring ground floor office space. Removing the P-D/15 Zoning District and replacing it with the R-2 Zoning District is internally consistent with the project as the proposed use is an allowed use in the R-2 Zoning District.

3. The proposed amendment will not be detrimental to the public health, safety, or welfare or to the use of land in any adjacent zone.

Conditions of approval require that prior to construction the homes go through the Design Review process by the Planning Commission to ensure compatibility with the existing neighboring uses. The Building Permit process would also help to ensure that the development would not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity as the homes would be required to be constructed in compliance with the latest adopted CA Building and Fire codes.

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.

The project would subdivide an approximately 0.52 acre property into four single-family residential lots. The proposed density of eight dwelling units per acre falls within the allowable density range of the MDR General Plan Land Use Designation. A minimal amount of grading would be required as the project site is relatively flat and direct access onto North Cloverdale Boulevard will be provided to each lot. The site is large enough to support four new lots of approximately 5,613 square-feet each. The project site does not support stands of trees, waterways, wetlands or wildlife habitat and is entirely surrounded by urban uses. City services and utilities will be provided to the project site including sewer and water, and a fire hydrant will be relocated slightly to the south in order to make room for the shared driveway.

E. On September 13, 2016 the City Council held a properly noticed public hearing regarding this Zoning Ordinance and Zoning Map Amendment and considered all comments received in writing and all testimony received at the public hearing.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of these changes is to amend the Zoning Ordinance and Zoning Map to rezone the 0.52-acre site located at 531 N. Cloverdale Boulevard from “P-D/15 Rink Mixed Use” to “R-2 Two-Family Residential” as shown on Exhibit A.

SECTION 3. 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 4. AMENDMENTS TO TITLE 18 OF THE CLOVERDALE MUNICIPAL CODE

Section 18.08.020.P P-D/15 Rink Mixed Use, is eliminated as set forth in Exhibit B.

SECTION 5. RECLASSIFIED PROPERTIES

Title 18, “Zoning,” of the City of Cloverdale Municipal Code is hereby amended by amending the “Zoning Map of the City of Cloverdale” so as to reclassify the 0.52 acre site located at 531 N. Cloverdale Boulevard to the Two-Family Residential (R-2) Zoning District, as shown in Exhibit C.

SECTION 6. 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 7. 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.

I hereby certify that the foregoing is a true and complete copy of an Ordinance duly and regularly adopted by the City at a regular meeting thereof held on: _____ by the following vote:

PASSED, APPROVED AND ADOPTED this 11th day of October, 2016 by the following vote: (Ayes- ; Noes- ; Absent-)

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved

Attested

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Attached Exhibits:

Exhibit A – Amended Zoning Text

Exhibit B – Eliminated Zoning Text

Exhibit C – Amended Zoning Map

Chapter 18.08

SPECIAL ZONING DISTRICTS

Section 18.08.010 Planned Unit Development (PD) Zoning District

A. Purpose and Intent

The purpose of the PD Zoning District is to provide flexibility in land use development standards for well-planned developments that conform to the General Plan land use provisions and achieve one or more of the following purposes.

1. Permit the clustering of single-family or multifamily dwellings in order to preserve unique features on a property or provide for public parks and/or buildings.
2. Allow master planning of sites with multiple property owners in order to provide predictable land use expectations for individual owners.
3. Allow master planning of large sites over two acres so that the property can be developed in phases, providing predictable land use expectations for each phase of the development.
4. Allow City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development.

B. Establishment of District

A PD Zoning District may be combined with any district shown in the Residential, Commercial or Industrial Zoning Districts in accordance with the provisions of this Section and Section 18.03. Each PD Zoning District shall be numbered. The Zoning Map shall identify the underlying Zoning District and the PD Zoning District number (e.g. R-1-PD/1). A PD Zoning District may include more than one underlying Zoning District. The application for a PD Zoning District shall include Development Standards for the Planned Unit Development. The standards shall include, but not be limited to, information regarding allowable uses, parking, setbacks, building heights, lot coverage, grading, landscaping, and other issues appropriate to the Zoning District.

A PD Zoning District may be established as an amendment to this Title in accordance with Chapter 18.03 upon application of the property owner or owners or upon recommendation of a majority of the Planning Commission and/or action of the City Council on parcels of land which are suitable for, and of sufficient acreage (minimum two acres) to contain a Planned Unit Development.

C. Permitted Uses

All provisions of the underlying Zoning District shall apply unless specifically modified by a Preliminary and/or Precise Development Plan. The following modifications to underlying Zoning District provisions may be allowed.

1. Clustering of single-family or multifamily dwellings in Residential Zoning Districts in order to preserve unique features on a property or provide for public parks and/or buildings. Development shall not exceed General Plan densities; however, clustering may be used to achieve the allowable General Plan density

for the entire site including the land area of features preserved. Undevelopable lands shall not count toward allowable densities.

2. Master planning of a site or area with multiple property owners in order to provide predictable land use expectations for individual owners. Land uses shall be consistent with underlying General Plan land uses; however, residential densities may be distributed throughout the master planned area as if it were a single property.
3. City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development or to:
 - a. Enhance and preserve unique features on a property, such as historical significance, unusual topographic or physiographic characteristics.
 - b. Allow provision for or development of parks, public buildings, and public amenities.

D. Variation from Zoning District Regulations

The regulations and requirements of the Zoning District with which the PD Zoning District is combined shall apply, except as may be modified or changed by the approved development plan or policy statement. In a PD Zoning District, the Precise Development Plan approved and adopted by the City Council may allow variation from the strict application of Zoning District regulations with respect to fences, walls and hedges; screening and landscaping; front and side yards; distances between structures (building separations may be reduced to zero feet (0') provided that firewalls are provided per UBC standards); heights; internal street rights-of-way, pavement widths and sidewalks; lot coverage, lot size, and the determination of usable open space. Where variation from lot size is proposed, no more than 25% of lots in any development may be less than 4,000 square feet and no lots may be less than 3,000 square feet. All such variations from Zoning District regulations shall be noted in the approved development plan. Variations from the following regulations shall not be allowed: residential floor area ratio and residential rear yard setbacks.

E. Residential Densities

Residential densities in a PD Zoning District shall not exceed the residential densities permitted by the General Plan, including undevelopable lands as defined.

Section 18.08.020 Individual PD Zoning District Development Standards

The following PD Zoning Districts have been established by appropriate action of the City Council, subject to the following deviations from base Zoning District standards. If a Preliminary Development Plan or Precise Development Plan has expired per chapter 18.03, a new Precise and/or Preliminary Development Plan must be filed and approved prior to any use of the property within the PD Zoning District.

A. P-D/1 Jefferson Springs

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

B. P-D/2 Jefferson Villas

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

C. P-D/3 Solar Park

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

D. P-D/4 Kings Valley

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

E. P-D/5 Bandiera Winery

1. Permitted Uses

- Winery with total annual production of 50,000 cases.
- Addition to existing winery building to be used exclusively for small wood aging.
- A small retail sales area.
- Crushing, fermenting, aging, bottling and shipping of all wine produced as bottled case goods.

2. Operating Provisions

- No tasting or tours.
- Storage and/or fermenting tanks shall not be visible outside of buildings.
- Maximum of five full-time employees.
- All company owned equipment shall be parked off street in the crushing-fermenting area.
- Operating hours during the crushing season shall not exceed a 10 to 12 hour work day. All other work days shall be standard 8 hour days.

F. P-D/6 Clover Springs

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. The following are the only permitted uses, provided that uses shall also comply with the permitting requirements set forth in Chapter 18.03 entitled Land Use Permits and Approvals.

- Single family dwellings
- Accessory buildings
- Home Occupations
- Accessory uses per the R-1 Zoning District
- Open space/Passive parks
- Private recreation facilities
- Guest quarters/in-law residence

2. Residential Siting and Planning Design Guidelines

a. Encroachments into Required Yards – Architectural features such as roof eaves, fireplaces, box-outs, built-in shelves, bay windows and similar features are permitted to extend up to two feet six inches (2' 6") into the minimum front, rear and side yard setbacks.

- b. Ground-Level Air Conditioning Unit Screening and Locations - Ground air conditioning units are to be within a fenced yard, or otherwise screened with walls, fencing or landscaping. Air conditioning units that are located within a solid fenced side or rear yard are not required to be screened. Ground level air conditioning units and their enclosures are permitted within the side or rear yard setback, provided enclosures do not exceed five feet (5') in height and are located at least two feet (2') from the side property line and five feet (5') from the rear property line.

c. Fencing Standards

Side and rear yard, interior lots: Side and rear yard fencing may be constructed up to six feet (6') in height, as measured from the high side of the fence. The fencing in the side and rear yard shall conform to the privacy fence standard.

Side yard on corner lots: Fencing is permitted in the side yard abutting a street with a minimum setback of eight feet (8') from the back of the property line.

Front yard: Courtyard walls are permitted in the front yard, up to ten feet (10') from the back of the walk. Courtyard walls encroaching into the required front yard setback may not exceed three feet (3') in height.

Open Space lots: Open fencing will be utilized along lot edges common to open spaces, as well as to define community areas. Provided regulations contained within the project CC&Rs are complied with, homeowners have the following options for open fencing:

- Two foot (2') knee-high wall (a short masonry wall)
- Two foot (2') knee-high wall with four foot (4') wrought-iron style fence on top.
- Six foot (6') wrought iron style fence may be utilized in the side yard areas of open space lots, along interior property lines. Wrought-iron style fencing is to be of a consistent design throughout the project.
- A three and one-half foot (3'6") split rail fence will be constructed as part of the landscaping along Porterfield Creek.

Fencing adjacent to streets: There are a number of areas within the project that back up to streets that require fencing, the following fencing standards have been established for these areas:

- Six foot (6') wooden barrier fence will be constructed adjacent to Cloverdale Boulevard.
- Six foot (6') perimeter wood fence will be constructed along the Foothills Boulevard landscape corridor and the lots that back up to the existing Hot Springs Road.

All solid wood fences will be painted/stained to be consistent with the criteria established within the CC&Rs for the project.

- d. Trash Receptacle Storage - trash receptacle storage is restricted to the garage within a non-fenced yard, or within a screened area located behind the leading edge of the house.

3. Residential Housing Siting Criteria

<u>Setbacks</u>	<u>Estate</u>	<u>Premier</u>	<u>Classic</u>
Front Yard, Living Space	15'	15'	15'
Front Yard, Garage Door (3, 7)	18'	18'	18'
Side Yard, Interior (6)	5'	5'	5'
Side Yard, Adjacent to Street (8)	12.5'	12.5'	12.5'
Rear Yard (3, 4, 6)	15'	15'	15'
Building Coverage (5)	50%	50%	50%

Height Limit

Maximum Building Height 35'

Attached Shade Structures

All shade structures shall conform to a minimum twelve foot (12') rear yard setback and a five foot (5') side yard setback. The three foot (3') encroachment into the standard fifteen (15') setback shall not be enclosed by more than 20% of its perimeter and shall not exceed 50% of the required usable rear yard area.

The number of lots within Phase I which would be allowed to utilize this provision for a reduction in the rear yard setback shall be in accordance with the parcels detailed in the August 19, 1997 letter submitted by the Del Webb California Corporation to the City, and in no case, shall the number of lots exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count unless otherwise approved by the City through the adoption of the Precise Development Plan for Phase II.

Accessory Structures

Permitted outside of the required front yard; 5 foot (5') setback required from a side or rear property line for detached structures; may be further regulated by the project CC&Rs.

Off-Street Parking

Two spaces per dwelling unit

Footnotes (Siting Criteria)

- i. Lot width is measured eighteen feet (18') from the back of the front property line. Cul-de-sac, elbow lots and lots on curved streets may have a width less than specified provided they meet lot area and building setback requirements.
- ii. Required lot depth may be reduced up to ten feet (10') in some cases, provided the lots otherwise meet lot area and building setback requirements. Some

examples of such cases are lots on cul-de-sacs or elbows and constrained by trees or natural features.

- iii. Driveway length is measured from property line to face of garage door. Architectural projections of up to two feet (2') will be allowed to project into the front and side yard setbacks.
- iv. The rear yard setback is exclusive of roof overhangs and architectural projections.
- v. Roof overhangs, patios, covered porches, shade structures, driveways, walkways and the like are exempted from the building coverage calculation.
- vi. Air conditioning units can encroach up to three feet (3') into the side and rear yard setbacks.
- vii. The front yard setback will be staggered a minimum of two feet (2') on every third unit. This requirement will not apply where the street centerline radius is 1,000 feet or less, on the bulb area of cul-de-sac lots or on elbow lots.
- viii. The measurement for minimum sideyard setbacks for corner lots will be taken from the back of the sidewalk. All corner lots will have a minimum corner sideyard setback of twelve and a half feet (12'6") with the exception of lots 74, 114, 159 and 160 which will have a minimum fifteen foot (15') setback from the back of the sidewalk. These lots differ in setback due to their location adjacent to a collector or arterial street.

4. Recreation Facility Siting Criteria

Setbacks

Building Setback from Street Right-of-Way	30'
Building Setback from Adjacent Residential Property Line	30'
Building Setback from Open Space	10'
Outdoor Recreation Facility Setback from Street Right-of-Way	10'
Outdoor Recreation Facility Setback from Residential Lots	10'
Outdoor Recreation Facility Setback from Open Space	10'
Parking Lot Setback from Residential Property Line	25'
Parking Lot Setback from Street Right-of-Way	10'
Building, Parking and Outdoor Recreation Facility Setback From the Flowline of Porterfield Creek	60'

Height Limit

Maximum Building Height	One-Story (40')
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Parking Requirements

Parking Requirements	1 space/250 sf of building area
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G. P-D/7 Rancho de Amigos - Residential Portions

All provisions of the R-1 Single Family Residential Zoning District shall apply to the single-family lots.

Provisions of the R-3 Multi-Family Residential District shall apply to the townhouse portion of the site. All structures built in conformity with the adopting site plan shall be legal conforming structures within the townhouse development.

H. P-D/7 Rancho de Amigos – Shopping Center/Business Park

For the shopping center portion of the site, all provisions of the General Commercial (G-C) Zoning District shall apply. New development is subject to the Architectural Design Guidelines and Sign Program on file in the Planning Department. For the business park portion of the site, an assisted living project is compatible with the business park designation.

I. P-D/8 Furber II – The Preliminary Development Plan for this P-D expired and is null and void.

J. P-D/9 Citrus Gardens

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

K. P-D/10 The Cottages

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. Sideyard Setbacks
 - a. A minimum separation of twenty feet (20') between two-story wall to two-story wall of adjoining residential units.
 - b. A minimum separation of fifteen feet (15') between single story wall to two story wall of adjoining residential units.
 - c. A minimum separation of ten feet (10') between single story wall to single story wall of adjoining residential units.
2. Height limitations
 - a. All residences placed on Lots 12 – 24 and 42-48 of Area I and Lots 140, 141, 154, 155, 166, 167 and 180 of Area II are single story in height. If the height of any residential unit listed above is desired to be increased beyond single story, the applicant shall submit a visual analysis containing a minimum of two cross-sections for each area that extend across the width of the property. The visual analysis shall depict the height and orientation of the residential unit, location of any retaining walls, roads, building pads, and integration of all proposed landscaping. The visual analysis shall be submitted to the Planning Commission for their review and approval.
3. Open Space
 - a. All properties adjoining the northerly property line (Lots 11 – 20) shall maintain a thirty foot (30') open space buffer area in which no development may occur. "Development" shall include the construction or placement of any permanent structure that would be subject to the issuance of a building permit including, but not limited to decks,

platforms, accessory buildings and swimming pools or the construction of any temporary structure not subject to the Building Code such as, but not limited to, accessory structures, play equipment and saunas.

L. P-D/11 Ioli Ranch

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

M. P-D/12 Vineyards At Cloverdale

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

N. P-D/13 Sunrise Hills

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

O. P-D/14 Sunrise Hills II

All provisions of the R-1 Single Family Residential Zoning District shall apply, with the following exceptions:

Setbacks

Front Yard, Living Space	10'
Front Yard, Garage Door	20'
Side Yard, Interior	1-story = 5'; 2-story = 10'
Rear Yard	10' to rear of house or detached garage

P. Reserved

Q. P-D/16 Creekside

The following standards adopted with the Precise Development Plan shall apply:

City of Cloverdale Zoning Code

Lot #	Lot Size (sf)	Unit Size (sf)	Lot Coverage	FAR	Front Setback	Right Side Setback	Left Side Setback	Rear Setback
1	3,774	1,858	38%	.49	21'	5'	4'6"	22'
2	3,774	1,858	38%	.49	21'	5'	4'6"	22'
3	3,774	1,858	38%	.49	21'	5'	4'6"	22'
4	3,774	1,858	38%	.49	21'	5'	4'6"	22'
5	3,650	1,858	39.3%	.51	21'	5'	4'6"	18'
6	3,798	1,858	37.8%	.49	21'	5'	5'9"	18'
7	13,000	2,110	11.1%	.16	24'	26'	5'	47'
8	5,563	1,978	25.6%	.36	24'	5'	5'	45'
9	8,445	2,406	17.7%	.28	45'2"	5'	5'	104'
10	36,060	3,713	7.4%	.10	135'9"	83'	5'	150'

Section 18.08.030 Specific Plan (SP) Zoning District

A. Purpose and Intent

It is the purpose of this Section to provide a method for the zoning of lands with adopted Specific Plans for which customized development and use regulations have been approved by the City Council. The creation of a Specific Plan (SP) Zoning District is necessary to provide adequate development flexibility for innovation in residential building types, land use mixes, site design, and development concepts.

B. Applicability

This Section shall apply to the properties designated in the Cloverdale General Plan Land Use Element as requiring preparation of a Specific Plan and to any other project site for which the applicant believes that implementation of a Specific Plan will benefit the project and the City.

All Specific Plan applications shall be accompanied by a zone change application requesting a change from the existing Zoning District to the Specific Plan Zoning District. The Specific Plan Zoning District shall be designated on the Zoning Map by the symbol "SP" followed by a number to designate the Specific Plan (e.g. SP-3.1, SP-3.2, etc.). Each Specific Plan Zoning District shall be a logical geographical unit and may include one or more parcels. Any Specific Plan Zoning District may be broken down into subareas for the purpose of assigning specific development standards and regulations.

A Specific Plan Zoning District shall conform to the policies of the General Plan designation for the area. The minimum size for a Specific Plan Zoning District shall be five (5) acres. Smaller parcels may be combined in an application to meet minimum qualification for land area.

C. Establishment of a Specific Plan Zoning District

A Specific Plan Zoning District shall be established by recommendation of the Planning Commission and approval of an ordinance by the City Council and include the following information:

1. Identification of the geographical area where Zoning District standards and subarea standards shall apply.
2. Description of the intent and character of area development.
3. Identification of environmental mitigation measures and important features to be preserved.
4. Identification of uses permitted and uses requiring Conditional Use Permits.
5. Identification of street and right-of-way standards and easements for provisions of utilities and pathways.
6. Identification of standards for weight and bulk, set-back, parking, lot size, percentage of open space and type of landscaping.

D. Adoption of Specific Plan Zoning District

Adoption of a Specific Plan District shall be as follows:

1. The Planning Director shall determine that the proposal for a Specific Plan Zoning District includes the information required.
2. The Planning Director shall propose acceptance of a completed environmental document prepared pursuant to CEQA or shall otherwise demonstrate compliance with CEQA.
3. The Planning Commission shall hold a public hearing after providing a minimum of 10 days notice published in a newspaper of local circulation and by mailing first class to the owners of property within 300 feet of the Specific Plan area as their names and addresses are shown on the latest adopted County Tax Roll.
4. The Planning Commission shall recommend Zoning District adoption to the City Council through resolution with a minimum affirmative vote of the majority of the total voting membership of the Planning Commission.
5. The City Council shall hold a public hearing in accordance with the notice requirements above.
6. The City Council shall adopt a Specific Plan Zoning District by amendment of this Title. Any changes proposed by the City Council not previously considered by the Planning Commission must be referred to the Planning Commission for consideration and recommendation prior to City Council action.

Section 18.08.040 Individual Specific Plan Zoning District Development Standards

The following SP Zoning Districts have been established by appropriate action of the City Council, subject to the following provisions.

A. SP-1 Alexander Valley Resort Specific Plan

This Section provides regulations and standards for the development of the Alexander Valley Resort Project site and the SP-1 Zoning District.

B. Precise Development Plan Required

1. A Precise Development Plan shall be required prior to any development in each of the six (6) land use designations in this Plan: Resort Hotel/Spa, Golf Course, Resort Residential, Single-Family Residential, Estate Residential, and Entry Commercial. Each Precise Development Plan shall be consistent with the Alexander Valley Resort Specific Plan and the phasing provisions below.
2. A visual “gateway” or entrance theme shall be submitted by the Developer and approved by the City prior to or with the first Precise Development Plan approval. A visual analysis of the rough grading plan for the site, including the grading for the proposed western hill with the serpentine outcropping shall be prepared prior to or with the first Precise Development Plan, together with the proposed “gateway” theme.
3. A Precise Development Plan amendment, as specified in this Section, shall be required for any change to the approved Precise Development Plan, except for minor changes in golf course design and alignment.
4. The project shall meet all requirements of the Cloverdale Inclusionary Housing Ordinance as it exists or is amended.
5. Precise Development Plans for all phases of the development may be submitted and approved simultaneously, provided that no temporary or permanent occupancy permits for the Resort Residential, Single-Family Residential and Estate Residential units shall be issued until: 1) an occupancy permit is issued for the Hotel; and 2) nine holes of the golf course, west of the NWP rail line, are complete.
6. Construction of the first nine (9) holes of the golf course is dependent on the availability of recycled wastewater (“Recycled Water”), transportation of that water to the west side of the NWP tracks, annexation to the City of Cloverdale, and City entitlements. The timing of the construction of the second nine (9) holes contemplated by this Specific Plan (“Regulation Course”) is dependent, in part, on the rescission or expiration of the Williamson Act Contract (“Contract”) on a portion of the Project property that is included as a part of the second nine (9) holes, the availability of Recycled Water and obtaining permanent railroad crossing rights from the North Coast Railroad Authority (“Crossing Rights”).

If the Developer is unable to achieve rescission of the Contract, obtain sufficient Recycled Water, and/or obtain Crossing Rights in a timely manner, so as to allow for completion of the Regulation Course, the Developer shall amend the Precise Development Plan for the golf course to provide for a nine (9) hole course, including a driving range and clubhouse, on property owned by the Developer that is not subject to the Contract, dependent on Recycled Water, or dependent on Crossing Rights (“9-Hole Course”). Developer shall propose an alternate use for the remaining acreage. Such use may require an amendment to the Alexander Valley Resort Specific Plan.

C. Relationship to the Zoning Ordinance

All provisions of this Title shall apply in the SP-1 Zoning District, except as specifically modified by this Section.

D. Pedestrian/Bicycle Trails

Each Precise Development Plan shall provide for pedestrian/bicycle trails to complete the trails system identified in the Specific Plan.

E. Resort Hotel/Spa

The 100-150 room hotel and a full-service spa facility will function together as a wine country destination resort and as the anchor of the Alexander Valley Resort project. Amenities will include, those normally found in a resort complex, including, but not limited to, a restaurant, conference center and gift shop. The Resort shall be consistent with all aspects of the Cloverdale General Plan Destination Commercial land use designation and applicable goals of the Land Use and Community Design Elements.

The hotel will be sited on a knoll overlooking Resort Residential and Golf Course areas and capitalizing on Alexander Valley/Russian River vistas. The European wine country style architectural theme described in this Specific Plan shall be consistent throughout the Resort. The hotel is assigned a visually prominent location on the Project site and shall be designed to quality resort style standards. The mass of the building(s) shall be broken up by favoring terraced roofs and offsets in wall planes. The maximum height for the hotel shall be 62 feet above ground level, including towers and similarly distinct architectural elements. The spa shall be confined within the hotel complex. Outdoor facilities, consisting of a swimming pool and other recreational activity areas shall be sited and buffered to reduce noise intrusion on the hotel.

Parking areas shall be off-street, landscaped and screened from view. It is anticipated that parking for the Resort complex, the Resort Residential units and the Golf Course facilities will share parking areas, particularly during off-peak hours. For example, the hotel may use golf club parking in the evening when the golf course is not in use.

F. Golf Course

1. The Alexander Valley Golf Club will be a regulation 18-hole golf course, with multiple tee areas providing varying overall lengths up to 6500 yards. A clubhouse, practice facility and maintenance area, natural resource preserves, and pedestrian/bicycle trails are included as a part of the golf course project. The Alexander Valley Golf Club will be open to Golf Club members, guests of the Resort and the general public on a daily fee basis.
2. Clubhouse uses and standards:
 - a. Maximum height of the clubhouse building shall be 35 feet.
 - b. Allowable uses are golf course management offices, pro shop, men and women's locker rooms, restaurant and banquet facilities and golf cart storage. Any expansion or change after Precise Development Plan approval shall require a Precise Development Plan amendment.
 - c. The Precise Development Plan for the golf clubhouse shall provide adequate parking to serve peak demand for banquet activities and shall include

parking that complies with the City of Cloverdale standards. Shared parking may be proposed between golfing and banquet facilities if the uses have different peaking characteristics. Shared parking may only be allowed based on a shared parking analysis, using Urban Land Institute or similar methodologies, and approved by the City's Planning Director.

3. Practice facilities:
 - a. The practice facilities, which include a driving range and a putting green, will be sited so as to buffer the hotel and Resort Residential areas from the adjacent industrial uses.
 - b. The driving range will be recessed from the hotel site and heavily buffered, on all sides, by landscaping.
 - c. Protective netting will be installed to protect adjacent uses from errant golf balls.
4. Maintenance facilities:
 - a. Maximum height of maintenance building structures shall be 24 feet.
 - b. All activities and equipment storage shall be within enclosed buildings, except for sand, gravel and similar bulk construction materials, which shall be screened from public view with fences, landscaping, buildings or similar features.
5. Natural resource areas shall meet requirements of the Alexander Valley Resort Specific Plan.
6. Accessory structures, including snack shop, restrooms and a maintenance building shall be allowed on the golf course.
7. All Golf Course improvements shall conform to the "gateway" design concept.

G. Resort Residential

1. Resort Residential units shall meet the provisions of the R-CT or R-3 Multi-Family Residential Zoning Districts as they exist or may be modified.
2. The Precise Development Plan for Resort Residential shall conform to Specific Plan policies to mitigate impacts from the adjoining industrial area.
3. An Acoustic Study shall be submitted, and building assemblies shall be designed so that interior noise levels shall not exceed 45dBA inside all living units.

H. Single-Family Residential

1. Single-Family Residential units shall meet the requirements of the R-2 Zoning District, as it exists or may be amended, except that lot sizes may be reduced to 4,000 square feet and the lot width, depth and setback requirements reduced based on the PUD Permit provisions in Chapter 18.03. No more than one dwelling unit may be built on each lot.
2. A visual analysis shall be submitted with the Precise Development Plan application for the Single-Family Residential area. Steps to minimize views of houses from the City shall be detailed.

3. Site and building design shall conform to the gateway design concept.
4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures.

I. Estate Residential

1. Estate Residential units shall meet the requirements of the R-1 Zoning District, except that setbacks and lot sizes may be modified to save significant trees and oak forest groupings.
2. A visual analysis shall be submitted with the Precise Development Plan application for the Estate Residential area. Steps to minimize views of houses from the City and Alexander Valley shall be detailed.
3. An arborist report shall be provided with Precise Development Plan submittal. The report shall identify significant individual trees and significant groupings of trees (oak forest). Houses and lots shall be sited to preserve trees and forest groupings to the extent possible.
4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures and removal of significant trees identified in the arborist report.

J. Entry Commercial

1. An entry design theme and visual analysis shall be submitted with the Precise Development Plan application for the Entry Commercial area. Design shall include a visual buffer, such as landscape and berms, between Asti Road and the development on the site.
2. Design shall conform to the “gateway” design concept.
3. Entry Commercial development shall meet the requirements of the G-C Zoning District. Additionally, the following uses shall be permitted by right:
 - a. Restaurants: without entertainment
serving alcoholic beverages
with indoor and outdoor seating
with catering
 - b. Wine Tasting Facility
 - c. Administrative and Executive Offices
 - d. Clerical and Professional Offices

Service stations, drive-through uses and internally illuminated signs shall not be allowed.

4. A Precise Development Plan amendment shall be required for any expansion of buildings after initial construction. A use permit shall be required for any uses that require a use permit in the G-C Zoning District, with the exception of the permitted uses listed in the preceding paragraph.

Chapter 18.08

SPECIAL ZONING DISTRICTS

Section 18.08.010 Planned Unit Development (PD) Zoning District

A. Purpose and Intent

The purpose of the PD Zoning District is to provide flexibility in land use development standards for well-planned developments that conform to the General Plan land use provisions and achieve one or more of the following purposes.

1. Permit the clustering of single-family or multifamily dwellings in order to preserve unique features on a property or provide for public parks and/or buildings.
2. Allow master planning of sites with multiple property owners in order to provide predictable land use expectations for individual owners.
3. Allow master planning of large sites over two acres so that the property can be developed in phases, providing predictable land use expectations for each phase of the development.
4. Allow City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development.

B. Establishment of District

A PD Zoning District may be combined with any district shown in the Residential, Commercial or Industrial Zoning Districts in accordance with the provisions of this Section and Section 18.03. Each PD Zoning District shall be numbered. The Zoning Map shall identify the underlying Zoning District and the PD Zoning District number (e.g. R-1-PD/1). A PD Zoning District may include more than one underlying Zoning District. The application for a PD Zoning District shall include Development Standards for the Planned Unit Development. The standards shall include, but not be limited to, information regarding allowable uses, parking, setbacks, building heights, lot coverage, grading, landscaping, and other issues appropriate to the Zoning District.

A PD Zoning District may be established as an amendment to this Title in accordance with Chapter 18.03 upon application of the property owner or owners or upon recommendation of a majority of the Planning Commission and/or action of the City Council on parcels of land which are suitable for, and of sufficient acreage (minimum two acres) to contain a Planned Unit Development.

C. Permitted Uses

All provisions of the underlying Zoning District shall apply unless specifically modified by a Preliminary and/or Precise Development Plan. The following modifications to underlying Zoning District provisions may be allowed.

1. Clustering of single-family or multifamily dwellings in Residential Zoning Districts in order to preserve unique features on a property or provide for public parks and/or buildings. Development shall not exceed General Plan densities; however, clustering may be used to achieve the allowable General Plan density

for the entire site including the land area of features preserved. Undevelopable lands shall not count toward allowable densities.

2. Master planning of a site or area with multiple property owners in order to provide predictable land use expectations for individual owners. Land uses shall be consistent with underlying General Plan land uses; however, residential densities may be distributed throughout the master planned area as if it were a single property.
3. City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development or to:
 - a. Enhance and preserve unique features on a property, such as historical significance, unusual topographic or physiographic characteristics.
 - b. Allow provision for or development of parks, public buildings, and public amenities.

D. Variation from Zoning District Regulations

The regulations and requirements of the Zoning District with which the PD Zoning District is combined shall apply, except as may be modified or changed by the approved development plan or policy statement. In a PD Zoning District, the Precise Development Plan approved and adopted by the City Council may allow variation from the strict application of Zoning District regulations with respect to fences, walls and hedges; screening and landscaping; front and side yards; distances between structures (building separations may be reduced to zero feet (0') provided that firewalls are provided per UBC standards); heights; internal street rights-of-way, pavement widths and sidewalks; lot coverage, lot size, and the determination of usable open space. Where variation from lot size is proposed, no more than 25% of lots in any development may be less than 4,000 square feet and no lots may be less than 3,000 square feet. All such variations from Zoning District regulations shall be noted in the approved development plan. Variations from the following regulations shall not be allowed: residential floor area ratio and residential rear yard setbacks.

E. Residential Densities

Residential densities in a PD Zoning District shall not exceed the residential densities permitted by the General Plan, including undevelopable lands as defined.

Section 18.08.020 Individual PD Zoning District Development Standards

The following PD Zoning Districts have been established by appropriate action of the City Council, subject to the following deviations from base Zoning District standards. If a Preliminary Development Plan or Precise Development Plan has expired per chapter 18.03, a new Precise and/or Preliminary Development Plan must be filed and approved prior to any use of the property within the PD Zoning District.

A. P-D/1 Jefferson Springs

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

B. P-D/2 Jefferson Villas

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

C. P-D/3 Solar Park

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

D. P-D/4 Kings Valley

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

E. P-D/5 Bandiera Winery

1. Permitted Uses

- Winery with total annual production of 50,000 cases.
- Addition to existing winery building to be used exclusively for small wood aging.
- A small retail sales area.
- Crushing, fermenting, aging, bottling and shipping of all wine produced as bottled case goods.

2. Operating Provisions

- No tasting or tours.
- Storage and/or fermenting tanks shall not be visible outside of buildings.
- Maximum of five full-time employees.
- All company owned equipment shall be parked off street in the crushing-fermenting area.
- Operating hours during the crushing season shall not exceed a 10 to 12 hour work day. All other work days shall be standard 8 hour days.

F. P-D/6 Clover Springs

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. The following are the only permitted uses, provided that uses shall also comply with the permitting requirements set forth in Chapter 18.03 entitled Land Use Permits and Approvals.

- Single family dwellings
- Accessory buildings
- Home Occupations
- Accessory uses per the R-1 Zoning District
- Open space/Passive parks
- Private recreation facilities
- Guest quarters/in-law residence

2. Residential Siting and Planning Design Guidelines

a. Encroachments into Required Yards – Architectural features such as roof eaves, fireplaces, box-outs, built-in shelves, bay windows and similar features are permitted to extend up to two feet six inches (2' 6") into the minimum front, rear and side yard setbacks.

- b. Ground-Level Air Conditioning Unit Screening and Locations - Ground air conditioning units are to be within a fenced yard, or otherwise screened with walls, fencing or landscaping. Air conditioning units that are located within a solid fenced side or rear yard are not required to be screened. Ground level air conditioning units and their enclosures are permitted within the side or rear yard setback, provided enclosures do not exceed five feet (5') in height and are located at least two feet (2') from the side property line and five feet (5') from the rear property line.

c. Fencing Standards

Side and rear yard, interior lots: Side and rear yard fencing may be constructed up to six feet (6') in height, as measured from the high side of the fence. The fencing in the side and rear yard shall conform to the privacy fence standard.

Side yard on corner lots: Fencing is permitted in the side yard abutting a street with a minimum setback of eight feet (8') from the back of the property line.

Front yard: Courtyard walls are permitted in the front yard, up to ten feet (10') from the back of the walk. Courtyard walls encroaching into the required front yard setback may not exceed three feet (3') in height.

Open Space lots: Open fencing will be utilized along lot edges common to open spaces, as well as to define community areas. Provided regulations contained within the project CC&Rs are complied with, homeowners have the following options for open fencing:

- Two foot (2') knee-high wall (a short masonry wall)
- Two foot (2') knee-high wall with four foot (4') wrought-iron style fence on top.
- Six foot (6') wrought iron style fence may be utilized in the side yard areas of open space lots, along interior property lines. Wrought-iron style fencing is to be of a consistent design throughout the project.
- A three and one-half foot (3'6") split rail fence will be constructed as part of the landscaping along Porterfield Creek.

Fencing adjacent to streets: There are a number of areas within the project that back up to streets that require fencing, the following fencing standards have been established for these areas:

- Six foot (6') wooden barrier fence will be constructed adjacent to Cloverdale Boulevard.
- Six foot (6') perimeter wood fence will be constructed along the Foothills Boulevard landscape corridor and the lots that back up to the existing Hot Springs Road.

All solid wood fences will be painted/stained to be consistent with the criteria established within the CC&Rs for the project.

- d. Trash Receptacle Storage - trash receptacle storage is restricted to the garage within a non-fenced yard, or within a screened area located behind the leading edge of the house.

3. Residential Housing Siting Criteria

<u>Setbacks</u>	<u>Estate</u>	<u>Premier</u>	<u>Classic</u>
Front Yard, Living Space	15'	15'	15'
Front Yard, Garage Door (3, 7)	18'	18'	18'
Side Yard, Interior (6)	5'	5'	5'
Side Yard, Adjacent to Street (8)	12.5'	12.5'	12.5'
Rear Yard (3, 4, 6)	15'	15'	15'
Building Coverage (5)	50%	50%	50%

Height Limit

Maximum Building Height 35'

Attached Shade Structures

All shade structures shall conform to a minimum twelve foot (12') rear yard setback and a five foot (5') side yard setback. The three foot (3') encroachment into the standard fifteen (15') setback shall not be enclosed by more than 20% of its perimeter and shall not exceed 50% of the required usable rear yard area.

The number of lots within Phase I which would be allowed to utilize this provision for a reduction in the rear yard setback shall be in accordance with the parcels detailed in the August 19, 1997 letter submitted by the Del Webb California Corporation to the City, and in no case, shall the number of lots exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count unless otherwise approved by the City through the adoption of the Precise Development Plan for Phase II.

Accessory Structures

Permitted outside of the required front yard; 5 foot (5') setback required from a side or rear property line for detached structures; may be further regulated by the project CC&Rs.

Off-Street Parking

Two spaces per dwelling unit

Footnotes (Siting Criteria)

- i. Lot width is measured eighteen feet (18') from the back of the front property line. Cul-de-sac, elbow lots and lots on curved streets may have a width less than specified provided they meet lot area and building setback requirements.
- ii. Required lot depth may be reduced up to ten feet (10') in some cases, provided the lots otherwise meet lot area and building setback requirements. Some

examples of such cases are lots on cul-de-sacs or elbows and constrained by trees or natural features.

- iii. Driveway length is measured from property line to face of garage door. Architectural projections of up to two feet (2') will be allowed to project into the front and side yard setbacks.
- iv. The rear yard setback is exclusive of roof overhangs and architectural projections.
- v. Roof overhangs, patios, covered porches, shade structures, driveways, walkways and the like are exempted from the building coverage calculation.
- vi. Air conditioning units can encroach up to three feet (3') into the side and rear yard setbacks.
- vii. The front yard setback will be staggered a minimum of two feet (2') on every third unit. This requirement will not apply where the street centerline radius is 1,000 feet or less, on the bulb area of cul-de-sac lots or on elbow lots.
- viii. The measurement for minimum sideyard setbacks for corner lots will be taken from the back of the sidewalk. All corner lots will have a minimum corner sideyard setback of twelve and a half feet (12'6") with the exception of lots 74, 114, 159 and 160 which will have a minimum fifteen foot (15') setback from the back of the sidewalk. These lots differ in setback due to their location adjacent to a collector or arterial street.

4. Recreation Facility Siting Criteria

Setbacks

Building Setback from Street Right-of-Way	30'
Building Setback from Adjacent Residential Property Line	30'
Building Setback from Open Space	10'
Outdoor Recreation Facility Setback from Street Right-of-Way	10'
Outdoor Recreation Facility Setback from Residential Lots	10'
Outdoor Recreation Facility Setback from Open Space	10'
Parking Lot Setback from Residential Property Line	25'
Parking Lot Setback from Street Right-of-Way	10'
Building, Parking and Outdoor Recreation Facility Setback From the Flowline of Porterfield Creek	60'

Height Limit

Maximum Building Height	One-Story (40')
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Parking Requirements

Parking Requirements	1 space/250 sf of building area
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G. P-D/7 Rancho de Amigos - Residential Portions

All provisions of the R-1 Single Family Residential Zoning District shall apply to the single-family lots.

Provisions of the R-3 Multi-Family Residential District shall apply to the townhouse portion of the site. All structures built in conformity with the adopting site plan shall be legal conforming structures within the townhouse development.

H. P-D/7 Rancho de Amigos – Shopping Center/Business Park

For the shopping center portion of the site, all provisions of the General Commercial (G-C) Zoning District shall apply. New development is subject to the Architectural Design Guidelines and Sign Program on file in the Planning Department. For the business park portion of the site, an assisted living project is compatible with the business park designation.

I. P-D/8 Furber II – The Preliminary Development Plan for this P-D expired and is null and void.

J. P-D/9 Citrus Gardens

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

K. P-D/10 The Cottages

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. Sideyard Setbacks
 - a. A minimum separation of twenty feet (20') between two-story wall to two-story wall of adjoining residential units.
 - b. A minimum separation of fifteen feet (15') between single story wall to two story wall of adjoining residential units.
 - c. A minimum separation of ten feet (10') between single story wall to single story wall of adjoining residential units.
2. Height limitations
 - a. All residences placed on Lots 12 – 24 and 42-48 of Area I and Lots 140, 141, 154, 155, 166, 167 and 180 of Area II are single story in height. If the height of any residential unit listed above is desired to be increased beyond single story, the applicant shall submit a visual analysis containing a minimum of two cross-sections for each area that extend across the width of the property. The visual analysis shall depict the height and orientation of the residential unit, location of any retaining walls, roads, building pads, and integration of all proposed landscaping. The visual analysis shall be submitted to the Planning Commission for their review and approval.
3. Open Space
 - a. All properties adjoining the northerly property line (Lots 11 – 20) shall maintain a thirty foot (30') open space buffer area in which no development may occur. "Development" shall include the construction or placement of any permanent structure that would be subject to the issuance of a building permit including, but not limited to decks,

platforms, accessory buildings and swimming pools or the construction of any temporary structure not subject to the Building Code such as, but not limited to, accessory structures, play equipment and saunas.

L. P-D/11 Ioli Ranch

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

M. P-D/12 Vineyards At Cloverdale

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

N. P-D/13 Sunrise Hills

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

O. P-D/14 Sunrise Hills II

All provisions of the R-1 Single Family Residential Zoning District shall apply, with the following exceptions:

Setbacks

Front Yard, Living Space	10'
Front Yard, Garage Door	20'
Side Yard, Interior	1-story = 5'; 2-story = 10'
Rear Yard	10' to rear of house or detached garage

~~P. P-D/15 Rink Mixed Use~~

~~Development shall be as shown on adopted site plan as follows:~~

- ~~1. Setbacks:~~
 - ~~a. Minimum side yard from adjacent properties: 9 feet~~
 - ~~b. Rear setback from adjacent property: 20.58 feet~~
 - ~~c. Front setback from North Cloverdale Boulevard: 18.64 feet~~
- ~~2. Height limits: Shall comply with requirements of R-2 district.~~
- ~~3. Parking: 21 off street space; uncovered spaces to be shared with office uses.~~

Q. P-D/16 Creekside

The following standards adopted with the Precise Development Plan shall apply:

City of Cloverdale Zoning Code

Lot #	Lot Size (sf)	Unit Size (sf)	Lot Coverage	FAR	Front Setback	Right Side Setback	Left Side Setback	Rear Setback
1	3,774	1,858	38%	.49	21'	5'	4'6"	22'
2	3,774	1,858	38%	.49	21'	5'	4'6"	22'
3	3,774	1,858	38%	.49	21'	5'	4'6"	22'
4	3,774	1,858	38%	.49	21'	5'	4'6"	22'
5	3,650	1,858	39.3%	.51	21'	5'	4'6"	18'
6	3,798	1,858	37.8%	.49	21'	5'	5'9"	18'
7	13,000	2,110	11.1%	.16	24'	26'	5'	47'
8	5,563	1,978	25.6%	.36	24'	5'	5'	45'
9	8,445	2,406	17.7%	.28	45'2"	5'	5'	104'
10	36,060	3,713	7.4%	.10	135'9"	83'	5'	150'

Section 18.08.030 Specific Plan (SP) Zoning District

A. Purpose and Intent

It is the purpose of this Section to provide a method for the zoning of lands with adopted Specific Plans for which customized development and use regulations have been approved by the City Council. The creation of a Specific Plan (SP) Zoning District is necessary to provide adequate development flexibility for innovation in residential building types, land use mixes, site design, and development concepts.

B. Applicability

This Section shall apply to the properties designated in the Cloverdale General Plan Land Use Element as requiring preparation of a Specific Plan and to any other project site for which the applicant believes that implementation of a Specific Plan will benefit the project and the City.

All Specific Plan applications shall be accompanied by a zone change application requesting a change from the existing Zoning District to the Specific Plan Zoning District. The Specific Plan Zoning District shall be designated on the Zoning Map by the symbol "SP" followed by a number to designate the Specific Plan (e.g. SP-3.1, SP-3.2, etc.). Each Specific Plan Zoning District shall be a logical geographical unit and may include one or more parcels. Any Specific Plan Zoning District may be broken down into subareas for the purpose of assigning specific development standards and regulations.

A Specific Plan Zoning District shall conform to the policies of the General Plan designation for the area. The minimum size for a Specific Plan Zoning District shall be five (5) acres. Smaller parcels may be combined in an application to meet minimum qualification for land area.

C. Establishment of a Specific Plan Zoning District

A Specific Plan Zoning District shall be established by recommendation of the Planning Commission and approval of an ordinance by the City Council and include the following information:

1. Identification of the geographical area where Zoning District standards and subarea standards shall apply.
2. Description of the intent and character of area development.
3. Identification of environmental mitigation measures and important features to be preserved.
4. Identification of uses permitted and uses requiring Conditional Use Permits.
5. Identification of street and right-of-way standards and easements for provisions of utilities and pathways.
6. Identification of standards for weight and bulk, set-back, parking, lot size, percentage of open space and type of landscaping.

D. Adoption of Specific Plan Zoning District

Adoption of a Specific Plan District shall be as follows:

1. The Planning Director shall determine that the proposal for a Specific Plan Zoning District includes the information required.
2. The Planning Director shall propose acceptance of a completed environmental document prepared pursuant to CEQA or shall otherwise demonstrate compliance with CEQA.
3. The Planning Commission shall hold a public hearing after providing a minimum of 10 days notice published in a newspaper of local circulation and by mailing first class to the owners of property within 300 feet of the Specific Plan area as their names and addresses are shown on the latest adopted County Tax Roll.
4. The Planning Commission shall recommend Zoning District adoption to the City Council through resolution with a minimum affirmative vote of the majority of the total voting membership of the Planning Commission.
5. The City Council shall hold a public hearing in accordance with the notice requirements above.
6. The City Council shall adopt a Specific Plan Zoning District by amendment of this Title. Any changes proposed by the City Council not previously considered by the Planning Commission must be referred to the Planning Commission for consideration and recommendation prior to City Council action.

Section 18.08.040 Individual Specific Plan Zoning District Development Standards

The following SP Zoning Districts have been established by appropriate action of the City Council, subject to the following provisions.

A. SP-1 Alexander Valley Resort Specific Plan

This Section provides regulations and standards for the development of the Alexander Valley Resort Project site and the SP-1 Zoning District.

B. Precise Development Plan Required

1. A Precise Development Plan shall be required prior to any development in each of the six (6) land use designations in this Plan: Resort Hotel/Spa, Golf Course, Resort Residential, Single-Family Residential, Estate Residential, and Entry Commercial. Each Precise Development Plan shall be consistent with the Alexander Valley Resort Specific Plan and the phasing provisions below.
2. A visual “gateway” or entrance theme shall be submitted by the Developer and approved by the City prior to or with the first Precise Development Plan approval. A visual analysis of the rough grading plan for the site, including the grading for the proposed western hill with the serpentine outcropping shall be prepared prior to or with the first Precise Development Plan, together with the proposed “gateway” theme.
3. A Precise Development Plan amendment, as specified in this Section, shall be required for any change to the approved Precise Development Plan, except for minor changes in golf course design and alignment.
4. The project shall meet all requirements of the Cloverdale Inclusionary Housing Ordinance as it exists or is amended.
5. Precise Development Plans for all phases of the development may be submitted and approved simultaneously, provided that no temporary or permanent occupancy permits for the Resort Residential, Single-Family Residential and Estate Residential units shall be issued until: 1) an occupancy permit is issued for the Hotel; and 2) nine holes of the golf course, west of the NWP rail line, are complete.
6. Construction of the first nine (9) holes of the golf course is dependent on the availability of recycled wastewater (“Recycled Water”), transportation of that water to the west side of the NWP tracks, annexation to the City of Cloverdale, and City entitlements. The timing of the construction of the second nine (9) holes contemplated by this Specific Plan (“Regulation Course”) is dependent, in part, on the rescission or expiration of the Williamson Act Contract (“Contract”) on a portion of the Project property that is included as a part of the second nine (9) holes, the availability of Recycled Water and obtaining permanent railroad crossing rights from the North Coast Railroad Authority (“Crossing Rights”).

If the Developer is unable to achieve rescission of the Contract, obtain sufficient Recycled Water, and/or obtain Crossing Rights in a timely manner, so as to allow for completion of the Regulation Course, the Developer shall amend the Precise Development Plan for the golf course to provide for a nine (9) hole course, including a driving range and clubhouse, on property owned by the Developer that is not subject to the Contract, dependent on Recycled Water, or dependent on Crossing Rights (“9-Hole Course”). Developer shall propose an alternate use for the remaining acreage. Such use may require an amendment to the Alexander Valley Resort Specific Plan.

C. Relationship to the Zoning Ordinance

All provisions of this Title shall apply in the SP-1 Zoning District, except as specifically modified by this Section.

D. Pedestrian/Bicycle Trails

Each Precise Development Plan shall provide for pedestrian/bicycle trails to complete the trails system identified in the Specific Plan.

E. Resort Hotel/Spa

The 100-150 room hotel and a full-service spa facility will function together as a wine country destination resort and as the anchor of the Alexander Valley Resort project. Amenities will include, those normally found in a resort complex, including, but not limited to, a restaurant, conference center and gift shop. The Resort shall be consistent with all aspects of the Cloverdale General Plan Destination Commercial land use designation and applicable goals of the Land Use and Community Design Elements.

The hotel will be sited on a knoll overlooking Resort Residential and Golf Course areas and capitalizing on Alexander Valley/Russian River vistas. The European wine country style architectural theme described in this Specific Plan shall be consistent throughout the Resort. The hotel is assigned a visually prominent location on the Project site and shall be designed to quality resort style standards. The mass of the building(s) shall be broken up by favoring terraced roofs and offsets in wall planes. The maximum height for the hotel shall be 62 feet above ground level, including towers and similarly distinct architectural elements. The spa shall be confined within the hotel complex. Outdoor facilities, consisting of a swimming pool and other recreational activity areas shall be sited and buffered to reduce noise intrusion on the hotel.

Parking areas shall be off-street, landscaped and screened from view. It is anticipated that parking for the Resort complex, the Resort Residential units and the Golf Course facilities will share parking areas, particularly during off-peak hours. For example, the hotel may use golf club parking in the evening when the golf course is not in use.

F. Golf Course

1. The Alexander Valley Golf Club will be a regulation 18-hole golf course, with multiple tee areas providing varying overall lengths up to 6500 yards. A clubhouse, practice facility and maintenance area, natural resource preserves, and pedestrian/bicycle trails are included as a part of the golf course project. The Alexander Valley Golf Club will be open to Golf Club members, guests of the Resort and the general public on a daily fee basis.
2. Clubhouse uses and standards:
 - a. Maximum height of the clubhouse building shall be 35 feet.
 - b. Allowable uses are golf course management offices, pro shop, men and women's locker rooms, restaurant and banquet facilities and golf cart storage. Any expansion or change after Precise Development Plan approval shall require a Precise Development Plan amendment.
 - c. The Precise Development Plan for the golf clubhouse shall provide adequate parking to serve peak demand for banquet activities and shall include

parking that complies with the City of Cloverdale standards. Shared parking may be proposed between golfing and banquet facilities if the uses have different peaking characteristics. Shared parking may only be allowed based on a shared parking analysis, using Urban Land Institute or similar methodologies, and approved by the City's Planning Director.

3. Practice facilities:
 - a. The practice facilities, which include a driving range and a putting green, will be sited so as to buffer the hotel and Resort Residential areas from the adjacent industrial uses.
 - b. The driving range will be recessed from the hotel site and heavily buffered, on all sides, by landscaping.
 - c. Protective netting will be installed to protect adjacent uses from errant golf balls.
4. Maintenance facilities:
 - a. Maximum height of maintenance building structures shall be 24 feet.
 - b. All activities and equipment storage shall be within enclosed buildings, except for sand, gravel and similar bulk construction materials, which shall be screened from public view with fences, landscaping, buildings or similar features.
5. Natural resource areas shall meet requirements of the Alexander Valley Resort Specific Plan.
6. Accessory structures, including snack shop, restrooms and a maintenance building shall be allowed on the golf course.
7. All Golf Course improvements shall conform to the "gateway" design concept.

G. Resort Residential

1. Resort Residential units shall meet the provisions of the R-CT or R-3 Multi-Family Residential Zoning Districts as they exist or may be modified.
2. The Precise Development Plan for Resort Residential shall conform to Specific Plan policies to mitigate impacts from the adjoining industrial area.
3. An Acoustic Study shall be submitted, and building assemblies shall be designed so that interior noise levels shall not exceed 45dBA inside all living units.

H. Single-Family Residential

1. Single-Family Residential units shall meet the requirements of the R-2 Zoning District, as it exists or may be amended, except that lot sizes may be reduced to 4,000 square feet and the lot width, depth and setback requirements reduced based on the PUD Permit provisions in Chapter 18.03. No more than one dwelling unit may be built on each lot.
2. A visual analysis shall be submitted with the Precise Development Plan application for the Single-Family Residential area. Steps to minimize views of houses from the City shall be detailed.

3. Site and building design shall conform to the gateway design concept.
4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures.

I. Estate Residential

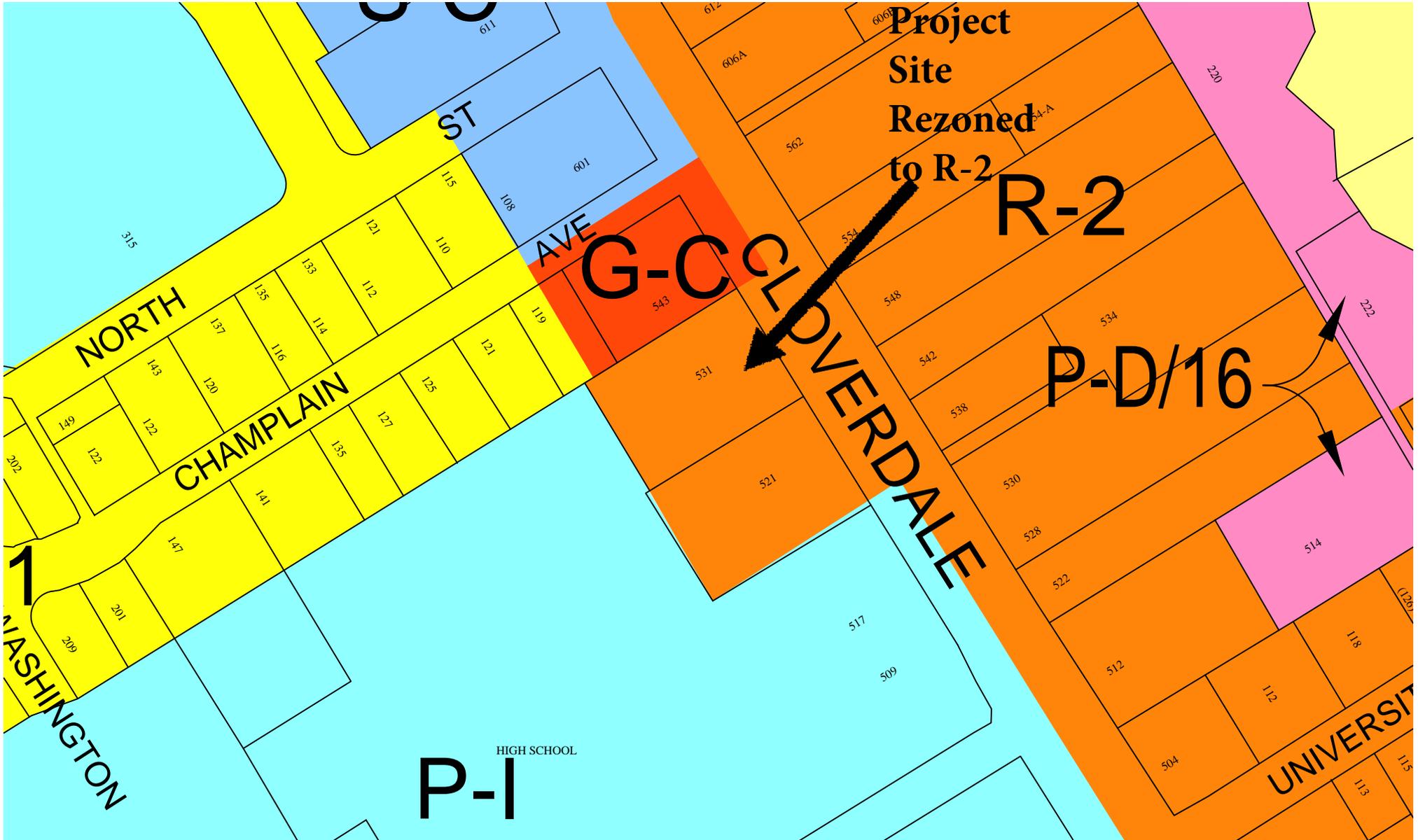
1. Estate Residential units shall meet the requirements of the R-1 Zoning District, except that setbacks and lot sizes may be modified to save significant trees and oak forest groupings.
2. A visual analysis shall be submitted with the Precise Development Plan application for the Estate Residential area. Steps to minimize views of houses from the City and Alexander Valley shall be detailed.
3. An arborist report shall be provided with Precise Development Plan submittal. The report shall identify significant individual trees and significant groupings of trees (oak forest). Houses and lots shall be sited to preserve trees and forest groupings to the extent possible.
4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures and removal of significant trees identified in the arborist report.

J. Entry Commercial

1. An entry design theme and visual analysis shall be submitted with the Precise Development Plan application for the Entry Commercial area. Design shall include a visual buffer, such as landscape and berms, between Asti Road and the development on the site.
2. Design shall conform to the “gateway” design concept.
3. Entry Commercial development shall meet the requirements of the G-C Zoning District. Additionally, the following uses shall be permitted by right:
 - a. Restaurants: without entertainment
serving alcoholic beverages
with indoor and outdoor seating
with catering
 - b. Wine Tasting Facility
 - c. Administrative and Executive Offices
 - d. Clerical and Professional Offices

Service stations, drive-through uses and internally illuminated signs shall not be allowed.

4. A Precise Development Plan amendment shall be required for any expansion of buildings after initial construction. A use permit shall be required for any uses that require a use permit in the G-C Zoning District, with the exception of the permitted uses listed in the preceding paragraph.





City Council/Successor Agency
Agenda Item Summary

Agenda Item: 6
Meeting Date: October 11, 2016

Table with 2 columns: Agenda Section (Public Hearings) and Staff Contact (David Kelley, Jerry Haag)

Agenda Item Title

Proposed Annexation, General Plan Amendment, Rezoning and CEQA document for an approximate 42.5-acre area lying east of existing City boundaries in an unincorporated portion of Sonoma County.

Summary

Site Location. East side of Asti Road, south of current City limits, north of the City's Public Works Corporation Yard and west of the Russian River.

Property Owners and Assessor Parcel Numbers (APNs). Attachment 2 shows the area in relation to the City of Cloverdale.

- 1. Nu Forest Products, Inc. - APNs 116-260-004 & -055
2. Richard Cerasoli - APN 116-260-033
3. Charles Schwartzler Trust - APN 116-260-030
4. Gladys Matovich Trust - APN 116-260-050
5. M. Poustinchian - APN 116-260-046
6. PG&E - APN 116-260-045

Project History. In August, 2015, the owner of the majority of the property within the proposed annexation area, Nu Forest Products Inc. (NFP), previously addressed the City and requested support for this annexation.

Requested Actions. Nu Forest Products has requested City support to file an annexation application with Sonoma County Local Agency Formation Commission (LAFCO) in order to obtain City services.

Various property owners within the annexation area have requested approval of a General Plan Amendment (GPA) to change the current General Plan land use designations for their respective property.

Approval of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and implementing Guidelines is recommended and required in order to process and approve the requested entitlements.

The Project includes consideration of a Conditional Use Permit (CUP) and Major Design Review (MDR) for the expansion of Nu Forest's existing lumber milling operation.

The project was reviewed by the Planning Commission at a public hearing held on September 6, 2016 and all of the project components were unanimously recommended for City Council approval.

Key components of the Project include:

General Plan Amendment: The GPA would apply to the five intervening properties located west of the NFP site and east of the current City boundary along Asti Road. The NFP site itself is designated for “General Industrial” which would be consistent with the proposed expansion of lumber milling and storage operations. However, the General Plan designates the five intervening properties as either “CF-Conservation Features” or “TOD-Transit Oriented Development.” None of the property owners with a CF land use designation desire to continue with this designation. They’ve indicated to staff that the CF General Plan land use designation is very restrictive and allows a comparatively limited range of land uses than currently allowed by the Sonoma County General Plan Light Industrial land use designation. One property owner with an existing TOD designation (Mr. Poustinchian) desires a “General Industrial” land use designation for potential future industrial development. The existing PG&E electric substation at the southern end of the annexation area is currently designated as “TOD” and a changed designation of “Public/Quasi-Public” is recommended for this site recognizing the existing and future use of this property. The proposed General Plan land use designations for the annexation area are depicted in Attachment 3.

On July 26, 2016, the City Council adopted City Council Resolution No 058-2016, initiating this GPA. This proposed action would be the subsequent action to the Council’s initiation.

Prezoning Ordinance: State annexation law (the Knox-Cortese-Herzberg Act) requires local agencies to prezone properties prior to annexation. The prezoning then becomes effective upon completion of the annexation process. The prezoning portion of the project also includes a proposal to amend the text of the M-1 zoning district in the Zoning Ordinance to allow “live-work” uses subject to the issuance of a conditional use permit by the Planning Commission. The proposed zoning designations for the properties included in the annexation are described in detail below.

- Proposed Zoning Designations: Each of the subject properties within the annexation area would be prezoned under the current proposal. The proposed zoning designations were assigned to the seven properties in the annexation area based on discussions with each of the owners, existing County land use property designations and regulations along with existing site conditions. The proposed prezoning is identified on Attachment 4. Attachment 13 is a resolution of the Planning Commission recommending City Council approval of a prezoning Ordinance (Attachment 5):
 1. *Nu Forest Properties:* These two properties are proposed to be prezoned as General Industrial (M-1). The M-1 zoning district allows lumber mills as a conditional use and a CUP has been requested by NFP.
 2. *Cerasoli Property:* Proposed M-1 zoning based on property owner desire and existing residential and light industrial use on the site.
 3. *Schwartzler Trust Property:* Proposed for Rural Residential (RR), based on an existing residence and property owner desire.
 4. *Matovich Trust Property:* Proposed for Rural Residential (RR), based on property owner desire.
 5. *Poustinchian Property:* Proposed for M-1 based on property owner desire.
 6. *PG&E Property:* Proposed for Public Institutional (P-I), consistent with the existing electrical substation on the site.
- Proposed Live-Work Uses: At the request of one owner (Mr. Cerasoli), staff is proposing that the M-1 Ordinance be amended to allow live-work units subject to the issuance of a conditional use permit. If approved, a mix of limited residential and light industrial uses would be conditionally permitted on a single parcel of land. Currently the M-1 District only permits caretaker-type residential use as an accessory use. The M-1 ordinance is proposed to allow greater flexibility in future residences in the General Industrial District as well as provide development standards to ensure future live-work uses are properly planned and implemented. A summary of the proposed

standards are as follows. The full text of the proposed rezoning ordinance and live-work standards are included as Attachment 5:

1. Definitions are provided in the updated ordinance for live-work uses and spaces;
2. Per the Planning Commission's direction, the total amount of live-work space on a parcel of land could not exceed the current 60% coverage as set forth in the M-1 ordinance with up to 50% of building(s) devoted to residential use and the remainder to otherwise permitted industrial uses;
3. Occupancy: a live-work unit shall be occupied and used by the operator of the business on the site or at least one member of a household shall be the business operator. No portion of a live-work unit shall be rented or sold separately. Up to two persons may be employed within a live-work business who do not live on the site, unless more restrictive requirements are imposed as a condition of the Conditional Use Permit.
4. Parking shall be as specified in the Zoning Ordinance for each individual use, but could be modified by the Planning Commission through the use permit process for special circumstances.
5. Building sizes, setbacks and heights shall be as specified in the current M-1 ordinance.
6. A special finding would need to be made by the Planning Commission before approving a live-work application, in addition to other existing findings included in the Zoning Ordinance.

If approved, the live-work provisions would be applied to all M-1 zoned properties in the city, not just to the properties adjacent to Nu Forest.

Annexation: As previously noted, the owner of Nu Forest Products has requested annexation to the City of Cloverdale to receive municipal services to support the proposed lumber mill. The City Council previously informally expressed support for the annexation. After preliminary land use applications have been acted on by the City, annexation requires review and approval by the Local Agency Formation Commission (LAFCO). A formal application for annexation will be submitted to LAFCO upon completion of review and approval by the City Council.

Conditional Use Permit/Major Design Review: A part of the application includes a Conditional Use Permit and Major Design Review approval for Nu Forest to expand current limited uses on the site. Attachment 6 is a full-size copy of the plans and elevations included in the agenda packet. In addition to wood storage, future operations would include wood milling and processing. Table 18.06.030-A of the Cloverdale Zoning Code requires approval of a conditional use permit for heavy manufacturing uses in the M-1 District. The Zoning ordinance further defines heavy manufacturing to include planing mills, sawmills and wood products. Section 18.03.150 of the Zoning Code requires Major Design Review for industrial development projects that encompasses review of overall building design, use of materials and similar features.

Proposed improvements would include demolition of a number of older structures on the site and construction of four 100-ft x 100-ft industrial canopy structures on a portion of the property, totaling up to 40,000 square feet. Two canopy structures have been approved by Sonoma County prior to annexation and are under construction. These structures would only allow storage of equipment until the annexation is complete and permits are issued by the City and Fire District. Each canopy structure would have a concrete foundation and floor, a solid roof supported by large uprights and beams, but would not include surrounding walls. Lumber milling, planing and related activities would occur under the canopy structures. A portion of the site would be devoted to open storage of raw and milled lumber, awaiting shipment.

Large semi-trucks would be used to haul raw lumber onto the site and transport finished milled lumber to customers throughout Northern California and beyond. Preliminarily, it is estimated that up to 8 truck trips per day would occur.

The site entrance is a small private road shared with All Coast Products and would not change. Private passenger vehicles entering the site would park along the northern or western property lines with a small handicap-access space adjacent to future industrial buildings. On-site driveways would consist of compacted gravel with parking area surface being asphaltic concrete. The applicant proposes a pedestrian path between the main parking area and the future sawmill building canopies. Much of the site would be covered with crushed gravel and used for lumber storage.

The project site has two existing small freestanding signs including a directional sign at the private road drive at Asti Road and another sign at the property entrance off of the private roadway. No changes are proposed to signage. The applicant is proposing limited landscaping that would include planting of four native oak trees within planter areas in the west parking lot.

Building elevations submitted by the applicant indicate that four metal frame canopies would be installed under which milling activities would occur. Two of the four buildings have been previously approved under County jurisdiction, but no milling operations can occur until the site is annexed. The buildings would have a height of 32-ft. 4-in to the roof peak and would be painted grey. Each canopy building would measure 100 ft. by 100 ft. for a total of 10,000 square feet each. The four buildings would total 40,000 square feet. A number of existing NFP office and administrative buildings located on the eastern portion of the site would remain "as is."

A number of other project features remain somewhat undefined at this point and will be subject to future reviews and approval as details are submitted by NFP. These include a final design of the propane storage and handling system for fork lifts, final design for the sawdust "hopper" collector and final design of solar collectors. Other improvements on the Nu Forest site would include construction of a water quality and drainage basin on the south side of site to meet City and regional water quality standards.

Upon completion of the annexation process, the City water and sewer lines would be extended to the site to support the expansion of lumber operations. The precise location of water and sewer extensions to serve the annexation properties is being determined; however, it is anticipated that a water line would be extended in an easterly direction from Asti where an existing 16-in. diameter line currently exists to connect to an existing City water line on the All-Coast property to the west, providing a looped water system. A sewer line is anticipated to be constructed from the approximate center of the Nu Forest site in a western direction to Asti Road, then south to connect to the City's wastewater treatment plant. The sewer line extension is anticipated to require construction of one lift (pumping) station on the Nu Forest site.

Stormwater runoff would be directed to an onsite water quality and retention pond located on the south side of the Nu Forest site to accommodate stormwater and release it into the nearby Russian River via an open swale. The pond would also be designed to provide water quality features per City of Cloverdale standards prior to release into the river.

An existing pond exists in the easterly portion of the annexation area. This pond is jointly owned by Nu Forest Products and the property owner to the east, All-Coast and provides a reservoir for fire suppression purposes. The pond is primarily owned and maintained by All-Coast and may remain after construction of planned improvements on the Nu Forest site. With the provision of City water, the pond will no longer be needed by NFP.

At build out, the Nu Forest facility would have up to 73 full-time and seasonal employees on the site (including millworkers and office staff) and would operate 5 days per week (plus two Saturdays per month during the peak summer season). Conditions of approval would limit hours of production operation from 6 a.m. to 8 p.m. The applicant notes that milling operations would not be active during all of this time period, but the hours would allow for overload orders and potential for delivery delays. Maintenance of machinery and shipping operations could occur in non-production hours.

Prior to development, other properties in the annexation area (excluding Nu Forest) would be required to complete Plot Plan Reviews, Design Reviews, Conditional Use Permits and other municipal review

procedures prior required by the Cloverdale Zoning Code prior to building permit issuance by the City, following completion of the annexation process.

Environmental Assessment. Since the proposed annexation, general plan amendment and other related actions constitute a “project” under the California Environmental Quality Act and implementing guidelines, the City completed an Initial Study, as mandated by CEQA. The Initial Study is Attachment 7 to this staff report and is in the form of a bound document. Based on the analysis included in the Initial Study, a Mitigated Negative Declaration is recommended to be adopted for this project. The Initial Study examined all of the environmental topics required to be analyzed in this type of document. Several topics were determined to have “less-than-significant” or to have “no impact” on the environment. These topics are: agricultural/forestry resources, air quality, cultural resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and circulation and utilities and service systems. For other topics, the Initial Study determined that there would be potentially significant environmental impacts and mitigation measures were included in the Initial Study. A summary of the Mitigation Measures are included in the Mitigation Monitoring and Reporting Program document, Attachment 8 to the staff report.

The Initial Study/Mitigated Negative Declaration was circulated to the State of California Clearinghouse for a 30-day period in June of this year. The Clearinghouse sends copies of the CEQA document to appropriate state agencies that could have jurisdiction over some or parts of the project. Notification of the CEQA document was also provided to potentially affected local agencies, such as LAFCO, the Regional Water Board, the local Air Quality District and others.

The City received responses from 3 agencies (State Clearinghouse, Caltrans and LAFCO) and letters have been sent to these agencies responding to their concerns. Comment letters and responses are included as Attachment 9.

Minor technical changes are recommended to be included by reference into the Initial Study are included in the Initial Study document. The City also completed an SB18 Native American Tribal Consultation with no responses from affected local tribal representatives.

Planning Commission Recommendation. The Planning Commission held a public hearing on the Project on September 6, 2016. The Planning Commission voted unanimously (5-0) to recommend approval of the project to the City Council. A summary of Commission action is as follows.

- Recommend City Council adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) (PC Resolution No. 013-2016)
- Recommend City Council direction to City staff to file the annexation request with LAFCO (PC Resolution No. 014-2016)
- Recommend City Council approval of the requested General Plan Amendment (PC Resolution No. 015-2016)
- Recommend City Council approval of the rezoning ordinance, with an amendment to the M-1 District to conditionally allow live-work units (PC Resolution No 016-2016)
- Recommend City Council approval of a Conditional Use Permit (CUP) and Major Design Review (MDR) to allow the expansion of Nu Forest Products, Inc., subject to conditions (PC Resolution No. 017-2016).
- Copies of the approved Planning Commission Resolutions are attached (Attachments 10 through 14). Attachment 15 is a set of Planning Commission meeting minutes from the September 5, 2016 meeting.

Analysis.

Environmental Review (CEQA). Staff believes the City complied with all applicable provisions of CEQA and the CEQA implementing Guidelines by preparing an impartial Initial Study, circulating to all potentially affected agencies, conducting appropriate legal notification, responding to commenting agencies and completing a

Mitigation Monitoring and Reporting Plan. All identified impacts of the Project can be mitigated to a less-than-significant level. Attachment 16 is a Resolution of the Council adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

Annexation. All of the properties included in the proposed annexation are located within the City's Sphere of Influence and within the Urban Growth Boundary Area. This means that these properties have been determined to be ultimately annexed by Cloverdale when desired by the various owners and when services are nearby. As documented in the Initial Study, City water and wastewater services are nearby and the NFP desires to connect to these services to support additional industrial employment on the site, consistent with the General Plan. The cost to extend utilities would be borne by local land owners. Attachment 17 is a draft Resolution of the City Council directing staff to file the Nu Forest annexation with the Sonoma County Local Agency Formation Commission.

General Plan Amendment. The GPA is proposed based on a number of discussions with individual property owners within the annexation area who desire differing land use designations than exist under the current General Plan Land Use map.

The proposed annexation and associated development of the expanded Nu Forest lumber mill would be consistent with a number of goals and policies contained in the Land Use Element. Some of these include:

- Land Use Goal LU-1, provide a balance of land uses within the General Plan Study Area for housing, jobs, economic development, recreation, conservation and destination commercial uses.

Discussion: The proposed project would add a significant number of new, relatively higher paying jobs to the community.

- Land Use Goal LU-6, new development will be coordinated with the provision of infrastructure and public services.

Discussion: The project applicant has been working with the City to plan the extension of municipal water and sewer service to this portion of Cloverdale.

- Land Use Goal LU-7, encourage a jobs-housing nexus.

Discussion: The proposed annexation would increase Cloverdale's job base and would also add in a "live-work" component to allow more flexibility in places of local employment. Many of the current Nu Forest work force live in or near Cloverdale and commute to Healdsburg. If the project is approved and constructed, this would no longer be the case.

A portion of the project would also change the General Plan land use designation from Industrial to Rural Residential on the Matovich Trust property that would slightly reduce peak hour vehicle trips and be consistent with the Circulation Element of the General Plan.

In sum, staff believes the proposed project would be consistent with the General Plan. Attachment 18 is a draft resolution recommending the City Council approval the General Plan Amendment. Proposed findings to support the GPA are included in the draft resolution.

Rezoning Ordinance. As noted above, rezoning of all of the annexation area is required by State annexation law. Proposed rezoning districts are consistent with the proposed GPA, as required by other portions of state law.

In term of the proposed addition of "live-work" uses on properties zoned for General Industrial, staff believes this has the potential to allow more opportunity for local artists to work in the community, rather than have separate and more expensive housing and studio space. Other small businesses could take advantage of these regulations too, including but not limited to local contractors, small laboratories and offices/homes for professionals needing small office space. The Cities of Healdsburg, Windsor and Santa Rosa all currently allow live-work uses subject to a Conditional Use Permit. Attachment 5 is the actual draft ordinance with the

proposed development standards for live-work attached to the ordinance.

Conditional Use Permit & Major Design Review. In terms of consistency with the development standards for industrial uses, staff's analysis is that it is fully consistent with the dimensional criteria for buildings and required off-street parking. Staff believes the required findings can be for approval of the Conditional Use Permit as set forth in the draft Resolution (Attachment 19).

Staff believes that due to the relatively remote location of the NFP site from a public road or substantially from public views, the proposed site development plan is generally consistent with the Industrial Development Guidelines. The proposed site layout makes provision for future solar collectors and would not remove many major trees. Although limited on-site landscaping is proposed, the facility is not open to the public and is not visible to the public at large and therefore extensive landscaping is not required.

Staff is proposing a number of suggested conditions of approval (see Resolution Attachment 19) to ensure the proposed NFP development is fully consistent with the Industrial Development Guidelines, as follows:

- Lighting: a condition of approval would require the height of freestanding light poles not to exceed 25 feet in height and that all fixtures be pointed downward to minimize light and glare spillover. A related condition would require exterior lights be turned off when the facility is closed, except for any security lighting required by the Police Department.
- Landscaping: a condition of approval to require approximately 150 square feet of landscaping at the property entrance off of the private access road to "dress up" the entrance.
- Future review of solar collectors and sawdust hopper: The Assistant City Manager/CDD shall review and approve the final location, height, design and exterior color(s) of the sawdust hopper to ensure general consistency with other site improvements. This could be referred to the Commission at the Director's discretion.
- Signs: limitation on total signs to 150 square feet. Although current signs are likely smaller than this, the condition would limit any expansion

A copy of the Fiscal Impact Report prepared by Economic & Planning Systems identifying the fiscal impacts of the proposed annexation is attached (Attachment 20). In addition, Staff received letters from five property owner's (Attachment 21) within the annexation area including Max and Agenda Cordova (Matovich parcel), Mrs. JoAnn Tankersly (Schwartzler Parcel), Mohammed Poustinchian, Richard Cerasoli and Pacific Gas & Electric. All property owners are in favor of the annexation with the exception of Mr. Cerasoli, who is opposed to the annexation.

Options

- 1) Adopt the attached proposed Resolutions directing staff to file an annexation application with LAFCO for the Nu Forest Products parcels and adjacent properties and approving a General Plan Amendment for properties in the annexation area, a rezoning Ordinance and a Conditional Use Permit and Major Design Review for the Nu Forest properties; or
- 2) Deny the above applications which will preclude Nu Forest Properties from expanding their operations.

Budget/Financial Impact

If approved and constructed, the Project would result in increased property tax to the City but limited sales tax revenues, since the Nu Forest operations is not considered a retail "point of sale." A Fiscal Impact Report was prepared for this project and included as Attachment 21 to this staff report.

Subcommittee Recommendation

None.

Recommended Council Action

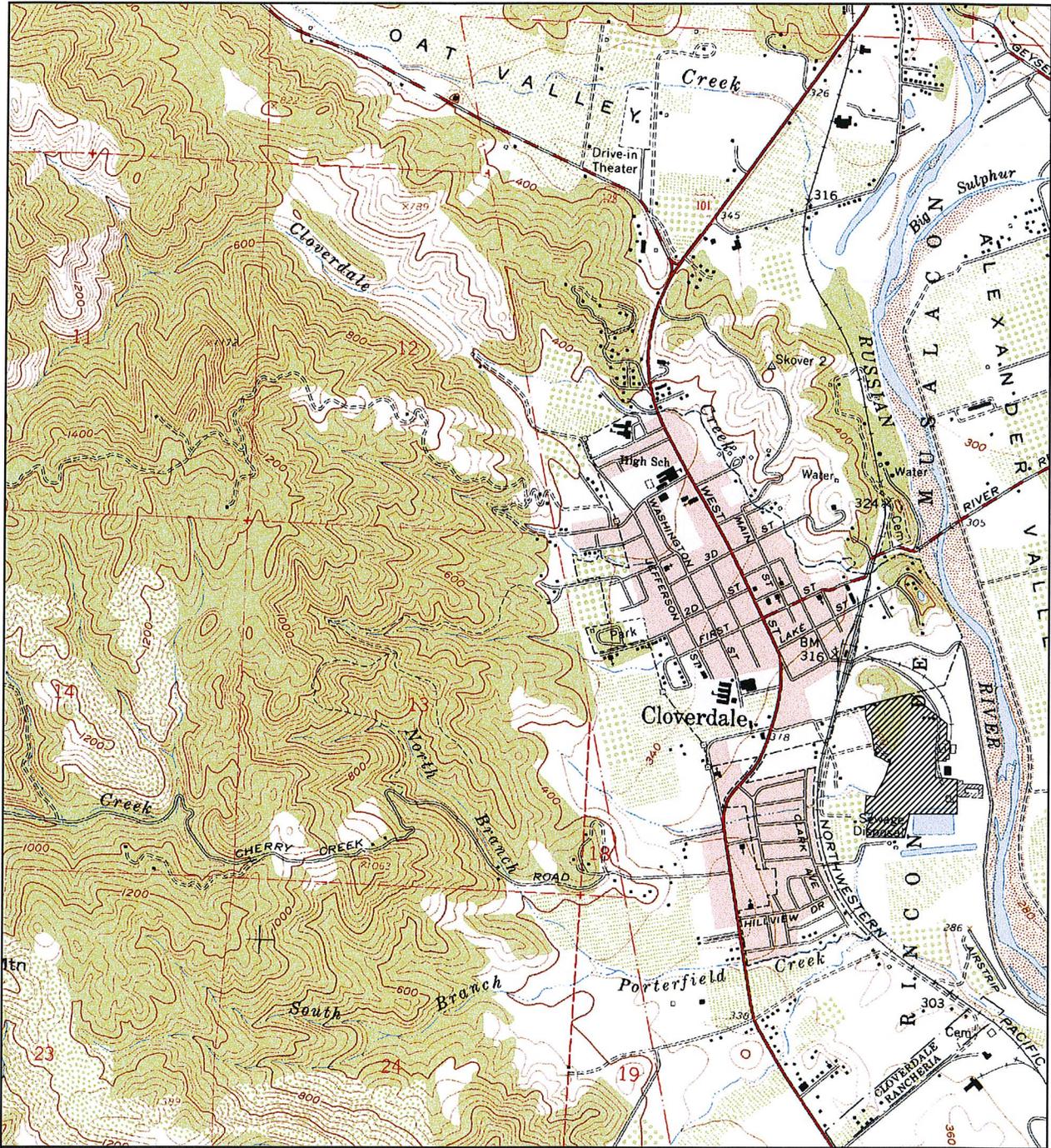
- 1) Open the public hearing and take testimony.
 - 2) Adopt City Council Resolution No. 075-2016, adopting a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Project.
-

- 3) Adopt City Council Resolution No. 076-2016, directing City staff to file an annexation application with Sonoma County Local Agency Formation Commission (LAFCO) for the Nu Forest Products and adjacent properties to the City of Cloverdale.
 - 4) Adopt City Council Resolution No. 077-2016, approving an amendment to the Cloverdale General Plan relating to five properties lying adjacent to the Nu Forest site.
 - 5) Adopt City Council Resolution No. 078-2016, approving the Conditional Use Permit and Major Design Review for Nu Forest Products.
 - 6) Introduce and waive the first reading of Ordinance No. 710-2016, of the City Council of the City of Cloverdale amending Cloverdale Municipal Code zoning, making certain changes to Chapters 18.06 and Chapter 18.09 to add live work units as a conditionally permitted use in the M--1 District and zoning approximately 42.5-acres of land lying east of Asti Road, south of existing City limits, generally west of the Russian River and north of the City of Cloverdale wastewater treatment plant and corporation yard (APNs 116-260-04, -030, -033, -045, -046 -050 & -55) as a combination of M-1 (General Industrial), R-R (Rural Residential) and P-1 (Public Institutional).
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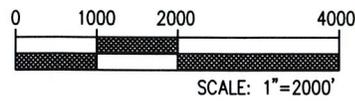
Attachments

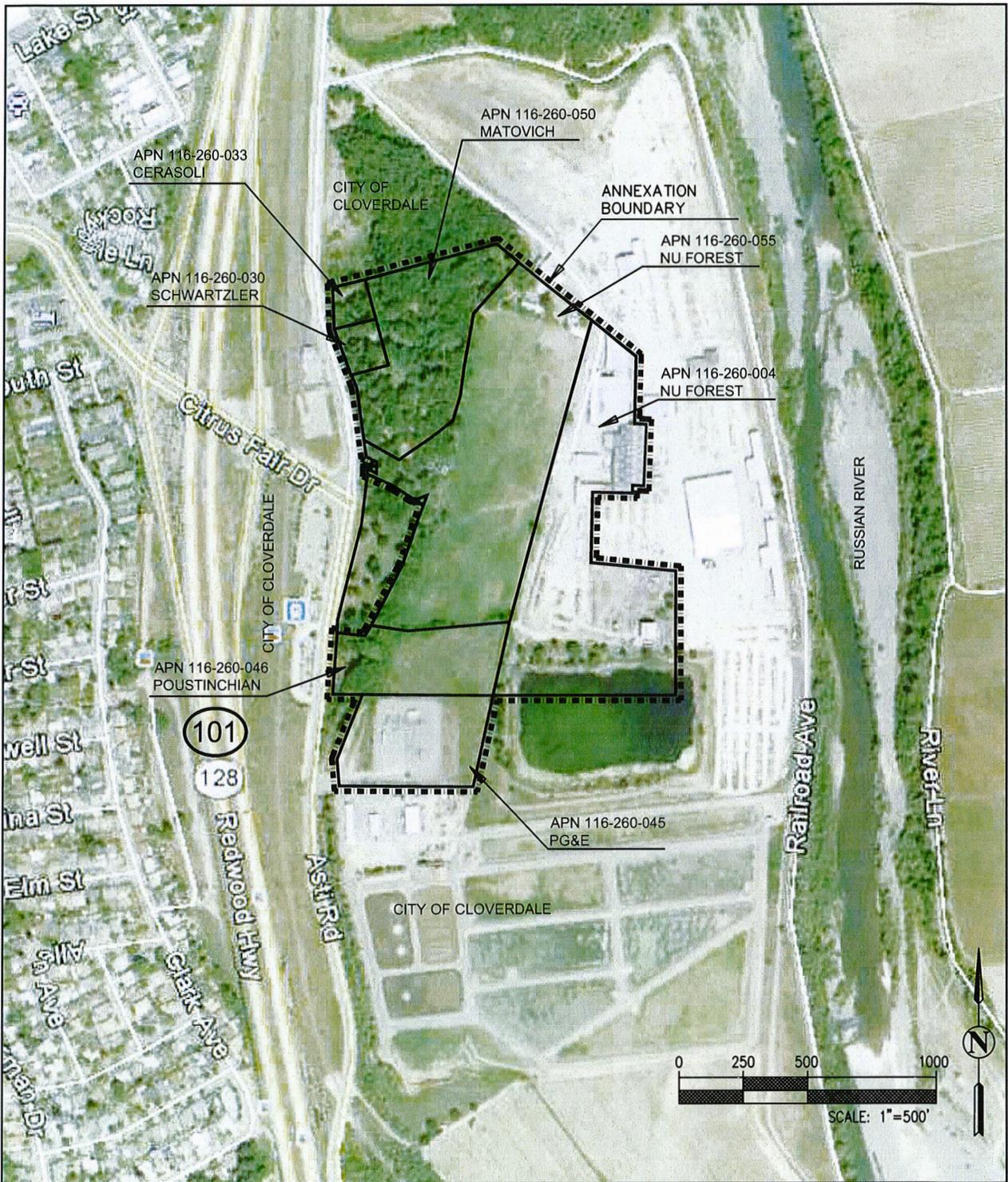
1. Project Location Map
2. Proposed Annexation Area Map
3. Proposed General Plan Designations
4. Proposed Rezoning Districts
5. Draft Rezoning Ordinance
6. Proposed Site Development Plan & Elevations (separate attachment)
7. CEQA Initial Study (separate attachment)
8. Mitigation Monitoring & Reporting Program (MMRP)
9. CEQA Comment Letters & City Responses
10. Planning Commission Resolution No. 13 Recommending the City Council Approval of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Plan (MMRP)
11. Planning Commission Resolution No. 14-2016 Recommending the City Council Direct Staff to File Annexation with LAFCO
12. Planning Commission Resolution No. 15-2016 Recommending City Council Approval of a General Plan Amendment
13. Planning Commission Resolution No. 16-2016 Recommending City Council Approval of Area Rezoning.
14. Planning Commission Resolution No. 17-2016 Recommending City Council Approval of a Conditional Use Permit & Major Design Review for the Nu Forest Products Project
15. Minutes from the September 6, 2016 Planning Commission meeting
16. City Council Resolution adopting an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Plan (MMRP)
17. City Council Resolution Directing Staff to File Annexation with LAFCO
18. City Council Resolution Approving a General Plan Amendment
19. City Council Resolution Approving a Conditional Use Permit & Major Design Review for the Nu Forest Products Project
20. Fiscal Impact Report (FIR)
21. Letters from property owners

cc: Property Owners



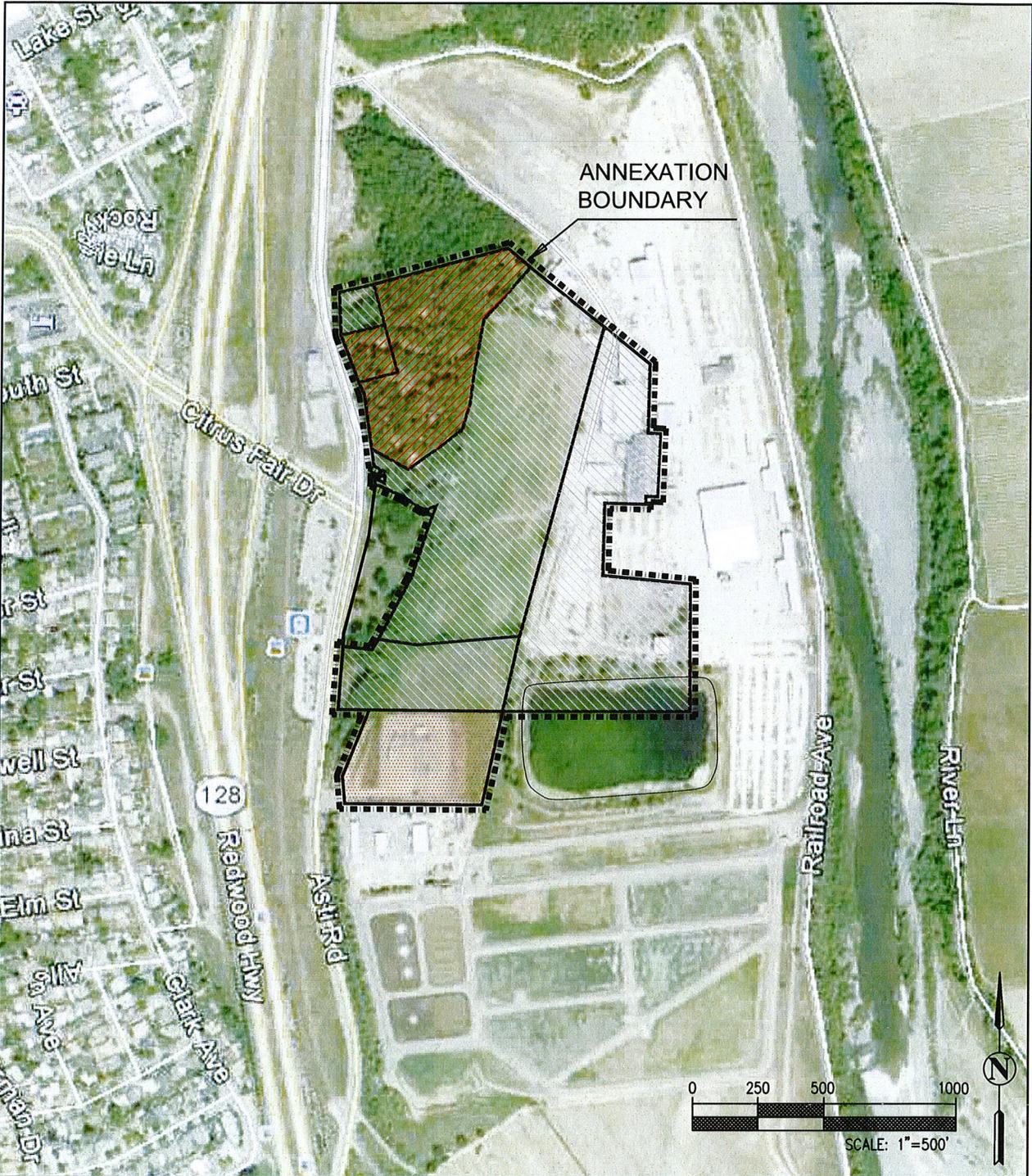
**Attachment 1
Project Location**





**Attachment 2
Annexation Area**

APN	Owner	Area (per AP Map)
116-260-004	Nu Forest Products	12.17 acres
116-260-030	Schwartzler	0.73 acres
116-260-033	Cerasoli	0.45 acres
116-260-045	PG&E	4.05 acres
116-260-046	Poustinchian	4.07 acres
116-260-050	Matovich	6.30 acres
116-260-055	Nu Forest Products	14.68 acres



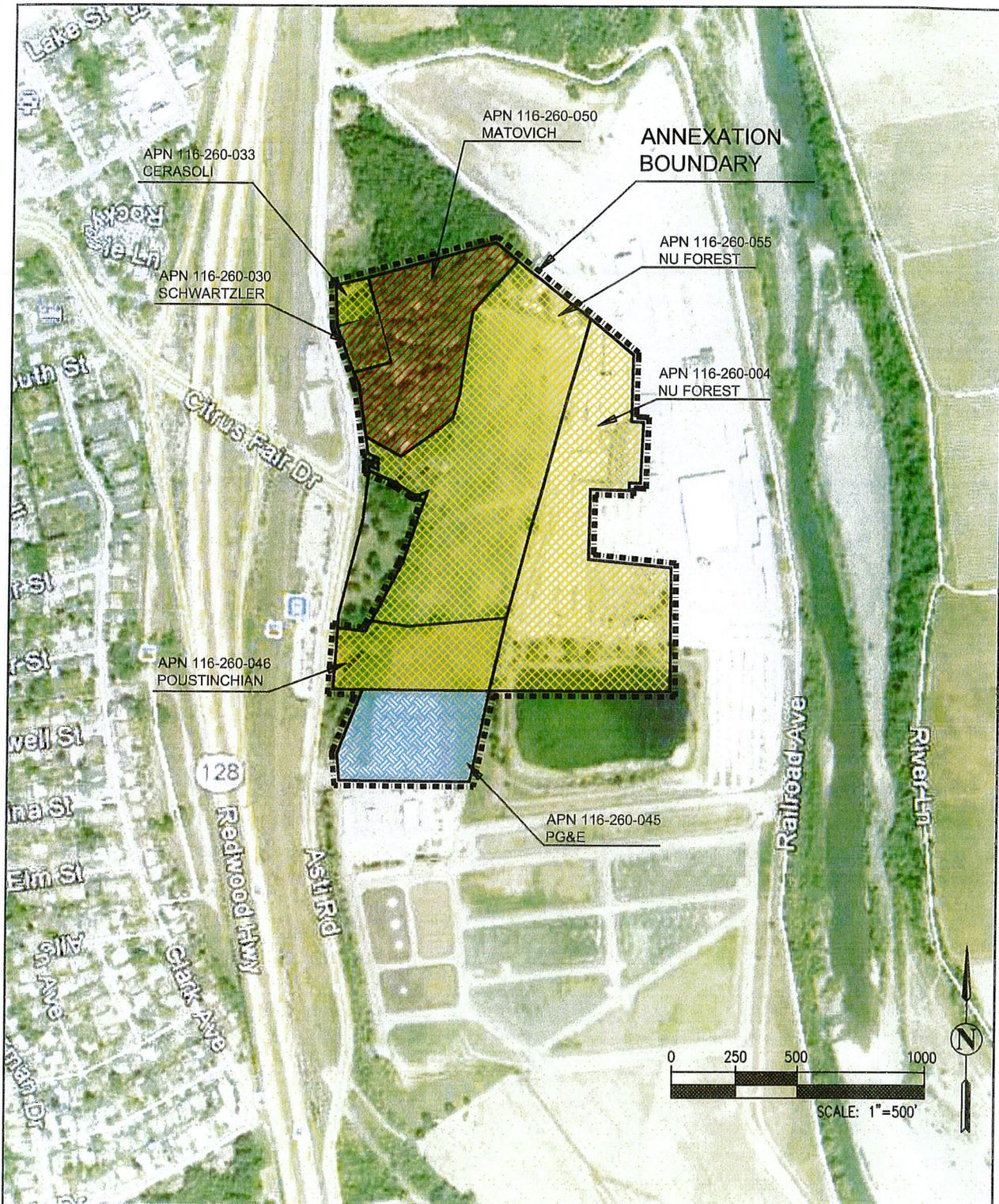
Legend:



Proposed General Plan

- RR – Rural Residential
- GI – General Industrial
- P – Public, Quasi-Public, Infrastructure

**Attachment 3
Proposed General Plan Designations**



Attachment 4
Proposed Rezoning Districts

Legend:



Proposed Use

- GI - General Industrial
- RR - Rural Residential
- P-I - Public Institutional

**CITY OF CLOVERDALE
CITY COUNCIL
ORDINANCE NO. 710- 2016**

AN ORDINANCE OF THE CITY OF CLOVERDALE AMENDING TITLE 18, “ZONING,” OF THE CITY MUNICIPAL CODE, PREZONING CERTAIN PROPERTIES CONTAINING APPROXIMATELY 42.5 ACRES OF LAND GENERALLY LOCATED EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER AND NORTH OF THE CITY OF CLOVERDALE CORPORATION YARD TO A COMBINATION OF RR (RURAL RESIDENTIAL), M-1 (GENERAL INDUSTRIAL) AND P-I (PUBLIC INSTITUTIONAL DISTRICTS AND MAKING CERTAIN CHANGES TO THE STANDARDS OF THE M-1 (LIGHT INDUSTRIAL) ZONING DISTRICT TO ALLOW LIVE-WORK UNITS WITH THE ISSUANCE OF A CONDITIONAL USE PERMIT (APNs 116-260-004, -030, -033, -045, -046 -050 & -055)

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

SECTION 1. RECITALS

A. The owner of the Nu Forest Products property (APNs 116-260-004 & -055), containing approximately 26.85 acres of land located in unincorporated Sonoma County territory has 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, other properties lying west of the Nu Forest Products land and east of the current boundary of the City of Cloverdale to ensure that a logical municipal boundary is created. Smaller properties included in the proposed annexation in addition to the Nu Forest ownership include the following:

- APN 116-260-033, Cerasoli, 0.45 acre (proposed M-1 zoning);
- APN 116-260-030, Schwartzler Fam. Trust, 0.73 acre (proposed RR zoning);
- APN 116-260-050, Matovich Trust, 6.3 acres (proposed RR zoning).
- APN 116-260-046, Poustinchian, 4.07 acres (proposed M-1 zoning);
- APN 116-260-045, PG &E, 4.05 acres (proposed P-I zoning); and
- APNs 116-260-004 &-055, Nu Forest, 26.85 acres (proposed M-1 zoning).

C. As mandated by state law and Sonoma County Local Agency Formation Commission (LAFCO) requirements, the City of Cloverdale is obligated to prezone the affected properties identified above prior to annexation. Proposed pre zoning includes

classifying individual properties within the annexation area to a combination of RR (Rural Residential), M-1 (General Industrial) and P-I (Public Institutional) districts as summarized above and as shown on Exhibit 1, which is hereby incorporated by reference to this ordinance.

D. The ordinance also includes revisions to Chapter 18.06 of the Cloverdale Municipal Ordinance conditionally permitting “live-work units” in the M-1 District, amending Chapter 18.09 of the Cloverdale Municipal Code to provide development standards for live-work land uses and amending Chapter 18.14 of the Cloverdale Municipal Code to include a definition of the term “live-work.”

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

F. The City Council has makes the following findings related to (1) the rezoning the properties, described as County Assessor’s Parcel Numbers (APNs) 116-260-033, 116-260-046, 116-260-004 & 116-260-055 to the M-1 (General Industrial) District; APNs 116-260-030 and 116-260-050 to the RR (Rural Residential) District; and APN 116-260-045 to the P-I (Public-Institutional) District; (2) amending Chapter 18.06 of the Municipal Code to add a “Live-Work units” as a conditionally approved use in the M-1 District; (3) amending Chapter 18.09 of the Municipal Code to provide development standards for live-work units in the M-1 District; and (4) amending Chapter 18.14 of the Municipal Code to add a definition of “live-work in the Municipal Code:

1. The proposed rezoning is consistent with the goals, objectives, policies and programs of the Cloverdale General Plan and is necessary and desirable to implement the provisions of the General Plan.
 - a. *The proposed rezoning of properties within the Nu Forest annexation area, as described above and shown on Exhibit 1, is consistent with the amended Land Use Map of the Cloverdale General Plan.*
 - b. *Proposed development standards to be added to the M-1 District will expand opportunities for future employment opportunities in the community as well as potentially increasing available places for artists in the community to maximize studio and living spaces.*
2. The proposed rezoning will not adversely affect the public health, safety and welfare or result in an illogical land use pattern.

- a. *The Initial Study/Mitigated Negative Declaration prepared for this project has evaluated the public health, safety and welfare issue, and mitigation measures included in the Initial Study will eliminate or mitigate all such impacts to a less than significant level.*
 - b. *The land use pattern proposed for the annexation is generally consistent with existing development patterns within the annexation area and with existing County of Sonoma zoning as applied to these properties.*
- 3. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.D of the Cloverdale Municipal Code, as follows.
 - a. *The proposed rezoning has been requested prior to annexation of the properties requested for annexation to the City of Cloverdale and will not become effective until the annexation process is complete.*
- 4. The proposed rezoning is consistent with the purpose and intent of Chapter 18.03.080.E of the Cloverdale Municipal Code, as follows.
 - a. *The proposed rezoning is consistent with the Cloverdale General Plan, as amended by this project.*
 - b. *The proposed project is consistent with all other provisions of the Cloverdale Municipal Code, as revised by this project to include live-work units as a conditionally permitted use in the M-1 zoning district.*
 - c. *The proposed rezoning will not be detrimental to the public health, safety or welfare to the use of land in the annexation area or adjacent lands as documented by finding #2, above.*
 - d. *The properties proposed for rezoning are suitable for the proposed use that will be allowed by the City of Cloverdale zoning districts with the application of certain CEQA mitigation measures contained in the Initial Study/Mitigated Negative Declaration prepared for this project.*

G. On October __, 2016, the City Council held a properly noticed public hearing regarding this Zoning Ordinance Amendment and considered all comments received in writing and all testimony received at the public hearing.

SECTION 1. PURPOSE AND INTENT

The purpose and intent of these changes is to amend the City of Cloverdale Zoning Map (18.01.060 (b) CMC) to prezone the 42.5-acre area lying east of Asti Road, south of the current City limits in this portion of Cloverdale, generally west of the Russian River and north of the City's wastewater treatment plant and corporation yard to M-1 (General Industrial (M-1), Rural Residential (RR) and Public Institutional (P-I) Districts 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) and to amend the M-1 District Zoning Ordinance text to add a "live-work units" as a conditionally permitted use in the M-1 District, adding appropriate definitions to the Municipal Code and development standards as shown for this land use on Exhibit 2.

SECTION 2. FINDINGS

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

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

Sections 18.14.030, Definitions, is amended as set forth in Exhibit 1, Section 18.060.30, is amended by revising Table 18.06.030A to conditionally allow live-work units in the M-1 District and amending Section 10.090.200 to establish development standards for live-work units, as set forth in Exhibit 2.

SECTION 4. RECLASSIFIED PROPERTIES

The City of Cloverdale Zoning Map (18.01.060 (b) CMC) is hereby amended so as to zone individual properties located east of Asti Road, south of current City boundaries, generally west of the Russian River and north of the City of Cloverdale Corporation Yard and Wastewater Treatment Plant M-1 (General Industrial), RR (Rural Residential) and P-I (Public Institutional) zoning districts, each property to be zoned as shown in Exhibit 2. 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 _____ 2016 and duly and regularly adopted by the City at a regular meeting thereof held on October __, 2016, by the following vote:

Ordinance No. 710 -2016 was duly adopted on this the ___th day of _____ 2016, by the following roll call vote: (_-ayes, _-noes)

- Ayes:**
- Noes:**
- Abstain:**
- Absent:**

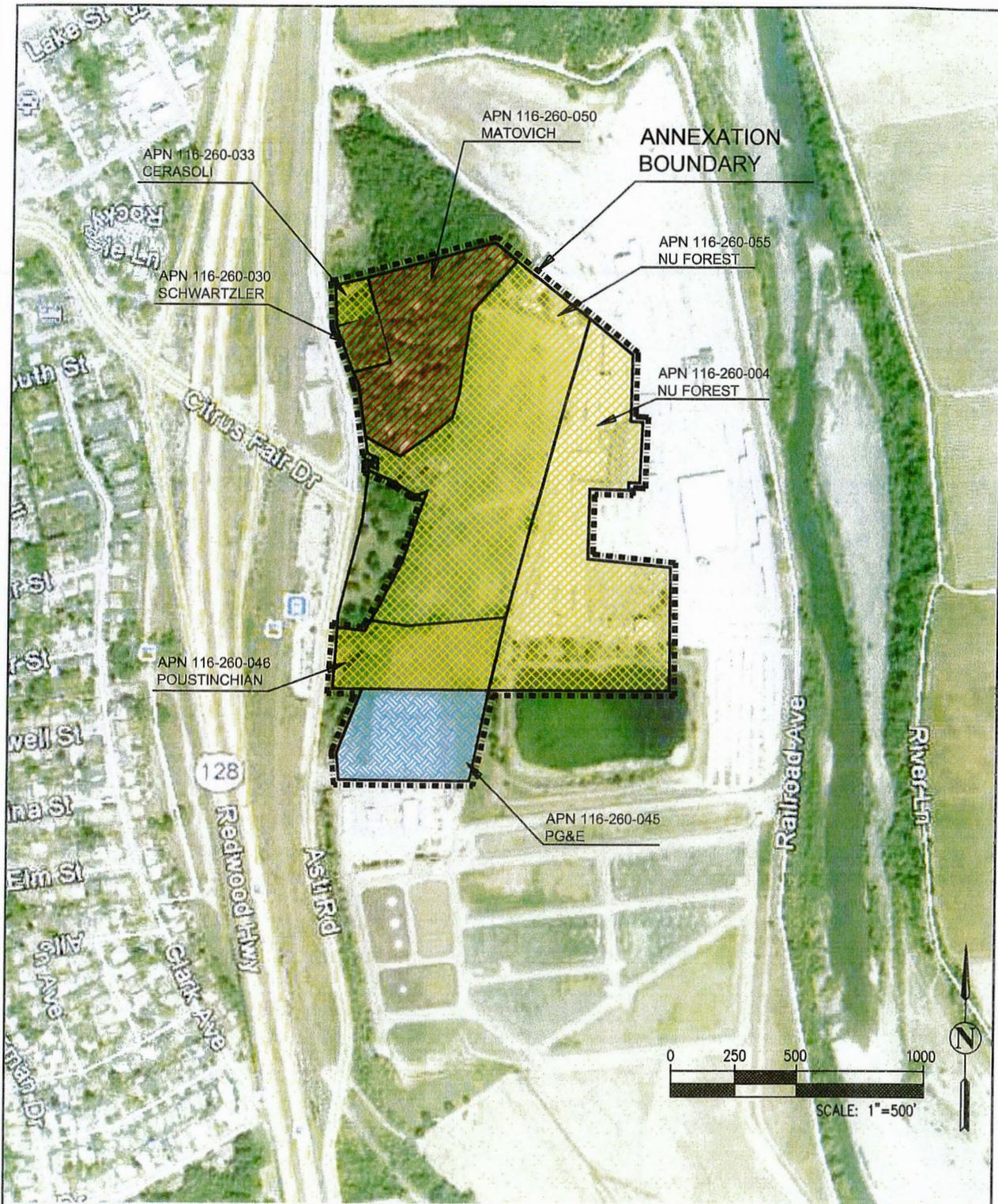
Mary Ann Brigham, Mayor

ATTEST:

Linda Moore, Deputy City Clerk

Exhibits Attached:

- Exhibit 1 – Rezoning Districts
- Exhibit 2 – Section 10.090.200 of the Municipal Code establishing development standards for live-work units



**Exhibit 1 -
Prezoning Districts**

Legend:



Proposed Use

- GI - General Industrial
- RR - Rural Residential
- P-I - Public Institutional

Exhibit 2 to Nu Forest Rezoning Ordinance

October 11, 2016

Definitions. Section 18.14.030 is amended as follows to add a definition for “live-work” uses.

“Live-work unit” or “live-work space” means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

“Live-work unit” means a structure or portion of a structure:

- (a) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household;
- (b) Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and
- (c) Where the commercial or manufacturing activity conducted takes place subject to a valid business license and applicable zoning permit(s) associated with the premises.

Uses Permitted: Section 18.060.30 is amended by revising Table 18.06.030A, as follows:

“Add Live-Work units as a conditionally permitted use (C) in the M-1 District.”

Development Standards. Section 18.090.200 is hereby amended to include special development standards for live-work land uses.

“Live-work units may be allowed on property zoned as M-1 (General Industrial) subject to the following minimum standards to minimize land use interface impacts. Additional standards may be imposed through the conditional use permit process.

1. **Maximum Lot Coverage.** Maximum Lot Coverage shall be sixty (60) percent of a lot for live-work uses, which shall include both residential and work (industrial) components.
2. **Residential Area Requirements.** A maximum of 50 percent of a live-work total square footage shall be devoted to residential use.
3. **Location of living and working space.** Living and working spaces on individual lots may either be integrated or two separate structures. Proper separation shall be provided as required by the Building Code. Live/Work

units containing 2,000 square feet of gross square feet or greater shall have a minimum of two exits as defined by the California Building Code.

4. **Occupancy.** A live-work unit shall be occupied and used by the operator of the business on the site or at least one member of a household shall be the business operator. No portion of a live-work unit shall be rented or sold separately. Up to two persons may be employed within a live-work business who do not live on the site, unless more restrictive requirements are imposed as a condition of the conditional use permit issued pursuant to Section 18.03.110 of the Cloverdale Municipal Code.
5. **Parking.** Parking shall be provided on a live-work site based on the parking requirements in Table 18.11.050-A of the Cloverdale Municipal Code. Parking requirements for uses not specifically set forth in Table 18.11.050-A shall be based upon similar uses, or evidence of actual demand bases on traffic engineering or planning data or as approved through the conditional use permit process.
6. **Building Sizes, Height and Setbacks.** Structures constructed for the purpose of housing live-work occupancies shall conform to all building requirements of the M-1 zoning district.
7. **Required Findings.** Approval of a conditional use permit for a live-work unit shall require the Planning Commission to make the following findings in addition to the normally required findings as set forth in Section 18.03.110 (D) of the Cloverdale Municipal Code.
 - a. The proposed residential use of a property does not detract from the primary industrial use of the property or interrupt the continuity of businesses n an industrial area.

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Initial Study/ Mitigated Negative Declaration

Project:
Nu Forest Products Annexation & Development

Lead Agency:
City of Cloverdale

June 2016

- 1. Project title:** Nu Forest Products Annexation and Development Project
- 2. Lead agency name and address:** City of Cloverdale
124 N. Cloverdale Boulevard
Cloverdale, CA 95425
- 3. Contact person and phone number:** Jerry Haag, Consulting Planner
- 4. Project location:** East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels 116-260-004, -030, -033, -046, -046 -050 & -55. Exhibit 1 shows the regional location of the project area and Exhibit 2 shows the area in relation to the City of Cloverdale. (Note: All exhibits are attached to the back of this Initial Study.)
- 5. Project sponsors name and address:** Nu Forest Products
PO Box 727
Healdsburg CA 95448
Attn: Sharmaine Ege
- 6a. Existing General Plan designations** *Sonoma County:*
LI-Light Industrial
AR- Agricultural Residential
- 6b. Proposed General Plan designations:** *City of Cloverdale:*
CF-Conservation Features (proposed to be deleted)
RR-Rural Residential (proposed to be added)
GI-General Industrial (proposed to be expanded)
P-Public
- 7a. Existing Zoning:** *County of Sonoma:*
L-I, Light Industrial
AR, Agricultural Residential
- 7b. Proposed Pre-Zoning:** *City of Cloverdale:*
M-1, Light Industrial
RR, Rural Residential
P, Public

8. Description of project:

Overview. Proposed General Plan Amendment, Rezoning, Conditional Use Permit/Design Review and annexation to the City of Cloverdale for an approximate 42.6-acre area lying east of existing City boundaries. The properties all lie within the City of Cloverdale Sphere of Influence and City's Urban Growth Boundary. See Exhibit 3 that depicts the annexation area and affected property ownerships proposed for annexation.

The major property owner in the annexation area, Nu Forest Products, currently operates a lumber mill, wood drying yard and lumber storage facility in south Healdsburg. NuForest also operates a lumber storage yard with no milling or other industrial use on the eastern portion of the annexation area. The Nu Forest owner is seeking annexation to Cloverdale consolidate operations within the proposed annexation area.

Major elements of the project include a General Plan Amendment, Rezoning, Design Review for the proposed relocation and expansion of the Nu Forest operation and annexation of the Nu Forest site and adjacent properties to the City of Cloverdale. These elements are described below.

General Plan Amendment: Changes are proposed to the City of Cloverdale General Plan land use map from CF (Conservation Features) and TOD (Transit Oriented Development) land use designations to the following land use designations GI, General Industrial, RR, Rural Residential and P, Public. Existing General Plan land use designations are shown on Exhibit 4A and proposed amendments to the General Plan Land Use Map are shown on Exhibit 4B. The amendments have been proposed based on existing site conditions, development patterns and property owner sentiment.

Rezoning: the City proposes to rezone the various properties comprising the project to the following zoning districts: M-1, General Industrial, RR, Rural Residential and P, Public. If approved by the Cloverdale City Council, the zoning would become effective upon completion of the annexation process. The proposed rezoning would allow for the expanded use of the existing Nu Forest Products operation to allow the milling, processing, offices and increased storage of wood products on the site. The approved zoning would allow for one single family and associated accessory structures to be built on the Grace Matovich Trust property (AP 116-260-050), future light industrial uses on the Cerasoli (AP 115-260-033), Schwartzler Trust (AP 116-260-030) and Poustinchian (AP 116-260-046) properties. The existing PG&E substation on the southern portion of the site (AP 116-260-045) would remain in its current condition and would be zoned P-Public. If approved, proposed zoning would be consistent with the amended General Plan Land Use Map.

Part of the proposed zoning would include revising the text of the City's M-1 District to allow live-work development to occur in this District subject to the issuance of a conditional use permit by the Cloverdale Planning Commission.

Exhibit 5 shows proposed City of Cloverdale rezoning districts.

Conditional Use Permit & Major Design Review (Nu Forest): A part of the application includes a Conditional Use Permit and Major Design Review approval for Nu Forest to expand current storage and administrative office uses on the site. In addition to wood storage, future operations would include wood milling and processing. Table 18.06.030-A of the Cloverdale Zoning Code requires approval of a conditional use permit for heavy manufacturing uses in the M-1 District. The Zoning ordinance further defines heavy manufacturing to include planing mills, sawmills and wood products. Section 18.03.150 of the Zoning Code requires Major Design Review for industrial development projects that includes review of overall building design, use of materials and similar features.

The proposed Nu Forest site plan is shown on Exhibit 6. Proposed improvements would include demolition of a number of older structures on the site and construction of four 100-ft x 100-ft industrial canopy structures on a portion of the property, totalling up to 40,000 square feet. Each canopy structure would have a concrete foundation and floor, a solid roof supported by large uprights and beams but would not include surrounding walls. Lumber milling, planing and related activities would occur under the canopy structures. A portion of the site would be devoted to open storage of raw and milled lumber, awaiting shipment. Milling activities would generate sawdust and “slash,” another milling by-product. Both products would be temporarily stored on site and trucked to off-site recycled materials businesses for reuse.

Large semi-trucks would be used to haul logs onto the site and transport finished material to customers. Preliminarily, it is estimated that up to 8 truck trips per day would be generated.

Other improvements on the Nu Forest site would include paved parking areas on portions of the site and construction of a water quality and drainage basin on the south side of site. Existing office uses on the site would continue. Upon completion of the annexation process, the City water and sewer lines would be extended to the site to support the expansion of lumber operations. The precise location of water and sewer extensions to serve the annexation properties is being determined; however, it is anticipated that a water line would be extended in an easterly direction from Asti where an existing 16-in. diameter line currently exists to connect to an existing City water line on the All-Coast property to the west, providing a looped water system. A sewer line is anticipated to be constructed from the approximate center of the Nu Forest site in a western direction to Asti Road, then south to connect to the City’s wastewater treatment plant. The sewer line extension is anticipated to require construction of one lift (pumping) station on the Nu Forest site.

Stormwater runoff would be directed to an onsite water quality and retention pond located on the south side of the Nu Forest site to accommodate stormwater and release it into the nearby Russian River via an open swale. The pond would also be designed to provide water quality features per City of Cloverdale standards prior to release into the river.

An existing pond exists in the easterly portion of the annexation area. This pond is jointly owned by Nu Forest Products and the property owner to the east, All-Coast and was constructed to provide a reservoir for fire suppression purposes. The pond is primarily owned and maintained by All-Coast and may remain after construction of planned improvements on the Nu Forest site.

At build out, the Nu Forest facility would have up to 73 full-time and seasonal employees on the site (including millworkers and office staff) and would operate 5 days per week (plus two Saturdays per month during the peak summer season), from 7 a.m. to 3:30 p.m. During peak summer months, work may commence at 6 a.m. Maintenance of machinery generally would occur during non-production hours.

Prior to development, other properties in the annexation area (excluding Nu Forest) would be required to complete Plot Plan Reviews, Design Reviews, Conditional Use Permits and other municipal review procedures prior required by the Cloverdale Zoning Code prior to building permit issuance by the City, following completion of the annexation process.

Annexation to the City of Cloverdale: The Nu Forest property owner has requested annexation to the City of Cloverdale. The Cloverdale City Council will be requested to adopt a resolution formally requesting this action. Five adjacent properties are proposed to be included in the annexation in order to avoid creating a “county island” which would be properties within an unincorporated portion of the County surrounded by properties within the City.

See Table 1 with a summary of Assessor’s Parcels, ownership and approximate acreage for properties included in the annexation.

Table 1. Ownerships and Characteristics of Annexation Area

Assessor Parcel No.	Site Address	Owner	Acres	Existing Use	Proposed Use
116-260-033	340 Asti Road	Cerasoli	0.45 acre	single family dwelling	Single family dwelling & light industrial
116-260-030	29550 Ivy Dell Ln.	Schwartzler Trust	0.45 acre	single Family dwelling	Single family dwelling
116-260-050	428 Asti Road	Matovich Trust	6.3 acres	vacant	Single family dwelling
116-260-046	(no address)	Poustinchian	4.07 acres	vacant	Light industrial
116-260-055	428 Asti Road	Nu Forest	14.68 acres	Single family dwelling	Lumber Mill
116-260-004	280 Asti Road	Nu Forest	12.17 acres	Lumber Storage	Lumber Mill
116-260-045	650 Asti Road	PG&E	4.5 acres	Power substation	No change

Source: City of Cloverdale, 2016

Adjacent properties are located on the east side of Asti Road and range in size from approximately one-half acre to 6.3 acres in size. The annexation would also include an existing PG&E substation located in the southern portion of the annexation area. No changes are proposed to PG&E's substation.

Upon completion of the annexation process, City water and sewer service could be extended to all properties within the annexation area as well as police services from the Cloverdale Police Department. All affected properties are 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 provided by the City would be extended to the properties included in the annexation.

9. Surrounding land uses and setting: The eastern portion of the project site is used by Nu Forest lumber mill operations that are proposed to be expanded by this project, with the

western portion of the Nu Forest site vacant. Smaller properties on the east side of Asti Road under various ownerships are either vacant or have been developed with a single family detached residence. These properties on the western side of the annexation area generally have moderate to steep topography with significant tree cover. A drainage course generally runs in a north-south direction on the east side of Asti Road. A PG&E unmanned substation exists on the southern portion of the annexation area.

Properties to the north of the annexation area are located within the City of Cloverdale and are vacant. The property east and north of the annexation area is developed with All-Coast Forest Products, Inc., a mill operation similar to the Nu Forest facility and is located in the unincorporated portion of Sonoma County. The Russian River lies further east of the All-Coast lumber mill site. Properties south of the annexation area lie in the City of Cloverdale and are developed with City infrastructure facilities. The 101 freeway is located west of the site as well as existing railroad tracks, a SMART train station (currently unused) and train maintenance facility, all of which are within the City of Cloverdale.

10. Other public agencies whose approval is required:

- Local Agency Formation Commission (annexation)
- City of Cloverdale (demolition & building permits, utility extensions & easements, encroachment permits)
- State Department of Fish & Wildlife (creeks and wetlands, possible)
- North Coast Regional Water Quality Control Board (wetlands, possible)
- Army Corps of Engineers (wetlands, possible)
- Northern Sonoma County Air Pollution Control District (air quality permits)
- State Water Resources Control Board (Notice of Intent)

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "potentially significant impact" as indicated by the checklist on the following pages.

X	Aesthetics	-	Agricultural Resources	-	Air Quality
X	Biological Resources	-	Cultural Resources	X	Geology/Soils
-	Greenhouse Gas Emissions	X	Hazards and Hazardous Materials	-	Hydrology/Water Quality
-	Land Use/ Planning	-	Mineral Resources	X	Noise
-	Population/Housing	-	Public Services	-	Recreation
-	Transportation/ Circulation	-	Utilities/Service Systems	-	Mandatory Findings of Significance

Determination (to be completed by Lead Agency):

On the basis of this initial evaluation:

 I find that the proposed project **could not** have a significant effect on the environment and a **Negative Declaration** will be prepared.

 X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **Mitigated Negative Declaration** will be prepared.

 I find that although the proposed project **may** have a significant effect on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on the attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **Environmental Impact Report** is required, but must only analyze the effects that remain to be addressed.

 I find that although the proposed project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed on the proposed project.

Signature: David J. Kelley

Date: 6/1/16

Printed Name: David J. Kelley

For: City of Cloverdale

Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "no impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "no impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "no impact" answer should be explained where it is based on project-specific factors as well as general factors (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "potentially significant impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less-Than-Significant Unless Mitigation Incorporated" implies elsewhere the incorporation of mitigation measures has reduced an effect from "potentially significant effect" to a "less than significant impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c) (3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less-Than-Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each agency should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.

V. ENVIRONMENTAL CHECKLIST

The following Environmental Checklist form is used to describe the impacts of the proposed project, as detailed in the Project Description. Potential environmental impacts are described as follows:

Potentially Significant Impact: An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an Environmental Impact report (EIR) must be prepared.

Potentially Significant Unless Mitigated: An environmental impact that requires the incorporation of mitigation measures to reduce that impact to a less-than-significant level.

Less-Than-Significant-Impact: An environmental impact may occur, however, the impact would not be considered significant based on CEQA environmental standards.

No Impact: No environmental impacts would occur.

1. Aesthetics

Environmental Setting

The annexation area consists of two smaller subareas. Properties fronting along the east side of Asti Road contain moderate to steep slopes with a generally dense canopy of native and introduced trees. Three homes and out buildings have been constructed along this frontage (the Cerasoli property, Nu Forest property and the Schwartzler Trust property). The Matovich Trust property and the Poustinchian properties are currently vacant.

The eastern portion of the annexation area, the Nu Forest Products property, is partially developed with an existing lumber storage area and office space. A portion of the Nu Forest property contains a pond used to store fire suppression water (shared with the neighboring All-Coast Lumber operation) with the remainder currently vacant.

An existing PG&E substation is located in the southern portion of the annexation area.

A number of existing security lights have been installed on the existing Nu Forest property, existing residences and the PG& E substation.

Asti Road that forms the western boundary of the site is not designated as a State or local scenic highway based on the General Plan EIR (source: [http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/))

Surrounding uses include US 101 Freeway and Asti Road west of the site, vacant land north of the site, All-Coast Lumber Mill and the Russian River east of the site and the City of Cloverdale Corporation Yard and Water Treatment Plant south of the site.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a		X		

state scenic highway?

- c. Substantially degrade the existing visual character or quality of the site and its surroundings?
- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

	X		
		X	

Discussion

- a) No impact. The annexation area generally contains private properties with no public vistas, public parks, playgrounds, overlooks or other public gathering places that would constitute a vista. There would be no impact with respect to this topic.
- b) Less-Than-Significant with Mitigation. Future development that could occur on the parcels of land fronting on the east side of Asti Road could remove or damage mature native and introduced trees to allow the development of new residences, live-work units, industrial buildings, driveways, parking lots, pedestrian paths and other improvements. Such activities could result in Loss of tree cover or damage to mature trees. This would be a potentially significant impact but would be reduced to a less-than-significant level by adherence to the following measures.

Mitigation Measure Aesthetics-1: Future grading and/or development on any parcels of land fronting on Asti Road in the annexation area shall be reviewed by a California-certified arborist to identify methods to provide for maximum tree protection. These methods shall be reflected in final development plans. If mature trees cannot be protected, replacement native trees shall be planted on the site at a 2:1 ratio with adequate measures to ensure successful growth of the replacement trees. No Certificate of Occupancy shall be granted on any lot with required replacement tree plantings until tree replantings are reviewed and approved by the Cloverdale Community Development Department.

Mitigation Measure Aesthetics-2: Future development on parcels of land in the annexation area with substantial tree cover shall include measures identified by a California-certified arborist that ground disturbing activities will not significantly impact native trees on the lot. This shall include installation of exclusion fencing at locations approved by the arborist during project construction, provision of adequate irrigation of trees during construction, limitations on grading within exclusion areas and limitations of use (e.g. no storage of construction materials) under tree drip lines and other protection measures as may be recommended by the arborist.

- c) **Less-Than-Significant with Mitigation.** Future development that could occur on the parcels of land fronting on the east side of Asti Road could significantly degrade the existing visual quality and character of the site by removing existing tree cover, changing existing topography and constructing a number of residences and light industrial buildings where none currently exist. A number of these properties are currently vacant and are visible from Asti Road and from the nearby 101 freeway. Future proposed development on the Nu Forest site would be located behind a small hill and would not be significantly visible from either Asti Road or the 101 freeway.

Potential impacts to the existing visual character for properties fronting on Asti Road could be a potentially significant impact as a result of constructing new structures and other improvements where none are current visible. Use of reflective building materials could result in a potentially significant impact on passers-by. This impact would be reduced to a less-than-significant level by adherence to the following mitigation measures.

Mitigation Measure Aesthetics-3: Future development on parcels of land fronting on Asti Road should be screened from view to the fullest extent feasible by landscape buffers or fences that limit views of new development from adjacent streets and roadways.

Mitigation Measure Aesthetics-4: The design of future structures on properties fronting on Asti Road shall exclude use of highly reflective materials, including but not limited to window glass, porch railings or other accent materials. Other exterior building materials shall be of neutral colors and tones to minimize visibility.

- d) **Less-than-Significant impact.** Construction of future improvements within the project area would include the addition of new exterior lights associated with proposed industrial development on the Nu Forest site and new buildings on properties fronting on Asti Road. However, new development in the annexation area will be subject to General Plan Policy UL 1-2 (Minimize light spillage that carries off the property where lights are located). Adherence to this Policy when individual Plot Plans are reviewed by the City will ensure this impact will be less-than-significant.

2. Agricultural and Forestry Resources

Environmental Setting

No portion of the project area is used for or zoned for agricultural production. No Williamson Act contract or Timber Preserve contract exists in the area. The western portion of the site contains a significant tree cover of native and introduced species.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of forest land (as defined by PRC Sec. 12220(g), timberland (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g)?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?		X		
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to a non-				X

agricultural use or conversion of forest land to a non-forest use?

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Discussion

- a-c) No impact. There would be no impact to agricultural resources since the project area has been developed with a lumber mill facility and scattered residences. No portion of the site is used for agricultural production, no Williamson Act contracts exist on the site and the site is not zoned for agricultural uses. No impacts would therefore result.

- d) Less-than-Significant with Mitigation. The western portion of the site contains a moderate to dense cover of mature native and introduced trees. Future development on these properties that could be allowed under the amended General Plan and zoning could have a potentially significant impact on these resources. Adherence to Mitigation Measures Aesthetics 1 and 2 (see above) will reduce impacts to trees and forest resources to a less-than-significant impact.

- e) No impact. There would be no impact with respect to other changes in the environment that would result conversion of farmland to a non-agriculture use or the conversion of forestland to a non-forest use since the predominance of development associated with the project would occur on the eastern, vacant portion of the project area. This is where the expansion of the Nu Forest lumber mill and associated operations would occur.

3. Air Quality

Environmental Setting

The City of Cloverdale is located at the northern end of Sonoma County and lies within the Northern Sonoma County Air Pollution Control District (NSCAPCD) jurisdiction. The NSCAPCD develops rules and regulations, and establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines when necessary.

Major air pollutants regulated by federal, state and local air quality authorities include ozone, particulate matter (PM 10 and 2.5), toxic air contaminants (airborne substances that may cause cancer) and odors.

Minimal air pollutants are found in the annexation area since a majority of the properties are vacant. A portion of the Nu Forest property is used for office space and lumber storage. No milling or similar operations currently occur on this site. Similarly, no sensitive air receptors are located near the annexation area, including but not limited to hospitals, convalescent care facilities, schools, parks or similar land uses.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

Discussion

a-e) Less-than-Significant/No Impact. Air pollution concerns for the City of Cloverdale were addressed in the Environmental Impact Report (EIR) for the General Plan update completed in 2009. According to the General Plan EIR, due to the temporary nature of construction related impacts and required compliance with NSCAPCD rules and regulations, these impacts will not result in the generation significant air pollutants or

cause excess exposure of pollutants to sensitive receptors and are considered to be less than significant.

The NSCAPSD is currently in attainment for all criteria pollutants and any increase in criteria emissions is already accommodated for by the air district. As a result, the area will remain in attainment for criteria pollutants and any impacts from increased emissions from the City of Cloverdale are considered less than significant.

The primary land use proposed in the annexation area, Nu Forest Products, would be a relocation of existing lumber milling, storage and similar operations already occurring elsewhere in the NSCAPCD in the City of Healdsburg. Therefore, there could be a very small net increase in criteria pollutants following expansion of the Nu Forest site proposed for annexation to Cloverdale. Minimal other development is proposed for the annexation that could significantly impact local or regional air quality.

4. Biological Resources

Environmental Setting

The western portion of the project site is partially developed with Nu Forest lumber storage and offices. This portion of the project site has been highly disturbed for a number of years as a result of historic light industrial operations and does not contain any special-status or protected plant or wildlife species.

The eastern portion of the site is largely vacant and contains an extensive cover of native and introduced tree species and groundcover. Although the City's 2009 General Plan EIR does not indicate these properties contain special-status or protected plant or wildlife species (see Figure 4.10-3), it is possible that these properties have the potential to provide habitat for special-status bird, mammal, reptile and plant species. A site-specific biological resource reconnaissance was not conducted as part of this Initial Study.

Figure 4.10-2 contained in the General Plan EIR notes the presence of two potential wetlands on or adjacent to the annexation area. The first is a pond in located on a portion of the Nu Forest ownership, on the southeast corner of the annexation area, used as a reservoir for fire protection and co-owned with the All-Coast property owner. The second is an unnamed intermittent stream that flows through the annexation area, along the western boundary of the Nu Forest property. This tributary flows to the Russian River to the east.

Based on information contained in the General Plan EIR, no portion of the annexation area is located within a Habitat Conservation Plan or Natural Community Conservation Plan area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion

- a) Less-than-Significant with Mitigation. Future grading operations and development of parcels of land fronting Asti Road for residential, live-work or industrial uses could significantly impact nesting or roosting birds, including special-species birds, as well as decrease bird habitat in this portion of Cloverdale. Future development could also impact other special-status wildlife and/or plants, although no such species are identified in the General Plan EIR. To ensure this impact is reduced to a less-than-significant level, future development on parcels of land fronting on the east side of Asti Road shall implement Mitigation Measure BIO-1 and BIO-2 to reduce impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service to a level less than significant.

Mitigation Measure BIO-1: Prior to issuance of a grading and/or a building permit for parcels located on the east side of Asti Road, a site-specific biological reconnaissance shall be

completed by a qualified biological firm as approved by the Cloverdale Community Development Department. The reconnaissance shall include a literature search and site inspection of the presence of special-status plants or wildlife. If no special-status species are identified, no further action is required. If special-status species are identified, the biologist shall recommend an action plan to ensure that any special-status species are fully protected. Protective actions may include first, avoiding the species during construction and post – construction or relocation of the species to an alternative suitable site. Any relocation actions shall occur in consultation with the California Department of Fish & Wildlife and/or the U.S. Fish & Wildlife Service. Necessary permits and approvals shall be obtained prior to relocation. No work on portions of the affected site may occur until clearances are granted by the City of Cloverdale, the California Department of Fish & Wildlife or the U. S. Fish & Wildlife Service, as appropriate.

- b,c) Less-than-Significant with Mitigation. Future development on the eastern portion of the Nu Forest property or other properties fronting on Asti Road could impact wetlands, other waters and/or riparian habitats. Such impacts could include installing sewer and/or water line extensions through potential wetland area, full or partial fill of wetlands or discharge of polluted runoff into wetland areas. Such actions would be a potentially significant impact. This impact would be reduced to a less-than-significant level.

Mitigation Measure BIO-2: Prior to issuance of a grading and/or a building permit for any parcel of land in the project area, a qualified wetland biologist as approved by the Cloverdale Community Development Department shall survey the site for the potential presence of wetlands, other waters or riparian habitat. If none is found, no further action shall be required. If wetlands, other waters or riparian habitat is identified, the wetland biologist shall prepare an action plan for the approval of the City of Cloverdale. The action plan shall identify specific steps to be taken to ensure that any future impacts to wetlands, other waters or riparian habitat is less-than-significant. These methods may include, but are not limited to, preparing a formal wetland delineation, permanent on-site protection of wetlands or off-site relocation of wetlands to an approved alternative site. If relocated off-site, the applicant or property owner shall obtain necessary permits and approvals from the Regional Water Quality Control Board, the California Department of Fish & Wildlife, the U. S. Army Corps of Engineers or other agencies. No construction near wetlands, other waters or riparian habitat areas may proceed until the approval action plan is approved and implemented.

- d) Less-than-Significant. Several parcels in the annexation area are fenced to preclude wildlife migration or are developed with lumber storage uses. A major wildlife and fish corridor exists east of the site along the Russian River. This impact would be less-than-significant.
- e) Less-than-Significant. Proposed development on all parcels of land proposed for annexation to the City of Cloverdale will be required to comply with all municipal requirements protecting local biological resources, including but not limited to tree

protection ordinances. Compliance will be required at the time development is proposed in the City and this impact would be less-than-significant.

- f) No Impact. No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted within the City of Cloverdale and no impact would occur with respect to this topic.

5. Cultural Resources

Environmental Setting

The City of Cloverdale General Plan EIR (2009) does not identify the presence of any historic, prehistoric, paleontological or Native American resources within the annexation area. Major historic resources within the Cloverdale Planning area, as identified in the General Plan EIR, include the Isaac Shaw building, the Pinschower house, an historic bridge over the Russian River and the Gould Shaw house. None are located within the annexation area.

The General Plan EIR concluded, based on a records search at the University of California, Berkeley Museum of Paleontology, that no paleontological resources have been identified in Cloverdale.

Although the General Plan EIR did not identify the presence of buried prehistoric resources or Native American resources in or near the annexation area, the close proximity of the area to the Russian River may result in a moderate to high potential to encounter such resources within the area. Typically Native American settlements were located near major bodies of water, such as rivers, creeks and streams.

As part of the CEQA process, City staff initiated an SB 18 Native American Tribal Consultation with the State of California Native American Heritage Commission in February 2016.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result in impacts to:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Sec. 15064.5?				X

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?		X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X	
d. Disturb any human remains, including those interred outside of formal cemeteries?		X	

Discussion

- a) No Impact. Based on the General Plan EIR and site observations, no above-ground historic resources are present within the annexation area and no impacts would result with respect to this topic.

- b-d) Less-Than-Significant Impact. The relatively close proximity of the annexation area to the Russian River may be linked to historic Native American or other historic settlements in this location. Although future construction and ground-disturbing activities could impact buried cultural, Native American and/or paleontological resources, adherence to General Plan implementing Measure CDO 4-2.a (“Maintain standard conditions of approval for CEQA and project review of development projects including agricultural conversion that require cultural resources studies where applicable and require that work be halted and studies conducted if cultural or archeological resources are discovered; require that such studies be conducted by qualified historians or archeologists; and require notification pursuant to law if human remains are discovered”) and Implementing Measure CDO 4.2b (“Coordinate with the Native American Heritage Commission and local tribal members to determine if the study area or developments contain any artifacts or areas used for religious purposes.”). As required by the General Plan, future specific development proposals in the annexation area will be conditioned to implement the above-referenced General Plan Implementing Measures to ensure that future impacts to Native American, historic, paleontological and similar resources will be less-than-significant.

6. Geology and Soils

Environmental Setting

This section of the Initial Study is based on an analysis of local geologic conditions conducted by the firm of PJC & Associates Inc dated November 5, 2015, which is incorporated by reference

into this Initial Study. The PJC report is available for review at the Cloverdale Planning Department during normal business hours.

The eastern portion of the annexation area is relatively flat with the western portion characterized by moderate to steeply sloping areas. The entire annexation area is located in the Coast Ranges Geomorphic Province of California that includes many separate mountain ranges, hills and valleys located between the Pacific Ocean and the Great Valley to the east.

Flatter portions of the annexation area are underlain by alluvial deposits with layers of sand, gravel, silt and clay with a top covering of alluvium.

It is likely that the western portion of the annexation area is underlain by harder geologic material that has not eroded due to action of the nearby Russian River.

The PJC & Associates report notes that the site is not within an Alquist-Priolo Earthquake Fault Study zone. Three active fault zones have been identified near the annexation area: the Maacama (South), the Maacama (central) and the Collayomi Faults. These are located from 2.7 miles to approximately 13.9 miles from the project area. Existing and future development on the project area is and would continue to be subject moderate to severe ground shaking as a result of earthquake activity on one of these fault zones. The risk of ground rupture is considered low due to lack of identified faults in the general area.

The eastern portion of the project site is considered to have very high liquefaction potential. Liquefaction is a seismic hazard where there is a rapid, temporary loss of soil strength that could damage structures on that site.

The PJC & Associates report finds that the risk of lateral spreading, soil lurching or the presence of expansive (high shrink-swell potential) soils is low.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		X		
i) Rupture of a known earthquake fault, as			X	

delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?
- iv) Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available

		X	
		X	
	X		
		X	
	X		
		X	
		X	

for the disposal of waste water?

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Discussion

- a) **Less-than-Significant with Mitigation.** The site geotechnical report concludes that the annexation area is not located within an Alquist-Priolo Earthquake Fault Zone or State of California Earthquake Fault Studies Zone, and there are no active faults in the annexation area. There is a potential for strong seismic shaking on the site from nearby active faults. Future buildings in the annexation area will be designed in accordance with the California Building Code standards adopted for the City that includes strict seismic safety design standards to resist the effects of groundshaking and building failure.

No preliminary soils reports have been prepared for properties located in the eastern portion of the annexation area. These properties exhibit moderate to steep slopes and future structures could be subject to landslide potential. Future landslides or soil failure could be a potentially significant impact for project properties and for other nearby properties as well. Adherence to the following will reduce this impact to a less-than-significant level.

Mitigation Measure GEO-1: Prior to issuance of a grading and/or a building permit for any parcel of land in the annexation area where no recent soils or geotechnical report has been prepared, a qualified California-registered engineering geologist or equivalent, as approved by the Cloverdale Community Development Department, shall prepare a report analyzing soil and geologic conditions on that particular property. The report shall include specific construction methods to be undertaken to reduce potential soil hazards to a less-than-significant level, including but not limited to landslides, ground failure and other potential hazards. The recommendations of the soils and geotechnical report shall be incorporated into all project grading and construction plans to ensure that future hazards from landsliding or similar hazards are reduced to a standard level of care.

- b) **Less-than-Significant Impact.** Future improvements within the annexation area will be subject to City of Cloverdale construction and post-construction erosion control and water quality protection requirements, including placement of silt fences and desilting basins to trap construction erosion and placement of water quality ponds to filter erosion from parking lots and landscaped areas. This impact would be less-than-significant with adherence to City standards.
- c) **Less-than-Significant with Mitigation.** Future construction of parcels of land located on the eastern side of the annexation area could be subject to landslide potential and other soil-related hazards. Adherence to Mitigation Measure GEO-1 will reduce this impact to a less-than-significant level.

- d) **Less-than-Significant Impact.** The PJC & Associates report prepared for the Nu Forest property within the annexation area determined that the risk of liquefaction on future site improvements is considered low. Other properties within the annexation area are located on moderate to steeply sloping areas that are generally not prone to liquefaction.
- e) **Less-than-Significant Impact.** A number of properties in the annexation area use septic systems. Upon completion of the annexation area, all properties would be allowed to connect to the City of Cloverdale wastewater system. However, if wastewater facilities are not proximate to individual properties, existing septic systems may be allowed to continue. All existing septic systems are under the jurisdiction of the Sonoma County Permit and Resource Management Department of Sonoma County.

7. Greenhouse Gas Emissions

Environmental Setting

The annexation area is partially developed with existing Nu Forest Products operations that include storage and transport of milled lumber, company offices and a number of existing single-family residences. Greenhouse gasses are currently emitted into the atmosphere from passenger vehicles, trucks and forklift operations on the Nu Forest property.

Greenhouse Gasses include carbon dioxide, methane, nitrous oxides, perflorocarbons, sulphur hexafluoride and hydroflorocarbons. It is generally recognized that greenhouse gasses trap heat and moisture near the earth’s surface, increasing the ambient temperature, also known as global warming. Effects of global warming, include changing of ocean circulation patterns, a reduction of global ice coverage and general changes to climatic conditions.

Sonoma County has taken the lead in preparing a County-wide Climate Action Plan (CAP) with the intent of reducing the amount of greenhouse gasses for all cities in the County, including Cloverdale. The amount of targeted reduction is 25% below the 1990 emission level by the year 2020.

The draft CAP estimates that the City of Cloverdale emitted 57,300 metric tons of carbon monoxide in 1990 and 59,000 metric tons in 2010, the most recent estimate available.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a			X	

significant impact on the environment?

- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

		X	

Discussion:

- a) Less-than-significant. Proposed annexation, development and operation of the Nu Forest lumber mill and other uses proposed for the annexation area would increase the amount of greenhouse gas emissions into the atmosphere as a result of increased traffic, operations of the expanded lumber mill and other operations that would be included in the annexation area. In terms of potential greenhouse gas emissions, the major land use change proposed for the annexation area, the Nu Forest lumber mill, would not be a new land use in the local air basin, but would be a relocation from its existing operation in Healdsburg. Thus there would not be a significant net increase in the amount of greenhouse gasses emitted into the atmosphere from approval and implementation of this project. Although replacement land uses on the existing Healdsburg site could generate greenhouse gasses, future uses of the Healdsburg site are unknown and beyond the jurisdiction of the City of Cloverdale. Future uses on the existing Nu Forest site in Healdsburg will be required to complete CEQA review for GHG emissions at the time such new use or uses are proposed.

- b) Less than Significant Impact. Neither the City of Cloverdale nor Sonoma County have an adopted Climate Action Plan (CAP), although such a draft plan has been prepared is being considered for adoption by the County and the various incorporated cities in the County, including Cloverdale. The CAP includes a goal of reducing county greenhouse gas emissions by 25 percent below 1990 levels by 2015, but has no mandatory provisions that would apply to the project. In addition to the CAP, the State of California has adopted regulations that apply to the project that will help the County achieve its reduction goal. The proposed project will be conditioned by the City of Cloverdale to comply with the California Green Building Standards Code, which includes requirements to increase recycling, reduce waste, reduce water use, increase bicycle use, and other measures that will reduce greenhouse gas emissions. Motor vehicle emissions associated with the project would be reduced through compliance with state regulations on fuel efficiency and fuel carbon content. The regulations include the Pavley fuel efficiency standards that require manufacturers to meet increasing stringent fuel mileage rates for vehicles sold in California and the Low Carbon Fuel Standard that requires reductions in the average carbon content of motor vehicle fuels. Emissions related to electricity consumption by the project would be reduced as the electric utility complies with the Renewable Portfolio Standard, which requires utilities to increase its mix of renewable energy sources to 33 percent by 2020. The project would not conflict with the Sonoma

County CAP and regulations adopted by the State of California to reduce greenhouse gas emissions.

The representative from Nu Forest Products, the largest owner and future user within the annexation area, have committed to operating an employee shuttle from Healdsburg to the annexation area site to reduce vehicle trips. The owners are also exploring the placement of on-site solar collectors to reduce dependency on the electric grid. Waste material generated by milling are operations are recycled rather than deposited in a local landfill. These actions would reduce air quality and greenhouse gas emissions below normal business as usual and would serve to reduce overall GHG emissions from vehicle trips from the annexation area.

No impacts are anticipate with respect to this topic.

8. Hazards

Environmental Setting

Portions of the annexation area have been developed with single-family residences (along Asti Road) and a lumber storage and office operation on the eastern portion of the site.

Earlier environmental analyses for the Nu Forest site determined that portions of the site were contaminated by previous deposits of diesel fuel and motor oil in the local groundwater above the Environmental Screening Levels adopted by the San Francisco Regional Water Quality Control Board (see "Expanded Phase I Environmental Site Assessment" by Anchor Environmental Consultants, Inc. dated September 21, 2008 and "Limited Phase II Subsurface Investigation" prepared by AEI Consultants dated November 6, 2014). These two documents are hereby incorporated by reference into this document and are available for review at the City of Cloverdale Community Development Department during normal business hours.

A follow-on subsurface investigation of the site was completed by SCS Engineers in November , 2015 ("Report of Limited Subsurface Investigation, 280 Asti Road, Cloverdale California"). This document is also incorporated by reference into this Initial Study and is available for review at the City of Cloverdale Community Development Department during normal business hours.

The project site is located to the north of Cloverdale Municipal Airport and is outside the jurisdiction of the Comprehensive Airport Land Use Plan for the airport (<http://www.sonoma-county.org/prmd/docs/airport/ch8-excerpt.htm>).

Based on a recent discussion with representatives of the Cloverdale Fire Protection District, the annexation area lies outside of an urban/wildland high fire hazard area (source: B. Elliott, Cloverdale Fire Protection District, 3/14/16).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located				

<p>within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p>			X
<p>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p>			X
<p>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>			X
<p>h. Expose people or structures to a significant risk of loss, injury or death involving wildland fire, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p>			X

Discussion

- a) Less-than-Significant Impact. Future industrial and potential agricultural uses (on the Matovich Trust property, proposed for Rural-Residential rezoning) within the annexation area would likely involve the transport, use, storage and disposal of potentially hazardous materials, including but not limited to fuels and lubricants for forklifts, potential servicing of trucks, other industrial solvents that would be used in the proposed Nu Forest lumber mill. Future residential uses could involve the transport, use and storage of normal and customary quantities of household paints and solvents and yard and garden care substances. Transport, use, storage and disposal of potentially hazardous materials is strictly regulated and controlled by a variety of local state and federal laws and regulations. The proposed expansion of Nu Forest Products and associated use of

potentially hazardous materials would be approximately the same as other, similar industrial uses in Cloverdale. Future transport, use, storage and disposal of potentially hazardous materials will be subject to review and inspection by the Cloverdale Fire Protection District and other regulatory agencies, including but not limited to the California Highway Patrol and OSHA, to ensure this impacts will be less-than-significant.

- b) Less-than-Significant With Mitigation. Proposed demolition of older structures within the annexation area could release lead based paints and/or asbestos containing material into the environment. Adherence to the following measure will mitigate this impact to a less-than-significant level.

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit for any existing residence or other major structure in the annexation area (as determined by the Cloverdale Building Official), a licensed contractor shall determine the presence or absence of lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Cloverdale Building Department or Fire District, these materials shall be safely removed consistent with the Occupational Safety and Health Administration (OSHA) and other applicable standards and disposed of in an appropriate location. Necessary permits and approvals shall be secured from appropriate regulatory agencies.

- c) No Impact. No public schools are located within a one-quarter radius of the project site (source: Cloverdale Unified School District website, <http://www.cusd.org/Page/1>) so there would be no impact with respect to this topic.
- d) No Impact. None of the properties included in the annexation area are listed on the State of California Cortese List as of March 16, 2016. No impacts are therefore anticipated with respect to this topic.
- e,f) No Impact. As identified in the Environmental Setting section of this Initial Study, the annexation area is located north of the Cloverdale Municipal Airport and lies outside of the applicable airport land use plan. No impacts would result with respect to this topic.
- g) No Impact. Proposed improvements that could be constructed within the annexation area would be built on private properties and would not block public roads or other public accessways used for emergency access. Future buildings constructed in the annexation area will be reviewed for adequate access by the Cloverdale Police Department and the Cloverdale Fire Protection District prior to approval by the City. This will ensure that no impacts would occur with respect to interference with emergency evacuation.
- h) No Impact. Based on a discussion with the Cloverdale Fire Protection District, the annexation area does not lie in a wildland/urban interface area and no impact would occur.

9. Hydrology and Water Quality

Environmental Setting

The project area is located near and to the west of the Russian River. One major property, All-Coast Lumber, is located between the annexation area and the River. A local intermittent creek flows through the approximate center of the annexation area. A second hydrologic feature is an existing pond in the southern portion of the annexation area that is used to store fire suppression water for the Nu Forest and All-Coast lumber operations.

A number of existing uses have been constructed within the annexation area, including lumber storage facilities on a portion of the Nu Forest property, single-family dwellings on three other properties and a small number of uninhabited outbuildings. All existing residences and industrial uses (Nu Forest offices) are served by private on-site septic systems.

The easterly portion of the annexation area lies within the 100-year flood hazard area as mapped by FEMA (source: Eric Janzen, City of Cloverdale, 3/9/16).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would			X	

result in substantial erosion or siltation on-or off-site?				
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death			X	

involving flooding, including flooding as a result of the failure of a levee or dam?				
j. Inundation by seiche, tsunami, or mudflow?				X

Discussion

a) Less-than-Significant Impact. A primary concern of storm water runoff is the potential amount of pollution associated with the construction and development within the annexation area, following completion of the annexation. Sediment from grading and excavation activities, oil and grease from equipment and vehicles, fertilizers and herbicides associated with landscaping are all considered non-point source (NSP) pollutants. As part of the normal and customary development review process, the City of Cloverdale will require the preparation and approval of an Erosion Control Plan for all future development projects in the annexation area. The Erosion Control Plan must document that development will not increase the flow or intensity of flow of rainwater runoff from the existing conditions. Low Impact Development (LID) measures are to be added to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City of Cloverdale. The plan will be required to be submitted and approved by the Engineering Department prior to issuance of grading permits on all annexation properties.

In terms of the City’s Wastewater Treatment Plant discharge and water quality standards, future annexation and development of properties within the annexation area would increase flows into the City’s wastewater treatment plant. The Wastewater Treatment plant currently experiences an average daily inflow of 0.55 mgd (million gallons per day) during dry weather conditions and is approved by the North Coast Water Resources Control Board to process up to 1.0 mgd during dry weather. As of October 2014, the plant had a surplus capacity of 0.45 mgd (source: City of Cloverdale 2014 Infrastructure audit, 2014). The maximum design capacity during wet weather conditions is 8.25 mgd with average inflows of 4.10 mgd as of 2014, leaving a surplus capacity of 4.15 mgd.

Development under the proposed annexation could generate up to 4,680 gallons of wastewater per day that would need to be treated at the City’s wastewater plant (see Table 2). The amount of wastewater demand to be added to the City’s municipal wastewater as a result of project build out could be accommodated in the City’s wastewater treatment and disposal system. As a part of the proposed annexation and development project, property owners and/or future developers would generally be required to construct a wastewater collection system sized to accommodate future wastewater flows to connect to the City’s system.

Table 2. Annexation Build Out Wastewater Demand

Land Use Type	Wastewater Use Factor	Land Use/Amount	Wastewater Generation (gpd)
Light Industrial/ Nu Forest	50 gal/day/employee	73 employees ¹	3650
Other Light Industrial	same as above	3 employees ²	150
Single Family Residential	220/gpd/dwelling ³	4	880
Estimated Water Demand	--		4680

Notes:

1. Based on future Nu Forest build out per Nu Forest estimate

2. Based on 1 employee per 1,000 square feet

3. Based on City of Cloverdale estimate

Source: City of Cloverdale, 2016

- b) **Less-than-Significant Impact.** Properties within the annexation area that have been developed (including a portion of the Nu Forest property, the Cerasoli property and the Schwartzler property) rely on on-site private wells for domestic water. Following annexation, all properties would be allowed to connect to the City’s municipal water supply, although it would be the responsibility of individual owners to install necessary infrastructure to connect to the City system, including but not limited to sewer laterals. Since existing private wells in the annexation area rely on approximately the same groundwater resources as the municipal water system, no significant impacts are anticipated with respect to depletion of groundwater resources. Construction of new buildings in the City of Cloverdale following annexation would be required to comply with water conservation features required in the California Building Code, so that future water use could be less under City jurisdiction than is currently used in the unincorporated County.
- c-e) **Less-than-Significant Impact.** Construction of future improvements within the annexation area would increase the amount of impervious surfaces which, in turn, would increase the amount of stormwater runoff. Impervious surfaces that would be created on the Nu Forest property would include building areas, paved parking areas and driveways. Additional construction on other properties would also increase the amount of impervious surfaces, including but not limited to a new single-family dwellings on the Matovich Trust property, live-work buildings on the Cerasoli property, light industrial building(s) on the Poustinchian property as well as driveways and other paved surfaces on some or all of the properties. No specific development applications have been submitted to the City for these non-Nu Forest properties; however, future development on the Nu Forest properties would be limited to single family residences and small industrial buildings that would not result in a significant impact with respect to this topic.

Future development projects in the annexation area will be required to submit grading plans and have these plans approved by the Cloverdale Public Works Department. Based on the City's NPDES permit granted by the Regional Water Quality Control Board, grading plans must demonstrate that proposed future development would not increase the flow or intensity of flow of storm water runoff over the existing conditions. Low Impact Development (LID) measures must be included in each development project to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City of Cloverdale. Typical measures implementing this requirement include use of detention or retention ponds to store excess peak flows to ensure that existing or planned downstream drainage facilities will not be significantly impacted. It is anticipated that, due to the relatively small size of properties included in the annexation, the courses of local creeks or streams within or adjacent to the annexation area would not be significantly changed or altered. A water quality pond is proposed to be constructed on the southwest portion of the Nu Forest site that would also detain stormwater prior to discharge into the Russian River.

Similarly, the City will require the submittal and approval of site-specific erosion control plans to limit the amount of polluted runoff from each property to a less-than-significant level when future developments are proposed. Future erosion control plans must cover both construction and post-construction operations of each future development project.

Additionally, the standard conditions require payment of development impact fees, targeted for construction of citywide public infrastructure projects, including water and drainage improvements that address the cumulative impacts of development.

Overall, future impacts related to drainage, stream course alteration and the generation of significant quantities of polluted runoff will be less-than-significant.

- g-j) Less-than-Significant Impact. The eastern portion of the annexation area is located within a 100-year flood hazard area (an "AE" zone) and would be subject to inundation on the event of a 100-year storm. The western portion of the annexation area is at a higher topographic elevation and lies above the AE flood hazard zone.

Future development that could occur on the eastern portion of the annexation area would consist of the expansion of the existing Nu Forest Products lumber mill, wood processing and storage operations. No future housing would be located in a flood hazard area and improvements constructed within the annexation area would meet flood construction methods and materials required by the California Building Code, as enforced by the City of Cloverdale. Portions of the annexation area would be subject to inundation by water in the event of a dam failure upstream of the site along the Russian River. This is documented on Figure PS-1f contained in the Public Safety Element of the

Sonoma County General Plan 2020 (<http://www.sonoma-county.org/prmd/gp2020/fig-ps1f.pdf>). It is likely such portions of the site would be limited to the flatter eastern portion closest to the Russian River. Future potential flooding of this portion of the area would likely be the same as the impact experienced from a 100-year flood event and would be less-than-significant as discussed above.

10. Land Use

Environmental Setting

The annexation area consists of a mix of developed properties (portions of the Nu Forest site), three single-family residences, older barns and other accessory buildings. Surrounding uses include light industrial uses to the west (All-Coast Forest Products) under County jurisdiction, City of Cloverdale wastewater treatment facilities and a corporation yard to the south within the City of Cloverdale, a train station/maintenance structure and the 101 freeway to the west (in the City of Cloverdale) and vacant land to the north in the City of Cloverdale.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

a-c) No Impact. If approved, the proposed annexation would change the status of the affected properties from the unincorporated portion of Sonoma County to the City of Cloverdale. Other than the proposed expansion of operations on the Nu Forest site, no other land use changes would immediately occur in the annexation area. However, under the proposed General Plan Amendment and rezoning, future development would be allowed on all properties, which would generally be consistent with development patterns that would be allowed under existing Sonoma County land use regulations. No impacts are anticipated with respect to this topic.

None of the properties included in the proposed annexation lie within a Habitat Conservation Plan or a Natural Community Conservation Plan.

11. Mineral Resources

Environmental Setting

No significant mineral resources exist in the project area based on the Land Use Diagram of the Cloverdale General Plan.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Discussion

a-b) The General Plan notes no deposits of minerals on or adjacent to the annexation area and no impacts would result.

12. Noise

Environmental Setting

The project area is located on the east side of the 101 freeway, a major noise generator in this portion of Cloverdale. Another source of localized noise is lumber mill operations from the existing Nu Forest storage yard (primarily truck and forklift noise) on the eastern portion of the annexation area and lumber mill, truck and forklift operations to the east on the All-Coast property.

Noise is currently generated by vehicle traffic using Asti Road that forms the western boundary of the area. Based on limited traffic on this roadway, local roadway noise from Asti Road is not considered significant. The General Plan EIR does not identify any major sources of stationary (non-vehicular) noise on or adjacent to the annexation area.

The annexation area is located a significant distance north of Cloverdale Municipal Airport and is not subject to significant noise from this source (see Figure 4.7-1 contained in the Cloverdale General Plan EIR).

Project Impacts and Mitigation Measures

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the				X

project vicinity above levels existing without the project?				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion

- a) **Less-than-Significant with Mitigation.** The project involves the expansion of the existing Nu Forest lumber mill on the east side of the annexation area and the construction of other light industrial facilities and one dwelling within the area. Operation of these uses could have the effect of exposing existing and future residents near the annexation area to levels of noise above the 65 dB level. In addition future dwellings constructed on the site either in the proposed General Industrial zoning district or the proposed Rural Residential district could be subject to significant noise either from future traffic, especially trucks, using Asti Road or from future lumber mill operation on the Nu Forest site. Pursuant to the California Building Code, interior noise levels for residences cannot exceed 45 decibels (Ldn/CNEL). Consistency with this requirement will be confirmed during review of site-specific building plans for future residences. Exceedances of City of Cloverdale exterior noise levels of 65 decibels (Ldn/CNEL) could occur with respect to

future dwellings that could be constructed within the annexation area and on surrounding properties as a result of future operational noise related to Nu Forest operations. This would be a potentially significant and would be reduced to a less-than-significant level by adherence to the following measure.

Mitigation Measure Noise-1: Prior to issuance of a building permit for future residential and major industrial uses in the annexation area, a qualified acoustical consultant as approved by the City of Cloverdale shall conduct a site-specific analysis to ensure that future uses and site activities comply with City standards set forth in the Noise Element of the Cloverdale General Plan and other applicable local noise regulations. Each analysis shall contain, at minimum, a summary of recent 24-hour noise measurements and specific measures to be incorporated into final building plans and specifications to reduce exterior and interior noise to City standards.

- b) Less-than-significant. None of the proposed improvements within the annexation area would generate significant groundborne vibration since normal construction techniques would be used. No unusually tall buildings are proposed that could require pile driving or similar construction methods that would generate significant levels of vibration. The one property that could potentially generate vibration would be the proposed expansion of Nu Forest Products. However, no significant receptors currently exist or are proposed immediately adjacent to the Nu Forest site. The closest use to Nu Forest is the All Coast lumber mill, located immediately west of the Nu Forest site, that would be an equivalent use and would not be a sensitive receptor. This impact would be less-than-significant.
- c) Less-than-Significant. No significant noise above existing ambient level of noise would be created in the project location without annexation and future construction of project improvements. This impact would be less-than-significant.
- d) Less-than-Significant with Mitigation. Future construction of residential and light industrial uses within the annexation area could result in potentially significant noise during normally quiet times of the day, which is evening and night time periods. This would be a potentially significant on existing and future residences that could be allowed in the annexation area. Adherence to the following measure will ensure this impact will be reduced to a less-than-significant level.

Mitigation Measure Noise-2: All future construction activities for properties in the annexation area shall be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturdays. No construction shall occur on state or federal holidays. Exceptions to these restrictions may be granted by the Cloverdale Community Development Director for unusual or emergency conditions.

- e, f) No Impact. The project area is not located within an approved land use plan or near the Cloverdale Municipal Airport, the closest public or private airport to the area. No impacts would occur with respect to this topic.

13. Population and Housing

Environmental Setting

The annexation area is currently partially developed with Nu Forest lumber operations, three single-family dwellings and a PG&E electric substation. Surrounding uses include vacant land to the north (within the City of Cloverdale), a lumber mill and the Russian River to the east (unincorporated County territory), City of Cloverdale infrastructure and a corporation yard to the south (within the City) and the 101 freeway, a train station/maintenance shed and railroad right-of-way to the west (within the City).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion

- a) No Impact. The proposed project would have no impact on substantial population growth within the City of Cloverdale since the project would allow for the development of one new single family dwelling within the annexation area.

- b-c) No Impact. The proposed project could result in removal of one existing dwelling within the annexation area on the Nu Forest property and would allow construction of one dwelling on the Matovich Trust property. No impact would result with respect to this topic.

14. Public Services

Environmental Setting

Essential public services to the project area are provided as follows:

- *Fire Protection.* Fire protection services are provided by the Cloverdale Fire Protection District, which is headquartered at 451 S. Cloverdale Boulevard. A fire station is located at the district headquarters. The District also provides emergency rescue and fire code inspection services and maintains a variety of fire suppression apparatus at the headquarters Fire Station. The District maintains automatic aid agreements with the Geyserville Fire District and City of Healdsburg Fire Department (source: B. Elliott, Cloverdale Fire Protection District, 3/4/16).
- *Police Protection.* Police and security protection is provided by the Sonoma County Sheriff's Department based on Santa Rosa. The Sheriff's Department provides five deputies to patrol northern Sonoma County, including the annexation area, on a 24-hour per day basis (source: Al Tupman, Sheriff Department, 3/28/16). The City of Cloverdale Police Department maintains a mutual aid agreement with the County Sheriff, so that Cloverdale personnel may be the first responder to the annexation area in the event of an emergency (source: S. Cramer, Cloverdale Police Department, 3/28/16).
- *Schools.* Public educational services for residents of the project site are provided by the Cloverdale Unified School District. The District provides K-12 educational services for residents of Cloverdale and the surrounding unincorporated area. Private schools are also available in the greater Cloverdale area.

Local schools serving the project site include Jefferson Elementary School, Washington Middle School and Cloverdale High School.

- *Library Service.* Sonoma County Library provides library service to Cloverdale as well as the greater Sonoma County. Numerous branch libraries are located in both incorporated cities and unincorporated communities throughout the County. The library administrative headquarters is located in Santa Rosa. The branch library closest to the annexation area is located at 401 N. Cloverdale Boulevard in Cloverdale.

- *Maintenance.* Maintenance of local streets, roads and other governmental facilities within the unincorporated portion of the County are the responsibility of the County of Sonoma.
- *Energy.* Residents of Cloverdale receive electrical power from Pacific Gas & Electric Company (PG&E), a regulated public utility serving northern and central California.
- *Communication facilities.* Major communication facilities in Cloverdale are provided by AT&T although other providers are also available.

Project Impacts

Would the proposal:

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Fire protection?			X
Police protection?			X
Schools?			X
Parks?			X

Other public facilities?

			X
--	--	--	---

Discussion

- a) No Impact. The proposed annexation and subsequent development that would be allowed under City of Cloverdale jurisdiction would not adversely impact the level of service provided by the Cloverdale Fire Protection District, the Cloverdale Unified School District or the Sonoma County Library, since there would be no change to the status of these providers upon annexation or their respective boundaries. Representatives from the Cloverdale Fire Protection District have indicated that no new or expanded facilities would be needed to serve the proposed annexation and future development (source: B. Elliott, CFPD)

Should the annexation be approved, police protection services would be provided by the City of Cloverdale Police Department instead of the County Sheriff. Based on discussions with the Cloverdale Police Chief, the City’s Police Department could provide an enhanced level of emergency and non-emergency response times to calls for service from properties in the annexation area, since the Cloverdale Police Department is located closer to the area than the County Sheriff’s office and provides a higher level of staffing than the County Sheriff than is currently available to the affected properties.

Upon future development within the annexation area, property owners or developers would be required to pay development impact fees that support these City Departments and special districts, such as the Cloverdale Fire Protection District.

Maintenance of local roads and other public facilities would be provided by the City of Cloverdale and would be funded by City property taxes and fees paid by future residents. Library service to the project area would continue to be provided by the Sonoma County Library system.

No changes to the boundary of the Cloverdale Unified School District is proposed as part of this project.

There would be no changes to annexation area properties in terms of electrical, natural gas or telecommunication services since such services are not affected by local municipal boundaries.

Overall, impacts to public services would be less-than-significant.

For impacts to parks, refer to item 15, below.

15. Recreation

Environmental Setting

The annexation area is partially developed with much of the area vacant. No parks, playgrounds or similar uses are present on the project area.

The closest public parks are south of the site on West Second Street and West First Street. City Park is located at 450 W. Second and the City pool is located at 205 West First Street.

The City of Cloverdale and Sonoma County Regional Parks Department operate Cloverdale River Park located at 31820 McCray Road on the west bank of the Russian River, north of the annexation area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

a-b) No Impact. The proposed annexation project would not significantly impact the existing City of Cloverdale recreational facilities or regional park facilities, such that the facilities

would be substantially degraded. If annexed into the City, future development that would be allowed would be subject to City of Cloverdale Parks and Recreation Facilities development impact fees which are used for City wide park projects relating to community needs.

Future development within the annexation area could include construction of one new dwelling and the removal of one dwelling, which would have no impact on City or regional park facilities.

16. Traffic and Transportation

Environmental Setting

Primary local access to the annexation area is provided by Asti Road, a collector road extending through the City of Cloverdale in a north-south direction. Regional access is provided by the US 101 freeway immediately west of the annexation area.

Access to individual properties within the annexation area is via a number of driveways off of Asti Road. Access to the Nu Forest property is provided via a private drive north of the annexation area that also serves the All-Coast Lumber mill to the east.

The 2008 General Plan EIR analyzed the intersection of the US 101 freeway northbound and southbound at Citrus Fair Drive under AM and PM peak hour conditions. This intersection is the closest to the annexation area. The EIR documents that existing and build out peak hour operations of this intersection would be Level of Service (LOS) A, which is the highest level of service. LOS A is characterized by minimal delay and minor, if any, congestion.

Public transportation to the City of Cloverdale and the annexation area is provided by the Sonoma County Transit Agency (SCTA). SCTA provides regional service to communities to the south and an intercity Cloverdale Shuttle for local trips.

Existing railroad tracks are located just west of the annexation area and west of Asti Road. These tracks are presently not in use but are planned for future SMART train operations. A station has been constructed along the tracks just west of the annexation area but is not currently used.

No bicycle paths or sidewalks are located along Asti Road adjacent to the annexation area.

No public or private airports or airstrips exist on or adjacent to the annexation area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X

e. Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion

a, b) Less-than-Significant Impact. As noted in the Environmental Setting section of this Initial Study, existing and future operations of the nearest major intersection to the annexation area, Citrus Fair Drive and the 101 north and south bound freeway ramps, is expected to operate at an acceptable level of service through the build-out of the General Plan, which is 2025. Table 4.5-8 contained in the General Plan EIR documents that the Highway 101 on- and off-ramps at Citrus Fair Drive are expected to operate at LOS A or C during both A.M. and P.M. peak hour periods.

The following table (Table 3) estimates the number of total and peak hour trips that could be generated in the annexation area. The table shows that up to 133 daily trips could be generated as a result of annexation and build out of the subject properties. There would be up to 120 peak trips during the morning peak period and up to 112 peak trips in the pm peak.

Table 3. Annexation Build Out Estimated Trip Generation

Land Use Type	Amount	Total Daily Trips	AM Peak	PM Peak
Nu Forest (existing) ¹	--	12		
Nu Forest – proposed ¹	--	71		
<i>Subtotal Nu Forest trips</i>	--	59	54	57
Industrial ²	3,000 SF	21	19	20
Single Family Residential (existing & proposed) ³	3	29	22	29
Total Trips	--	133	120	112

Notes:

- Existing and proposed Nu Forest trip generation based on field observation and future estimates provided by project applicant.
- Future industrial uses include up to 1,000 square foot live-work industrial space on Cerasoli site & up to 2,000 square foot industrial space on Poustinchian property

3. Existing dwellings on Cerasoli, Schwartzler & Nu Forest properties, per property owners.
4. Proposed dwelling on Matovich Family trust property, per landowner representative.
Trip rates per ITE Trip Generation Manual, 9th Edition, 2012

The addition of anticipated project trips on the local transportation system near the project site is not expected to significantly increase congestion or conflict any local or regional transportation plan or policy dealing with transportation. The primary landowner in the annexation area, Nu Forest Products, is considering the operation of an employee shuttle to and from Healdsburg for mill employees. If implemented, the shuttle would reduce overall and peak hour trips as identified in the above table.

Furthermore, the City of Cloverdale Streets and Thoroughfare Development Impact Fee will be collected before any project in the annexation area is developed. These fees provide for cumulative improvements of the roadway system to accommodate citywide traffic needs at ultimate General Plan build out.

- c) No Impact. As noted in the Environmental Setting section of this Initial Study, no public or private airports or airstrips exist on or adjacent to the annexation area. The area is not located within the airport land use plan for Cloverdale Municipal Airport, so there would be no impacts with respect to this topic.
- d, e) No Impact. Properties included in the annexation area are all served by private driveways from Asti Road. If no changes to current structures are proposed, existing driveways may remain as they currently exist. New development proposals will be reviewed by the City of Cloverdale Community Development Department, Public Works Department and Fire Department to ensure consistency with City standards and to ensure there would be no hazards or impediments to emergency vehicle access. Future development proposals would also be reviewed by the Cloverdale Fire Protection District to ensure that District design criteria are met in terms of emergency access. No impact would result with respect to this topic.
- f) No Impact. The proposed annexation and future development would be consistent with the Cloverdale General Plan, as amended by the project. There would be no impacts with respect to potential conflicts with alternative modes of transportation.

17. Utilities and Service Systems

Environmental Setting

The annexation area received public utilities from the following sources:

- *Water supply.* Private on-site wells.
- *Sewage collection.* Private on-site septic systems.
- *Sewage treatment and disposal.* Private on-site septic systems
- *Storm drainage.* Sheet flow from individual properties and private open channels.
- *Solid waste service.* Private disposal.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the project</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing water entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by			X	

the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state and local statutes and regulations related to solid waste?			X	

Discussion

a) Less-than-Significant. Upon annexation to the City of Cloverdale, all properties would be eligible to connect to the City's wastewater collection, treatment and disposal system. Property owners would be responsible for constructing sewer lines and other related facilities to connect to the City's system. Any extensions on public land would be required to be designed to City engineering standards, encroachment permit(s) from the City would be required and easements over private properties obtained, as needed. Preliminarily, a sewer line would be extended west from the approximate center of the Nu Forest property to Asti Road, then south to connect to the City's wastewater treatment plant. The extension would be sized to accommodate the anticipated maximum build-out of uses in the annexation area, but could be oversized to accommodate other unserved properties in the annexation area, as determined by the Cloverdale City Engineer.

A report prepared by the City of Cloverdale in late 2014 (2014 Infrastructure and Public Service Audit, 10/15/14) documented that the City's wastewater treatment plant, located just south of the annexation area, is permitted by the Regional Water Quality to treat up to 1.0 million gallons of wastewater per day (mgd) during average-day dry weather periods. The peak treatment capacity is permitted to be 2.2 mgd. The City is permitted up to treat 8.25 mgd during wet weather periods. As of late 2014, the treatment plant was processing 0.55 mgd on an average day and 1.4 mgd during peak conditions. The peak wet weather flow was documented at 4.1 mgd during the same time period. Treated wastewater is transported to municipal ponds adjacent to the Russian River where treated effluent can percolate into the soil or evaporate into the atmosphere. Disposal of treated wastewater is based on the City's permitted treatment capacity and there is currently no issue with disposal capacity.

Build-out of the proposed annexation would be estimated to generate 4,230 gallons per day of wastewater. This is based on information provided in Table 2, in the Hydrology section.

Based on the above information, future development that could be accommodated in the annexation area could be served by the City of Cloverdale wastewater treatment system with out exceeding the requirements of the Regional Water Quality Board and a less-than-significant impact would result.

The City of Cloverdale may allow continued use of septic systems for future development if such development would be located 300 feet or greater from a sewer collection line.

- b) Less-than-Significant. Property owners in the project area would have the ability to be connected to the City's municipal water system upon completion of the annexation process. Nu Forest Products has proposed to extend a municipal water line from their property to connect to the City's water system in Asti Road, west of the annexation area. Other properties may also connect to the City system. All costs to extend municipal water would be at the expense of individual owners.

The same 2014 Infrastructure and Public Services Audit referenced in subsection "a," above, notes that the City recently completed two new water wells as of 2014. New wells were financed by the US Department of Agriculture. Improvements were also made to the City's water system to "de-aerate" water prior to entering the City's water treatment plants that improved the efficiency of the treatment plant. Water system improvements are now on-line and a part of the municipal water system which includes five wells. The 2014 Infrastructure Audit reported that with the recently completed improvements, the daily capacity of the municipal water system is approximately 3.69 mgd. The 2014 estimated maximum demand for water was approximately 2.55 mgd, with 28,000 gallons/day allocated to other pending development projects This would leave approximately 392,000 gallons per day for future development in the community, including development proposed in the annexation area.

Table 4 provides an estimate based on City information regarding the estimated quantity of water to be used by build-out of proposed land uses in the annexation area. The estimated maximum use of water 5,128 gpd, is less than the estimated 392,000 gpd that is currently available to serve future development so there would be an adequate long-term supply of water available for the proposed annexation and development of future uses.

The City of Cloverdale will also require, as a normal and customary condition of development approval for future buildings in the annexation area, that builders install high water efficiency fixtures and appliances to minimize water use to the fullest extent. Such improvements may likely include but will not be limited to use of low-flow toilets

and showers, possible use of non-water urinals, use of water efficient appliances, limitations on installation of landscaping and similar features.

Table 4. Annexation Build Out Water Demand

Land Use Type	Water Use Factor	Land Use/Amount	Water Use (gpd)
Light Industrial/Nu Forest	50 gallons/day/employee	73	3,650
Other Light Industrial	same as above	3	150
Single Family Residential	332/gpd/dwelling	4	1,328
Estimated Water Demand	--	--	5,128

Source: City of Cloverdale, 2016

- c) Refer to the Hydrology section of this Initial Study for a discussion of drainage facilities.
- f, g) Construction of future development within the project area would result in a slight increase in the amount of solid waste generated by the project that would be accommodated in local and regional landfill facilities. Upon annexation, the City's franchised waste hauler, Redwood Empire Disposal, would collect solid waste and recyclables .A representative of Redwood Empire Disposal (Mike Lockwood) has confirmed there will be no impacts to the company. The proposed project would have no impact with regard to federal, state or local statutes or laws governing solid waste.

18. Mandatory Findings of Significance

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the				X

number of or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- c) Does the project have impacts that are individually limited, but cumulatively considerable?
- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

			X
			X
			X

Discussion

- a-b) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The project is located on property not involving a creek, stream or other waterway, nor is the area identified as having populations of wildlife.
- c) Cumulative impacts have been reviewed in the annual infrastructure audit. There are sufficient public facilities to serve the proposed future development.
- d) The project will not have direct nor indirect environmental effects on human beings. Noise and other impacts from the development will be minimal and within the thresholds set forth in the General Plan.

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Exhibits

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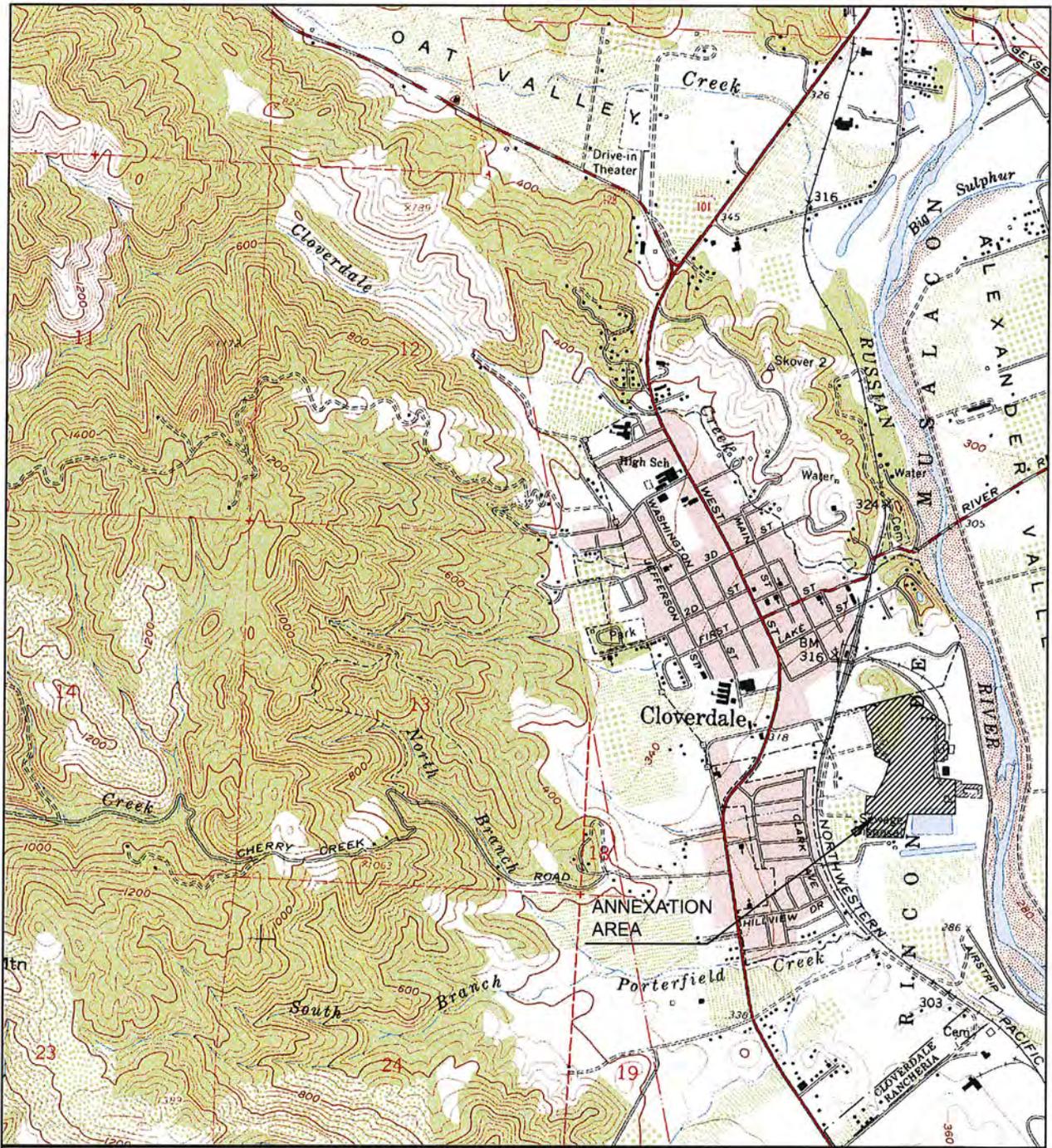
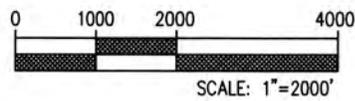


EXHIBIT 2
LOCAL CONTEXT



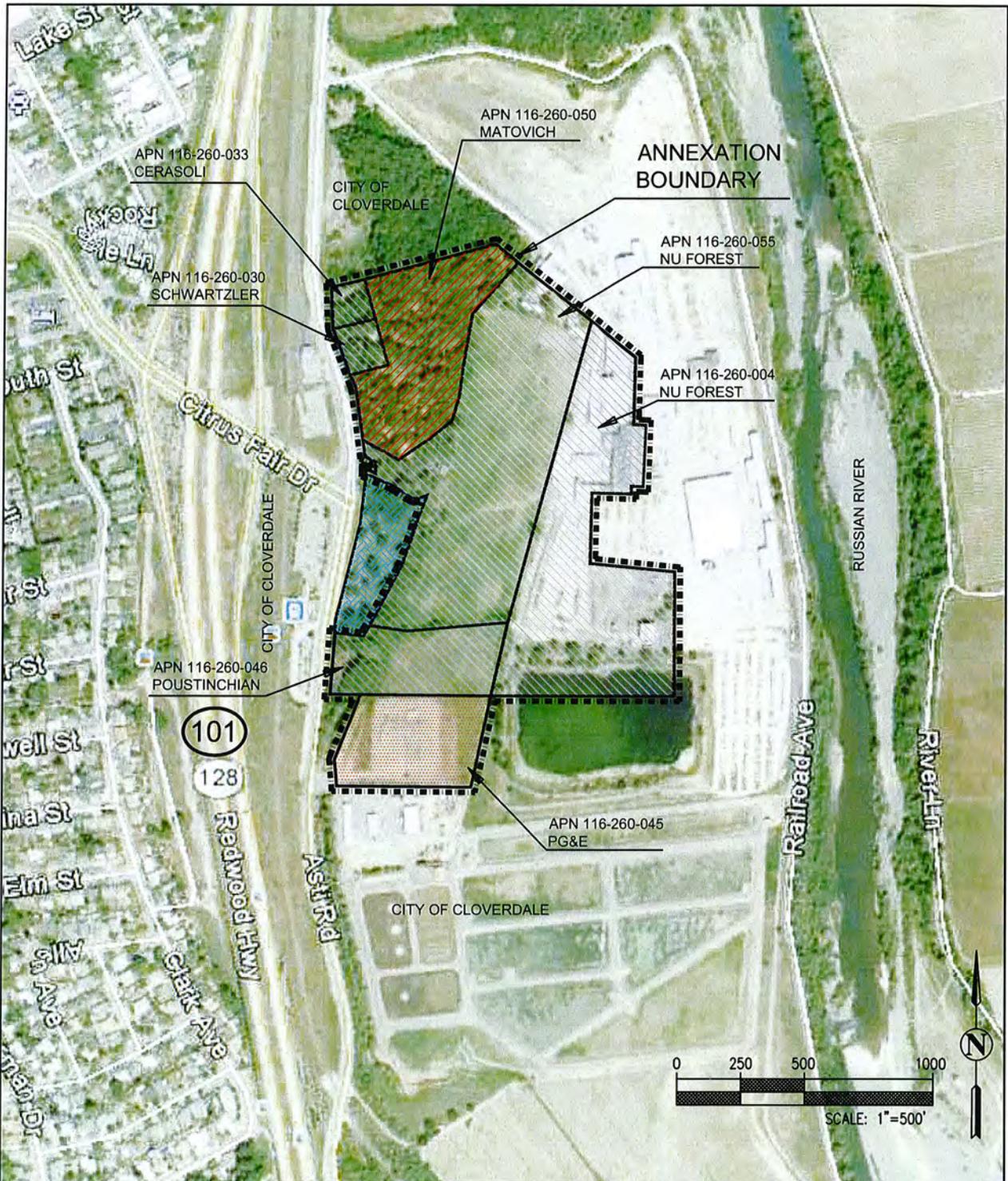


Exhibit 3
 City of Cloverdale
 Proposed Annexation

APN	Owner	Area (per AP Map)
116-260-004	Nu Forest Products	12.17 acres
116-260-030	Schwartzler	0.73 acres
116-260-033	Cerasoli	0.45 acres
116-260-045	PG&E	4.05 acres
116-260-046	Poustinchian	4.07 acres
116-260-050	Matovich	6.30 acres
116-260-055	Nu Forest Products	14.68 acres



Exhibit 4A
 City of Cloverdale
 Existing General Plan
 Land Use Designation

Legend:	
	Existing General Plan CF - Conservation Feature
	GI - General Industrial
	TOD - Transit Oriented Development
	P - Public



Exhibit 4B
 City of Cloverdale
 Proposed General Plan
 Land Use Designation

Legend:

-  RR
-  GI
-  P

Proposed General Plan

- RR – Rural Residential
- GI – General Industrial
- P – Public

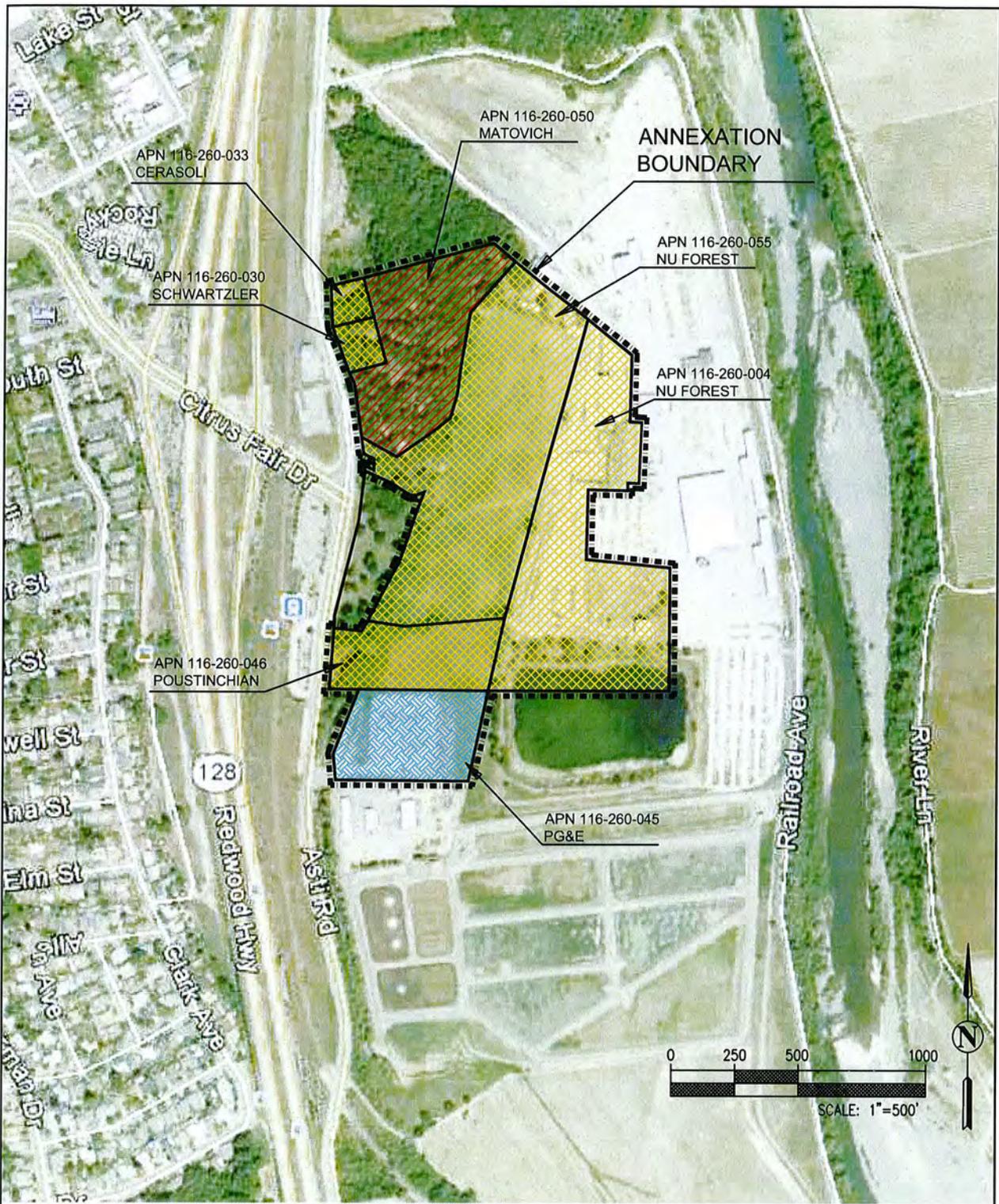


Exhibit 5
City of Cloverdale
Rezoning Map

Legend:



Proposed Use

- GI - General Industrial
- RR - Rural Residential
- P-I - Public Institutional

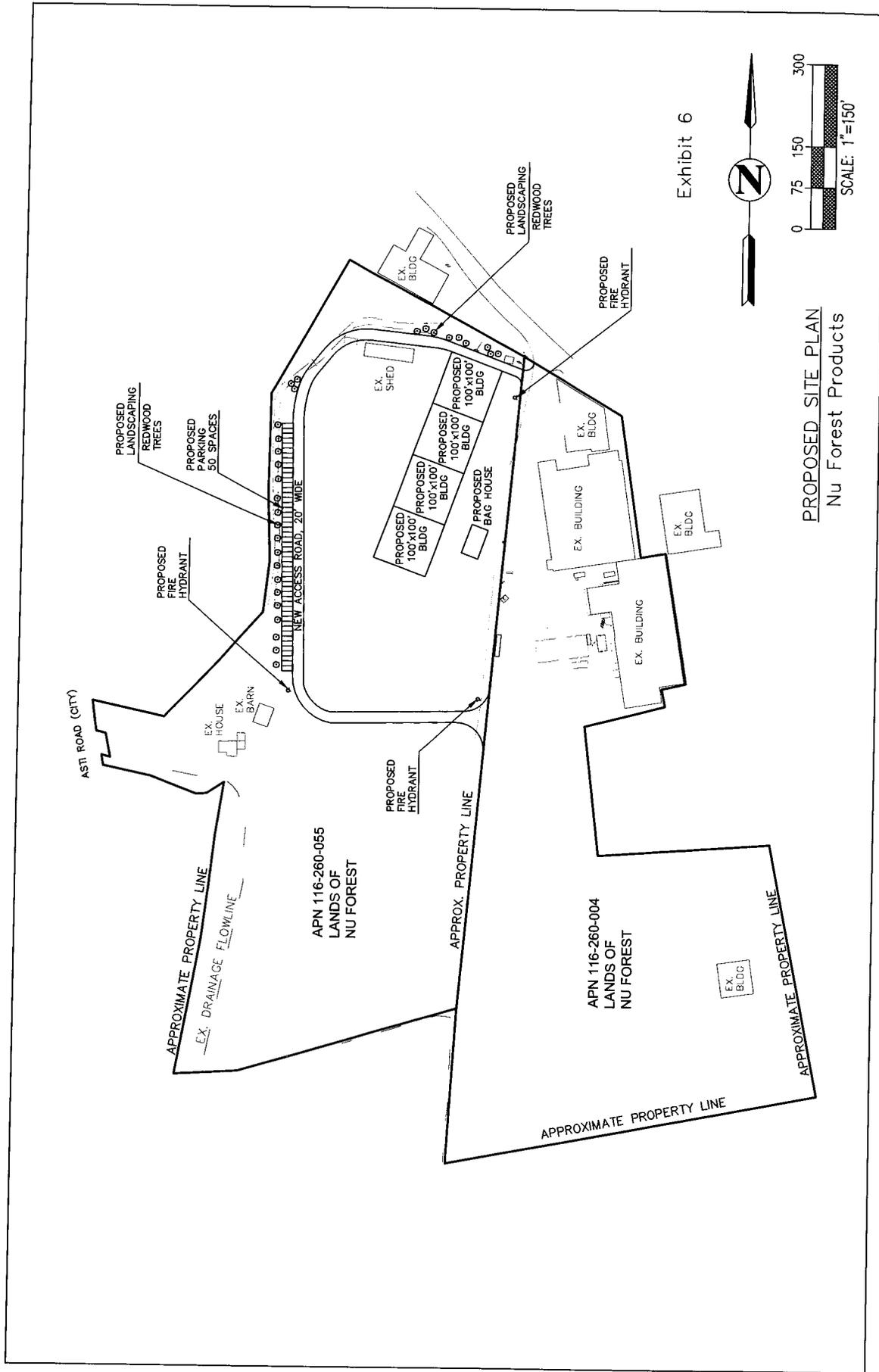


Exhibit 6

PROPOSED SITE PLAN
Nu Forest Products

ATTACHMENT 7

City of Cloverdale Nu Forest Annexation & Development Project Mitigation Monitoring and Reporting Program

September 2016

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>Aesthetics-1. Future grading and/or development on any parcels of land fronting on Asti Road in the annexation area shall be reviewed by a California-certified arborist to identify methods to provide for maximum tree protection. These methods shall be reflected in final development plans. If mature trees cannot be protected, replacement native trees shall be planted on the site at a 2:1 ratio with adequate measures to ensure successful growth of the replacement trees. No Certificate of Occupancy shall be granted on any lot with required replacement tree plantings until tree replantings are reviewed and approved by the Cloverdale Community Development Department.</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of grading plans for parcels of land fronting on Asti Road	
<p>Aesthetics-2. Future development on parcels of land in the annexation area with substantial tree cover shall include measures identified by a California-certified arborist that ground disturbing activities will</p>	Project Applicant(s)	Cloverdale Planning & Building Departments	Prior to approval of grading plans and during grading and construction for parcels of land	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>not significantly impact native trees on the lot. This shall include installation of exclusion fencing at locations approved by the arborist during project construction, provision of adequate irrigation of trees during construction, limitations on grading within exclusion areas and limitations of use (e.g. no storage of construction materials) under tree drip lines and other protection measures as may be recommended by the arborist.</p>			fronting on Asti Road	
<p>Aesthetics-3. Future development on parcels of land fronting on Asti Road should be screened from view to the fullest extent feasible by landscape buffers or fences that limit views of new development from adjacent streets and roadways._</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to issuance of building permits	
<p>Aesthetics-4. The design of future structures on properties fronting on Asti Road shall exclude use of highly reflective materials, including but not limited to window glass, porch railings or other accent materials. Other exterior building materials shall be of neutral colors and tones to minimize visibility.</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of building permits for parcels of land fronting on Asti Road	
<p>BIO-1. Prior to issuance of a grading and/or a building permit for parcels located on the east side of Asti Road, a site-specific biological reconnaissance shall be completed by a qualified biological firm as approved by the Cloverdale Community Development Department. The reconnaissance shall include a literature search and site inspection of the presence of special-status plants or wildlife. If no special-status species are identified, no further action is required. If special-status species are identified, the biologist shall recommend an action plan to ensure that any</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of grading plans for parcels of land fronting on Asti Road	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>special-status species are fully protected. Protective actions may include first, avoiding the species during construction and post –construction or relocation of the species to an alternative suitable site. Any relocation actions shall occur in consultation with the California Department of Fish & Wildlife and/or the U.S. Fish & Wildlife Service. Necessary permits and approvals shall be obtained prior to relocation. No work on portions of the affected site may occur until clearances are granted by the City of Cloverdale, the California Department of Fish & Wildlife or the U. S. Fish & Wildlife Service, as appropriate.</p>				
<p>BIO-2. Prior to issuance of a grading and/or a building permit for any parcel of land in the project area, a qualified wetland biologist as approved by the Cloverdale Community Development Department shall survey the site for the potential presence of wetlands, other waters or riparian habitat. If none is found, no further action shall be required. If wetlands, other waters or riparian habitat is identified, the wetland biologist shall prepare an action plan for the approval of the City of Cloverdale. The action plan shall identify specific steps to be taken to ensure that any future impacts to wetlands, other waters or riparian habitat is less-than-significant. These methods may include, but are not limited to, preparing a formal wetland delineation, permanent on-site protection of wetlands or off-site relocation of wetlands to an approved alternative site. If relocated off-site, the applicant or property owner shall obtain necessary permits and approvals from the Regional Water Quality Control Board, the</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of grading plans for app parcels of land in project area	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>California Department of Fish & Wildlife, the U. S. Army Corps of Engineers or other agencies. No construction near wetlands, other waters or riparian habitat areas may proceed until the approval action plan is approved and implemented.</p>				
<p>GEO-1. Prior to issuance of a grading and/or a building permit for any parcel of land in the annexation area where no recent soils or geotechnical report has been prepared, a qualified California-registered engineering geologist or equivalent, as approved by the Cloverdale Community Development Department, shall prepare a report analyzing soil and geologic conditions on that particular property. The report shall include specific construction methods to be undertaken to reduce potential soil hazards to a less-than-significant level, including but not limited to landslides, ground failure and other potential hazards. The recommendations of the soils and geotechnical report shall be incorporated into all project grading and construction plans to ensure that future hazards from landsliding or similar hazards are reduced to a standard level of care.</p>	Project Applicant(s)	Cloverdale Public Works Department	Prior to issuance of a grading or building permit, whichever is first	
<p>HAZ-1. Prior to issuance of a demolition permit for any existing residence or other major structure in the annexation area (as determined by the Cloverdale Building Official), a licensed contractor shall determine the presence or absence of lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Cloverdale Building Department or Fire District, these materials shall be safely removed consistent with the Occupational Safety and</p>	Project Applicant(s)	Cloverdale Building Department	Prior to issuance of a demolition permit, if needed, or demolition of existing structures, if no demolition permit needed	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>Health Administration (OSHA) and other applicable standards and disposed of in an appropriate location. Necessary permits and approvals shall be secured from appropriate regulatory agencies.</p>				
<p>Noise-1. Prior to issuance of a building permit for future residential and major industrial uses in the annexation area, a qualified acoustical consultant as approved by the City of Cloverdale shall conduct a site-specific analysis to ensure that future uses and site activities comply with City standards set forth in the Noise Element of the Cloverdale General Plan and other applicable local noise regulations. Each analysis shall contain, at minimum, a summary of recent 24-hour noise measurements and specific measures to be incorporated into final building plans and specifications to reduce exterior and interior noise to City standards.</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of building permits	
<p>Noise-2. All future construction activities for properties in the annexation area shall be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturdays. No construction shall occur on state or federal holidays. Exceptions to these restrictions may be granted by the Cloverdale Community Development Director for unusual or emergency conditions.</p>	Project Applicant(s)	Cloverdale Building Department	During all phases of project construction	

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DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

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*Serious Drought.
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June 29, 2016

SON1011929
SON-101-R51.62
SCH # 2016062011

Mr. Rafael Miranda
Planning Department
City of Cloverdale
124 North Cloverdale Boulevard
Cloverdale, CA 95425

Nu Forest Products Annexation and Development Project – Mitigated Negative Declaration

Dear Mr. Miranda:

Thank you for including the California Department of Transportation (Caltrans) in the pre-application review process for the Nu Forest Products Annexation and Development Project. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system, in which we seek to reduce statewide vehicle miles traveled (VMT) by 15 percent by 2020 and increase non-auto modes of active transportation. Caltrans plans to increase non-auto mode shares by 2020 through tripling bicycle, and doubling pedestrian and transit. Also, these targets support the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), which promotes the increase of non-auto mode shares by ten percentage points and a decrease in automobile VMT per capita by ten percent. Our comments are based on the Mitigated Negative Declaration (MND).

Project Understanding.

The proposed project would annex 42.6-acres to the City of Cloverdale (City) and allow for the expansion of the existing Nu Forest lumber mill. The project scope would include the construction of four 10,000 square-foot (sf) industrial canopy structures, one single family home, 50 at-grade parking spaces; and various changes to the City's land-use designations from Conservation Features and Transit Oriented Development use to General Industrial, Rural Residential, and Public use. Primary vehicular access would be gained via Asti Road and regional access would be gained via US 101 ramps at Citrus Fair Drive approximately 0.1-miles from the project site.

Lead Agency

As the lead agency, the City of Cloverdale (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Mr. Rafael Miranda, City of Cloverdale
June 29, 2016
Page 2

Traffic Impact Study

Please ensure that the environmental document evaluates the proposed project's impact on US 101 and State Route (SR) 128 via a traffic impact study (TIS). Caltrans *Guide for the Preparation of Traffic Impact Studies* states that a TIS is needed when a project generates over 100 peak hour trips assigned to a State highway facility. On page 49 of the MND, the Annexation Build Out Estimated Trip Generation Table (Trip Generation Table) states that the project would generate 120 AM peak and 112 PM peak hour trips. As the project-generated trips exceed the 100 peak hour trip threshold, the project should complete a TIS. Information on the scenarios and methodologies to use in the analysis can be accessed from the following webpage: www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.

The TIS should include analysis of the project impacts on the US 101 on- and off-ramps/Citrus Fair Drive intersections and the US 101 mainline segment between Santana Drive and North Redwood Highway. Additionally, please clarify why the cumulative total of peak hour trips is higher than the amount of total daily trips in the Trip Generation Table.

Multimodal Planning

The project should ensure the connection of existing bike lanes, sidewalks, and multi-use trails to facilitate walking and biking to nearby jobs, neighborhood services, and transit. Therefore, the project should be conditioned to provide an employee shuttle service to and from the City of Healdsburg as mentioned on page 50 of the MND, and construct continuous sidewalks or a pedestrian path that connects with the future Cloverdale Sonoma-Marin Area Rail Transit (SMART) station. Currently, there are no existing facilities that cater to pedestrian or Americans with Disabilities Act (ADA) ways of travel. Providing these connections with streets configured for alternative transportation modes will reduce VMT by promoting active transportation and usage of nearby Sonoma County (SC) Transit Routes 60, 60X, 65; and Mendocino Transit Route 66.

We also encourage you to develop TDM policies to promote smart mobility and reduce regional VMT and traffic impacts to the State highway system. Please consider the TDM options below. For information about parking ratios, please see MTC's report, *Reforming Parking Policies to Support Smart Growth*, or visit the MTC parking webpage: http://www.mtc.ca.gov/planning/smart_growth/parking.

- Project design to encourage walking, bicycling, and convenient transit access;
- Lower parking ratios;
- Transit fare incentives for residents and employees such as subsidized transit passes on a continuing basis;
- Unbundling residential parking;
- Car-sharing programs;
- Designated bicycle parking;
- Participation in a Transportation Management Association (TMA) in partnership with

Mr. Rafael Miranda, City of Cloverdale
June 29, 2016
Page 3

- other developments in the area,
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement; and
 - Reducing headway times of nearby Sonoma County (SC) Transit Routes 60, 60X, 65; and Mendocino Transit Route 66.

Should you have any questions regarding this letter or require additional information, please contact Cole Iwamasa at (510) 286-5534 or cole.iwamasa@dot.ca.gov.

Sincerely,



 PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review



September 12, 2016

Mr. Cole Iwamasa
Caltrans District 4
PO Box 23660
Oakland CA 94623

Re: City of Cloverdale Nu Forest Project Initial Study
SCH #2016062011

Dear Mr. Iwamasa:

Thank you for your comments on the proposed construction of the Nu Forest lumber mill just east of the current City limits of Cloverdale.

In response to your agency's comments on the Initial Study and Mitigated Negative Declaration for this project, please see below:

1) Traffic Impact Study. The Initial Study notes that the proposed project, which includes the expansion of the Nu Forest lumber mill and development of adjacent smaller adjacent parcels of land, could generate more than 100 peak hour trips, which would exceed the Caltrans threshold for a traffic impact study. The Initial Study determined that the proposed project would not result in a significant impact on state roadways. To expand on the City's conclusion, traffic anticipated to be generated by the Nu Forest lumber mill is consistent with the Cloverdale General Plan and impacts of this project was fully analyzed in the 2009 General Plan Environmental Impact Report.

Although an amendment to the General Plan for five smaller parcels of land adjacent to the Nu Forest site is being reviewed by the City, many of these

parcels are currently developed with urban uses and will generate minimal future peak hour trips.

Based on discussions with Nu Forest representatives, the City is now aware that construction of the proposed lumber mill adjacent to Cloverdale could generate fewer peak hour trips than noted in the Initial Study. This is because the lumber mill is proposed to be relocated from Healdsburg to Cloverdale. Many of the existing Nu Forest employees currently reside in or near the Cloverdale area and commute to Healdsburg using State Route 101/128. With the completion of the proposed relocation, there would be a significant drop off in the number of commuters using the freeway system to reach their jobs.

Therefore, the City of Cloverdale reiterates the conclusion of the Initial Study that the project would not result in a significant traffic or transportation impact and a traffic impact analysis is not required.

2) Multi-Modal Planning. Caltrans is requesting that the Nu Forest project be conditioned to require the operation of an employee shuttle service between the Cloverdale site and Healdsburg. This item is being discussed with the project applicant and if operation of such a shuttle is feasible, it will be made a condition of project approval.

The applicant has been made aware of the Caltrans request to implement TDM measures as part of the project. The City intends to require that the proposed project develop a TDM plan for future operations, should this be economically feasible to Nu Forest.

Thank you for your comments regarding this important project to the City of Cloverdale.

Sincerely



David Kelley
Assistant City Manager/Community Development Director

copy: Jerry Haag, project planner

SONOMA LOCAL AGENCY FORMATION COMMISSION

575 ADMINISTRATION DRIVE, ROOM 104A, SANTA ROSA, CA 95403
(707) 565-2577 FAX (707) 565-3778
www.sonomalafco.org

July 5, 2016

City of Cloverdale
Community Development Department
Attn: Jerry Haag
124 N. Cloverdale Blvd.
Cloverdale, CA 95425

Re: Notice of Intent to Adopt a Mitigated Negative Declaration for Nu Forest
Annexation and Development Project

Dear Mr. Haag:

Thank you for providing Sonoma LAFCO the opportunity to comment on the proposed General Plan Amendment, Pre-Zoning, Conditional Use Permit/Design Review and Annexation to the City of Cloverdale of six parcels encompassed as the Nu Forest Annexation and Development Project ("Project").

LAFCO is keenly interested in the annexation component of this Project, in that, pursuant to state law, LAFCO is the agency authorized to promote the efficient provision of governmental services and discourage urban sprawl. In consideration of those goals, LAFCO must make determinations regarding whether territory should be annexed to a city or special district.

In general, LAFCO's interests, to be evaluated in an environmental document, include: consistency between proposed land use and city general plan designations and zoning districts; traffic and circulation impacts, infrastructure impacts related to the capacity of city water, sanitation, and flood control systems to support proposed density; impacts on the provision of other public services which the City provides, and project impacts in meeting local housing needs, if appropriate for the project and site.

The Initial Study appears to address the areas cited above, with indications that the City has the capacity and ability to meet future needs upon further development of the affected territory.

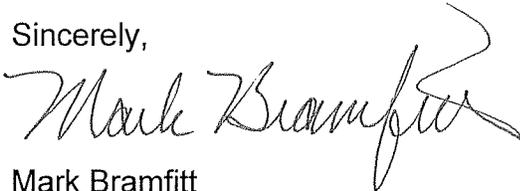
Although six parcels are included in the proposed annexation boundary for the subject project, Sonoma LAFCO would encourage the City to include an additional parcel, specifically Assessor's Parcel Number 116-260-016. This parcel, comprising 57+/- acres, is directly to the east of the current annexation boundary. Owned by All-Coast Forest Products, Inc., the parcel is within the City's sphere of influence and, according to information recently confirmed by the City, has been receiving City water since 2005.

Although state law requires that LAFCO authorize extensions of service beyond a jurisdiction's boundary before utility connections are made, we have no record of an application for an extension of water service having been filed with LAFCO. However,

we have determined that in an agreement between the City and the property owner, which was recorded in November 2004, the owner agreed to consent to annexation in the future and waived any right to protest annexation. LAFCO staff believes that inclusion of this parcel would achieve a more complete, orderly, and logical boundary for the proposed Project.

Please feel free to contact LAFCO staff regarding our comments or to discuss the annexation application process.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Bramfitt". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Mark Bramfitt
Executive Officer

c: David Kelley, City of Cloverdale Assistant City Manager/Community
Development Director



September 12, 2016

Mr. Mark Bramfitt
Sonoma County Local Agency Formation Commission
375 Administration Drive, Room 104A
Santa Rosa Ca 95403

Re: City of Cloverdale Nu Forest Project Initial Study
SCH #2016062011

Dear Mr. Bramfitt:

Thank you for your comments on the proposed annexation and construction of the Nu Forest lumber mill just east of the current City limits of Cloverdale dated July 5, 2016.

The City of Cloverdale concurs with the points made in your letter. Although it may be too late to include the All Coast Forest Products Inc. property in the current annexation project, the City will consider initiating annexation of this property once the Nu Forest annexation is complete.

Thank you again for your comments.

Sincerely,

David Kelley

Assistant City Manager/Community Development Director

copy: Jerry Haag, project planner

**CITY OF CLOVERDALE
PLANNING COMMISSION
RESOLUTION NO. 013-2016**

RECOMMENDING TO THE CITY COUNCIL THAT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN (MMRP) BE APPROVED FOR THE NU FOREST ANNEXATION AND DEVELOPMENT PROJECT A ON APPROXIMATELY 42.5 ACRES OF LAND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITY AND CORPORATION YARD (APNs 116-260-004,-030, -033, -045, -046 -050 & -055)

WHEREAS, the City of Cloverdale desires to annex approximately 42.5 acres of land into the City, all located within the City's sphere of influence, Urban Growth Boundary and Urban Service Area; and

WHEREAS, the City has undertaken a General Plan Amendment and associated rezoning for the affected properties, that includes a mix of M-1 (General Industrial), R-R (Rural Residential) and PI (Public Institutional) districts that are generally compatible with existing County of Sonoma zoning for the properties and current area development patterns; and

WHEREAS, the largest property owner within the annexation area, Nu Forest Products, desires to expand and existing lumber storage and office complex on the site to also include lumber milling and planing operation. Other uses that would be permitted on certain properties in the annexation area after the effective date of the rezoning would include a single family dwellings and light industrial and live-work units; and

WHEREAS, 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; and

WHEREAS, the City caused an Initial Study to be prepared to assess the impacts of the project, which is identified as the "Nu Forest Annexation and Development Project Initial Study/Mitigated Negative Declaration, Cloverdale, Sonoma County, California" dated June 2016 (Exhibit 1); and

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

WHEREAS, the Initial Study identified potentially significant impacts with respect to the following topics: aesthetics, biological resources, hazards and hazardous materials 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

WHEREAS, since the Initial Study determined that all potentially significant impacts can be reduced to a less-than-significant level, adoption of a Mitigated Negative Declaration has been recommended to satisfy CEQA requirements for the Nu Forest Annexation and Development Project; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for public review for a 30-day period between June 3, 2016 and July 6, 2016; and

WHEREAS, the City received two comments during the review period that did not raise any new issues or require additional analysis that was not included in the Initial Study; and

WHEREAS, following the close of the public comment period, the City has made a number of small technical changes to the text of the Initial Study that do not materially change the scope or effectiveness of the Mitigation Measures or the level or severity of impacts identified in the Initial Study. No new impacts have been identified after the close of the CEQA comment period. These are included as Exhibit 2 to this Resolution; and

WHEREAS, the City of Cloverdale has prepared a Mitigation Monitoring and Reporting Program as required by CEQA (Exhibit 3) that includes the updated Mitigation Measures as well as agencies and organizations responsible for implementing the various mitigation measures; and

WHEREAS, on September 6, 2016 the Cloverdale Planning Commission considered the Initial Study at a regularly noticed public meeting, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated September 6, 2016, and incorporated herein by reference described and analyzed the Initial Study and Mitigated Negative Declaration; and

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

BE IT FURTHER RESOLVED that the Planning Commission makes the following findings to support the determination that a Mitigated Negative Declaration is required under CEQA for the proposed 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 Planning Commission. 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 Planning Commission has reviewed and considered the Initial Study/Mitigated Negative Declaration, the associated staff report and other associated material pertinent to 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 Planning Commission 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.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Cloverdale does hereby recommend that the Cloverdale City Council adopt a Mitigated Negative Declaration for the Nu Forest Annexation and Development Project as noted in the recitals above. A Mitigation Monitoring and Reporting Program (MMRP) is also recommended for approval, which lists all mitigation measures, the time frame for compliance and the agency or organization responsible for implementation.

Resolution No. 013-2016 was duly adopted on this the 6th day of September 2016, by the following roll call vote: (5-ayes, 0-noes)

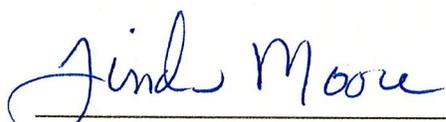
Ayes: Domke, Enge, Halliday, Bialon, and Shanahan
Noes: None
Abstain: None
Absent: None

Approved:



 Mike Shanahan, Chair

Attested:



 Linda Moore, Deputy City Clerk

Exhibits Attached:

- Exhibit 1 - Nu Forest Annexation and Development Project CEQA Initial Study/Mitigated Negative Declaration
- Exhibit 2 - Corrections and Modifications to Initial Study/Mitigated Negative Declaration
- Exhibit 3 - CEQA Mitigation Monitoring Program

**CITY OF CLOVERDALE
PLANNING COMMISSION
RESOLUTION NO. 014-2016**

RECOMMENDING TO THE CITY COUNCIL THAT STAFF BE DIRECTED TO FILE AN ANNEXATION APPLICATION FOR THE NU FOREST PRODUCTS PROPERTIES AND ADJACENT PROPERTIES CONSISTING OF APPROXIMATELY 42.5 ACRES OF LAND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITY AND CORPORATION YARD (APNs 116-260-004, -030, -033, -045, -046, -050 & -055)

WHEREAS, the Applicant, Nu Forest Products, has requested annexation of two adjacent properties owned by them lying east of the current boundary of the City of Cloverdale (APNs 116-260-04 & -055) to the City; and

WHEREAS, to create a more logical boundary to the City, several other properties lying west of the Nu Forest properties and between the Nu Forest properties and the current City boundary are also proposed for annexation to the City. These additional properties include:

- Cerasoli Property (0.45 acre), APN 116-260-033
- Schwartzler Trust (0.68 acre), APN 116-260-030
- Matovich Trust (6.3 acres), APN 116-260-050
- Poustinchian (4.07 acres), APN 116-260-046
- PG & E (4.05 acres), APN 116-260-045; and

WHEREAS, all of the properties proposed for annexation to the City are shown on the attached Exhibit 1, which is hereby incorporated by reference into this resolution; and

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

WHEREAS, to comply with CEQA, the City of Cloverdale prepared an Initial Study/Mitigated Negative Declaration for this project, including annexation of properties and development of the Nu Forest Products site, with the finding that all potentially significant impacts associated with the project could be mitigated to a less-than-significant level and would be subject to mitigation measures identified in the Initial Study that will be made project conditions of approval; and

WHEREAS, the City of Cloverdale has determined that all requisite municipal services can be provided to the Nu Forest site and adjacent properties.

WHEREAS, on September 6, 2016, 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, a Staff Report dated September 6, 2016, and incorporated herein by reference described and analyzed the proposed annexation to the City of Cloverdale; and

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration for the Project, which resolution is incorporated herein by reference and is available for review at City Hall during normal business hours; and

WHEREAS, the Planning Commission considered the staff report and all above-referenced reports, recommendations, and testimony before making a recommendation on the Project.

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

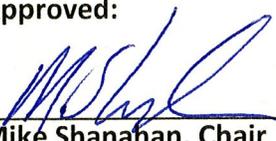
BE IT RESOLVED that the Planning Commission makes the following findings and recommend that the City Council directs City staff to file the Nu Forest Annexation with the Sonoma County Local Agency Formation Commission ("LAFCO"):

1. The proposed annexation area lies within the City of Cloverdale LAFCO-approved Sphere of Influence and the City's Urban Service Area as identified in the Cloverdale General Plan and the Urban Growth Boundary area.
2. Future development of the annexation area will be consistent with the Cloverdale General Plan, as amended as part of this project.
3. The annexation action and City of Cloverdale rezoning is not in conflict with any City or County policies.
4. The owners of all of the affected properties have either consented to or requested annexation.

Resolution No. 014-2016 was duly adopted on this the 6th day of September 2016, by the following roll call vote: (5-ayes, 0-noes)

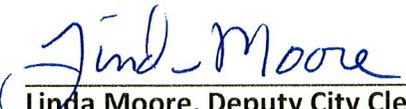
Ayes: Domke, Enge, Halliday, Bialon, and Shanahan
Noes: None
Abstain: None
Absent: None

Approved:



Mike Shanahan, Chair

Attested:



Linda Moore, Deputy City Clerk

Exhibits Attached:

Exhibit 1 – Nu Forest Annexation Area



Exhibit 1 - Nu Forest Annexation Area

APN	Owner	Area (per AP Map)
116-260-004	Nu Forest Products	12.17 acres
116-260-030	Schwartzler	0.73 acres
116-260-033	Cerasoli	0.45 acres
116-260-045	PG&E	4.05 acres
116-260-046	Poustinchian	4.07 acres
116-260-050	Matovich	6.30 acres
116-260-055	Nu Forest Products	14.68 acres

**CITY OF CLOVERDALE
PLANNING COMMISSION
RESOLUTION NO. 015-2016**

RECOMMENDING TO THE CITY COUNCIL THAT A GENERAL PLAN AMENDMENT BE APPROVED FOR FOUR PROPERTIES ON APPROXIMATELY 11.27 ACRES OF LAND AND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITIES AND CORPORATION YARD (APNs: 116-260-030, -033, -045 -046 & -050)

WHEREAS, the City Council initiated a General Plan Amendment to change the land use designation for approximately 11.27 acres of land located on the east side of Asti Drive approximately at the easterly terminus of Citrus Fair Drive and north of the City Corporation Yard and wastewater treatment plant from "CF-Conservation Features," "General Industrial" and "Transit Oriented Development" to a combination of "General Industrial" and "Rural Residential" within the proposed Nu Forest Annexation and Development project area; and

WHEREAS, Exhibit 1 shows existing City of Cloverdale General Plan land use designations and Exhibit 2 shows proposed General Plan land use designations and both Exhibits are hereby incorporated by reference into this Resolution; and

WHEREAS, the project area consists of five parcels of record containing approximately 11.27 acres of land located east of Asti Road, south of existing City of Cloverdale limits, generally west of the Russian River and north of the City of Cloverdale corporation yard and wastewater treatment plan; and

WHEREAS, this application has been initiated by an action of the Cloverdale City Council on July 26, 2016 by Resolution No 058-2016, and based on current and historic development patterns in the general area, County of Sonoma land use regulations and the desires for future development expressed by the affected property owners; 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 all potentially significant environmental impacts can be reduced to a less-than-significant level by adherence to mitigation measures included in the IS/MND; and

WHEREAS, on September 6, 2016, 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, a Staff Report dated September 6, 2016 and incorporated herein by reference described and analyzed the Project and related Mitigated Negative Declaration for the Planning Commission and recommended adoption of the General Plan Amendment for the Project; and

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

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration for the Project, which resolution is incorporated herein by reference and is available for review at City Hall during normal business hours; and

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

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Commission makes the following findings in support of the approval of the General Plan Amendment:

1) Finding: The proposed amendment would not make the general plan internally inconsistent.

Reasons for Finding: The proposed General Plan land use designations would result in minor changes to land uses in the eastern portion of Cloverdale and would not affect other Elements of the General Plan.

2) Finding: The proposed amendment would not be detrimental to the public health, safety or welfare of the city.

Reasons for Finding: Although some future land uses within the project area would include industrial operations, primarily a lumber mill, no large or significant amounts of hazardous material would be transported, used or stored as part of future uses. The Mitigated Negative Declaration adopted by the City for the project includes mitigation measures to protect the public health and welfare from excessive noise, hazardous materials and other hazards. Therefore, approval of the proposed project would not be detrimental to the public health, safety or welfare.

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

Reasons for Finding: Proposed uses within the project area would generally be consistent with existing light industrial and single family residential uses in the area. City of Cloverdale water, sewer and other utilities are proposed to be extended to properties in the annexation area following completion of the annexation and as a condition. Although portion of the annexation area have moderate to steep topography, these areas have been developed with urban uses. Therefore, the area is physically suitable to accommodate proposed development.

BE IT FURTHER RESOLVED that the Planning Commission recommends the City Council approve a Resolution approving the General Plan Amendment for 11.27 acres of land within the Nu Forest Annexation and Development project.

Resolution No. 015-2016 was duly adopted on this the 6th day of September 2016, by the following roll call vote: (5-ayes, 0-noes)

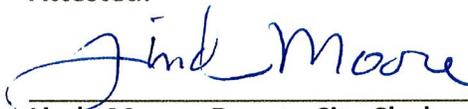
Ayes: Domke, Enge, Halliday, Bialon, and Shanahan
Noes: None
Abstain: None
Absent: None

Approved:



Mike Shanahan, Chair

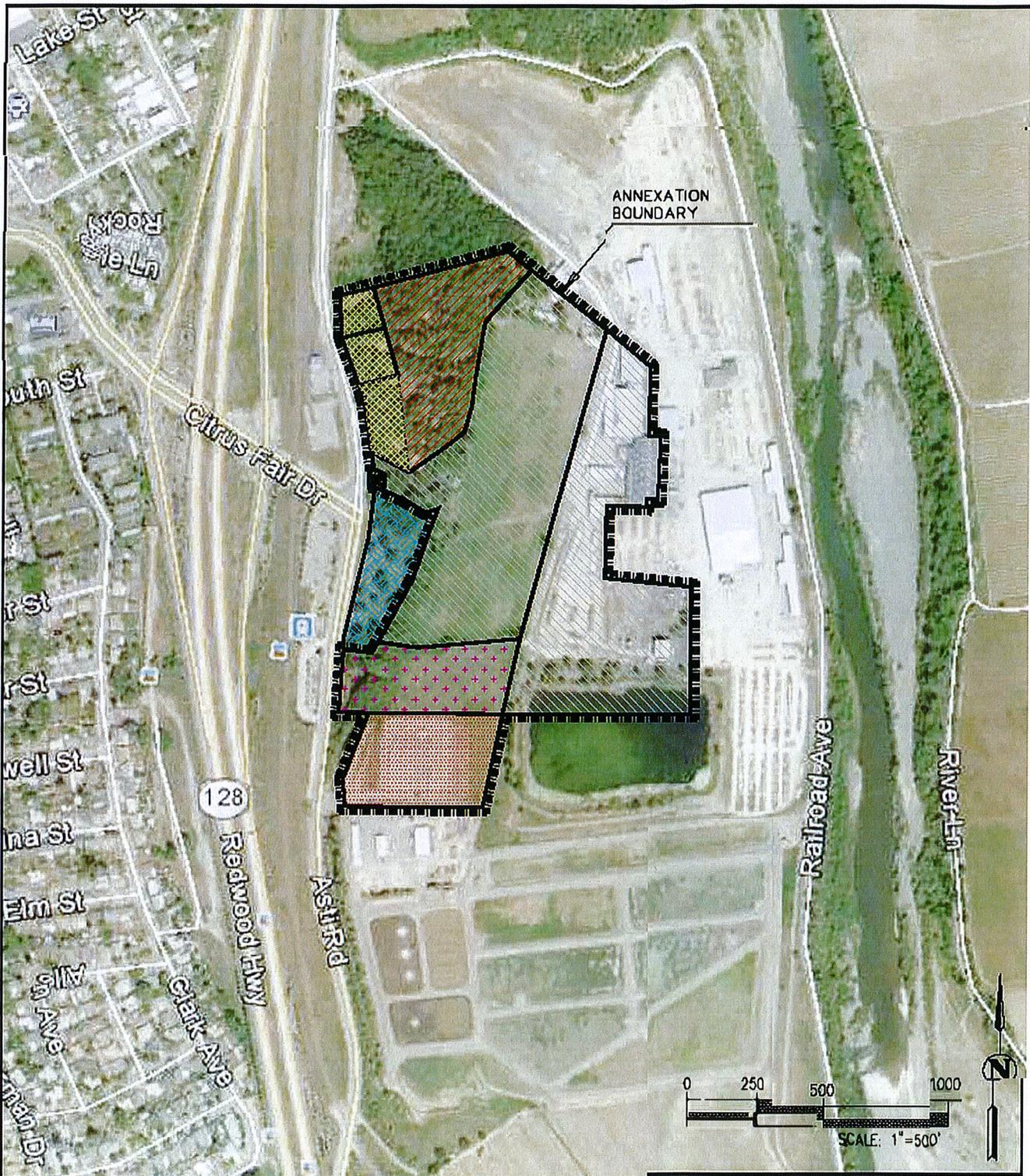
Attested:



Linda Moore, Deputy City Clerk

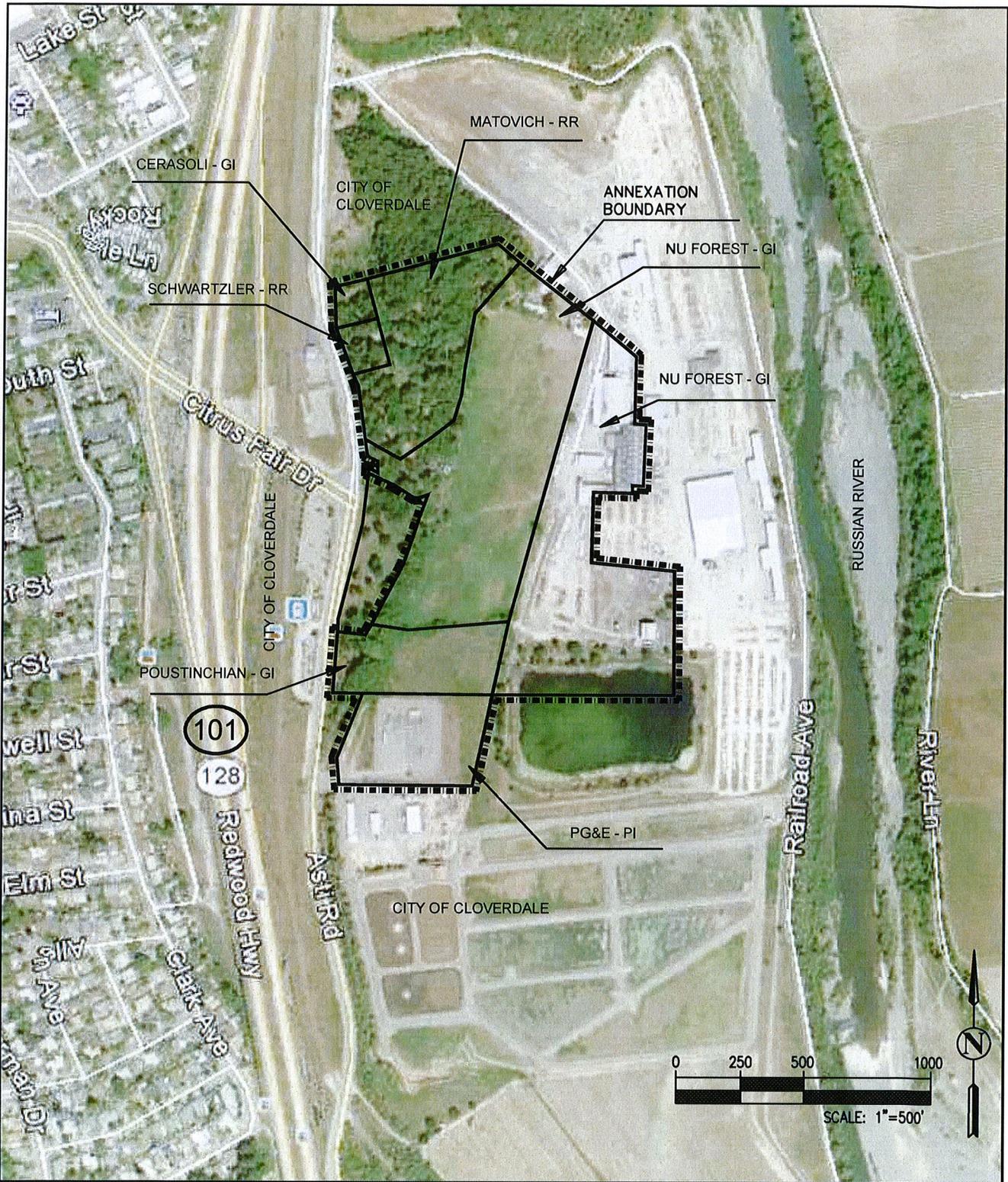
Exhibits Attached:

- Exhibit 1 – Existing General Plan Designations
- Exhibit 2 – Proposed General Plan Designations



Legend:		Existing General Plan
	CF	Conservation Feature
	CF	Conservation Feature
	GI	General Industrial
	GI	General Industrial
	TOD	Transit Oriented Development
	TOD	Transit Oriented Development
	TOD	Existing Transit Oriented Development

Exhibit 1
 City of Cloverdale
 Existing General Plan
 Land Use Designation



	<u>Property Owner</u>	<u>Current General Plan</u>	<u>Proposed General Plan</u>
Exhibit 2 City of Cloverdale Proposed General Plan Designations	Cerasoli	Conservation Feature (CF)	General Industry (GI)
	Schwartzler	Conservation Feature (CF)	Rural Residential (RR)
	Matovich	Industry (GI)	Rural Residential (RR)
	Poustinchian	Transit Oriented Development (TOD)	General Industry (GI)
	PG&E	Transit Oriented Development (TOD)	Public/Quasi-Public (PI)

**CITY OF CLOVERDALE
PLANNING COMMISSION
RESOLUTION NO. 016-2016**

RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF AN ORDINANCE PREZONING APPROXIMATELY 42.5 ACRES OF LAND LYING EAST OF ASTI ROAD, SOUTH OF EXISTING CITY LIMITS, GENERALLY WEST OF THE RUSSIAN RIVER AND NORTH OF THE CITY OF CLOVERDALE CORPORATION YARD AND WASTEWATER TREATMENT PLANT TO A COMBINATION OF "GI-GENERAL INDUSTRIAL," "RR-RURAL RESIDENTIAL" AND "PI-PUBLIC INSTITUTIONAL" AND MAKING OTHER AMENDMENTS TO SECTIONS 18.06.040, 18.09 & 18.14 OF THE ZONING ORDINANCE ADDING REGULATIONS FOR LIVE-WORK UNITS IN THE M-1 DISTRICT (APNs 116-260-004, -030, -033, -045, -046 -050 & -055)

WHEREAS, the Nu Forest Products, Inc., owns approximately 26.85 acres of land in the unincorporated portion of Sonoma County lying east of the City of Cloverdale and has requested annexation of this property for the purpose of constructing a lumber and planning mill; and

WHEREAS, annexation of this property is desired by Nu Forest Products, Inc. and other nearby local property owners for the purpose of obtaining City water, sewer and other municipal services provided by the City of Cloverdale; 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, proposed pre zoning districts and property ownerships for the Nu Forest Annexation and Development Project are depicted on Exhibit 1 and Exhibit 1 is hereby incorporated by reference into this Resolution; and

WHEREAS, modifications are proposed in the City of Cloverdale's M-1 District (Section 18.06 of the Cloverdale Municipal Code) to allow the establishment of live-work units in this district subject to specific development standards and requirements as outlined in Ordinance No. 710-2016, Exhibit 2 to this Resolution) as requested by certain affected property owners; 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 September 6, 2016, 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, as well as all above-referenced reports, recommendations, and testimony before making a recommendation on the Project.

WHEREAS, proposed rezoning districts and changes to the M-1 District will become effective upon completion of the annexation of all affected parcels of land to the City of Cloverdale.

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for the Project and Resolution No. 015-2016, recommending the City Council approve a General Plan Amendment for the Project, which resolutions are incorporated herein and available for review at City Hall during normal business hours; and

NOW, THEREFORE BE IT RESOLVED that the Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit 2 and incorporated herein by reference, which rezones approximately 42.5-acres of unincorporated land lying east of Asti Road, south of current City limits, generally west of the Russian River and north of the City of Cloverdale Corporation Yard and wastewater treatment plant (APNs 116-260-04, -030, -033, -046, -046 -050 & -55) to a combination of M-1 (General Industrial), RR (Rural Residential) and PI (Public Institutional) City of Cloverdale zoning districts as shown on Exhibit 1. The Ordinance also amends Section 18.06 of the Cloverdale Municipal Code to allow the establishment of live-work units in the M-1 District subject to specific development standards and requirements delineated in the amended Ordinance.

Resolution No. 016-2016 was duly adopted on this the 6th day of September 2016, by the following roll call vote: (5-ayes, 0-noes)

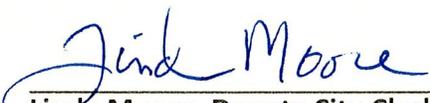
Ayes: Domke, Enge, Halliday, Bialon, and Shanahan
Noes: None
Abstain: None
Absent: None

Approved:



Mike Shanahan, Chair

Attested:



Linda Moore, Deputy City Clerk

Exhibit Attached:

Exhibit 1- Proposed Rezoning Districts for the Nu Forest Annexation and Development Project
Exhibit 2 –Rezoning Ordinance

**CITY OF CLOVERDALE
PLANNING COMMISSION
RESOLUTION NO. 017 -2016**

**A RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION RECOMMENDING
APPROVAL OF A CONDITIONAL USE PERMIT (FILE NO. CUP 029-2015) AND A MAJOR DESIGN
REVIEW (FILE NO. DR 029-2015) FOR NU FOREST PRODUCTS LOCATED AT 280 ASTI ROAD
(APNs 116-260-04 & -55)**

WHEREAS, Nu Forest Products has submitted an application to the City of Cloverdale to expand their current limited lumber mill and wood storage operations on a 26.85-acre site located west of the Russian River, north of the City's wastewater treatment plant, and east of Asti Road in the unincorporated portion of Sonoma County; and

WHEREAS, the Nu Forest site is designated General Industrial (GI) on the City's adopted General Plan Land Use Map. The property owner has requested rezoning of the property to the General Industrial (M-1) district, which permits heavy manufacturing uses such as lumber and planing mills with the approval of a Conditional Use Permit (see Zoning Ordinance Table 18.06.030-A); and

WHEREAS, the property owner also desires to expand existing lumber storage and office on the site to include lumber milling, planing and industrial uses within a maximum of four 10,000 square foot open canopy structures and related uses including but not limited to open parking lots and a water quality and retention pond and similar ancillary uses, which require City approval of Major Design Review pursuant to Zoning Ordinance Section 18.03.150.C.1; and

WHEREAS, the proposed Conditional Use Permit and Major Design Review along with all other project components, including a General Plan Amendment, rezoning, and annexation are considered a project under the California Environmental Quality Act (CEQA) and CEQA Guidelines and the City has prepared an Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project; and

WHEREAS, as required by California Government Code Section 65091, the Planning Commission of the City of Cloverdale gave legal notice of a public hearing on the Conditional Use Permit and Major Design Review applications; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2016, for the purpose of reviewing the application for a Conditional Use Permit and Major Design Review for the proposed expansion of the Nu Forest lumber mill and considered all written and verbal communication, including the staff report; and

WHEREAS, the applicant and members of the public were present to speak on the application.

WHEREAS, the Planning Commission has determined that the findings required for 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 conditionally permitted within the M-1 District pursuant to the provisions of this Section (18.03.110) and complies with all the applicable provisions of this ordinance, goals and objectives of the Cloverdale General Plan, applicable Industrial Development Guidelines and other development policies and standards of the City.

According to Chapter 18.14 (Zoning Ordinance Definitions) of the Zoning Ordinance, the proposed expansion of the Nu Forest operation is considered as a "heavy manufacturing use" and requires Conditional Use Permit approval. The proposed use is consistent with the General Industrial General Plan land use designation in that this designation allows for employment opportunities in Cloverdale and specifically identifies lumber mills as an allowed land use. Therefore, approval of the proposed project would be consistent with the General Plan, the Zoning Ordinance, the City's Industrial Development Guidelines and other development policies of the City.

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 proposed use is compatible with the proposed M-1 (General Industrial) zoning district, which conditionally permits lumber mills in this district. To ensure that the proposed lumber and planing mill would not impair the integrity or character of the M-1 district as applied to the subject site, the City has completed an environmental analysis pursuant to the California Environmental Quality Act and has determined that all potentially significant impacts can be reduced to a less-than-significant level. Therefore, the proposed use would not impair the integrity or character of the M-1 District in which the use will be located.

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

The project site is generally flat and currently contains existing storage facilities and offices for Nu Forest Products, Inc. Approximately one-half of the property is vacant, contains no significant stands of trees and could accommodate the proposed Nu Forest expansion. Another lumber facility, All Coast Forest Products, is established immediately east of the Nu Forest property.

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

The proponent of the annexation, Nu Forest Products, has agreed to extend municipal water, wastewater and drainage facilities. Adequate provisions for water, sanitation, storm drainage and other public utilities and services exist to ensure public health and safety. Installation of such facilities will be required prior to occupancy for future buildings in the annexation area.

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 proposed expanded lumber mill is located in a remote portion of Cloverdale with few sensitive receptors near the project site. An existing lumber mill (All Coast Forest Products) is located immediately adjacent to the Nu Forest site and the City of Cloverdale is unaware of any complaints regarding health, safety or the general welfare from nearby property owner or residents. In addition, the City has conducted a thorough analysis of potential environmental effects of the proposed project consistent with the California Environmental Quality Act and has determined that all potentially significant.

WHEREAS, the Planning Commission has also determined that the findings required for the Major Design Review required by Section 18.03.150 (E) 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 zoning district in which the property is located and with the design guidelines for the City of Cloverdale and/or design guidelines in which the project is located.

The proposed expansion of the Nu Forest Products lumber mill is consistent with the General Plan land use designation of "General Industry" that specifically notes that lumber mills, warehousing and distribution are allowed uses in this designation. Review of the Nu Forest site plan and building elevations indicate that the proposed facility is consistent with City development standards and with applicable 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 proposed expanded lumber mill is located in a remote portion of Cloverdale with few sensitive receptors near the project site. An existing lumber mill (All Coast Forest Products) is located immediately adjacent to the Nu Forest site and the City of Cloverdale is unaware of any complaints regarding health, safety or the general welfare from nearby property owner or residents. In addition, the City has conducted a thorough analysis of potential environmental effects of the proposed project consistent with the California Environmental Quality Act and has determined that all potentially significant impacts can be reduced to a less-than-significant level.

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

The proposed general appearance of the expanded Nu Forest Products facility would be generally consistent with current Nu Forest uses on the site as well as being consistent with a similar use to the east on the All Coast Forest Products site. Therefore, the appearance of the expanded facility would be in keeping with the appearance of the neighborhood.

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 Planning Commission of the City of Cloverdale does hereby recommend City Council approval of a Conditional Use Permit and Major Design Review for a lumber and planing mill consisting of up to 40,000 square feet of canopy space, parking areas, a water quality pond with solar collectors and other ancillary buildings on approximately 26.85 acres of land located on Assessors Parcels 116-200-04 & -055 to take effect only upon the effective date of the rezoning of the site to M-1, with the further recommendation that the Conditional Use Permit and Major Design Review be made subject to the conditions of approval attached hereto in Exhibit A, which is incorporated herein by reference.:

Resolution No. 017-2016 was duly adopted on this the 6th day of September 2016, by the following roll call vote: (5-ayes, 0-noes)

Ayes: Domke, Enge, Halliday, Bialon, and Shanahan
Noes: None
Abstain: None
Absent: None

Approved:

Attested:



Mike Shanahan, Chair



Linda Moore, Deputy City Clerk

Exhibit Attached:

Exhibit A – Nu Forest Products Inc. Conditions of Approval



**DRAFT MINUTES
MEETING OF THE PLANNING COMMISSION**

TUESDAY, SEPTEMBER 6, 2016

PUBLIC SESSION: 6:30 p.m.

CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD., CLOVERDALE, CA 95425

OPENING:

- Call to Order: Chair Shanahan called the meeting to order at 6:30 p.m.
- Pledge Of Allegiance
- Roll Call: Present- Commissioner Bialon, Vice Chair Domke, Commissioner Enge, Commissioner Halliday, Chair Shanahan, Alternate Commissioner Bovee and Alternate Commissioner Turner
- Agenda Review (changes/deletions): None
- Declaration of Conflicts of Interest: None

PUBLIC COMMENT PERIOD: None

CONSENT CALENDAR:

1. Minutes Review: August 2, 2016

Action: Motion was made by Vice Chair Domke to approve the Consent Calendar; seconded by Commissioner Bialon. The motion passed by voice vote: 4-Ayes (Commissioner Bialon, Vice Chair Domke, Commissioner Enge, and Chair Shanahan); 0-Noes; 0-Absent; 1-Abstain (Commissioners Halliday)

NON-PUBLIC HEARING ITEMS: None

PUBLIC HEARING ITEMS:

2. Applications and Resolution recommending that City Council direct staff to file the Nu Forest Annexation application with the Sonoma County Local Agency Formation Commission, adopt a Mitigated Negative Declaration for this project and approve the requested General Plan Amendment, Rezoning and M-1 District text amendment Ordinance and a Conditional Use Permit and Major Design Review for the Nu Forest Annexation and Development Project

Meeting Date: September 6, 2016

Applicant: Nu Forest Products, Inc & Other Owners

Project Location: East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels Attachment 1 shows the regional location of the project area and Attachment 2 shows the area in relation to the City of Cloverdale.
APNs 116-260-004, -030, -033, -045, -046 -050 & -055

- Property Owners:**
- Nu Forest Products, Inc. (APNs 116-260-004 & -055)
 - Richard Cerasoli (APN 116-260-033)
 - Charles Schwartzler Trust (APN 116-260-030)
 - Gladys Matovich Trust (APN 116-260-050)
 - M. Poustinchian (APN 116-260-046)
 - Pacific Gas & Electric (PG&E) (APN 116-260-045)

Existing Zoning: (Sonoma County): Light Industrial & Agricultural Residential

General Plan Designations: (City of Cloverdale): (GI) General Industrial, (CF) Conservation Features & (TOD) Transit Oriented Development

Project Description: Proposed General Plan Amendment, Rezoning, Conditional Use Permit/Design Review and Annexation to the City of Cloverdale for an approximate 42.5-acre area lying east of existing City boundaries. The properties all lie within the City of Cloverdale Sphere of Influence and City's Urban Growth Boundary.

Environmental Assessment: An Initial Study/Mitigated Negative Declaration (IS/MND) is recommended for adoption by the City Council with the finding that mitigation measures included in the IS/MND will reduce all potentially significant impacts to a less-than-significant level.

Assistant City Manager/Community Development Director, David Kelley, gave the background on this project and provided a revision to Exhibit 2 to Nu Forest Rezoning Ordinance (attached). He also distributed two emails received after the agenda packet was distributed (attached). The first email was received from Susan Adler opposing the project and a second email from Steve Nurse requesting a public right of way along the river bank and that the facility complies with the Cloverdale "clear skies" regulations. Mr. Kelley introduced Planning Consultant, Jerry Haag, to present the details of the Nu Forest Annexation Application. Mr. Haag discussed the details of the project, the properties proposed for annexation, and the need to amend the General Plan. He suggested that the Planning Commission consider the applications and by Resolution recommend that City Council direct staff to file the Nu Forest Annexation application with the Sonoma County Local Agency Formation Commission, adopt a Mitigated Negative Declaration for this project and approve the requested General Plan Amendment, Rezoning and M-1 District text amendment Ordinance and a Conditional Use Permit and Major Design Review for the Nu Forest Annexation and Development Project subject to conditions set forth.

Mr. Kelley introduced Sharmaine Ege, the representative for Nu Forest and Kurt Kelder from Kelder Engineering, who prepared the plans for the project.

Public Hearing Comment:

Mr. Poustinchian, Cloverdale, questioned if the PG&E substation would be removed from the project. Mr. Kelley responded that he does not anticipate PG&E moving the substation.

Sharmaine Ege, the representative for Nu Forest thanked Mr. Haag for his inclusive report. She shared a pictorial view of the project and discussed the details of the Nu Forest business operations and the business's efforts to be a good neighbor.

Discussion ensued regarding the request and the Nu Forest operation. Commissioner Domke stated he has knowledge of the Nu Forest business operation located in Healdsburg and commented that his experience as a past neighbor to the operation was totally positive. He commented that although the business is located two blocks from the Healdsburg downtown plaza, the business is able to remain innocuous.

Action: Motion was made by Commissioner Halliday to approve Resolution No. 013-2016, recommending that the City Council approve a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (MMRP) for the Nu Forest Annexation and Development Project on approximately 42.5 acres of land (APNs 116-260-004,-030, -033, -045, -046 -050 & -055); seconded by Vice Chair Domke. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Commissioner Bialon to approve Resolution No. 014-2016, recommending the City Council direct staff to file an annexation application for the Nu Forest Products properties and adjacent properties consisting of approximately 42.5 acres of land (APNs 116-260-004,-030, -033, -045, -046 -050 & -055); seconded by Commissioner Enge. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Vice Chair Domke to approve Resolution No. 015-2016, recommending the City Council approve a general plan amendment for four properties on approximately 11.27 acres of land (APNs: 116-260-030, -033, -045 -046 & -050); seconded by Commissioner Enge. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Commissioner Enge to approve Resolution No. 016-2016 (with the revision in Exhibit 2 to the Nu Forest Prezoning Ordinance), recommending the City Council adopt an ordinance rezoning approximately 42.5 acres of land to a combination of "GI-General Industrial", "RR-Rural Residential", and PI-Public Institutional", and making other amendments to Sections 18.06.040, 18.09 & 18.14 of the Zoning Ordinance, adding regulation for live-work units in the M-1 District (APNs 116-260-004, -030, -033, -045, -046 -050 & -055); seconded by Vice Chair Domke. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Alternate Commissioner Halliday to approve Resolution No. 017-2016, recommending the City Council approve a Conditional Use Permit and Major Design Review for Nu Forest Products located at 280 Asti Road (APNs 116-260-004 & 055); seconded by Commissioner Eng. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

OTHER BUSINESS: None

PLANNER'S REPORT/COMMUNICATIONS: Mr. Kelley announced that he distributed a development status report on the previous Thursday, which provided an overview of current planning activities and projects. He identified the opening of the Dollar General store as a key economic development for the City and encouraged the Commission to visit the site. Mr. Kelley also reported on the progress on the Grocery Outlet Supermarket project.

PLANNING COMMISSION DIRECTION TO STAFF: None

ADJOURNMENT: Chair Shanahan adjourned the meeting at 8:00 p.m. to the next meeting Tuesday, October 4, 2016, at 6:30 p.m., or alternate date as requested, at the Cloverdale Performing Arts Center, 209 N. Cloverdale Blvd., Cloverdale, CA 95425.

These minutes were adopted by the Planning Commission at a regular meeting on October 4, 2016, by voice vote: ayes 4 (Vice Chair Domke, Commissioner Bialon, Alternate Commissioner Bovee, and Chair Shanahan) noes -0; recuse- 0; absent-2 (Halliday and Enge).

Approved:

Attested:



Mike Shanahan, Chair



Linda Moore, Deputy City Clerk

Exhibit 2 to Nu Forest Rezoning Ordinance

REVISED-9/6/16

Definitions. Section 18.14.030 is amended as follows to add a definition for “live-work” uses.

“Live-work unit” or “live-work space” means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

“Live-work unit” means a structure or portion of a structure:

- (a) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner’s employee, and that person’s household;
- (b) Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and
- (c) Where the commercial or manufacturing activity conducted takes place subject to a valid business license and applicable zoning permit(s) associated with the premises.

Uses Permitted: Section 18.060.30 is amended by revising Table 18.06.030A, as follows:

“Add Live-Work units as a conditionally permitted use (C) in the M-1 District.”

Development Standards. Section 18.090.200 is hereby amended to include special development standards for live-work land uses.

“Live-work units may be allowed on property zoned as M-1 (General Industrial) subject to the following minimum standards to minimize land use interface impacts. Additional standards may be imposed through the conditional use permit process.

1. ~~Density of Uses. Live-work units shall not exceed a density of 4 dwelling units per net acre for a residential component and a maximum industrial building coverage of up to fifty (50) percent of the lot.~~
1. Maximum Lot Coverage. Maximum Lot Coverage shall be sixty (60) percent of a lot for live-work uses, which shall include both residential and work (industrial) components.

2. **Residential Area Requirements.** A maximum of 50 percent of a live-work total square footage shall be devoted to residential use.
3. **Location of living and working space.** Living and working spaces on individual lots may either be integrated or two separate structures. Proper separation shall be provided as required by the Building Code. Live/Work units containing 2,000 square feet of gross square feet or greater shall have a minimum of two exits as defined by the California Building Code.
4. **Occupancy.** A live-work unit shall be occupied and used by the operator of the business on the site or at least one member of a household shall be the business operator. No portion of a live-work unit shall be rented or sold separately. Up to two persons may be employed within a live-work business who do not live on the site, unless more restrictive requirements are imposed as a condition of the conditional use permit issued pursuant to Section 18.03.110 of the Cloverdale Municipal Code.
5. **Parking.** Parking shall be provided on a live-work site based on the parking requirements in Table 18.11.050-A of the Cloverdale Municipal Code. Parking requirements for uses not specifically set forth in Table 18.11.050-A shall be based upon similar uses, or evidence of actual demand bases on traffic engineering or planning data or as approved through the conditional use permit process.
6. **Building Sizes, Height and Setbacks.** Structures constructed for the purpose of housing live-work occupancies shall conform to all building requirements of the M-1 zoning district.
7. **Required Findings.** Approval of a conditional use permit for a live-work unit shall require the Planning Commission to make the following findings in addition to the normally required findings as set forth in Section 18.03.110 (D) of the Cloverdale Municipal Code.
 - a. The proposed residential use of a property does not detract from the primary industrial use of the property or interrupt the continuity of businesses n an industrial area.

Linda Moore

To: David Kelley
Subject: RE: Opposition to NuForest Property Project

From: Susan Adler
Sent: Thursday, September 01, 2016 5:34 PM
To: David Kelley <dkelley@ci.cloverdale.ca.us>
Subject: Opposition to NuForest Property Project

Dear Planning Commission,

My husband and I are opposed to this project based on the report of potential environmental problems that can only be mitigated such as loss of riparian habitat, noise pollution, traffic congestion and more. From reading this report we base this on givens for the project (traffic), and potential risks or hazards such as spills, landslides etc.

Sincerely,

Susan and Howard Adler
307 Buckeye Circle
Cloverdale, CA 95425



Meeting Date: Applicant: Project Location:

Property Owners:

Existing Zoning:

General Plan Designations:

Project Description:

Environmental Assessment:

AGENDA ITEM No. 2

City of Cloverdale Planning Commission *Staff Report*

September 6, 2016

Nu Forest Products, Inc & Other Owners

East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels Attachment 1 shows the regional location of the project area and Attachment 2 shows the area in relation to the City of Cloverdale.

APNs 116-260-004, -030, -033, -045, -046 -050 & -055. - Nu Forest Products, Inc. (APNs 116-260-004 & -055) - Richard Cerasoli (APN 116-260-033)

- Charles Schwartzler Trust (APN 116-260-030)

- Gladys Matovich Trust (APN 116-260-050)

- M. Poustinchian (APN 116-260-046)

- Pacific Gas & Electric (PG&E) (APN 116-260-045)

(Sonoma County): Light Industrial & Agricultural Residential

(City of Cloverdale): (GI) General Industrial, (CF) Conservation Features & (TOD) Transit Oriented Development

Proposed General Plan Amendment, Rezoning, Conditional Use Permit/Design Review and Annexation to the City of Cloverdale for an approximate 42.5-acre area lying east of existing City boundaries. The properties all lie within the City of Cloverdale Sphere of Influence and City's Urban Growth Boundary. See Attachment 3 that depicts the annexation area and affected property ownerships proposed for annexation.

An Initial Study/Mitigated Negative Declaration (IS/MND) is recommended for adoption by the City Council with the finding that mitigation measures included in the IS/MND will reduce all potentially significant impacts to a less- than-significant level.

Linda Moore

Subject: FW: Nu Forest Annexation.

From: Steve Nurse
Sent: Tuesday, September 06, 2016 12:03 PM
To: David Kelley
Subject: Nu Forest Annexation.

Hi David,

I don't think we have met. I am Steve Nurse a long time resident of Cloverdale. I have been heavily involved in the town since coming here in 2001. Citizens Advisory Committee to General Plan, President of Art Alliance, Started Friday Night Live etc etc.

I know I am probably "a day late and a dollar short" but I wanted to comment on the NuForst annexation project.
Just a couple of comments/observations.

- 1) I'd like to suggest a public right of way along the river bank for potential future expansion of the River Walk be included in the agreement and
- 2) Please make sure the facility complies with the Cloverdale "clear sky's" regulations restricting the angle and intrusion of lighting, so we may preserve of night sky.

These may already be included in the agreement and plans, but I wanted to put in my two cents.

Thanks for listening.

Steve Nurse.

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 075-2016**

RESOLUTION OF THE CITY COUNCIL ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING AND REPORTING PLAN (MMRP) FOR THE NU FOREST ANNEXATION AND DEVELOPMENT PROJECT ON APPROXIMATELY 42.5 ACRES OF LAND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITY AND CORPORATION YARD (APNs 116-260-004, -030, -033, -045, -046 -050 & -055)

WHEREAS, the City of Cloverdale desires to annex approximately 42.5 acres of land into the City, all located within the City's sphere of influence, Urban Growth Boundary and Urban Service Area; and

WHEREAS, the City has undertaken a General Plan Amendment and associated rezoning for the affected properties, that includes a mix of General Industrial (M-1), Rural Residential (R-R) and Public Institutional (PI) districts that are generally compatible with existing County of Sonoma zoning for the properties and current area development patterns; and

WHEREAS, the largest property owner within the annexation area, Nu Forest Products, desires to expand and existing lumber milling and related uses on the site. Other uses that would be permitted on certain properties in the annexation area after the effective date of the rezoning would include a single family dwellings and light industrial and live-work units; and

WHEREAS, 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; and

WHEREAS, the City caused an Initial Study to be prepared to assess the impacts of the project, which is identified as the "Nu Forest Annexation and Development Project Initial Study/Mitigated Negative Declaration, Cloverdale, Sonoma County, California" dated June 2016 (Exhibit 1); and

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

WHEREAS, the Initial Study identified potentially significant impacts with respect to the following topics: aesthetics, biological resources, hazards and hazardous materials 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

WHEREAS, since the Initial Study determined that all potentially significant impacts can be reduced to a less-than-significant level, adoption of a Mitigated Negative Declaration has been recommended to satisfy CEQA requirements for the Nu Forest Annexation and Development Project; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for public review for a 30-day period between June 3, 2016 and July 6, 2016; and

WHEREAS, the City received two comments during the review period that did not raise any new issues or require additional analysis that was not included in the Initial Study; and

WHEREAS, on September 6, 2016, 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, a Staff Report dated September 6, 2016, and incorporated herein by reference described and analyzed the Project and related CEQA documentation for the Planning Commission and recommended City Council adoption of the Mitigated Negative Declaration and MMRP by adoption of Planning Commission Resolution No. 013-2016; 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, on October 11, 2016, the City Council held a properly noticed public hearing on the MND and MMRP and the related Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated October 11, 2016, 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.

WHEREAS, following the close of the public comment period, the City has made a number of small technical changes to the text of the Initial Study that do not materially change the scope or effectiveness of the Mitigation Measures or the level or severity of impacts identified in the Initial Study. No new impacts have been identified after the close of the CEQA comment period. These are included as Exhibit 2 to this Resolution; and

WHEREAS, the City of Cloverdale has prepared a Mitigation Monitoring and Reporting Program as required by CEQA (Exhibit 3) that includes the updated Mitigation Measures as well as agencies and organizations responsible for implementing the various mitigation measures; and

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 proposed 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 reviewed and considered the Initial Study/Mitigated Negative Declaration, the associated staff report and other associated material pertinent to 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 Planning Commission 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.

BE IT FURTHER RESOLVED that the City Council of the City of Cloverdale does hereby adopt a Mitigated Negative Declaration for the Nu Forest Annexation and Development Project as noted in the recitals above. A Mitigation Monitoring and Reporting Program (MMRP) is also adopted, which lists all mitigation measures, the time frame for compliance and the agency or organization responsible for implementation.

It is hereby certified that the foregoing Resolution No. 075-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on October 11, 2016, by the following roll call vote: (Ayes-; Noes-).

Ayes:
Noes:
Absent:
Recuse:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Exhibits Attached:

- Exhibit 1 - Nu Forest Annexation and Development Project CEQA Initial Study/Mitigated Negative Declaration
- Exhibit 2 - Corrections and Modifications to Initial Study/Mitigated Negative Declaration
- Exhibit 3 - CEQA Mitigation Monitoring and Reporting Program

Initial Study/ Mitigated Negative Declaration

Project:
Nu Forest Products Annexation & Development

Lead Agency:
City of Cloverdale

June 2016

- 1. Project title:** Nu Forest Products Annexation and Development Project
- 2. Lead agency name and address:** City of Cloverdale
124 N. Cloverdale Boulevard
Cloverdale, CA 95425
- 3. Contact person and phone number:** Jerry Haag, Consulting Planner
- 4. Project location:** East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels 116-260-004, -030, -033, -046, -046 -050 & -55. Exhibit 1 shows the regional location of the project area and Exhibit 2 shows the area in relation to the City of Cloverdale. (Note: All exhibits are attached to the back of this Initial Study.)
- 5. Project sponsors name and address:** Nu Forest Products
PO Box 727
Healdsburg CA 95448
Attn: Sharmaine Ege
- 6a. Existing General Plan designations** *Sonoma County:*
LI-Light Industrial
AR- Agricultural Residential
- 6b. Proposed General Plan designations:** *City of Cloverdale:*
CF-Conservation Features (proposed to be deleted)
RR-Rural Residential (proposed to be added)
GI-General Industrial (proposed to be expanded)
P-Public
- 7a. Existing Zoning:** *County of Sonoma:*
L-I, Light Industrial
AR, Agricultural Residential
- 7b. Proposed Pre-Zoning:** *City of Cloverdale:*
M-1, Light Industrial
RR, Rural Residential
P, Public

8. Description of project:

Overview. Proposed General Plan Amendment, Rezoning, Conditional Use Permit/Design Review and annexation to the City of Cloverdale for an approximate 42.6-acre area lying east of existing City boundaries. The properties all lie within the City of Cloverdale Sphere of Influence and City's Urban Growth Boundary. See Exhibit 3 that depicts the annexation area and affected property ownerships proposed for annexation.

The major property owner in the annexation area, Nu Forest Products, currently operates a lumber mill, wood drying yard and lumber storage facility in south Healdsburg. NuForest also operates a lumber storage yard with no milling or other industrial use on the eastern portion of the annexation area. The Nu Forest owner is seeking annexation to Cloverdale consolidate operations within the proposed annexation area.

Major elements of the project include a General Plan Amendment, Rezoning, Design Review for the proposed relocation and expansion of the Nu Forest operation and annexation of the Nu Forest site and adjacent properties to the City of Cloverdale. These elements are described below.

General Plan Amendment: Changes are proposed to the City of Cloverdale General Plan land use map from CF (Conservation Features) and TOD (Transit Oriented Development) land use designations to the following land use designations GI, General Industrial, RR, Rural Residential and P, Public. Existing General Plan land use designations are shown on Exhibit 4A and proposed amendments to the General Plan Land Use Map are shown on Exhibit 4B. The amendments have been proposed based on existing site conditions, development patterns and property owner sentiment.

Rezoning: the City proposes to rezone the various properties comprising the project to the following zoning districts: M-1, General Industrial, RR, Rural Residential and P, Public. If approved by the Cloverdale City Council, the zoning would become effective upon completion of the annexation process. The proposed rezoning would allow for the expanded use of the existing Nu Forest Products operation to allow the milling, processing, offices and increased storage of wood products on the site. The approved zoning would allow for one single family and associated accessory structures to be built on the Grace Matovich Trust property (AP 116-260-050), future light industrial uses on the Cerasoli (AP 115-260-033), Schwartzler Trust (AP 116-260-030) and Poustinchian (AP 116-260-046) properties. The existing PG&E substation on the southern portion of the site (AP 116-260-045) would remain in its current condition and would be zoned P-Public. If approved, proposed zoning would be consistent with the amended General Plan Land Use Map.

Part of the proposed zoning would include revising the text of the City's M-1 District to allow live-work development to occur in this District subject to the issuance of a conditional use permit by the Cloverdale Planning Commission.

Exhibit 5 shows proposed City of Cloverdale rezoning districts.

Conditional Use Permit & Major Design Review (Nu Forest): A part of the application includes a Conditional Use Permit and Major Design Review approval for Nu Forest to expand current storage and administrative office uses on the site. In addition to wood storage, future operations would include wood milling and processing. Table 18.06.030-A of the Cloverdale Zoning Code requires approval of a conditional use permit for heavy manufacturing uses in the M-1 District. The Zoning ordinance further defines heavy manufacturing to include planing mills, sawmills and wood products. Section 18.03.150 of the Zoning Code requires Major Design Review for industrial development projects that includes review of overall building design, use of materials and similar features.

The proposed Nu Forest site plan is shown on Exhibit 6. Proposed improvements would include demolition of a number of older structures on the site and construction of four 100-ft x 100-ft industrial canopy structures on a portion of the property, totalling up to 40,000 square feet. Each canopy structure would have a concrete foundation and floor, a solid roof supported by large uprights and beams but would not include surrounding walls. Lumber milling, planing and related activities would occur under the canopy structures. A portion of the site would be devoted to open storage of raw and milled lumber, awaiting shipment. Milling activities would generate sawdust and “slash,” another milling by-product. Both products would be temporarily stored on site and trucked to off-site recycled materials businesses for reuse.

Large semi-trucks would be used to haul logs onto the site and transport finished material to customers. Preliminarily, it is estimated that up to 8 truck trips per day would be generated.

Other improvements on the Nu Forest site would include paved parking areas on portions of the site and construction of a water quality and drainage basin on the south side of site. Existing office uses on the site would continue. Upon completion of the annexation process, the City water and sewer lines would be extended to the site to support the expansion of lumber operations. The precise location of water and sewer extensions to serve the annexation properties is being determined; however, it is anticipated that a water line would be extended in an easterly direction from Asti where an existing 16-in. diameter line currently exists to connect to an existing City water line on the All-Coast property to the west, providing a looped water system. A sewer line is anticipated to be constructed from the approximate center of the Nu Forest site in a western direction to Asti Road, then south to connect to the City’s wastewater treatment plant. The sewer line extension is anticipated to require construction of one lift (pumping) station on the Nu Forest site.

Stormwater runoff would be directed to an onsite water quality and retention pond located on the south side of the Nu Forest site to accommodate stormwater and release it into the nearby Russian River via an open swale. The pond would also be designed to provide water quality features per City of Cloverdale standards prior to release into the river.

An existing pond exists in the easterly portion of the annexation area. This pond is jointly owned by Nu Forest Products and the property owner to the east, All-Coast and was constructed to provide a reservoir for fire suppression purposes. The pond is primarily owned and maintained by All-Coast and may remain after construction of planned improvements on the Nu Forest site.

At build out, the Nu Forest facility would have up to 73 full-time and seasonal employees on the site (including millworkers and office staff) and would operate 5 days per week (plus two Saturdays per month during the peak summer season), from 7 a.m. to 3:30 p.m. During peak summer months, work may commence at 6 a.m. Maintenance of machinery generally would occur during non-production hours.

Prior to development, other properties in the annexation area (excluding Nu Forest) would be required to complete Plot Plan Reviews, Design Reviews, Conditional Use Permits and other municipal review procedures prior required by the Cloverdale Zoning Code prior to building permit issuance by the City, following completion of the annexation process.

Annexation to the City of Cloverdale: The Nu Forest property owner has requested annexation to the City of Cloverdale. The Cloverdale City Council will be requested to adopt a resolution formally requesting this action. Five adjacent properties are proposed to be included in the annexation in order to avoid creating a “county island” which would be properties within an unincorporated portion of the County surrounded by properties within the City.

See Table 1 with a summary of Assessor’s Parcels, ownership and approximate acreage for properties included in the annexation.

Table 1. Ownerships and Characteristics of Annexation Area

Assessor Parcel No.	Site Address	Owner	Acres	Existing Use	Proposed Use
116-260-033	340 Asti Road	Cerasoli	0.45 acre	single family dwelling	Single family dwelling & light industrial
116-260-030	29550 Ivy Dell Ln.	Schwartzler Trust	0.45 acre	single Family dwelling	Single family dwelling
116-260-050	428 Asti Road	Matovich Trust	6.3 acres	vacant	Single family dwelling
116-260-046	(no address)	Poustinchian	4.07 acres	vacant	Light industrial
116-260-055	428 Asti Road	Nu Forest	14.68 acres	Single family dwelling	Lumber Mill
116-260-004	280 Asti Road	Nu Forest	12.17 acres	Lumber Storage	Lumber Mill
116-260-045	650 Asti Road	PG&E	4.5 acres	Power substation	No change

Source: City of Cloverdale, 2016

Adjacent properties are located on the east side of Asti Road and range in size from approximately one-half acre to 6.3 acres in size. The annexation would also include an existing PG&E substation located in the southern portion of the annexation area. No changes are proposed to PG&E’s substation.

Upon completion of the annexation process, City water and sewer service could be extended to all properties within the annexation area as well as police services from the Cloverdale Police Department. All affected properties are 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 provided by the City would be extended to the properties included in the annexation.

9. Surrounding land uses and setting: The eastern portion of the project site is used by Nu Forest lumber mill operations that are proposed to be expanded by this project, with the

western portion of the Nu Forest site vacant. Smaller properties on the east side of Asti Road under various ownerships are either vacant or have been developed with a single family detached residence. These properties on the western side of the annexation area generally have moderate to steep topography with significant tree cover. A drainage course generally runs in a north-south direction on the east side of Asti Road. A PG&E unmanned substation exists on the southern portion of the annexation area.

Properties to the north of the annexation area are located within the City of Cloverdale and are vacant. The property east and north of the annexation area is developed with All-Coast Forest Products, Inc., a mill operation similar to the Nu Forest facility and is located in the unincorporated portion of Sonoma County. The Russian River lies further east of the All-Coast lumber mill site. Properties south of the annexation area lie in the City of Cloverdale and are developed with City infrastructure facilities. The 101 freeway is located west of the site as well as existing railroad tracks, a SMART train station (currently unused) and train maintenance facility, all of which are within the City of Cloverdale.

10. Other public agencies whose approval is required:

- Local Agency Formation Commission (annexation)
- City of Cloverdale (demolition & building permits, utility extensions & easements, encroachment permits)
- State Department of Fish & Wildlife (creeks and wetlands, possible)
- North Coast Regional Water Quality Control Board (wetlands, possible)
- Army Corps of Engineers (wetlands, possible)
- Northern Sonoma County Air Pollution Control District (air quality permits)
- State Water Resources Control Board (Notice of Intent)

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "potentially significant impact" as indicated by the checklist on the following pages.

X	Aesthetics	-	Agricultural Resources	-	Air Quality
X	Biological Resources	-	Cultural Resources	X	Geology/Soils
-	Greenhouse Gas Emissions	X	Hazards and Hazardous Materials	-	Hydrology/Water Quality
-	Land Use/ Planning	-	Mineral Resources	X	Noise
-	Population/Housing	-	Public Services	-	Recreation
-	Transportation/ Circulation	-	Utilities/Service Systems	-	Mandatory Findings of Significance

Determination (to be completed by Lead Agency):

On the basis of this initial evaluation:

 I find that the proposed project **could not** have a significant effect on the environment and a **Negative Declaration** will be prepared.

 X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **Mitigated Negative Declaration** will be prepared.

 I find that although the proposed project **may** have a significant effect on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on the attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **Environmental Impact Report** is required, but must only analyze the effects that remain to be addressed.

 I find that although the proposed project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed on the proposed project.

Signature: David J. Kelley Date: 6/1/16
 Printed Name: David J. Kelley For: City of Cloverdale

Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "no impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "no impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "no impact" answer should be explained where it is based on project-specific factors as well as general factors (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "potentially significant impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less-Than-Significant Unless Mitigation Incorporated" implies elsewhere the incorporation of mitigation measures has reduced an effect from "potentially significant effect" to a "less than significant impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c) (3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less-Than-Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each agency should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.

V. ENVIRONMENTAL CHECKLIST

The following Environmental Checklist form is used to describe the impacts of the proposed project, as detailed in the Project Description. Potential environmental impacts are described as follows:

Potentially Significant Impact: An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an Environmental Impact report (EIR) must be prepared.

Potentially Significant Unless Mitigated: An environmental impact that requires the incorporation of mitigation measures to reduce that impact to a less-than-significant level.

Less-Than-Significant-Impact: An environmental impact may occur, however, the impact would not be considered significant based on CEQA environmental standards.

No Impact: No environmental impacts would occur.

1. Aesthetics

Environmental Setting

The annexation area consists of two smaller subareas. Properties fronting along the east side of Asti Road contain moderate to steep slopes with a generally dense canopy of native and introduced trees. Three homes and out buildings have been constructed along this frontage (the Cerasoli property, Nu Forest property and the Schwartzler Trust property). The Matovich Trust property and the Poustinchian properties are currently vacant.

The eastern portion of the annexation area, the Nu Forest Products property, is partially developed with an existing lumber storage area and office space. A portion of the Nu Forest property contains a pond used to store fire suppression water (shared with the neighboring All-Coast Lumber operation) with the remainder currently vacant.

An existing PG&E substation is located in the southern portion of the annexation area.

A number of existing security lights have been installed on the existing Nu Forest property, existing residences and the PG& E substation.

Asti Road that forms the western boundary of the site is not designated as a State or local scenic highway based on the General Plan EIR (source: [http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/))

Surrounding uses include US 101 Freeway and Asti Road west of the site, vacant land north of the site, All-Coast Lumber Mill and the Russian River east of the site and the City of Cloverdale Corporation Yard and Water Treatment Plant south of the site.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a		X		

state scenic highway?				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

- a) No impact. The annexation area generally contains private properties with no public vistas, public parks, playgrounds, overlooks or other public gathering places that would constitute a vista. There would be no impact with respect to this topic.
- b) Less-Than-Significant with Mitigation. Future development that could occur on the parcels of land fronting on the east side of Asti Road could remove or damage mature native and introduced trees to allow the development of new residences, live-work units, industrial buildings, driveways, parking lots, pedestrian paths and other improvements. Such activities could result in Loss of tree cover or damage to mature trees. This would be a potentially significant impact but would be reduced to a less-than-significant level by adherence to the following measures.

Mitigation Measure Aesthetics-1: Future grading and/or development on any parcels of land fronting on Asti Road in the annexation area shall be reviewed by a California-certified arborist to identify methods to provide for maximum tree protection. These methods shall be reflected in final development plans. If mature trees cannot be protected, replacement native trees shall be planted on the site at a 2:1 ratio with adequate measures to ensure successful growth of the replacement trees. No Certificate of Occupancy shall be granted on any lot with required replacement tree plantings until tree replantings are reviewed and approved by the Cloverdale Community Development Department.

Mitigation Measure Aesthetics-2: Future development on parcels of land in the annexation area with substantial tree cover shall include measures identified by a California-certified arborist that ground disturbing activities will not significantly impact native trees on the lot. This shall include installation of exclusion fencing at locations approved by the arborist during project construction, provision of adequate irrigation of trees during construction, limitations on grading within exclusion areas and limitations of use (e.g. no storage of construction materials) under tree drip lines and other protection measures as may be recommended by the arborist.

- c) **Less-Than-Significant with Mitigation.** Future development that could occur on the parcels of land fronting on the east side of Asti Road could significantly degrade the existing visual quality and character of the site by removing existing tree cover, changing existing topography and constructing a number of residences and light industrial buildings where none currently exist. A number of these properties are currently vacant and are visible from Asti Road and from the nearby 101 freeway. Future proposed development on the Nu Forest site would be located behind a small hill and would not be significantly visible from either Asti Road or the 101 freeway.

Potential impacts to the existing visual character for properties fronting on Asti Road could be a potentially significant impact as a result of constructing new structures and other improvements where none are current visible. Use of reflective building materials could result in a potentially significant impact on passers-by. This impact would be reduced to a less-than-significant level by adherence to the following mitigation measures.

Mitigation Measure Aesthetics-3: Future development on parcels of land fronting on Asti Road should be screened from view to the fullest extent feasible by landscape buffers or fences that limit views of new development from adjacent streets and roadways.

Mitigation Measure Aesthetics-4: The design of future structures on properties fronting on Asti Road shall exclude use of highly reflective materials, including but not limited to window glass, porch railings or other accent materials. Other exterior building materials shall be of neutral colors and tones to minimize visibility.

- d) **Less-than-Significant impact.** Construction of future improvements within the project area would include the addition of new exterior lights associated with proposed industrial development on the Nu Forest site and new buildings on properties fronting on Asti Road. However, new development in the annexation area will be subject to General Plan Policy UL 1-2 (Minimize light spillage that carries off the property where lights are located). Adherence to this Policy when individual Plot Plans are reviewed by the City will ensure this impact will be less-than-significant.

2. Agricultural and Forestry Resources

Environmental Setting

No portion of the project area is used for or zoned for agricultural production. No Williamson Act contract or Timber Preserve contract exists in the area. The western portion of the site contains a significant tree cover of native and introduced species.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of forest land (as defined by PRC Sec. 12220(g), timberland (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g)?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?		X		
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to a non-				X

agricultural use or conversion of forest land to a non-forest use?

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Discussion

- a-c) No impact. There would be no impact to agricultural resources since the project area has been developed with a lumber mill facility and scattered residences. No portion of the site is used for agricultural production, no Williamson Act contracts exist on the site and the site is not zoned for agricultural uses. No impacts would therefore result.

- d) Less-than-Significant with Mitigation. The western portion of the site contains a moderate to dense cover of mature native and introduced trees. Future development on these properties that could be allowed under the amended General Plan and zoning could have a potentially significant impact on these resources. Adherence to Mitigation Measures Aesthetics 1 and 2 (see above) will reduce impacts to trees and forest resources to a less-than-significant impact.

- e) No impact. There would be no impact with respect to other changes in the environment that would result conversion of farmland to a non-agriculture use or the conversion of forestland to a non-forest use since the predominance of development associated with the project would occur on the eastern, vacant portion of the project area. This is where the expansion of the Nu Forest lumber mill and associated operations would occur.

3. Air Quality

Environmental Setting

The City of Cloverdale is located at the northern end of Sonoma County and lies within the Northern Sonoma County Air Pollution Control District (NSCAPCD) jurisdiction. The NSCAPCD develops rules and regulations, and establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines when necessary.

Major air pollutants regulated by federal, state and local air quality authorities include ozone, particulate matter (PM 10 and 2.5), toxic air contaminants (airborne substances that may cause cancer) and odors.

Minimal air pollutants are found in the annexation area since a majority of the properties are vacant. A portion of the Nu Forest property is used for office space and lumber storage. No milling or similar operations currently occur on this site. Similarly, no sensitive air receptors are located near the annexation area, including but not limited to hospitals, convalescent care facilities, schools, parks or similar land uses.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the Proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

Discussion

a-e) Less-than-Significant/No Impact. Air pollution concerns for the City of Cloverdale were addressed in the Environmental Impact Report (EIR) for the General Plan update completed in 2009. According to the General Plan EIR, due to the temporary nature of construction related impacts and required compliance with NSCAPCD rules and regulations, these impacts will not result in the generation significant air pollutants or

cause excess exposure of pollutants to sensitive receptors and are considered to be less than significant.

The NSCAPSD is currently in attainment for all criteria pollutants and any increase in criteria emissions is already accommodated for by the air district. As a result, the area will remain in attainment for criteria pollutants and any impacts from increased emissions from the City of Cloverdale are considered less than significant.

The primary land use proposed in the annexation area, Nu Forest Products, would be a relocation of existing lumber milling, storage and similar operations already occurring elsewhere in the NSCAPCD in the City of Healdsburg. Therefore, there could be a very small net increase in criteria pollutants following expansion of the Nu Forest site proposed for annexation to Cloverdale. Minimal other development is proposed for the annexation that could significantly impact local or regional air quality.

4. Biological Resources

Environmental Setting

The western portion of the project site is partially developed with Nu Forest lumber storage and offices. This portion of the project site has been highly disturbed for a number of years as a result of historic light industrial operations and does not contain any special-status or protected plant or wildlife species.

The eastern portion of the site is largely vacant and contains an extensive cover of native and introduced tree species and groundcover. Although the City's 2009 General Plan EIR does not indicate these properties contain special-status or protected plant or wildlife species (see Figure 4.10-3), it is possible that these properties have the potential to provide habitat for special-status bird, mammal, reptile and plant species. A site-specific biological resource reconnaissance was not conducted as part of this Initial Study.

Figure 4.10-2 contained in the General Plan EIR notes the presence of two potential wetlands on or adjacent to the annexation area. The first is a pond in located on a portion of the Nu Forest ownership, on the southeast corner of the annexation area, used as a reservoir for fire protection and co-owned with the All-Coast property owner. The second is an unnamed intermittent stream that flows through the annexation area, along the western boundary of the Nu Forest property. This tributary flows to the Russian River to the east.

Based on information contained in the General Plan EIR, no portion of the annexation area is located within a Habitat Conservation Plan or Natural Community Conservation Plan area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion

- a) Less-than-Significant with Mitigation. Future grading operations and development of parcels of land fronting Asti Road for residential, live-work or industrial uses could significantly impact nesting or roosting birds, including special-species birds, as well as decrease bird habitat in this portion of Cloverdale. Future development could also impact other special-status wildlife and/or plants, although no such species are identified in the General Plan EIR. To ensure this impact is reduced to a less-than-significant level, future development on parcels of land fronting on the east side of Asti Road shall implement Mitigation Measure BIO-1 and BIO-2 to reduce impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service to a level less than significant.

Mitigation Measure BIO-1: Prior to issuance of a grading and/or a building permit for parcels located on the east side of Asti Road, a site-specific biological reconnaissance shall be

completed by a qualified biological firm as approved by the Cloverdale Community Development Department. The reconnaissance shall include a literature search and site inspection of the presence of special-status plants or wildlife. If no special-status species are identified, no further action is required. If special-status species are identified, the biologist shall recommend an action plan to ensure that any special-status species are fully protected. Protective actions may include first, avoiding the species during construction and post – construction or relocation of the species to an alternative suitable site. Any relocation actions shall occur in consultation with the California Department of Fish & Wildlife and/or the U.S. Fish & Wildlife Service. Necessary permits and approvals shall be obtained prior to relocation. No work on portions of the affected site may occur until clearances are granted by the City of Cloverdale, the California Department of Fish & Wildlife or the U. S. Fish & Wildlife Service, as appropriate.

- b,c) Less-than-Significant with Mitigation. Future development on the eastern portion of the Nu Forest property or other properties fronting on Asti Road could impact wetlands, other waters and/or riparian habitats. Such impacts could include installing sewer and/or water line extensions through potential wetland area, full or partial fill of wetlands or discharge of polluted runoff into wetland areas. Such actions would be a potentially significant impact. This impact would be reduced to a less-than-significant level.

Mitigation Measure BIO-2: Prior to issuance of a grading and/or a building permit for any parcel of land in the project area, a qualified wetland biologist as approved by the Cloverdale Community Development Department shall survey the site for the potential presence of wetlands, other waters or riparian habitat. If none is found, no further action shall be required. If wetlands, other waters or riparian habitat is identified, the wetland biologist shall prepare an action plan for the approval of the City of Cloverdale. The action plan shall identify specific steps to be taken to ensure that any future impacts to wetlands, other waters or riparian habitat is less-than-significant. These methods may include, but are not limited to, preparing a formal wetland delineation, permanent on-site protection of wetlands or off-site relocation of wetlands to an approved alternative site. If relocated off-site, the applicant or property owner shall obtain necessary permits and approvals from the Regional Water Quality Control Board, the California Department of Fish & Wildlife, the U. S. Army Corps of Engineers or other agencies. No construction near wetlands, other waters or riparian habitat areas may proceed until the approval action plan is approved and implemented.

- d) Less-than-Significant. Several parcels in the annexation area are fenced to preclude wildlife migration or are developed with lumber storage uses. A major wildlife and fish corridor exists east of the site along the Russian River. This impact would be less-than-significant.
- e) Less-than-Significant. Proposed development on all parcels of land proposed for annexation to the City of Cloverdale will be required to comply with all municipal requirements protecting local biological resources, including but not limited to tree

protection ordinances. Compliance will be required at the time development is proposed in the City and this impact would be less-than-significant.

- f) No Impact. No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted within the City of Cloverdale and no impact would occur with respect to this topic.

5. Cultural Resources

Environmental Setting

The City of Cloverdale General Plan EIR (2009) does not identify the presence of any historic, prehistoric, paleontological or Native American resources within the annexation area. Major historic resources within the Cloverdale Planning area, as identified in the General Plan EIR, include the Isaac Shaw building, the Pinschower house, an historic bridge over the Russian River and the Gould Shaw house. None are located within the annexation area.

The General Plan EIR concluded, based on a records search at the University of California, Berkeley Museum of Paleontology, that no paleontological resources have been identified in Cloverdale.

Although the General Plan EIR did not identify the presence of buried prehistoric resources or Native American resources in or near the annexation area, the close proximity of the area to the Russian River may result in a moderate to high potential to encounter such resources within the area. Typically Native American settlements were located near major bodies of water, such as rivers, creeks and streams.

As part of the CEQA process, City staff initiated an SB 18 Native American Tribal Consultation with the State of California Native American Heritage Commission in February 2016.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal result in impacts to:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Sec. 15064.5?				X

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?		X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X	
d. Disturb any human remains, including those interred outside of formal cemeteries?		X	

Discussion

- a) No Impact. Based on the General Plan EIR and site observations, no above-ground historic resources are present within the annexation area and no impacts would result with respect to this topic.

- b-d) Less-Than-Significant Impact. The relatively close proximity of the annexation area to the Russian River may be linked to historic Native American or other historic settlements in this location. Although future construction and ground-disturbing activities could impact buried cultural, Native American and/or paleontological resources, adherence to General Plan implementing Measure CDO 4-2.a (“Maintain standard conditions of approval for CEQA and project review of development projects including agricultural conversion that require cultural resources studies where applicable and require that work be halted and studies conducted if cultural or archeological resources are discovered; require that such studies be conducted by qualified historians or archeologists; and require notification pursuant to law if human remains are discovered”) and Implementing Measure CDO 4.2b (“Coordinate with the Native American Heritage Commission and local tribal members to determine if the study area or developments contain any artifacts or areas used for religious purposes.”). As required by the General Plan, future specific development proposals in the annexation area will be conditioned to implement the above-referenced General Plan Implementing Measures to ensure that future impacts to Native American, historic, paleontological and similar resources will be less-than-significant.

6. Geology and Soils

Environmental Setting

This section of the Initial Study is based on an analysis of local geologic conditions conducted by the firm of PJC & Associates Inc dated November 5, 2015, which is incorporated by reference

into this Initial Study. The PJC report is available for review at the Cloverdale Planning Department during normal business hours.

The eastern portion of the annexation area is relatively flat with the western portion characterized by moderate to steeply sloping areas. The entire annexation area is located in the Coast Ranges Geomorphic Province of California that includes many separate mountain ranges, hills and valleys located between the Pacific Ocean and the Great Valley to the east.

Flatter portions of the annexation area are underlain by alluvial deposits with layers of sand, gravel, silt and clay with a top covering of alluvium.

It is likely that the western portion of the annexation area is underlain by harder geologic material that has not eroded due to action of the nearby Russian River.

The PJC & Associates report notes that the site is not within an Alquist-Priolo Earthquake Fault Study zone. Three active fault zones have been identified near the annexation area: the Maacama (South), the Maacama (central) and the Collayomi Faults. These are located from 2.7 miles to approximately 13.9 miles from the project area. Existing and future development on the project area is and would continue to be subject moderate to severe ground shaking as a result of earthquake activity on one of these fault zones. The risk of ground rupture is considered low due to lack of identified faults in the general area.

The eastern portion of the project site is considered to have very high liquefaction potential. Liquefaction is a seismic hazard where there is a rapid, temporary loss of soil strength that could damage structures on that site.

The PJC & Associates report finds that the risk of lateral spreading, soil lurching or the presence of expansive (high shrink-swell potential) soils is low.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		X		
i) Rupture of a known earthquake fault, as			X	

delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?
- iv) Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available

		X	
		X	
	X		
		X	
	X		
		X	
		X	

for the disposal of waste water?

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Discussion

- a) **Less-than-Significant with Mitigation.** The site geotechnical report concludes that the annexation area is not located within an Alquist-Priolo Earthquake Fault Zone or State of California Earthquake Fault Studies Zone, and there are no active faults in the annexation area. There is a potential for strong seismic shaking on the site from nearby active faults. Future buildings in the annexation area will be designed in accordance with the California Building Code standards adopted for the City that includes strict seismic safety design standards to resist the effects of groundshaking and building failure.

No preliminary soils reports have been prepared for properties located in the eastern portion of the annexation area. These properties exhibit moderate to steep slopes and future structures could be subject to landslide potential. Future landslides or soil failure could be a potentially significant impact for project properties and for other nearby properties as well. Adherence to the following will reduce this impact to a less-than-significant level.

Mitigation Measure GEO-1: Prior to issuance of a grading and/or a building permit for any parcel of land in the annexation area where no recent soils or geotechnical report has been prepared, a qualified California-registered engineering geologist or equivalent, as approved by the Cloverdale Community Development Department, shall prepare a report analyzing soil and geologic conditions on that particular property. The report shall include specific construction methods to be undertaken to reduce potential soil hazards to a less-than-significant level, including but not limited to landslides, ground failure and other potential hazards. The recommendations of the soils and geotechnical report shall be incorporated into all project grading and construction plans to ensure that future hazards from landsliding or similar hazards are reduced to a standard level of care.

- b) **Less-than-Significant Impact.** Future improvements within the annexation area will be subject to City of Cloverdale construction and post-construction erosion control and water quality protection requirements, including placement of silt fences and desilting basins to trap construction erosion and placement of water quality ponds to filter erosion from parking lots and landscaped areas. This impact would be less-than-significant with adherence to City standards.
- c) **Less-than-Significant with Mitigation.** Future construction of parcels of land located on the eastern side of the annexation area could be subject to landslide potential and other soil-related hazards. Adherence to Mitigation Measure GEO-1 will reduce this impact to a less-than-significant level.

- d) **Less-than-Significant Impact.** The PJC & Associates report prepared for the Nu Forest property within the annexation area determined that the risk of liquefaction on future site improvements is considered low. Other properties within the annexation area are located on moderate to steeply sloping areas that are generally not prone to liquefaction.
- e) **Less-than-Significant Impact.** A number of properties in the annexation area use septic systems. Upon completion of the annexation area, all properties would be allowed to connect to the City of Cloverdale wastewater system. However, if wastewater facilities are not proximate to individual properties, existing septic systems may be allowed to continue. All existing septic systems are under the jurisdiction of the Sonoma County Permit and Resource Management Department of Sonoma County.

7. Greenhouse Gas Emissions

Environmental Setting

The annexation area is partially developed with existing Nu Forest Products operations that include storage and transport of milled lumber, company offices and a number of existing single-family residences. Greenhouse gasses are currently emitted into the atmosphere from passenger vehicles, trucks and forklift operations on the Nu Forest property.

Greenhouse Gasses include carbon dioxide, methane, nitrous oxides, perflorocarbons, sulphur hexafluoride and hydroflorocarbons. It is generally recognized that greenhouse gasses trap heat and moisture near the earth’s surface, increasing the ambient temperature, also known as global warming. Effects of global warming, include changing of ocean circulation patterns, a reduction of global ice coverage and general changes to climatic conditions.

Sonoma County has taken the lead in preparing a County-wide Climate Action Plan (CAP) with the intent of reducing the amount of greenhouse gasses for all cities in the County, including Cloverdale. The amount of targeted reduction is 25% below the 1990 emission level by the year 2020.

The draft CAP estimates that the City of Cloverdale emitted 57,300 metric tons of carbon monoxide in 1990 and 59,000 metric tons in 2010, the most recent estimate available.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a			X	

significant impact on the environment?

- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

		X	

Discussion:

- a) Less-than-significant. Proposed annexation, development and operation of the Nu Forest lumber mill and other uses proposed for the annexation area would increase the amount of greenhouse gas emissions into the atmosphere as a result of increased traffic, operations of the expanded lumber mill and other operations that would be included in the annexation area. In terms of potential greenhouse gas emissions, the major land use change proposed for the annexation area, the Nu Forest lumber mill, would not be a new land use in the local air basin, but would be a relocation from its existing operation in Healdsburg. Thus there would not be a significant net increase in the amount of greenhouse gasses emitted into the atmosphere from approval and implementation of this project. Although replacement land uses on the existing Healdsburg site could generate greenhouse gasses, future uses of the Healdsburg site are unknown and beyond the jurisdiction of the City of Cloverdale. Future uses on the existing Nu Forest site in Healdsburg will be required to complete CEQA review for GHG emissions at the time such new use or uses are proposed.

- b) Less than Significant Impact. Neither the City of Cloverdale nor Sonoma County have an adopted Climate Action Plan (CAP), although such a draft plan has been prepared is being considered for adoption by the County and the various incorporated cities in the County, including Cloverdale. The CAP includes a goal of reducing county greenhouse gas emissions by 25 percent below 1990 levels by 2015, but has no mandatory provisions that would apply to the project. In addition to the CAP, the State of California has adopted regulations that apply to the project that will help the County achieve its reduction goal. The proposed project will be conditioned by the City of Cloverdale to comply with the California Green Building Standards Code, which includes requirements to increase recycling, reduce waste, reduce water use, increase bicycle use, and other measures that will reduce greenhouse gas emissions. Motor vehicle emissions associated with the project would be reduced through compliance with state regulations on fuel efficiency and fuel carbon content. The regulations include the Pavley fuel efficiency standards that require manufacturers to meet increasing stringent fuel mileage rates for vehicles sold in California and the Low Carbon Fuel Standard that requires reductions in the average carbon content of motor vehicle fuels. Emissions related to electricity consumption by the project would be reduced as the electric utility complies with the Renewable Portfolio Standard, which requires utilities to increase its mix of renewable energy sources to 33 percent by 2020. The project would not conflict with the Sonoma

County CAP and regulations adopted by the State of California to reduce greenhouse gas emissions.

The representative from Nu Forest Products, the largest owner and future user within the annexation area, have committed to operating an employee shuttle from Healdsburg to the annexation area site to reduce vehicle trips. The owners are also exploring the placement of on-site solar collectors to reduce dependency on the electric grid. Waste material generated by milling are operations are recycled rather than deposited in a local landfill. These actions would reduce air quality and greenhouse gas emissions below normal business as usual and would serve to reduce overall GHG emissions from vehicle trips from the annexation area.

No impacts are anticipate with respect to this topic.

8. Hazards

Environmental Setting

Portions of the annexation area have been developed with single-family residences (along Asti Road) and a lumber storage and office operation on the eastern portion of the site.

Earlier environmental analyses for the Nu Forest site determined that portions of the site were contaminated by previous deposits of diesel fuel and motor oil in the local groundwater above the Environmental Screening Levels adopted by the San Francisco Regional Water Quality Control Board (see "Expanded Phase I Environmental Site Assessment" by Anchor Environmental Consultants, Inc. dated September 21, 2008 and "Limited Phase II Subsurface Investigation" prepared by AEI Consultants dated November 6, 2014). These two documents are hereby incorporated by reference into this document and are available for review at the City of Cloverdale Community Development Department during normal business hours.

A follow-on subsurface investigation of the site was completed by SCS Engineers in November , 2015 ("Report of Limited Subsurface Investigation, 280 Asti Road, Cloverdale California"). This document is also incorporated by reference into this Initial Study and is available for review at the City of Cloverdale Community Development Department during normal business hours.

The project site is located to the north of Cloverdale Municipal Airport and is outside the jurisdiction of the Comprehensive Airport Land Use Plan for the airport (<http://www.sonoma-county.org/prmd/docs/airport/ch8-excerpt.htm>).

Based on a recent discussion with representatives of the Cloverdale Fire Protection District, the annexation area lies outside of an urban/wildland high fire hazard area (source: B. Elliott, Cloverdale Fire Protection District, 3/14/16).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located				

<p>within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p>			X
<p>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p>			X
<p>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>			X
<p>h. Expose people or structures to a significant risk of loss, injury or death involving wildland fire, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p>			X

Discussion

- a) Less-than-Significant Impact. Future industrial and potential agricultural uses (on the Matovich Trust property, proposed for Rural-Residential rezoning) within the annexation area would likely involve the transport, use, storage and disposal of potentially hazardous materials, including but not limited to fuels and lubricants for forklifts, potential servicing of trucks, other industrial solvents that would be used in the proposed Nu Forest lumber mill. Future residential uses could involve the transport, use and storage of normal and customary quantities of household paints and solvents and yard and garden care substances. Transport, use, storage and disposal of potentially hazardous materials is strictly regulated and controlled by a variety of local state and federal laws and regulations. The proposed expansion of Nu Forest Products and associated use of

potentially hazardous materials would be approximately the same as other, similar industrial uses in Cloverdale. Future transport, use, storage and disposal of potentially hazardous materials will be subject to review and inspection by the Cloverdale Fire Protection District and other regulatory agencies, including but not limited to the California Highway Patrol and OSHA, to ensure this impacts will be less-than-significant.

- b) Less-than-Significant With Mitigation. Proposed demolition of older structures within the annexation area could release lead based paints and/or asbestos containing material into the environment. Adherence to the following measure will mitigate this impact to a less-than-significant level.

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit for any existing residence or other major structure in the annexation area (as determined by the Cloverdale Building Official), a licensed contractor shall determine the presence or absence of lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Cloverdale Building Department or Fire District, these materials shall be safely removed consistent with the Occupational Safety and Health Administration (OSHA) and other applicable standards and disposed of in an appropriate location. Necessary permits and approvals shall be secured from appropriate regulatory agencies.

- c) No Impact. No public schools are located within a one-quarter radius of the project site (source: Cloverdale Unified School District website, <http://www.cusd.org/Page/1>) so there would be no impact with respect to this topic.
- d) No Impact. None of the properties included in the annexation area are listed on the State of California Cortese List as of March 16, 2016. No impacts are therefore anticipated with respect to this topic.
- e,f) No Impact. As identified in the Environmental Setting section of this Initial Study, the annexation area is located north of the Cloverdale Municipal Airport and lies outside of the applicable airport land use plan. No impacts would result with respect to this topic.
- g) No Impact. Proposed improvements that could be constructed within the annexation area would be built on private properties and would not block public roads or other public accessways used for emergency access. Future buildings constructed in the annexation area will be reviewed for adequate access by the Cloverdale Police Department and the Cloverdale Fire Protection District prior to approval by the City. This will ensure that no impacts would occur with respect to interference with emergency evacuation.
- h) No Impact. Based on a discussion with the Cloverdale Fire Protection District, the annexation area does not lie in a wildland/urban interface area and no impact would occur.

9. Hydrology and Water Quality

Environmental Setting

The project area is located near and to the west of the Russian River. One major property, All-Coast Lumber, is located between the annexation area and the River. A local intermittent creek flows through the approximate center of the annexation area. A second hydrologic feature is an existing pond in the southern portion of the annexation area that is used to store fire suppression water for the Nu Forest and All-Coast lumber operations.

A number of existing uses have been constructed within the annexation area, including lumber storage facilities on a portion of the Nu Forest property, single-family dwellings on three other properties and a small number of uninhabited outbuildings. All existing residences and industrial uses (Nu Forest offices) are served by private on-site septic systems.

The easterly portion of the annexation area lies within the 100-year flood hazard area as mapped by FEMA (source: Eric Janzen, City of Cloverdale, 3/9/16).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would			X	

result in substantial erosion or siltation on-or off-site?				
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death			X	

involving flooding, including flooding as a result of the failure of a levee or dam?

j. Inundation by seiche, tsunami, or mudflow?

			X

Discussion

a) Less-than-Significant Impact. A primary concern of storm water runoff is the potential amount of pollution associated with the construction and development within the annexation area, following completion of the annexation. Sediment from grading and excavation activities, oil and grease from equipment and vehicles, fertilizers and herbicides associated with landscaping are all considered non-point source (NSP) pollutants. As part of the normal and customary development review process, the City of Cloverdale will require the preparation and approval of an Erosion Control Plan for all future development projects in the annexation area. The Erosion Control Plan must document that development will not increase the flow or intensity of flow of rainwater runoff from the existing conditions. Low Impact Development (LID) measures are to be added to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City of Cloverdale. The plan will be required to be submitted and approved by the Engineering Department prior to issuance of grading permits on all annexation properties.

In terms of the City’s Wastewater Treatment Plant discharge and water quality standards, future annexation and development of properties within the annexation area would increase flows into the City’s wastewater treatment plant. The Wastewater Treatment plant currently experiences an average daily inflow of 0.55 mgd (million gallons per day) during dry weather conditions and is approved by the North Coast Water Resources Control Board to process up to 1.0 mgd during dry weather. As of October 2014, the plant had a surplus capacity of 0.45 mgd (source: City of Cloverdale 2014 Infrastructure audit, 2014). The maximum design capacity during wet weather conditions is 8.25 mgd with average inflows of 4.10 mgd as of 2014, leaving a surplus capacity of 4.15 mgd.

Development under the proposed annexation could generate up to 4,680 gallons of wastewater per day that would need to be treated at the City’s wastewater plant (see Table 2). The amount of wastewater demand to be added to the City’s municipal wastewater as a result of project build out could be accommodated in the City’s wastewater treatment and disposal system. As a part of the proposed annexation and development project, property owners and/or future developers would generally be required to construct a wastewater collection system sized to accommodate future wastewater flows to connect to the City’s system.

Table 2. Annexation Build Out Wastewater Demand

Land Use Type	Wastewater Use Factor	Land Use/Amount	Wastewater Generation (gpd)
Light Industrial/ Nu Forest	50 gal/day/employee	73 employees ¹	3650
Other Light Industrial	same as above	3 employees ²	150
Single Family Residential	220/gpd/dwelling ³	4	880
Estimated Water Demand	--		4680

Notes:

1. Based on future Nu Forest build out per Nu Forest estimate

2. Based on 1 employee per 1,000 square feet

3. Based on City of Cloverdale estimate

Source: City of Cloverdale, 2016

- b) **Less-than-Significant Impact.** Properties within the annexation area that have been developed (including a portion of the Nu Forest property, the Cerasoli property and the Schwartzler property) rely on on-site private wells for domestic water. Following annexation, all properties would be allowed to connect to the City’s municipal water supply, although it would be the responsibility of individual owners to install necessary infrastructure to connect to the City system, including but not limited to sewer laterals. Since existing private wells in the annexation area rely on approximately the same groundwater resources as the municipal water system, no significant impacts are anticipated with respect to depletion of groundwater resources. Construction of new buildings in the City of Cloverdale following annexation would be required to comply with water conservation features required in the California Building Code, so that future water use could be less under City jurisdiction than is currently used in the unincorporated County.
- c-e) **Less-than-Significant Impact.** Construction of future improvements within the annexation area would increase the amount of impervious surfaces which, in turn, would increase the amount of stormwater runoff. Impervious surfaces that would be created on the Nu Forest property would include building areas, paved parking areas and driveways. Additional construction on other properties would also increase the amount of impervious surfaces, including but not limited to a new single-family dwellings on the Matovich Trust property, live-work buildings on the Cerasoli property, light industrial building(s) on the Poustinchian property as well as driveways and other paved surfaces on some or all of the properties. No specific development applications have been submitted to the City for these non-Nu Forest properties; however, future development on the Nu Forest properties would be limited to single family residences and small industrial buildings that would not result in a significant impact with respect to this topic.

Future development projects in the annexation area will be required to submit grading plans and have these plans approved by the Cloverdale Public Works Department. Based on the City's NPDES permit granted by the Regional Water Quality Control Board, grading plans must demonstrate that proposed future development would not increase the flow or intensity of flow of storm water runoff over the existing conditions. Low Impact Development (LID) measures must be included in each development project to offset the impact of new impervious surfaces as required by NPDES No. CA0025054 and Cloverdale Municipal Code Section 16.10.160, which invoke the Santa Rosa LID Manual as adopted by the City of Cloverdale. Typical measures implementing this requirement include use of detention or retention ponds to store excess peak flows to ensure that existing or planned downstream drainage facilities will not be significantly impacted. It is anticipated that, due to the relatively small size of properties included in the annexation, the courses of local creeks or streams within or adjacent to the annexation area would not be significantly changed or altered. A water quality pond is proposed to be constructed on the southwest portion of the Nu Forest site that would also detain stormwater prior to discharge into the Russian River.

Similarly, the City will require the submittal and approval of site-specific erosion control plans to limit the amount of polluted runoff from each property to a less-than-significant level when future developments are proposed. Future erosion control plans must cover both construction and post-construction operations of each future development project.

Additionally, the standard conditions require payment of development impact fees, targeted for construction of citywide public infrastructure projects, including water and drainage improvements that address the cumulative impacts of development.

Overall, future impacts related to drainage, stream course alteration and the generation of significant quantities of polluted runoff will be less-than-significant.

- g-j) Less-than-Significant Impact. The eastern portion of the annexation area is located within a 100-year flood hazard area (an "AE" zone) and would be subject to inundation on the event of a 100-year storm. The western portion of the annexation area is at a higher topographic elevation and lies above the AE flood hazard zone.

Future development that could occur on the eastern portion of the annexation area would consist of the expansion of the existing Nu Forest Products lumber mill, wood processing and storage operations. No future housing would be located in a flood hazard area and improvements constructed within the annexation area would meet flood construction methods and materials required by the California Building Code, as enforced by the City of Cloverdale. Portions of the annexation area would be subject to inundation by water in the event of a dam failure upstream of the site along the Russian River. This is documented on Figure PS-1f contained in the Public Safety Element of the

Sonoma County General Plan 2020 (<http://www.sonoma-county.org/prmd/gp2020/fig-ps1f.pdf>). It is likely such portions of the site would be limited to the flatter eastern portion closest to the Russian River. Future potential flooding of this portion of the area would likely be the same as the impact experienced from a 100-year flood event and would be less-than-significant as discussed above.

10. Land Use

Environmental Setting

The annexation area consists of a mix of developed properties (portions of the Nu Forest site), three single-family residences, older barns and other accessory buildings. Surrounding uses include light industrial uses to the west (All-Coast Forest Products) under County jurisdiction, City of Cloverdale wastewater treatment facilities and a corporation yard to the south within the City of Cloverdale, a train station/maintenance structure and the 101 freeway to the west (in the City of Cloverdale) and vacant land to the north in the City of Cloverdale.

Project Impacts:

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

a-c) No Impact. If approved, the proposed annexation would change the status of the affected properties from the unincorporated portion of Sonoma County to the City of Cloverdale. Other than the proposed expansion of operations on the Nu Forest site, no other land use changes would immediately occur in the annexation area. However, under the proposed General Plan Amendment and rezoning, future development would be allowed on all properties, which would generally be consistent with development patterns that would be allowed under existing Sonoma County land use regulations. No impacts are anticipated with respect to this topic.

None of the properties included in the proposed annexation lie within a Habitat Conservation Plan or a Natural Community Conservation Plan.

11. Mineral Resources

Environmental Setting

No significant mineral resources exist in the project area based on the Land Use Diagram of the Cloverdale General Plan.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Discussion

a-b) The General Plan notes no deposits of minerals on or adjacent to the annexation area and no impacts would result.

12. Noise

Environmental Setting

The project area is located on the east side of the 101 freeway, a major noise generator in this portion of Cloverdale. Another source of localized noise is lumber mill operations from the existing Nu Forest storage yard (primarily truck and forklift noise) on the eastern portion of the annexation area and lumber mill, truck and forklift operations to the east on the All-Coast property.

Noise is currently generated by vehicle traffic using Asti Road that forms the western boundary of the area. Based on limited traffic on this roadway, local roadway noise from Asti Road is not considered significant. The General Plan EIR does not identify any major sources of stationary (non-vehicular) noise on or adjacent to the annexation area.

The annexation area is located a significant distance north of Cloverdale Municipal Airport and is not subject to significant noise from this source (see Figure 4.7-1 contained in the Cloverdale General Plan EIR).

Project Impacts and Mitigation Measures

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the				X

project vicinity above levels existing without the project?			
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

Discussion

- a) **Less-than-Significant with Mitigation.** The project involves the expansion of the existing Nu Forest lumber mill on the east side of the annexation area and the construction of other light industrial facilities and one dwelling within the area. Operation of these uses could have the effect of exposing existing and future residents near the annexation area to levels of noise above the 65 dB level. In addition future dwellings constructed on the site either in the proposed General Industrial zoning district or the proposed Rural Residential district could be subject to significant noise either from future traffic, especially trucks, using Asti Road or from future lumber mill operation on the Nu Forest site. Pursuant to the California Building Code, interior noise levels for residences cannot exceed 45 decibels (Ldn/CNEL). Consistency with this requirement will be confirmed during review of site-specific building plans for future residences. Exceedances of City of Cloverdale exterior noise levels of 65 decibels (Ldn/CNEL) could occur with respect to

future dwellings that could be constructed within the annexation area and on surrounding properties as a result of future operational noise related to Nu Forest operations. This would be a potentially significant and would be reduced to a less-than-significant level by adherence to the following measure.

Mitigation Measure Noise-1: Prior to issuance of a building permit for future residential and major industrial uses in the annexation area, a qualified acoustical consultant as approved by the City of Cloverdale shall conduct a site-specific analysis to ensure that future uses and site activities comply with City standards set forth in the Noise Element of the Cloverdale General Plan and other applicable local noise regulations. Each analysis shall contain, at minimum, a summary of recent 24-hour noise measurements and specific measures to be incorporated into final building plans and specifications to reduce exterior and interior noise to City standards.

- b) Less-than-significant. None of the proposed improvements within the annexation area would generate significant groundborne vibration since normal construction techniques would be used. No unusually tall buildings are proposed that could require pile driving or similar construction methods that would generate significant levels of vibration. The one property that could potentially generate vibration would be the proposed expansion of Nu Forest Products. However, no significant receptors currently exist or are proposed immediately adjacent to the Nu Forest site. The closest use to Nu Forest is the All Coast lumber mill, located immediately west of the Nu Forest site, that would be an equivalent use and would not be a sensitive receptor. This impact would be less-than-significant.
- c) Less-than-Significant. No significant noise above existing ambient level of noise would be created in the project location without annexation and future construction of project improvements. This impact would be less-than-significant.
- d) Less-than-Significant with Mitigation. Future construction of residential and light industrial uses within the annexation area could result in potentially significant noise during normally quiet times of the day, which is evening and night time periods. This would be a potentially significant on existing and future residences that could be allowed in the annexation area. Adherence to the following measure will ensure this impact will be reduced to a less-than-significant level.

Mitigation Measure Noise-2: All future construction activities for properties in the annexation area shall be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturdays. No construction shall occur on state or federal holidays. Exceptions to these restrictions may be granted by the Cloverdale Community Development Director for unusual or emergency conditions.

- e, f) No Impact. The project area is not located within an approved land use plan or near the Cloverdale Municipal Airport, the closest public or private airport to the area. No impacts would occur with respect to this topic.

13. Population and Housing

Environmental Setting

The annexation area is currently partially developed with Nu Forest lumber operations, three single-family dwellings and a PG&E electric substation. Surrounding uses include vacant land to the north (within the City of Cloverdale), a lumber mill and the Russian River to the east (unincorporated County territory), City of Cloverdale infrastructure and a corporation yard to the south (within the City) and the 101 freeway, a train station/maintenance shed and railroad right-of-way to the west (within the City).

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion

- a) No Impact. The proposed project would have no impact on substantial population growth within the City of Cloverdale since the project would allow for the development of one new single family dwelling within the annexation area.

- b-c) No Impact. The proposed project could result in removal of one existing dwelling within the annexation area on the Nu Forest property and would allow construction of one dwelling on the Matovich Trust property. No impact would result with respect to this topic.

14. Public Services

Environmental Setting

Essential public services to the project area are provided as follows:

- *Fire Protection.* Fire protection services are provided by the Cloverdale Fire Protection District, which is headquartered at 451 S. Cloverdale Boulevard. A fire station is located at the district headquarters. The District also provides emergency rescue and fire code inspection services and maintains a variety of fire suppression apparatus at the headquarters Fire Station. The District maintains automatic aid agreements with the Geyserville Fire District and City of Healdsburg Fire Department (source: B. Elliott, Cloverdale Fire Protection District, 3/4/16).
- *Police Protection.* Police and security protection is provided by the Sonoma County Sheriff's Department based on Santa Rosa. The Sheriff's Department provides five deputies to patrol northern Sonoma County, including the annexation area, on a 24-hour per day basis (source: Al Tupman, Sheriff Department, 3/28/16). The City of Cloverdale Police Department maintains a mutual aid agreement with the County Sheriff, so that Cloverdale personnel may be the first responder to the annexation area in the event of an emergency (source: S. Cramer, Cloverdale Police Department, 3/28/16).
- *Schools.* Public educational services for residents of the project site are provided by the Cloverdale Unified School District. The District provides K-12 educational services for residents of Cloverdale and the surrounding unincorporated area. Private schools are also available in the greater Cloverdale area.

Local schools serving the project site include Jefferson Elementary School, Washington Middle School and Cloverdale High School.

- *Library Service.* Sonoma County Library provides library service to Cloverdale as well as the greater Sonoma County. Numerous branch libraries are located in both incorporated cities and unincorporated communities throughout the County. The library administrative headquarters is located in Santa Rosa. The branch library closest to the annexation area is located at 401 N. Cloverdale Boulevard in Cloverdale.

- *Maintenance.* Maintenance of local streets, roads and other governmental facilities within the unincorporated portion of the County are the responsibility of the County of Sonoma.
- *Energy.* Residents of Cloverdale receive electrical power from Pacific Gas & Electric Company (PG&E), a regulated public utility serving northern and central California.
- *Communication facilities.* Major communication facilities in Cloverdale are provided by AT&T although other providers are also available.

Project Impacts

Would the proposal:

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Fire protection?			X
Police protection?			X
Schools?			X
Parks?			X

Other public facilities?

			X
--	--	--	---

Discussion

- a) No Impact. The proposed annexation and subsequent development that would be allowed under City of Cloverdale jurisdiction would not adversely impact the level of service provided by the Cloverdale Fire Protection District, the Cloverdale Unified School District or the Sonoma County Library, since there would be no change to the status of these providers upon annexation or their respective boundaries. Representatives from the Cloverdale Fire Protection District have indicated that no new or expanded facilities would be needed to serve the proposed annexation and future development (source: B. Elliott, CFPD)

Should the annexation be approved, police protection services would be provided by the City of Cloverdale Police Department instead of the County Sheriff. Based on discussions with the Cloverdale Police Chief, the City’s Police Department could provide an enhanced level of emergency and non-emergency response times to calls for service from properties in the annexation area, since the Cloverdale Police Department is located closer to the area than the County Sheriff’s office and provides a higher level of staffing than the County Sheriff than is currently available to the affected properties.

Upon future development within the annexation area, property owners or developers would be required to pay development impact fees that support these City Departments and special districts, such as the Cloverdale Fire Protection District.

Maintenance of local roads and other public facilities would be provided by the City of Cloverdale and would be funded by City property taxes and fees paid by future residents. Library service to the project area would continue to be provided by the Sonoma County Library system.

No changes to the boundary of the Cloverdale Unified School District is proposed as part of this project.

There would be no changes to annexation area properties in terms of electrical, natural gas or telecommunication services since such services are not affected by local municipal boundaries.

Overall, impacts to public services would be less-than-significant.

For impacts to parks, refer to item 15, below.

15. Recreation

Environmental Setting

The annexation area is partially developed with much of the area vacant. No parks, playgrounds or similar uses are present on the project area.

The closest public parks are south of the site on West Second Street and West First Street. City Park is located at 450 W. Second and the City pool is located at 205 West First Street.

The City of Cloverdale and Sonoma County Regional Parks Department operate Cloverdale River Park located at 31820 McCray Road on the west bank of the Russian River, north of the annexation area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

a-b) No Impact. The proposed annexation project would not significantly impact the existing City of Cloverdale recreational facilities or regional park facilities, such that the facilities

would be substantially degraded. If annexed into the City, future development that would be allowed would be subject to City of Cloverdale Parks and Recreation Facilities development impact fees which are used for City wide park projects relating to community needs.

Future development within the annexation area could include construction of one new dwelling and the removal of one dwelling, which would have no impact on City or regional park facilities.

16. Traffic and Transportation

Environmental Setting

Primary local access to the annexation area is provided by Asti Road, a collector road extending through the City of Cloverdale in a north-south direction. Regional access is provided by the US 101 freeway immediately west of the annexation area.

Access to individual properties within the annexation area is via a number of driveways off of Asti Road. Access to the Nu Forest property is provided via a private drive north of the annexation area that also serves the All-Coast Lumber mill to the east.

The 2008 General Plan EIR analyzed the intersection of the US 101 freeway northbound and southbound at Citrus Fair Drive under AM and PM peak hour conditions. This intersection is the closest to the annexation area. The EIR documents that existing and build out peak hour operations of this intersection would be Level of Service (LOS) A, which is the highest level of service. LOS A is characterized by minimal delay and minor, if any, congestion.

Public transportation to the City of Cloverdale and the annexation area is provided by the Sonoma County Transit Agency (SCTA). SCTA provides regional service to communities to the south and an intercity Cloverdale Shuttle for local trips.

Existing railroad tracks are located just west of the annexation area and west of Asti Road. These tracks are presently not in use but are planned for future SMART train operations. A station has been constructed along the tracks just west of the annexation area but is not currently used.

No bicycle paths or sidewalks are located along Asti Road adjacent to the annexation area.

No public or private airports or airstrips exist on or adjacent to the annexation area.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the proposal:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X

e. Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion

a, b) Less-than-Significant Impact. As noted in the Environmental Setting section of this Initial Study, existing and future operations of the nearest major intersection to the annexation area, Citrus Fair Drive and the 101 north and south bound freeway ramps, is expected to operate at an acceptable level of service through the build-out of the General Plan, which is 2025. Table 4.5-8 contained in the General Plan EIR documents that the Highway 101 on- and off-ramps at Citrus Fair Drive are expected to operate at LOS A or C during both A.M. and P.M. peak hour periods.

The following table (Table 3) estimates the number of total and peak hour trips that could be generated in the annexation area. The table shows that up to 133 daily trips could be generated as a result of annexation and build out of the subject properties. There would be up to 120 peak trips during the morning peak period and up to 112 peak trips in the pm peak.

Table 3. Annexation Build Out Estimated Trip Generation

Land Use Type	Amount	Total Daily Trips	AM Peak	PM Peak
Nu Forest (existing) ¹	--	12		
Nu Forest – proposed ¹	--	71		
<i>Subtotal Nu Forest trips</i>	--	59	54	57
Industrial ²	3,000 SF	21	19	20
Single Family Residential (existing & proposed) ³	3	29	22	29
Total Trips	--	133	120	112

Notes:

- Existing and proposed Nu Forest trip generation based on field observation and future estimates provided by project applicant.
- Future industrial uses include up to 1,000 square foot live-work industrial space on Cerasoli site & up to 2,000 square foot industrial space on Poustinchian property

3. Existing dwellings on Cerasoli, Schwartzler & Nu Forest properties, per property owners.
4. Proposed dwelling on Matovich Family trust property, per landowner representative.
Trip rates per ITE Trip Generation Manual, 9th Edition, 2012

The addition of anticipated project trips on the local transportation system near the project site is not expected to significantly increase congestion or conflict any local or regional transportation plan or policy dealing with transportation. The primary landowner in the annexation area, Nu Forest Products, is considering the operation of an employee shuttle to and from Healdsburg for mill employees. If implemented, the shuttle would reduce overall and peak hour trips as identified in the above table.

Furthermore, the City of Cloverdale Streets and Thoroughfare Development Impact Fee will be collected before any project in the annexation area is developed. These fees provide for cumulative improvements of the roadway system to accommodate citywide traffic needs at ultimate General Plan build out.

- c) No Impact. As noted in the Environmental Setting section of this Initial Study, no public or private airports or airstrips exist on or adjacent to the annexation area. The area is not located within the airport land use plan for Cloverdale Municipal Airport, so there would be no impacts with respect to this topic.
- d, e) No Impact. Properties included in the annexation area are all served by private driveways from Asti Road. If no changes to current structures are proposed, existing driveways may remain as they currently exist. New development proposals will be reviewed by the City of Cloverdale Community Development Department, Public Works Department and Fire Department to ensure consistency with City standards and to ensure there would be no hazards or impediments to emergency vehicle access. Future development proposals would also be reviewed by the Cloverdale Fire Protection District to ensure that District design criteria are met in terms of emergency access. No impact would result with respect to this topic.
- f) No Impact. The proposed annexation and future development would be consistent with the Cloverdale General Plan, as amended by the project. There would be no impacts with respect to potential conflicts with alternative modes of transportation.

17. Utilities and Service Systems

Environmental Setting

The annexation area received public utilities from the following sources:

- *Water supply.* Private on-site wells.
- *Sewage collection.* Private on-site septic systems.
- *Sewage treatment and disposal.* Private on-site septic systems
- *Storm drainage.* Sheet flow from individual properties and private open channels.
- *Solid waste service.* Private disposal.

Project Impacts

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<i>Would the project</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing water entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by			X	

the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state and local statutes and regulations related to solid waste?			X	

Discussion

a) Less-than-Significant. Upon annexation to the City of Cloverdale, all properties would be eligible to connect to the City's wastewater collection, treatment and disposal system. Property owners would be responsible for constructing sewer lines and other related facilities to connect to the City's system. Any extensions on public land would be required to be designed to City engineering standards, encroachment permit(s) from the City would be required and easements over private properties obtained, as needed. Preliminarily, a sewer line would be extended west from the approximate center of the Nu Forest property to Asti Road, then south to connect to the City's wastewater treatment plant. The extension would be sized to accommodate the anticipated maximum build-out of uses in the annexation area, but could be oversized to accommodate other unserved properties in the annexation area, as determined by the Cloverdale City Engineer.

A report prepared by the City of Cloverdale in late 2014 (2014 Infrastructure and Public Service Audit, 10/15/14) documented that the City's wastewater treatment plant, located just south of the annexation area, is permitted by the Regional Water Quality to treat up to 1.0 million gallons of wastewater per day (mgd) during average-day dry weather periods. The peak treatment capacity is permitted to be 2.2 mgd. The City is permitted up to treat 8.25 mgd during wet weather periods. As of late 2014, the treatment plant was processing 0.55 mgd on an average day and 1.4 mgd during peak conditions. The peak wet weather flow was documented at 4.1 mgd during the same time period. Treated wastewater is transported to municipal ponds adjacent to the Russian River where treated effluent can percolate into the soil or evaporate into the atmosphere. Disposal of treated wastewater is based on the City's permitted treatment capacity and there is currently no issue with disposal capacity.

Build-out of the proposed annexation would be estimated to generate 4,230 gallons per day of wastewater. This is based on information provided in Table 2, in the Hydrology section.

Based on the above information, future development that could be accommodated in the annexation area could be served by the City of Cloverdale wastewater treatment system with out exceeding the requirements of the Regional Water Quality Board and a less-than-significant impact would result.

The City of Cloverdale may allow continued use of septic systems for future development if such development would be located 300 feet or greater from a sewer collection line.

- b) Less-than-Significant. Property owners in the project area would have the ability to be connected to the City's municipal water system upon completion of the annexation process. Nu Forest Products has proposed to extend a municipal water line from their property to connect to the City's water system in Asti Road, west of the annexation area. Other properties may also connect to the City system. All costs to extend municipal water would be at the expense of individual owners.

The same 2014 Infrastructure and Public Services Audit referenced in subsection "a," above, notes that the City recently completed two new water wells as of 2014. New wells were financed by the US Department of Agriculture. Improvements were also made to the City's water system to "de-aerate" water prior to entering the City's water treatment plants that improved the efficiency of the treatment plant. Water system improvements are now on-line and a part of the municipal water system which includes five wells. The 2014 Infrastructure Audit reported that with the recently completed improvements, the daily capacity of the municipal water system is approximately 3.69 mgd. The 2014 estimated maximum demand for water was approximately 2.55 mgd, with 28,000 gallons/day allocated to other pending development projects This would leave approximately 392,000 gallons per day for future development in the community, including development proposed in the annexation area.

Table 4 provides an estimate based on City information regarding the estimated quantity of water to be used by build-out of proposed land uses in the annexation area. The estimated maximum use of water 5,128 gpd, is less than the estimated 392,000 gpd that is currently available to serve future development so there would be an adequate long-term supply of water available for the proposed annexation and development of future uses.

The City of Cloverdale will also require, as a normal and customary condition of development approval for future buildings in the annexation area, that builders install high water efficiency fixtures and appliances to minimize water use to the fullest extent. Such improvements may likely include but will not be limited to use of low-flow toilets

and showers, possible use of non-water urinals, use of water efficient appliances, limitations on installation of landscaping and similar features.

Table 4. Annexation Build Out Water Demand

Land Use Type	Water Use Factor	Land Use/Amount	Water Use (gpd)
Light Industrial/Nu Forest	50 gallons/day/employee	73	3,650
Other Light Industrial	same as above	3	150
Single Family Residential	332/gpd/dwelling	4	1,328
Estimated Water Demand	--	--	5,128

Source: City of Cloverdale, 2016

- c) Refer to the Hydrology section of this Initial Study for a discussion of drainage facilities.
- f, g) Construction of future development within the project area would result in a slight increase in the amount of solid waste generated by the project that would be accommodated in local and regional landfill facilities. Upon annexation, the City's franchised waste hauler, Redwood Empire Disposal, would collect solid waste and recyclables .A representative of Redwood Empire Disposal (Mike Lockwood) has confirmed there will be no impacts to the company. The proposed project would have no impact with regard to federal, state or local statutes or laws governing solid waste.

18. Mandatory Findings of Significance

Environmental Issue	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the				X

number of or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- c) Does the project have impacts that are individually limited, but cumulatively considerable?
- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

			X
			X
			X

Discussion

- a-b) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The project is located on property not involving a creek, stream or other waterway, nor is the area identified as having populations of wildlife.
- c) Cumulative impacts have been reviewed in the annual infrastructure audit. There are sufficient public facilities to serve the proposed future development.
- d) The project will not have direct nor indirect environmental effects on human beings. Noise and other impacts from the development will be minimal and within the thresholds set forth in the General Plan.

Initial Study Preparers

Jerry Haag, Consulting Planner

City of Cloverdale staff

Paul Cayler, City Manager

David Kelley, Assistant City Manager/Community Development Director

Vanessa Apodaca, PE, City Engineer

Eric Janzen, Engineering Technician

Rafael Miranda, Associate Planner

Stephen Cramer, Police Chief

Cloverdale Fire Protection District

Brian Elliott

Local Agency Formation Commission

Mark Bramfitt, Executive Director

Carole Cooper, Assistant Executive Director

Redwood Empire Disposal

Mike Lockwood

Applicant Team

Sharmaine Ege, Nu Forest Products

Kurt Kelder, civil engineer

References

CEQA Guidelines, Bay Area Air Quality Management District, May 2011

General Plan Update Environmental Impact Report, City of Cloverdale 2009

Cortese List, California Department of Toxic Substances Control, March, 2016

Design Level Geotechnical Investigation, 280 Asti Road, PJC & Associates, November 2015

Draft EIR for Climate Action 2020: Community Climate Action Plan, ICF International, March 2016

California Department of Water Resources (<http://wdl.water.ca.gov>)

Report of Limited Subsurface Investigation, 280 Asti Road, Cloverdale CA, SCS Engineers,
November 2015

Infrastructure and Public Services Audit, City of Cloverdale, October 2014

Exhibits

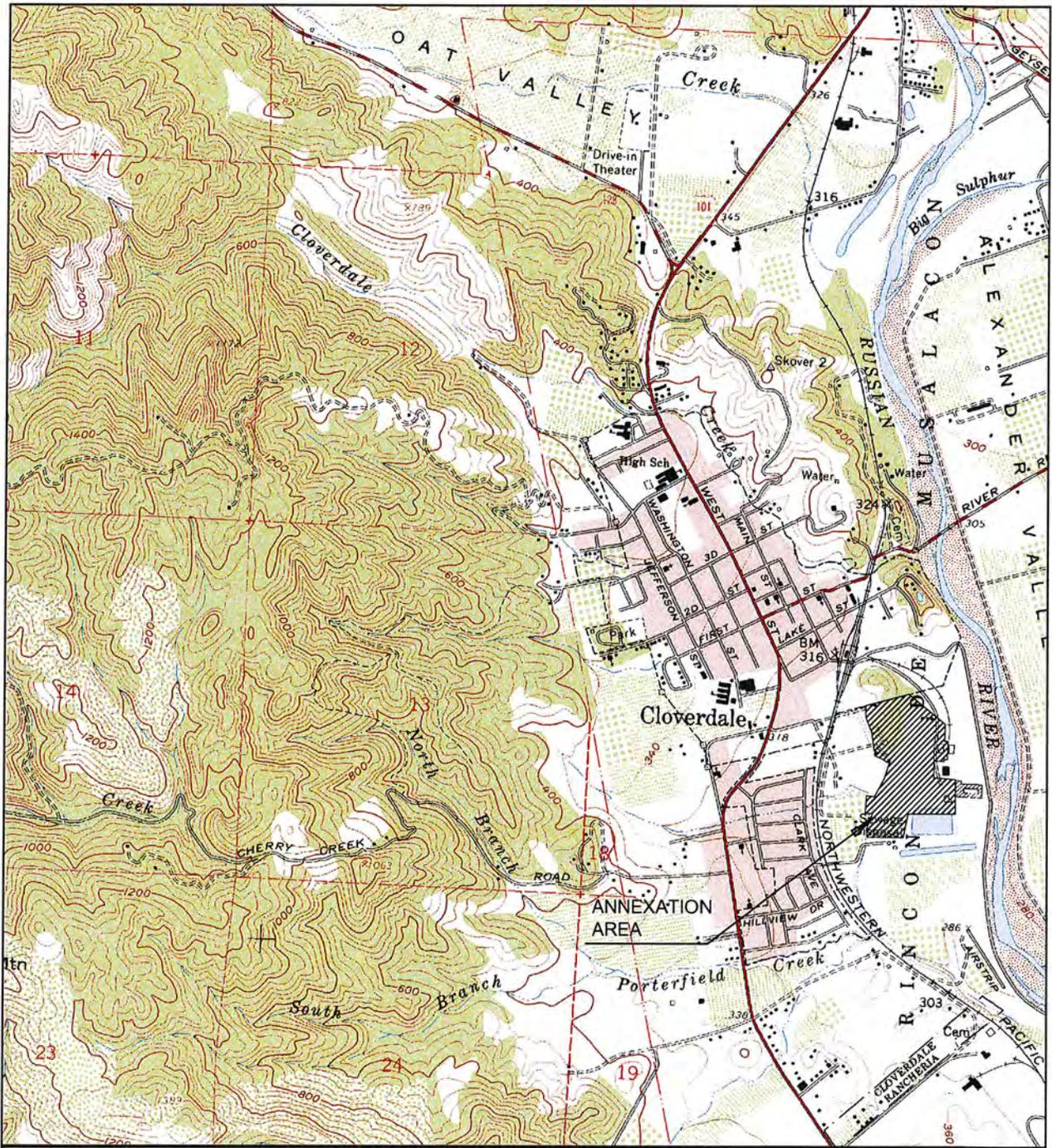
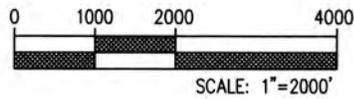


EXHIBIT 2
LOCAL CONTEXT



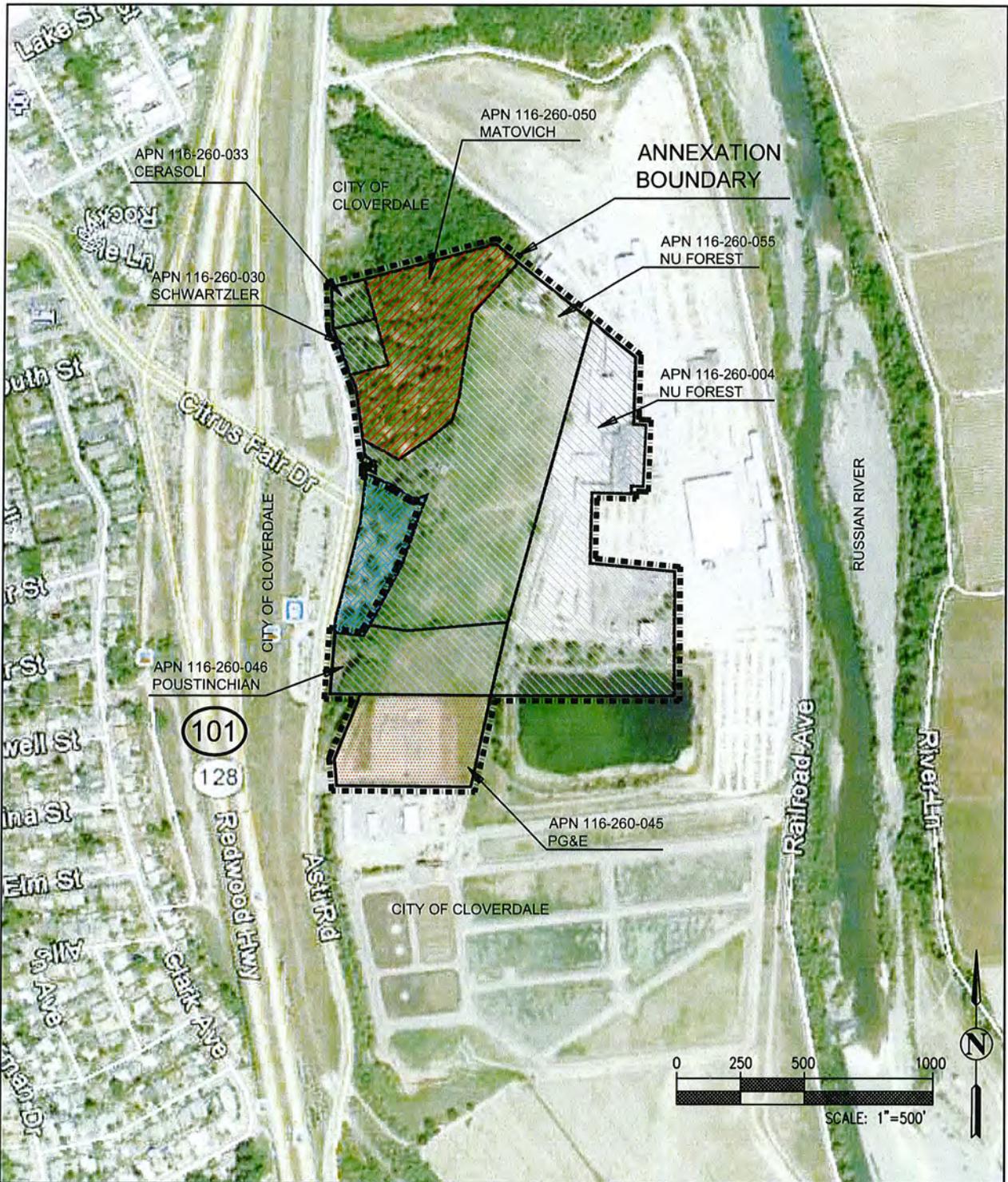


Exhibit 3
 City of Cloverdale
 Proposed Annexation

APN	Owner	Area (per AP Map)
116-260-004	Nu Forest Products	12.17 acres
116-260-030	Schwartzler	0.73 acres
116-260-033	Cerasoli	0.45 acres
116-260-045	PG&E	4.05 acres
116-260-046	Poustinchian	4.07 acres
116-260-050	Matovich	6.30 acres
116-260-055	Nu Forest Products	14.68 acres



- Legend:**
- | | |
|-------------------------------------------------------------------------------------|----------------------------------------------------|
|  | Existing General Plan
CF - Conservation Feature |
|  | GI - General Industrial |
|  | TOD - Transit Oriented Development |
|  | P - Public |

Exhibit 4A
 City of Cloverdale
 Existing General Plan
 Land Use Designation



Exhibit 4B
 City of Cloverdale
 Proposed General Plan
 Land Use Designation

Legend:

-  RR
-  GI
-  P

Proposed General Plan

- RR - Rural Residential
- GI - General Industrial
- P - Public

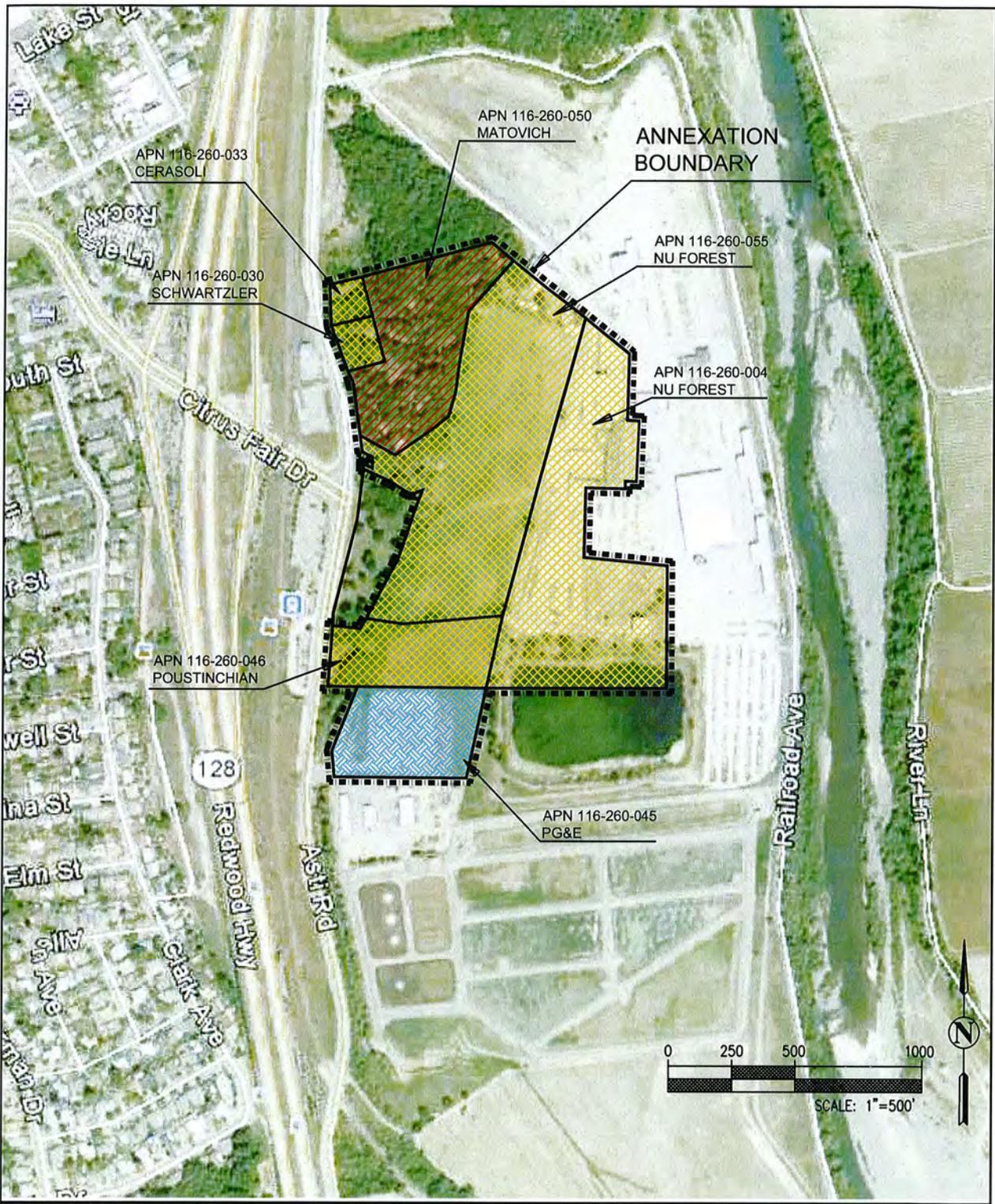


Exhibit 5
City of Cloverdale
Rezoning Map

Legend:	Proposed Use
	GI - General Industrial
	RR - Rural Residential
	P-I - Public Institutional

Corrections and Modifications to the Nu Forest Annexation & Development Project

Initial Study/Mitigated Negative Declaration (IS/MND)

August 5, 2016

The following changes are made by reference into the Initial Study document dated June 2016. None of the changes to the project would change any of the impact analyses or conclusions of the Initial Study document.

1) The General Plan land use designation for the Schwartzler Trust property (APN 116-260-030) is proposed to be changed from "CF-Conservation Feature" to "RR-Rural Residential. The Initial Study described the proposed General Plan Amendment from "CF-Conservation Feature" to "GI-Light Industrial." After further discussions with the property owner, the owner desires a Rural Residential land use designation.

Since the property currently is developed with a single family dwelling and the proposed RR designation would continue to allow this use, the proposed General Plan change would result in fewer and less intensive environmental impacts in terms of traffic generation, noise, air quality and similar impacts.

2) The General Plan land use designation for the PG&E property (APN 116-260-45) is proposed to be changed from "TOD-Transit Oriented Development" to "Public/Quasi-Public" to reflect the existing PG&E electric substation. There would be no changes to the environmental analysis contained in the Initial Study since there would be no changes to the status of the substation. The intent of the project is to include this property in the annexation to avoid creating a county island.

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Exhibit 3

City of Cloverdale Nu Forest Annexation & Development Project Mitigation Monitoring and Reporting Program

September 2016

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>Aesthetics-1. Future grading and/or development on any parcels of land fronting on Asti Road in the annexation area shall be reviewed by a California-certified arborist to identify methods to provide for maximum tree protection. These methods shall be reflected in final development plans. If mature trees cannot be protected, replacement native trees shall be planted on the site at a 2:1 ratio with adequate measures to ensure successful growth of the replacement trees. No Certificate of Occupancy shall be granted on any lot with required replacement tree plantings until tree replantings are reviewed and approved by the Cloverdale Community Development Department.</p>	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of grading plans for parcels of land fronting on Asti Road	
<p>Aesthetics-2. Future development on parcels of land in the annexation area with substantial tree cover shall include measures identified by a California-certified arborist that ground disturbing activities will not significantly impact native trees on the lot. This</p>	Project Applicant(s)	Cloverdale Planning & Building Departments	Prior to approval of grading plans and during grading and construction for parcels of land fronting on Asti Road	

Mitigation Measure

Implementing Responsibility

Monitoring Responsibility

Monitoring Schedule

Verification

<p>shall include installation of exclusion fencing at locations approved by the arborist during project construction, provision of adequate irrigation of trees during construction, limitations on grading within exclusion areas and limitations of use (e.g. no storage of construction materials) under tree drip lines and other protection measures as may be recommended by the arborist.</p>				
<p>Aesthetics-3. Future development on parcels of land fronting on Asti Road should be screened from view to the fullest extent feasible by landscape buffers or fences that limit views of new development from adjacent streets and roadways._</p>	<p>Project Applicant(s)</p>	<p>Cloverdale Planning Department</p>	<p>Prior to issuance of building permits</p>	
<p>Aesthetics-4. The design of future structures on properties fronting on Asti Road shall exclude use of highly reflective materials, including but not limited to window glass, porch railings or other accent materials. Other exterior building materials shall be of neutral colors and tones to minimize visibility.</p>	<p>Project Applicant(s)</p>	<p>Cloverdale Planning Department</p>	<p>Prior to approval of building permits for parcels of land fronting on Asti Road</p>	
<p>BIO-1. Prior to issuance of a grading and/or a building permit for parcels located on the east side of Asti Road, a site-specific biological reconnaissance shall be completed by a qualified biological firm as approved by the Cloverdale Community Development Department. The reconnaissance shall include a literature search and site inspection of the presence of special-status plants or wildlife. If no special-status species are identified, no further action is required. If special-status species are identified, the biologist shall recommend an action plan to ensure that any special-status species are fully protected.</p>	<p>Project Applicant(s)</p>	<p>Cloverdale Planning Department</p>	<p>Prior to approval of grading plans for parcels of land fronting on Asti Road</p>	

Mitigation Measure

Implementing Responsibility

Monitoring Responsibility

Monitoring Schedule

Verification

Protective actions may include first, avoiding the species during construction and post –construction or relocation of the species to an alternative suitable site. Any relocation actions shall occur in consultation with the California Department of Fish & Wildlife and/or the U.S. Fish & Wildlife Service. Necessary permits and approvals shall be obtained prior to relocation. No work on portions of the affected site may occur until clearances are granted by the City of Cloverdale, the California Department of Fish & Wildlife or the U. S. Fish & Wildlife Service, as appropriate.

BIO-2. Prior to issuance of a grading and/or a building permit for any parcel of land in the project area, a qualified wetland biologist as approved by the Cloverdale Community Development Department shall survey the site for the potential presence of wetlands, other waters or riparian habitat. If none is found, no further action shall be required. If wetlands, other waters or riparian habitat is identified, the wetland biologist shall prepare an action plan for the approval of the City of Cloverdale. These methods may include, but are not limited to, preparing a formal wetland delineation, permanent on-site protection of wetlands or off-site relocation of wetlands to an approved alternative site. If relocated off-site, the applicant or property owner shall obtain necessary permits and approvals from the Regional Water Quality Control Board, the California Department of Fish & Wildlife, the U. S. Army Corps of Engineers or other agencies. No construction near wetlands, other waters or riparian

Project Applicant(s)

Cloverdale Planning Department

Prior to approval of grading plans for app parcels of land in project area

Mitigation Measure**Implementing Responsibility****Monitoring Responsibility****Monitoring Schedule****Verification**

habitat areas may proceed until the approval action plan is approved and implemented.				
GEO-1. Prior to issuance of a grading and/or a building permit for any parcel of land in the annexation area where no recent soils or geotechnical report has been prepared, a qualified California-registered engineering geologist or equivalent, as approved by the Cloverdale Community Development Department, shall prepare a report analyzing soil and geologic conditions on that particular property. The report shall include specific construction methods to be undertaken to reduce potential soil hazards to a less-than-significant level, including but not limited to landslides, ground failure and other potential hazards. The recommendations of the soils and geotechnical report shall be incorporated into all project grading and construction plans to ensure that future hazards from landsliding or similar hazards are reduced to a standard level of care.	Project Applicant(s)	Cloverdale Public Works Department	Prior to issuance of a grading or building permit, whichever is first	
HAZ-1. Prior to issuance of a demolition permit for any existing residence or other major structure in the annexation area (as determined by the Cloverdale Building Official), a licensed contractor shall determine the presence or absence of lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Cloverdale Building Department or Fire District, these materials shall be safely removed consistent with the Occupational Safety and Health Administration (OSHA) and other applicable standards and disposed of in an appropriate location.	Project Applicant(s)	Cloverdale Building Department	Prior to issuance of a demolition permit, if needed, or demolition of existing structures, if no demolition permit needed	

Mitigation Measure**Implementing Responsibility****Monitoring Responsibility****Monitoring Schedule****Verification**

Necessary permits and approvals shall be secured from appropriate regulatory agencies.				
Noise-1. Prior to issuance of a building permit for future residential and major industrial uses in the annexation area, a qualified acoustical consultant as approved by the City of Cloverdale shall conduct a site-specific analysis to ensure that future uses and site activities comply with City standards set forth in the Noise Element of the Cloverdale General Plan and other applicable local noise regulations. Each analysis shall contain, at minimum, a summary of recent 24-hour noise measurements and specific measures to be incorporated into final building plans and specifications to reduce exterior and interior noise to City standards.	Project Applicant(s)	Cloverdale Planning Department	Prior to approval of building permits	
Noise-2. All future construction activities for properties in the annexation area shall be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturdays. No construction shall occur on state or federal holidays. Exceptions to these restrictions may be granted by the Cloverdale Community Development Director for unusual or emergency conditions.	Project Applicant(s)	Cloverdale Building Department	During all phases of project construction	

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 076-2016**

RESOLUTION OF THE CITY COUNCIL DIRECTING STAFF TO FILE ANNEXATION APPLICATION FOR “CLOVERDALE REORGANIZATION NO. 2016-01 (NU FOREST) FOR THE NU FOREST PRODUCTS PROPERTIES AND ADJACENT PROPERTIES CONSISTING OF APPROXIMATELY 42.5 ACRES OF LAND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITY AND CORPORATION YARD (APNs 116-260-004, -030, -033, -045, -046, -050 & -055)

WHEREAS, the Applicant, Nu Forest Products, has requested annexation of two adjacent properties owned by them lying east of the current boundary of the City of Cloverdale (APNs 116-260-004 & -055) to the City; and

WHEREAS, to create a more logical boundary to the City, several other properties lying west of the Nu Forest properties and between the Nu Forest properties and the current City boundary are also proposed for annexation to the City. These additional properties include:

- Cerasoli (0.45 acre), APN 116-260-033
- Schwartzler Trust (0.45 acre), APN 116-260-030
- Matovich Trust (6.3 acres), APN 116-260-050
- Poustinchian (4.07 acres), APN 116-260-046
- PG & E (4.05 acres), APN 116-260-045; and

WHEREAS, all of the properties proposed for annexation to the City are shown on the attached Attachment 1, which is hereby incorporated by reference into this resolution; and

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

WHEREAS, to comply CEQA, the City of Cloverdale prepared an Initial Study/Mitigated Negative Declaration for this project, including annexation of properties and development of the Nu Forest Products site, with the finding that all potentially significant impacts associated with the project could be mitigated to a less-than-significant level and would be subject to mitigation measures identified in the initial study that will be made project conditions of approval; and

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

WHEREAS, on September 6, 2016, 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, a Staff Report to the Planning Commission dated September 6, 2016, and incorporated herein by reference described and analyzed the proposed annexation to the City of Cloverdale; and

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration for the Project and Resolution No. 014-2016 which recommends that City staff file the Nu Forest annexation with the Sonoma County Local Agency Formation Commission, both resolutions are incorporated herein by reference and is available for review at City Hall during normal business hours; and

WHEREAS, on October 11, 2016, the City Council held a properly noticed public hearing on the proposed annexation and other related Project applications, at which time all interested parties had the opportunity to be heard; and

WHEREAS, prior to taking action on the annexation, the City Council approved City Council Resolution No. 013-2016, adopting a Mitigated Negative Declaration for the annexation of the Nu Forest properties and related properties to the City of Cloverdale as well as other related applications; and

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

BE IT RESOLVED that the City Council makes the following findings and directs City staff to file the Nu Forest Annexation with the Sonoma County Local Agency Formation Commission:

1. The proposed annexation area lies within the City of Cloverdale LAFCO-approved Sphere of Influence and the City's Urban Service Area as identified in the Cloverdale General Plan and the Urban Growth Boundary area.
2. Future development of the annexation area will be consistent with the Cloverdale General Plan, as amended as part of this project.
3. The annexation action and City of Cloverdale rezoning is not in conflict with any City or County policies.

It is hereby certified that the foregoing Resolution No. 076-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on October 11, 2016, by the following roll call vote: (Ayes-; Noes-).

Ayes:
Noes:
Absent:
Recuse:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 077-2016**

RESOLUTION OF THE CITY COUNCIL APPROVING AN AMENDMENT TO THE GENERAL PLAN FOR FIVE PROPERTIES ON APPROXIMATELY 11.27 ACRES OF LAND GENERALLY LYING EAST OF ASTI ROAD, WEST OF THE RUSSIAN RIVER, SOUTH OF EXISTING CITY BOUNDARIES AND NORTH OF THE CLOVERDALE WASTEWATER TREATMENT FACILITIES AND CORPORATION YARD (APNs 116-260-030, -033, -045 -046 & -050)

WHEREAS, on July 26 2016, by Resolution No 058-2016, the City Council initiated a General Plan Amendment to change the land use designation for approximately 11.27 +/- acres of land located on the east side of Asti Drive approximately at the easterly terminus of Citrus Fair Drive and north of the City Corporation Yard and wastewater treatment plant from “CF-Conservation Features,” “General Industrial” and “Transit Oriented Development” to a combination of “General Industrial” and “Rural Residential” within the proposed Nu Forest Annexation and Development project area; and

WHEREAS, the five properties are identified by the following property owner names and Assessor Parcel Numbers (APNs): Richard Cerasoli - APN 116-260-033, Charles Schwartzler Trust - APN 116-260-030, Gladys Matovich Trust - APN 116-260-050, M. Poustinchian - APN 116-260-046 and PG&E - APN 116-260-045; and

WHEREAS, Exhibit 1 shows existing City of Cloverdale General Plan land use designations and Exhibit 2 shows proposed General Plan land use designations and both Attachments are hereby incorporated by reference into this Resolution; and

WHEREAS, the project area consists of five parcels of record containing approximately 11.27 acres of land located east of Asti Road, south of existing City of Cloverdale limits, generally west of the Russian River and north of the City of Cloverdale corporation yard and wastewater treatment plan; 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 all potentially significant environmental impacts can be reduced to a less-than-significant level by adherence to mitigation measures included in the IS/MND; and

WHEREAS, on September 6, 2016, 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, a Staff Report dated September 6, 2016 and incorporated herein by reference described and analyzed the Project and related Mitigated Negative Declaration for the Planning Commission and recommended adoption of the General Plan Amendment for the Project; and

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration for the Project, and Resolution No. 015-2016 recommending that the Cloverdale City Council approve the requested General Plan Amendment, both resolutions are incorporated herein by reference and is available for review at City Hall during normal business hours; and

WHEREAS, on October 11th, 2016, the City Council held a properly noticed public hearing on the requested General Plan Amendment at which time all interested parties had the opportunity to be heard; and

WHEREAS, prior to taking action on the General Plan Amendment, the City Council approved City Council Resolution No. 075-2016, adopting a Mitigated Negative Declaration for the General Plan Amendment and the associated Nu Forest Annexation and Development Project; and

WHEREAS, based on the staff report, public testimony and other relevant information available to the City Council, the Council voted to approve the General Plan Amendment for the Project that would change land use designations from “CF-Conservation Features,” “General Industrial” and “Transit Oriented Development” to a combination of “General Industrial” and “Rural Residential” within the proposed Nu Forest Annexation and Development project area.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cloverdale, that the City Council hereby makes the following findings and determination with respect to the approval of the General Plan Amendment:

1. That approval of the General Plan Amendment would not make the General Plan internally inconsistent as demonstrated in City Council staff report dated October 11, 2016 and incorporated by reference into this Resolution.
2. That approval of the General Plan Amendment would not be detrimental to the public health, safety or welfare of the City because potential public health and safety issues associated with the Project were fully examined and mitigated to a level of less-than-significance where needed as documented in the Initial Study and Mitigated Negative Declaration prepared for the project. In terms of providing positive effects of welfare to Cloverdale, the proposed Project will result in employment opportunities for local residents as well as increasing tax revenues to the City.
3. The Project site is physically suitable for the proposed General Plan Amendment because the proposed Amendment would allow uses similar to what is currently found on the properties included in the Amendment.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council, that the City Council hereby approves the General Plan Amendment for a portion of the Nu Forest Products Annexation and Development project area, site generally located east of Asti Road, south of existing City limits along the All-Coast/Nu Forest access road, west of the Russian River and north of the City of Cloverdale wastewater treatment plant and corporation yard attached hereto as Attachments 1 and 2.

It is hereby certified that the foregoing Resolution No. 077-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on October 11, 2016, by the following roll call vote: (Ayes-; Noes-).

Ayes:
Noes:
Absent:
Recuse:

APPROVED:

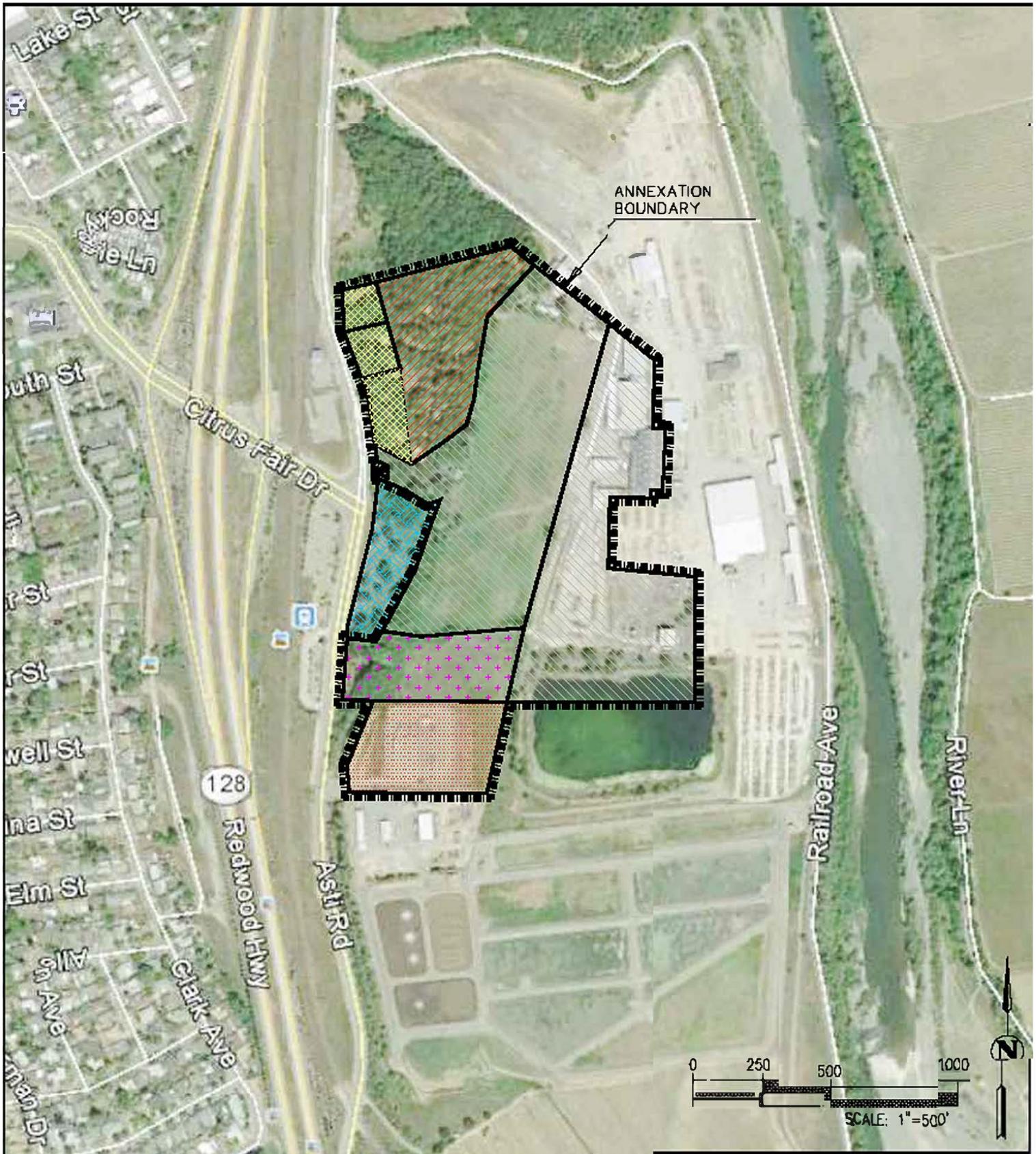
ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Exhibits Attached:

Exhibit 1 – Existing General Plan Designations
Exhibit 2 – Proposed General Plan Designations



Legend:



Existing General Plan

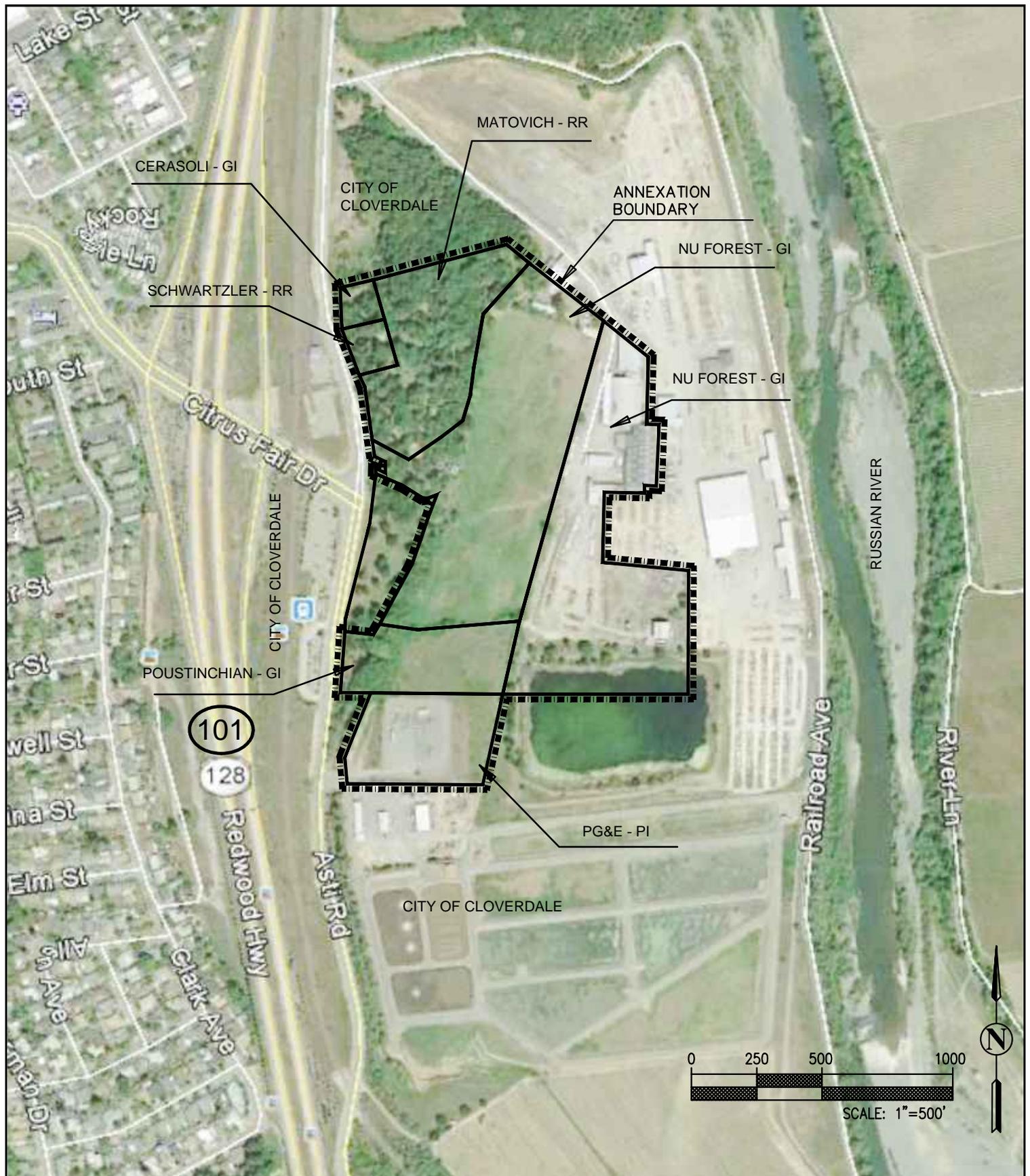
- CF - Conservation Feature
- CF - Conservation Feature
- GI - General Industrial
- GI - General Industrial

TOD - Transit Oriented Development

TOD - Transit Oriented Development

TOD - Existing Transit Oriented Development

Exhibit 1
City of Cloverdale
Existing General Plan
Land Use Designation



	Property Owner	Current General Plan	Proposed General Plan
Exhibit 2	Cerasoli	Conservation Feature (CF)	General Industry (GI)
City of Cloverdale	Schwartzler	Conservation Feature (CF) General	Rural Residential (RR)
Proposed	Matovich	Industry (GI)	Rural Residential (RR)
General Plan Designations	Poustinchian	Transit Oriented Development (TOD)	General Industry (GI)
	PG&E	Transit Oriented Development (TOD)	Public/Quasi-Public (PI)

ATTACHMENT 19

CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 078-2016

RESOLUTION OF THE CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT (FILE NO. CUP 029-2015) AND A MAJOR DESIGN REVIEW (FILE NO. DR 029-2015) FOR NU FOREST PRODUCTS, INC. LOCATED AT 280 ASTI ROAD (APNs 116-260-004 & -055)

WHEREAS, Nu Forest Products submitted an application to the City of Cloverdale to expand their current limited lumber mill and wood storage operations on a 26.85-acre site located west of the Russian River, north of the City's wastewater treatment plant, and east of Asti Road in the unincorporated portion of Sonoma County; and

WHEREAS, Nu Forest Products has requested annexation to the City of Cloverdale and the City Council has adopted a Resolution (Resolution No. 014-2016) directing the Cloverdale City staff to file an annexation application with the Sonoma County Local Agency Formation Commission (LAFCO); and

WHEREAS, the Nu Forest site is designated General Industrial (GI) on the City's adopted General Plan Land Use Map. The property owner has requested rezoning of the property to the General Industrial (M-1) district, which permits heavy manufacturing uses such as lumber and planing mills with the approval of a Conditional Use Permit (see Zoning Ordinance Table 18.06.030-A); and

WHEREAS, the property owner also desires to expand existing lumber storage and office on the site to include lumber milling and planing, lumber storage, administrative offices, parking, solar collectors and related uses within a maximum of four 10,000 square foot open canopy structures and related uses including but not limited to open parking lots and a water quality and retention pond and similar ancillary uses, which require City approval of Major Design Review pursuant to Zoning Ordinance Section 18.03.150.C.1; and

WHEREAS, the proposed Conditional Use Permit and Major Design Review along with all other project components, including a General Plan Amendment, rezoning, and annexation are considered a project under the California Environmental Quality Act (CEQA) and CEQA Guidelines and the City has prepared an Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project; and

WHEREAS, as required by California Government Code Section 65091, the Planning Commission of the City of Cloverdale gave legal notice of a public hearing on the Conditional Use Permit and Major Design Review applications; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2016, for the purpose of reviewing the application for a Conditional Use Permit and Major Design Review for the proposed expansion of the Nu Forest lumber mill and considered all written and verbal communication, including the staff report; and

WHEREAS, the applicant and members of the public were present to speak on the application; and

WHEREAS, on September 6, 2016, the Planning Commission adopted Resolution No. 013-2016, recommending that the City Council adopt a Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program for the Project, and this resolution is incorporated herein by reference and is available for review at City Hall during normal business hours; and

WHEREAS, the Planning Commission has determined that the findings required for 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 conditionally permitted within the M-1 District pursuant to the provisions of this Section (18.03.110) and complies with all the applicable provisions of this ordinance, goals and objectives of the Cloverdale General Plan, applicable Industrial Development Guidelines and other development policies and standards of the City.

According to Chapter 18.14 (Zoning Ordinance Definitions) of the Zoning Ordinance, the proposed expansion of the Nu Forest operation is considered as a "heavy manufacturing use" and requires Conditional Use Permit approval. The proposed use is consistent with the General Industrial General Plan land use designation in that this designation allows for employment opportunities in Cloverdale and specifically identifies lumber mills as an allowed land use. Therefore, approval of the proposed project would be consistent with the General Plan, the Zoning Ordinance, the City's Industrial Development Guidelines and other development policies of the City.

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 proposed use is compatible with the proposed M-1 (General Industrial) zoning district, which conditionally permits lumber mills in this district. To ensure that the proposed lumber and planing mill would not impair the integrity or character of the M-1 district as applied to the subject site, the City has completed an environmental analysis pursuant to the California Environmental Quality Act and has determined that all potentially significant impacts can be reduced to a less-than-significant level. Therefore, the proposed use would not impair the integrity or character of the M-1 District in which the use will be located.

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

The project site is generally flat and currently contains existing storage facilities and offices for Nu Forest Products, Inc. Approximately one-half of the property is vacant, contains no significant stands of trees and could accommodate the proposed Nu Forest expansion. Another lumber facility, All Coast Forest Products, is established immediately east of the Nu Forest property.

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

The proponent of the annexation, Nu Forest Products, has agreed to extend municipal water, wastewater and drainage facilities. Adequate provisions for water, sanitation, storm

drainage and other public utilities and services exist to ensure public health and safety. Installation of such facilities will be required prior to occupancy for future buildings in the annexation area.

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 proposed expanded lumber mill is located in a remote portion of Cloverdale with few sensitive receptors near the project site. An existing lumber mill (All Coast Forest Products) is located immediately adjacent to the Nu Forest site and the City of Cloverdale is unaware of any complaints regarding health, safety or the general welfare from nearby property owner or residents. In addition, the City has conducted a thorough analysis of potential environmental effects of the proposed project consistent with the California Environmental Quality Act and has determined that all potentially significant.

WHEREAS, the Planning Commission has also determined that the findings required for the Major Design Review required by Section 18.03.150 (E) 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 zoning district in which the property is located and with the design guidelines for the City of Cloverdale and/or design guidelines in which the project is located.

The proposed expansion of the Nu Forest Products lumber mill is consistent with the General Plan land use designation of "General Industry" that specifically notes that lumber mills, warehousing and distribution are allowed uses in this designation. Review of the Nu Forest site plan and building elevations indicate that the proposed facility is consistent with City development standards and with applicable 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 proposed expanded lumber mill is located in a remote portion of Cloverdale with few sensitive receptors near the project site. An existing lumber mill (All Coast Forest Products) is located immediately adjacent to the Nu Forest site and the City of Cloverdale is unaware of any complaints regarding health, safety or the general welfare from nearby property owner or residents. In addition, the City has conducted a thorough analysis of potential environmental effects of the proposed project consistent with the California Environmental Quality Act and has determined that all potentially significant impacts can be reduced to a less-than-significant level.

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

The proposed general appearance of the expanded Nu Forest Products facility would be generally consistent with current Nu Forest uses on the site as well as being consistent with

a similar use to the east on the All Coast Forest Products site. Therefore, the appearance of the expanded facility would be in keeping with the appearance of the neighborhood.

WHEREAS, the City Council of the City of Cloverdale gave legal notice of a public hearing on the Conditional Use Permit and Major Design Review applications; and

WHEREAS, the City Council held a public hearing on October 11, 2016, for the purpose of reviewing the application for a Conditional Use Permit and Major Design Review for the proposed expansion of the Nu Forest lumber mill and considered all written and verbal communication, including the staff report; and

WHEREAS, the applicant and members of the public were present to speak on the application.

WHEREAS, the City Council concurs with the findings made by the Planning Commission on September 6, 2016 for the Conditional Use Permit and Major Design Review required by Cloverdale Zoning Ordinance; and

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 approval a Conditional Use Permit and Major Design Review for a lumber and planing mill consisting of up to 40,000 square feet of canopy space, lumber storage, parking areas, a water quality pond with solar collectors and other ancillary buildings on approximately 26.85 acres of land located on Assessors Parcels 116-200-004 & -055 to take effect when the zoning of the site to M-1 becomes effective pursuant to Government Code section 65859(a), with the further recommendation that the Conditional Use Permit and Major Design Review be made subject to the attached Conditions of Approval attached hereto in Exhibit A, which is incorporated herein by reference.

It is hereby certified that the foregoing Resolution No. 078-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on October 11, 2016, by the following roll call vote: (Ayes-; Noes-).

Ayes:
Noes:
Absent:
Recuse:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Attached Exhibit:

Exhibit A – Nu Forest Conditions of Approval

EXHIBIT A - CONDITIONS OF APPROVAL
Nu Forest Products Inc,
280 Asti Road
APNs 116-200-04 & -055

Planning:

1. A Conditional Use Permit approval is granted to allow expansion and continued operation of a lumber mill, lumber storage and office complex at the site identified above. Development shall be in substantial conformance with the plans submitted to the City of Cloverdale dated 9/31/16. The applicant shall adhere to the Conditional Use Permit conditions of approval as set forth in this resolution. Any deviation from the conditions of approval requires Community Development Department or Planning Commission approval.
2. All conditions of this 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.
3. This permit shall be subject to revocation or modification by the Planning Commission if the Commission finds that there has been 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.
4. This Conditional Use Permit shall expire, and become null and void, two years from the date of approval unless exercised through the commencement of the 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 and environmental monitoring necessary for the project.
6. The applicant and property owner shall defend, indemnify, and hold harmless the City of Cloverdale and its agents, officers, and employees from any claim, action, or proceeding against the City of Cloverdale or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Cloverdale or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City to the extent such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however, that the Developer's duty to so defend, indemnify,

and hold harmless shall be subject to the City's promptly notifying the applicant and property owner of any said claim, action, or proceeding and the City's full cooperation in the defense of such actions or proceedings.

7. The future on-site sawdust hopper shall be limited to a height of 65 feet above the final grade. The hopper is subject to City administrative design review regarding the location, design and exterior color of the hopper. Final approval may be referred to the Planning Commission, at the Director's discretion.
8. The location and design of the future propane fueling facility, solar collectors and refuse/recycling facilities shall be consistent with existing City of Cloverdale standards (Zoning Ordinance section 18.09.240 for solar collectors and Section 18.05.050 for lighting are subject to administrative design review by the City of Cloverdale. Final approval may be referred to the Planning Commission, at the Director's discretion.
9. Building and other necessary permits and approvals shall be obtained for the sawdust hopper, fueling facility and solar collector array prior to installation of these facilities.
10. Hours of lumber milling operation shall be limited to 6 am to 8 pm during spring and summer months and from 7 am to 5 pm during fall and winter months (October – March). Delivery and shipping of products, administrative office use and maintenance of equipment are not included in these hour limitations.
11. A final landscape plan shall be submitted for City of Cloverdale Community Development Department review and approval, prior to issuance of a building permit. The final permit shall include:
 - a. All material shall be native plant material and identified as "drought tolerant." Appropriate decorative hardscaping may also be used in lieu of plantings.
 - b. A minimum 150 square feet of landscape/hardscape material, or equivalent decorative material, shall be provided at the site's main entrance along the private access road.
12. Freestanding light poles shall be limited to a height of 25 feet above final grade. Light fixtures shall be directed in a downward direction to minimize spill over of light and glare from the site.
13. All exterior lights shall be turned off when the facility is closed, except for any security lighting required by the Cloverdale Police Department.
14. All permits and approvals granted by the City and all activities undertaken by the applicant on the Property shall implement and be subject to the following mitigation measures each of which shall be continuing conditions of approval for any and all uses made at the Property from and after the date of the approval of this CUP and Major Design Review. City costs associated with administering the MMRP shall be reimbursable to the City. Mitigation measures include:

Mitigation Measure Aesthetics-1: Future grading and/or development on any parcels of land fronting on Asti Road in the annexation area shall be reviewed by a

California-certified arborist to identify methods to provide for maximum tree protection. These methods shall be reflected in final development plans. If mature trees cannot be protected, replacement native trees shall be planted on the site at a 2:1 ratio with adequate measures to ensure successful growth of the replacement trees. No Certificate of Occupancy shall be granted on any lot with required replacement tree plantings until tree replantings are reviewed and approved by the Cloverdale Community Development Department.

Mitigation Measure Aesthetics-2: Future development on parcels of land in the annexation area with substantial tree cover shall include measures identified by a California-certified arborist that ground disturbing activities will not significantly impact native trees on the lot. This shall include installation of exclusion fencing at locations approved by the arborist during project construction, provision of adequate irrigation of trees during construction, limitations on grading within exclusion areas and limitations of use (e.g. no storage of construction materials) under tree drip lines and other protection measures as may be recommended by the arborist.

Mitigation Measure Aesthetics-3: Future development on parcels of land fronting on Asti Road should be screened from view to the fullest extent feasible by landscape buffers or fences that limit views of new development from adjacent streets and roadways.

Mitigation Measure Aesthetics-4: The design of future structures on properties fronting on Asti Road shall exclude use of highly reflective materials, including but not limited to window glass, porch railings or other accent materials. Other exterior building materials shall be of neutral colors and tones to minimize visibility.

Mitigation Measure BIO-1: Prior to issuance of a grading and/or a building permit for parcels located on the east side of Asti Road, a site-specific biological reconnaissance shall be completed by a qualified biological firm as approved by the Cloverdale Community Development Department. The reconnaissance shall include a literature search and site inspection of the presence of special-status plants or wildlife. If no special-status species are identified, no further action is required. If special-status species are identified, the biologist shall recommend an action plan to ensure that any special-status species are fully protected. Protective actions may include first, avoiding the species during construction and post –construction or relocation of the species to an alternative suitable site. Any relocation actions shall occur in consultation with the California Department of Fish & Wildlife and/or the U.S. Fish & Wildlife Service. Necessary permits and approvals shall be obtained prior to relocation. No work on portions of the affected site may occur until clearances are granted by the City of Cloverdale, the California Department of Fish & Wildlife or the U. S. Fish & Wildlife Service, as appropriate.

Mitigation Measure BIO-2: Prior to issuance of a grading and/or a building permit for any parcel of land in the project area, a qualified wetland biologist as approved by the Cloverdale Community Development Department shall survey the site for the potential presence of wetlands, other waters or riparian habitat. If none is found, no further action shall be required. If wetlands, other waters or riparian habitat is identified, the wetland biologist shall prepare an action plan for the approval of the City of Cloverdale. The action plan shall identify specific steps to be taken to ensure that any future impacts to wetlands, other waters or riparian habitat is less-than-significant. These methods may include, but are not limited to, preparing a formal wetland delineation, permanent on-site protection of wetlands or off-site relocation of wetlands to an approved alternative site. If relocated off-site, the applicant or property owner shall obtain necessary permits and approvals from the Regional Water Quality Control Board, the California Department of Fish & Wildlife, the U. S. Army Corps of Engineers or other agencies. No construction near wetlands, other waters or riparian habitat areas may proceed until the approval action plan is approved and implemented.

Mitigation Measure GEO-1: Prior to issuance of a grading and/or a building permit for any parcel of land in the annexation area where no recent soils or geotechnical report has been prepared, a qualified California-registered engineering geologist or equivalent, as approved by the Cloverdale Community Development Department, shall prepare a report analyzing soil and geologic conditions on that particular property. The report shall include specific construction methods to be undertaken to reduce potential soil hazards to a less-than-significant level, including but not limited to landslides, ground failure and other potential hazards. The recommendations of the soils and geotechnical report shall be incorporated into all project grading and construction plans to ensure that future hazards from landsliding or similar hazards are reduced to a standard level of care.

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit for any existing residence or other major structure in the annexation area (as determined by the Cloverdale Building Official), a licensed contractor shall determine the presence or absence of lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Cloverdale Building Department or Fire District, these materials shall be safely removed consistent with the Occupational Safety and Health Administration (OSHA) and other applicable standards and disposed of in an appropriate location. Necessary permits and approvals shall be secured from appropriate regulatory agencies.

Mitigation Measure Noise-1: Prior to issuance of a building permit for future residential and major industrial uses in the annexation area, a qualified acoustical consultant as approved by the City of Cloverdale shall conduct a site-specific analysis to ensure that future uses and site activities comply with City standards set forth in the Noise Element of the Cloverdale General Plan and other applicable local noise

regulations. Each analysis shall contain, at minimum, a summary of recent 24-hour noise measurements and specific measures to be incorporated into final building plans and specifications to reduce exterior and interior noise to City standards.

Mitigation Measure Noise-2: All future construction activities for properties in the annexation area shall be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturdays. No construction shall occur on state or federal holidays. Exceptions to these restrictions may be granted by the Cloverdale Community Development Director for unusual or emergency conditions.

15. No City of Cloverdale permits or approvals shall be effective until the annexation to the City of Cloverdale is complete and the associated rezoning ordinance has taken legal effect in accordance with Government Code Section 65859(a).
16. Prior to issuance of a Certificate of Occupancy, the applicant shall have received approval of a Transportation Demand Management (TDM) program by the Cloverdale Community Development Department. The contents of the TDM may include but shall not be limited to implementation of an employee shuttle, encouragement of employee ridesharing and other techniques to reduce peak hour commute trips.

Public Works/Engineering:

Prior to issuance of a building permit, the following conditions shall be satisfied:

17. The applicant shall submit to the City of Cloverdale for review and approval, grading and utility plans prepared by a Registered Civil Engineer; and shall post sufficient surety guaranteeing the construction of any public improvements.
18. The applicant shall submit to the City of Cloverdale for review and approval, a detailed Soils Report certified by a Geotechnical Engineer registered in the State of California and qualified to perform geotechnical investigations. The report shall include a minimum of geotechnical investigation with regard to liquefaction, bearing capacity, compressibility, expansive soils, and seismic safety. The grading and foundation plans shall incorporate the recommendations of the approved Soils Report.
19. The applicant shall submit the applicable FIRM map and hydrology and hydraulic calculations with the improvement plans per current City and Sonoma County Water Agency Standards.
20. 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:
 - a. Post development runoff shall be limited to predevelopment levels. Post-development storm drain flows shall be limited to pre-development flows. Any facilities needed to accommodate this (i.e. oversized pipes, detention basins,

etc.) shall be installed within the development and be privately owned and maintained.

21. The applicant shall design the project to include storm water post-construction low-impact development (LID) best management practices (BMPs), CMC Section 16.10 et. seq. Refer to the City of Santa Rosa Low-Impact Development Manual and calculator for details. Both references are available online at:

<http://srcity.org/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtecManual.aspx>

22. The applicant shall submit to the City of Cloverdale for review and approval, evidence of provisions for ongoing maintenance of LID BMPs.
23. The applicant shall indicate, in writing, to the City of Cloverdale the disposition of any water well(s) and any other water that may exist within the site. If any wells are proposed to be abandoned, or if they are abandoned and have not been properly sealed, they must be destroyed per Sonoma County Environmental Health Standards and/or Department of Health Services.
24. All haul routes shall be approved by the City Director of Public Works.
25. Handicap ramps and parking shall be provided as required by State of California Title 24.

In conjunction with issuance of the Building Permit, the following conditions shall be satisfied:

26. The applicant shall offer to dedicate to the City of Cloverdale for public use, all new sewer service mains constructed to serve the parcel(s) and located in the public right-of-way.

During Construction, the following shall apply:

27. That prior to any work being conducted within the public right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate agency.
28. 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.
29. 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.
30. The California Construction General Permit requires preparation of a storm water pollution prevention plan (SWPPP) for the project. SWPPP must be prepared by a State licensed QSD and implemented by a State licensed QSD or QSP.

31. 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 hydro- seeding of all graded slopes within 60 days of completion of grading.
32. 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 Director of Public Works.
33. If any street damage occurs during construction of this project, applicant shall be responsible for repair at no cost to the City.
34. The applicant shall perform dust control at the project site to the City's satisfaction.
35. 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.
36. 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.
37. Work 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 8:00 a.m. to 5:00 p.m. No work shall occur on Sundays. Inspection will be available Monday through Thursday from 1:00 p.m. to 4:00 p.m. Contractors shall schedule inspections 48 hours in advance by calling the Building Department at (707) 894-1725.
38. Prior to acceptance of public improvements and bond exoneration, the following conditions shall be satisfied:
 38. Sufficient surety (maintenance bond) guaranteeing public improvements constructed for the proposed project for a period of one year shall be provided by the applicant.
40. 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 Engineering Department.

Other special conditions:

STREETS

41. If any damage occurs to existing City streets during construction, the contractor/developer shall be responsible for repair at no cost to the City. All repairs shall meet current City Standards.

STORM DRAIN

42. Lot-to-lot drainage will not be permitted without adequate easements. Drainage facilities constructed for the proposed project shall be designed to intercept any drainage and route it into an approved storm drain system.
43. All storm drain systems will be sized for the 10-year storm event, except for overland 100-year overflows. 100-year overflows shall be provided between the necessary lots and permanent structures shall be prohibited from being built within the overflow area. No regarding of overflows will be allowed. 100-year overflow easement shall be shown on the final map.

GRADING

44. Erosion control plan must be submitted with the grading plan. All measures must be implemented no later than Oct. 1of any given year.
45. Dust control must be maintained to the City's satisfaction for the duration of the project.

WATER

46. Any existing valve or newly installed valve in the water system shall not be turned by the contractor. All valves connected to the public system must be operated by City Water Department personnel. Applicant shall include this condition on the improvement plans.
47. Testing of all water improvements must be observed by City water department.
48. All on-site water improvements shall be privately owned and privately maintained. Backflow devices shall be installed as close as practical to the connection points with the City water mains.
49. The applicant shall submit with the improvement plans a water analysis demonstrating that the size of service lateral(s) proposed for the project are adequate for fire protection. Plans and calculations shall be submitted to both the City and Cloverdale Fire Protection District (CFPD).
50. Water lines for the project shall connect to the existing 16-inch water main in Asti Road.
51. Water meter(s) shall be located in the public right-of-way.
52. Fire hydrant requirement and placement shall be per the Cloverdale Fire Protection District (CFPD). If any new hydrants are required on the site, they shall be privately owned and maintained.

SEWER

53. The proposed development may require the construction of a private force main. All private force mains shall empty into a private manhole and gravity feed into the public portion of the sewer system. The private system shall be considered private until its entrance into the City's sewer main.

54. All force main sewer line lateral(s) serving the parcel(s) shall be privately owned and privately maintained. The maintenance of these lines shall be specified in either a maintenance agreement recorded with each parcel or in the CC&R's.
55. If any non-gravity systems require pumps to lift the sewage from the lot into the City's main, the design of the pump stations shall be submitted to the City for review and approval. Improvement plans shall include volume and flow calculations, pump sizes, etc.
56. Sewer stub(s) shall be provided where the new sewer lateral enters the public right-of-way on Asti Road to permit future connection from developments located north of the Nu Forest parcel(s).
57. New sewer segment constructed under Asti Road shall be sized to accommodate anticipated future development on parcels located north of the proposed project.
58. The City shall consider the formation of an Area of Benefit for any benefiting properties to pay back costs associated with the oversizing costs associated with construction of the new gravity sewer main under Asti Road. Any reimbursements shall be in accordance with the City's policies.

Building Department:

59. The applicant shall submit a plot plan with setbacks from property line and adjacent structures
60. The plot plan shall identify the occupancy group/ construction type for proposed structures.
61. A foundation plan with structural details shall be submitted to the Cloverdale Building Department.
62. A roof framing plan with structural details shall be submitted to the Cloverdale Building Department.
63. Submitted plans shall include building elevations, structural sections and ADA accessibility details (i.e., pedestrian parking path of travel and other accommodations).

Fire District:

64. Fire Department access and water supply is required per Chapter 5 of the adopted CA Fire Code.
65. Provide premise identification on the building and at the connection of private drives to public streets for the benefit of first responders.
66. New buildings shall be equipped with automatic fire sprinklers per Chapter 9 of the adopted CA Fire Code.
67. A water supply test (hydrant flow) shall be performed on nearest available fire hydrant to determine the capability of the water system to supply fire protection water for this project.

68. A fire flow analysis of the proposed building (total build out) is needed to determine the project demand.
69. The on-site fire protection water supply system shall comply with NFPA 24 "Private Fire Service Mains"
70. The access road shall comply with Chapter 5 of the adopted CA Fire Code and a fire department "Knox" padlock shall be provided on gates across fire department access roads.
71. The relocated LPG tank shall comply with Chapter 61 of the adopted CA Fire Code.
72. The facility shall comply with Chapter 28 of the adopted CA Fire code "Lumber Yards & Woodworking Facilities."
73. The fueling station shall comply with the adopted CA Fire Code Chapter 23 on "Motor Vehicle (fleet) Fuel Dispensing" and Chapter 57 for "Flammable Liquids" and Chapter 27 for "Hazardous Materials."
74. Ground mount or solar canopy photovoltaic installations shall comply with Section 605.11 of the adopted CA Fire Code.
75. Permits Required for:
 - a. Private fire main installation
 - b. Automatic fire sprinkler installation
 - c. Fire alarm (sprinkler monitoring) installation
 - d. Liquid Petroleum Gas installation
 - e. Lumber Yards & Woodworking
 - f. Above-ground fuel storage & fuel dispensing

The Economics of Land Use



Final Report

Annexation Analysis of Nu Forest Area

Prepared for:

City of Cloverdale

Prepared by:

Economic & Planning Systems, Inc.

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1. INTRODUCTION

This report presents a fiscal analysis of the potential annexation of the Nu Forest area (annexation area) to the City of Cloverdale. Currently, the County of Sonoma provides municipal services to the unincorporated area. The division of property taxes, and potentially sales taxes, from the area would be governed by a Tax Sharing Agreement to be negotiated between the City and the County. The City would also receive other revenues from the area to help in funding the municipal services that would transfer to City responsibility.

This analysis evaluates the potential annual fiscal impacts of the annexation on the City's General Fund. It compares the costs to provide services to the Nu Forest area to the annual revenues that could be generated to the City. The impacts of capital facility and infrastructure funding are not included in this analysis. The methodology is summarized in this report, and detailed calculations and assumptions are further documented in **Appendix A**.

The impacts of the potential annexation area are considered at three time periods:

1. Immediately after annexation
2. At buildout of vacant parcels after annexation
3. After buildout reflective of continued business growth of Nu Forest operation

The results during and after buildout will depend on future market conditions and external factors not known at this time. The fiscal estimates in this analysis could change as a result of policy changes, actual service demands, and economic conditions. Fiscal results (annual surpluses or deficits) are simply indicators of fiscal performance; they do not mean that the City will automatically have surplus revenues or deficits because the City must have a balanced budget each year. Persistent surpluses shown in the fiscal analysis will provide the City with resources to improve service levels or reduce liabilities such as deferred maintenance or improve service levels. Weaker fiscal performance will cause the City to reduce or defer costs.

Key Findings

Key findings of the annexation analysis are described below and shown in **Table 1**.

1. Following annexation, the City's revenues required to serve the Nu Forest area will exceed the expenditures generated from this area.

Net revenues generated from the annexation area would be sufficient to fund additional public services. The General Fund surplus is estimated at \$8,200 a year, largely driven by the Nu Forest operation and consolidation (see **Table 2**). The annexation is estimated to generate \$20,300 in proceeds and \$12,100 in costs to the City.

2. The fiscal impacts will improve as Nu Forest builds out its annexed parcels and new growth occurs on vacant residential parcels.

As the buildout of the Nu Forest area occurs, the revenues to the City will continue to exceed the costs associated with the annexation area. The fiscal benefit at buildout is estimated at \$16,500 to the General Fund. These annual impacts include \$30,600 in revenues and

\$14,100 in costs at buildout, as shown in **Table 3**. This fiscal improvement is largely driven by new assessed value generated by Nu Forest growth as well as new residential development.

3. *The fiscal impacts will improve as Nu Forest continues to expand its operation after the build out of the area.*

As a growing company, Nu Forest is expected to continue growth in its business operation. Although the rate of growth is not certain, based on the Company's forecast, fiscal impacts after build out are estimated to improve to \$19,700 to the General Fund. These annual impacts include \$35,000 in revenues and \$15,300 in costs at buildout, as shown in **Table 4**.

Table 1
Summary of Fiscal Impacts on the Cloverdale General Fund*
Nu Forest Annexation Study; EPS #151125

Item	At Annexation	At Buildout	After Buildout (1)
Revenues	\$20,300	\$30,600	\$35,000
Expenditures	<u>\$12,100</u>	<u>\$14,100</u>	<u>\$15,300</u>
Net General Fund Impact	\$8,200	\$16,500	\$19,700

(1) Assumes additional growth in Nu Forest revenue after the buildout of its consolidated facility in Cloverdale.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

Table 2
General Citywide Revenues and Expenditures at Annexation*
Nu Forest Annexation Study; EPS #151125

Item	Nu Forest	Other Parcels	Total
Revenues			
Property Tax	\$11,300	\$600	\$11,900
Property Tax In Lieu of VLF	\$2,300	\$0	\$2,300
Sales and Use Tax	\$3,500	\$0	\$3,500
Franchise Fees	\$1,200	\$0	\$1,200
Utility User Tax	\$900	\$0	\$900
License, Permit, and Fees	\$400	\$0	\$400
Fines and Forfeits	<u>\$100</u>	<u>\$0</u>	<u>\$100</u>
Total Revenues	\$19,700	\$600	\$20,300
Expenditures			
Parks and Recreation	\$0	\$0	\$0
Facilities, Streets and Storm Drain Maintenance (1)	\$3,900	\$2,300	\$6,200
Police (2)	<u>\$5,900</u>	<u>\$0</u>	<u>\$5,900</u>
Total Expenditures	\$9,800	\$2,300	\$12,100
Net General Fund Impact	\$9,900	(\$1,700)	\$8,200

*Note: the property is located and will remain within the County Special Area Fire District #40 and the annexation will have no fiscal impact on the District; rounded.

(1) Net of gas tax proceeds for road maintenance.

(2) Net of Prop 172 sales tax proceeds for public safety.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

Table 3
General Citywide Revenues and Expenditures at Buildout*
Nu Forest Annexation Study; EPS #151125

Item	Nu Forest	Other Parcels	Total
Revenues			
Property Tax	\$12,500	\$6,600	\$19,100
Property Tax In Lieu of VLF	\$2,700	\$2,000	\$4,700
Sales and Use Tax	\$3,500	\$0	\$3,500
Franchise Fees	\$1,200	\$400	\$1,600
Utility User Tax	\$900	\$200	\$1,100
License, Permit, and Fees	\$400	\$100	\$500
Fines and Forfeits	<u>\$100</u>	<u>\$0</u>	<u>\$100</u>
Total Revenues	\$21,300	\$9,300	\$30,600
Expenditures			
Parks and Recreation	\$0	\$400	\$400
Facilities, Streets and Storm Drain Maintenance (1)	\$3,900	\$2,000	\$5,900
Police (2)	<u>\$5,900</u>	<u>\$1,900</u>	<u>\$7,800</u>
Total Expenditures	\$9,800	\$4,300	\$14,100
Net General Fund Impact	\$11,500	\$5,000	\$16,500

*Note: the property is located and will remain within the County Special Area Fire District #40 and the annexation will have no fiscal impact on the District; rounded.

(1) Net of gas tax proceeds for road maintenance.

(2) Net of Prop 172 sales tax proceeds for public safety.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

Table 4
General Citywide Revenues and Expenditures after Buildout*
Nu Forest Annexation Study; EPS #151125

Item	Nu Forest	Other Parcels	Total
Revenues			
Property Tax	\$15,000	\$6,600	\$21,600
Property Tax In Lieu of VLF	\$3,500	\$2,000	\$5,500
Sales and Use Tax	\$4,200	\$0	\$4,200
Franchise Fees	\$1,400	\$400	\$1,800
Utility User Tax	\$1,000	\$200	\$1,200
License, Permit, and Fees	\$400	\$100	\$500
Fines and Forfeits	<u>\$200</u>	<u>\$0</u>	<u>\$200</u>
Total Revenues	\$25,700	\$9,300	\$35,000
Expenditures			
Parks and Recreation	\$0	\$400	\$400
Facilities, Streets and Storm Drain Maintenance (1)	\$3,900	\$2,000	\$5,900
Police (2)	<u>\$7,100</u>	<u>\$1,900</u>	<u>\$9,000</u>
Total Expenditures	\$11,000	\$4,300	\$15,300
Net General Fund Impact	\$14,700	\$5,000	\$19,700

(1) Net of gas tax proceeds for road maintenance.

(2) Net of Prop 172 sales tax proceeds for public safety.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

2. PROJECT DESCRIPTION

The City of Cloverdale is located in northern Sonoma County and has a population of 8,700 residents. The City is surrounded by unincorporated areas, one of which—Nu Forest area—is being considered for annexation to the City. The area proposed for the annexation is located adjacent to the City with services currently provided by Sonoma County.

Nu Forest Area

Nu Forest area consists of five parcels: two owned and operated by Nu Forest as lumber wholesale and three low-density residential parcels owned by various private owners. The area is located on the east side of Interstate 101 adjacent to Asti Road, adjacent to the City's eastern edge (see **Figure 1**). Annexation is envisioned to provide economies of scale for the City's service providers. The area is estimated to contain minimal public roads maintained by the City.

The annexation area currently has no residents and five Nu Forest employees. It has an assessed value of about \$2.5 million (see **Table 5**). At annexation, Nu Forest employment is expected to increase to 70 due to consolidation with its Healdsburg operation. At buildout, the area is projected to increase to 12 residents due to the expected residential development on non-Nu Forest parcels. After buildout, the analysis assumes Nu Forest continues to grow its employment base to 84 workers as the company benefits from consolidation and continues to establish itself in the logging wholesale business. At that point, the assessed value is estimated to reach \$10.8 million associated with Nu Forest's building expansion, unsecured tax roll, and residential development in the annexation area. This analysis does not include any potential value reduction associated with demolition plans of the existing Nu Forest space.

**Table 5
Proposed Annexation Area Description
Nu Forest Annexation Study; EPS #151125**

Item	Nu Forest	Other Parcels	Total
Total Parcels	2	5	7
<u>Existing Total</u>			
Population	0	0	0
Employment	5	0	5
Assessed Value			
Secured	\$2,163,700	\$293,400	\$2,457,100
Unsecured	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	\$2,163,700	\$293,400	\$2,457,100
<u>At Annexation (2016)</u>			
Population	0	0	0
Employment	70	0	70
Assessed Value (1)			
Secured	\$3,163,700	\$293,400	\$3,457,100
Unsecured	<u>\$2,500,000</u>	<u>\$0</u>	<u>\$2,500,000</u>
Total	\$5,663,700	\$293,400	\$5,957,100
<u>Buildout Total</u>			
Population (2)	0	12	12
Employment	70	0	70
Assessed Value (3)			
Secured	\$3,763,700	\$3,300,000	\$7,063,700
Unsecured	<u>\$2,500,000</u>	<u>\$0</u>	<u>\$2,500,000</u>
Total	\$6,263,700	\$3,300,000	\$9,563,700
<u>Post-Buildout</u>			
Population (2)	0	12	12
Employment (4)	84	0	84
Assessed Value (5)			
Secured	\$4,516,440	\$3,300,000	\$7,816,440
Unsecured	<u>\$3,000,000</u>	<u>\$0</u>	<u>\$3,000,000</u>
Total	\$7,516,440	\$3,300,000	\$10,816,440

(1) Reflects addition of four canapys estimated at the cost of \$1.0 million and new equipment estimated at \$2.5 million.

(2) An unincorporated county average of 2.49 per household is assumed.

(3) Reflects addition of a new access road and 114 parking spaces estimated at the cost \$600,000 by Nu Forest and completion of single family homes on other parcels assumed at \$660,000 each based on recent sales of new homes in the City.

(4) This analysis assumes that employment growth will increase by 20% over the next 10 years after the buildout of the Nu Forest properties reflective of the company's long-term growth.

(5) Reflects addition of new office space and other improvements associated with business growth assumed proportional to employment increase. Residential uses are assumed as single family homes with the value of 1.0 million for each property.

Sources: City of Cloverdale; Nu Forest; and Economic & Planning Systems, Inc.

Figure 1. Proposed Nu Forest Area



	<h2>ANNEXATION MAP</h2> <p>Nu Forest Products 280 Asti Road Cloverdale, Ca 95425 APN: 116-260-004, -055</p>	Date: 07/21/15 Scale: 1" = 300'	Drawn: KTK Job: 15-02	Sheet: 1 of 1
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3. REVENUES

This chapter summarizes key revenues that will be generated to the City as annexation occurs. Revenues at annexation and buildout are shown in **Table 1**, with the City's budget summary and estimating factors shown in **Table A-1**. Additional details regarding assumptions and calculations are included in **Appendix A**.

Property Tax

Property tax based on 1.0 percent of assessed value is currently collected by Sonoma County. The City of Cloverdale will share in a portion of the County's tax share based on a Property Tax Transfer Agreement between Sonoma County and the City.¹ Per the agreement, the City captures 75 percent of the existing highest City capture of the 1 percent property tax total in the City. Based on this methodology, the City of Cloverdale would receive 20.0 percent of the current property tax base total in the annexation area. The County's property tax capture will change from 32.2 percent to 12.2 percent. These rates are assumed fixed going forward and assume the area will continue to receive fire service from the County Special Area Fire District 40 (see **Table A-2**).

Property Tax In-Lieu of Vehicle License Fees

Recent changes in the State budget converted a significant portion of Motor Vehicle License Fee (VLF) subventions, previously distributed by the State based on a per-capita formula, into property tax distributions. These distributions increase over time based on assessed value growth, though the increase in assessed value in the initial year of annexation would not be reflected in the citywide assessed value formula. Although the City's Property Tax In-Lieu of VLF does not increase because of the initial bump in assessed value, future revenue will be generated by the assessed value growth after annexation from new residential and commercial development. This growth will increase the City's property tax in-lieu of VLF revenue, as shown in **Table A-2**.

Sales Tax

Nu Forest is largely a wholesale operation and therefore does not generate substantial sales tax outside of limited business to business sales. Although sales tax revenues will likely improve slightly from new population growth and employment consolidation in the short term, the site's annexation will not affect the sales dynamics substantially and is excluded from this analysis. Additional sales are expected to be generated to the City from increased business to business and employee sales over long-term as employment and business to business sales generated by Nu Forest increase. EPS estimates that the City's sales tax will improve from \$3,500 a year to \$4,200 a year after buildout, as shown in **Table A-3**.

¹ Resolution 89-0270.

Utility User Tax

Cloverdale residents approved Measure O on November 2014, imposing a 3 percent general tax on telecommunications, electricity, gas, and video services. Although Measure O has an 8-year limit, this analysis assumes the tax will remain going forward. EPS applies the tax to Nu Forest's existing electricity usage as well as typical household utility expenses, as shown in **Table A-4**.

License, Permits, and Fees

Annexation of the Nu Forest area will result in additional revenue to the City from license, permits, and fees generated by the logging operation as well as new population and employment. A service population approach is used to estimate these revenues based on the existing citywide average; the resulting factor is multiplied by the estimated service population total for the Nu Forest area.

Fines and Forfeits

Fines and forfeits is a general tax generated by residents and businesses within a local jurisdiction. For estimating purposes, the fiscal analysis uses a per-service population approach based on the existing citywide average.

Other Revenues

The City collects other revenues that fund the General Fund. These revenues include the Transient Occupancy Tax, Business License Tax, and Document Transfer Tax, among others. The annexation of the Nu Forest area is not anticipated to require additional resources from these sources; therefore, their impact is not calculated.

Services funded by fees and/or provided by other agencies will continue after annexation, including the County Special Area Fire District 40 and County Special Area 41 for lighting. These services, or future changes to service, are assumed to have no impact on the City's General Fund.

4. EXPENDITURES

This chapter summarizes the key public costs for services that will be required as annexation occurs. This analysis applies the average cost approach and is based on the existing citywide cost averages. The costs are shown in **Table 1** with more detail shown in **Tables 2** through **4**.

Currently, municipal services are provided by Sonoma County. Following the annexation, municipal services, such as police, community development, and public works, will be provided by Cloverdale. Services like the Healthcare district will continue to be provided by the County. Other agencies will also continue to provide services, including wastewater service provided by special districts.

General Government

The City's General Government includes City Council, Manager, Clerk, Community Support, Human Resources, Risk Management, Finance, and General Services. The potential annexation is assumed to have no significant impact on the General Government costs.

Parks and Recreation

The City provides parks and recreation services through its General Fund. Although the Project does not include any park space, the increase in service population growth is expected to increase demand and usage of existing space. Because the use of parks and recreation by employees tends to be minimal, this analysis is focused on the residential portion of the growth. The cost is estimated based on the existing per capita cost applied to new population growth applied to the Nu Forest annexation area.

Facilities, Streets, and Storm Drain Maintenance

The City provides services for facility maintenance, street and road maintenance, and storm drain maintenance. Maintenance of roadways includes routine maintenance, striping and signs, and street sweeping, as well as resurfacing and reconstruction as roads age. These services are assumed to be extended to the Nu Forest annexation area. The General Fund service cost is estimated based on the pro rata of the area's acreage relative to the area of the City as a whole. The cost estimate assumes a revenue offset generated by Highway User Taxes (gas taxes) as shown in **Table A-5**. These costs will depend on the level of maintenance service provided by the City.

Police Services

Cloverdale police department provides public safety service to the City with 11 sworn officers. Upon annexation, police service responsibility would be transferred from the County Sheriff's Office to the City's Police Department. The current level of City staffing is expected to be adequate to cover capacity given the minimal number of calls likely to be generated by the Nu Forest annexation area. This analysis is based on the existing citywide average police cost per service population applied to the annexation area service population. Only the operations portion of the total departmental cost is considered as annexation is not expected to affect the

fixed component of the police department's budget.² A portion of police operation costs associated with annexation is assumed to be offset by the Proposition 172 proceeds, which is a statewide sales tax dedicated to public safety. Police service costs are shown in **Table A-6**.

Other Services

Costs associated with police administration and community development are not estimated. The annexation will not significantly affect these items because they are assumed to be largely fixed. The City's water and sewer services are provided through special funds and will therefore have no impact on the General Fund evaluated in this analysis.

² The fixed component of the police budget is assumed to consist of communications and records and auxiliary services.



APPENDIX A: Fiscal Impacts

**Table A-1
Budget Summary and Estimating Factors
Nu Forest Annexation Study; EPS #151125**

Item	FY2015-16 Budget	Allocation Factor
General Fund Revenues		
Property Tax	\$1,399,130	Tables A-2
Property Tax In Lieu of VLF	\$608,927	Tables A-2
Sales and Use Tax	\$787,790	Table A-3
Transient Occupancy Tax	\$180,000	- not affected
Business Licenses	\$67,000	- not affected
Franchise Fees	\$316,200	\$33.01 per service population (5)
Document Transfer Tax	\$40,000	- not affected
Utility User Tax (1)	\$375,000	Table A-4
License, Permits, and Fees	\$98,000	\$10.23 per service population (5)
Fines and Forfeits	\$36,000	\$3.76 per service population (5)
Intergovernmental	\$149,600	- not affected
Charges for Service	\$81,120	- not affected
Miscellaneous Revenue	<u>\$269,500</u>	- not affected
Total Revenues	\$4,408,267	
General Fund Expenditures		
General Government (2)	\$1,489,423	- not affected
Parks and Recreation	\$273,972	\$31.46 per capita
Facilities, Streets and Storm Drain Maintenance	\$357,495	Table A-5
Police		
Operations	\$1,627,198	Table A-6
Administration and Other (3)	\$1,506,556	- not affected
Community Development (4)	\$327,888	- not affected
Total Expenditures	\$5,582,532	
Other Sources of Funds		
Highway User Taxes	\$188,759	\$21.68 per capita
Prop 172 Proceeds	<u>\$75,000</u>	\$8.61 per capita
Subtotal	\$263,759	

Note: excludes operating and capital transfers. The annexation is also assumed to transfer fire service from the County Special Area Fire District #40 to the Cloverdale Fire District. This service shift is not expected to have a fiscal impact on the City.

- (1) Reflects revenue from Measure O approved in 2014. While this revenue source may terminate automatically on January 1, 2023, this analysis assumes it will be extended by voters.
- (2) Includes City Council, Manager, Clerk, Community Support, Human Resources, Risk Management, Finance, and General Services.
- (3) Includes communications and records and auxiliary services.
- (4) Includes planning commission, planning, engineering services, and building plan checks and inspections.
- (5) Reflects a service measure based on the sum of total population and half of employment.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

Table A-2
Property Tax and Property Tax In Lieu of VLF Calculation
Nu Forest Annexation Study; EPS #151125

Item	Assumption/Factor	Nu Forest	Other Parcels	Total
Existing Property Tax Revenue				
Base Assessed Value (current value)		\$2,163,700	\$293,400	\$2,457,100
Property Tax	1.0% of base assessed value	\$21,637	\$2,934	\$24,571
Existing County Tax (1)	32.17% of the existing property tax	\$6,961	\$944	\$7,904
Property Tax at Annexation				
<u>Property Tax</u>				
Assessed Value		\$5,663,700	\$293,400	\$5,957,100
Property Tax	1.0% of base assessed value	\$56,637	\$2,934	\$59,571
New County Share (1)	12.2% of the property tax	\$6,919	\$358	\$7,277
City Share (2)	20.0% of the property tax	\$11,301	\$585	\$11,887
<u>Property Tax In Lieu of VLF</u>				
Increase in Eligible Basis for Property Tax In Lieu of VLF (3)		0.4%	0.0%	0.4%
New Revenue		\$2,271	\$0	\$2,271
Property Tax at Buildout				
<u>Property Tax</u>				
Assessed Value		\$6,263,700	\$3,300,000	\$9,563,700
Property Tax	1.0% of base assessed value	\$62,637	\$33,000	\$95,637
New County Share (1)	12.2% of the property tax	\$7,652	\$4,031	\$11,683
City Share (2)	20.0% of the property tax	\$12,498	\$6,585	\$19,083
<u>Property Tax In Lieu of VLF</u>				
Increase in Eligible Basis (3)		0.4%	0.3%	0.8%
New Revenue		\$2,661	\$1,951	\$4,612
Property Tax After Buildout				
<u>Property Tax</u>				
Assessed Value		\$7,516,440	\$3,300,000	\$10,816,440
Property Tax	1.0% of base assessed value	\$75,164	\$33,000	\$108,164
New County Share (1)	12.2% of the property tax	\$9,182	\$4,031	\$13,214
City Share (2)	20.0% of the property tax	\$14,998	\$6,585	\$21,583
<u>Property Tax In Lieu of VLF</u>				
Increase in Eligible Basis (3)		0.6%	0.3%	0.9%
New Revenue		\$3,474	\$1,951	\$5,425

(1) Post ERAF; existing countywide share is based on the TRA 065-001. New countywide share reflects the difference between the existing share and the new City share per the Master Property Tax Agreement (Resolution 89-0270).

(2) Post ERAF; City share based on 75% of the existing highest City share per the Master Property Tax Agreement (Res. 89-0270).

(3) Excludes the base assessed value at the time of annexation per AB 2115.

Sources: City of Cloverdale; Sonoma County Auditor's Office; and Economic & Planning Systems, Inc.

**Table A-3
Sales Tax Calculations
Nu Forest Annexation Study; EPS #151125**

Item	<i>Assumption (1)</i>	Nu Forest	Other Parcels	Total
<u>Existing Performance</u>				
Total Sales		\$35,000,000	\$0	\$35,000,000
Taxable Sales (1)	1.0%	\$350,000	\$0	\$350,000
Sales Tax to the City	1.0%	\$3,500	\$0	\$3,500
<u>At Annexation</u>				
Taxable Sales (1)		\$350,000	\$0	\$350,000
Sales Tax to the City	1.0%	\$3,500	\$0	\$3,500
<u>At Buildout</u>				
Taxable Sales (1)		\$350,000	\$0	\$350,000
Sales Tax to the City	1.0%	\$3,500	\$0	\$3,500
<u>After Buildout</u>				
Taxable Sales (2)		\$420,000	\$0	\$420,000
Sales Tax to the City (2)	1.0%	\$4,200	\$0	\$4,200

*Note: due to the sunset of the Triple Flip in 2017, the City's sales tax may reduce to 0.75% thereafter.

- (1) Nu Forest is largely a wholesale operation and therefore does not generate substantial sales tax outside of business to business and limited employee sales captured in town. These sales are assumed at 1% of total sales based on the sales tax of roughly \$1,000 per quarter reported to be generated in Healdsburg by Nu Forest and assumed to be shifted to Cloverdale.
- (2) Reflects a 20% increase in taxable spending associated with future business and new employment growth.

Sources: City of Cloverdale, and Economic & Planning Systems, Inc.

Table A-4
Utility User Tax Calculations
Nu Forest Annexation Study; EPS #151125

Item	<i>Assumption</i>	Nu Forest	Other Parcels	Total
<u>Existing Performance</u>				
Total Utility Bill (1)		\$28,980	\$0	\$28,980
Cloverdale Portion (1)		\$14,490	\$0	\$14,490
Sales Tax to the City	3.0%	\$435	\$0	\$435
<u>At Annexation</u>				
Total Utility Bill		\$28,980	\$0	\$28,980
Sales Tax to the City	3.0%	\$869	\$0	\$869
<u>At Buildout</u>				
Taxable Sales		\$28,980	\$6,000	\$34,980
Sales Tax to the City	3.0%	\$869	\$180	\$1,049
<u>After Buildout</u>				
Taxable Sales (2)		\$34,776	\$6,000	\$40,776
Sales Tax to the City (2)	3.0%	\$1,043	\$180	\$1,223

(1) Based on 115,900 kilowatt hours reported to be used by Nu Forest in 2015 with an average cost of \$0.25 per hour. Nu Forest's other utilities, such as cable and natural gas are minimal and are excluded from this analysis. This expense is currently assumed to be evenly split between Cloverdale and Healdsburg.

(2) Reflects a 20% increase in the use of electricity associated with future business and new employment growth.

Sources: City of Cloverdale, and Economic & Planning Systems, Inc.

**Table A-5
Facilities, Streets and Storm Drain Maintenance at Buildout
Nu Forest Annexation Study; EPS #151125**

Item	Nu Forest	Other Parcels	Total
Acreage	27	16	42
Share of Existing Citywide Area	1.6%	0.9%	2.6%
Expenditures			
Total Annual Budget			
Facilities Maintenance			\$75,958
Streets Maintenance			\$252,640
Storm Drain Maintenance			\$28,897
Variable Budget Share (1)			
Facilities Maintenance			92%
Streets Maintenance			59%
Storm Drain Maintenance			89%
Cost Increase at Annexation (2)	\$3,931	\$2,284	\$6,215
Revenues (at annexation)			
Highway User Taxes (Gas Taxes) (3)	\$0	\$0	\$0
Net Cost	\$3,931	\$2,284	\$6,215
Revenues (at and after buildout)	\$0	\$260	\$260
Net Cost	\$3,931	\$2,024	\$5,955

(1) Based on the services and supplies share of the total cost used as a proxy for the variable cost portion.

(2) Assumed to be proportional to the acreage increase.

(3) Based on the City's budgeted amount of \$21.68 per capita.

Sources: City of Cloverdale, and Economic & Planning Systems, Inc.

**Table A-6
Police Department Service and Cost Estimate
Nu Forest Annexation Study; EPS #151125**

Item	Citywide Total	Nu Forest	Other Parcels	Total
Sworn Officers	11			
Cost per Sworn Officer (rounded) (1)	\$148,000			
Officers per 1,000 Service Population	1.1			
<u>Annexation Total</u>				
Service Population		35	0	35
Project-Related Officer Increase		0.04	0.00	0.04
Expenditures				
Total Project Cost		\$5,949	\$0	\$5,949
(less) Prop 172 Proceeds (2)		<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Net Project Cost		\$5,949	\$0	\$5,949
<u>Buildout Total</u>				
Service Population		35	12	47
Project-Related Officer Increase		0.04	0.01	0.05
Expenditures				
Total Project Cost		\$5,949	\$2,040	\$7,989
(less) Prop 172 Proceeds (2)		<u>\$0</u>	<u>(\$103)</u>	<u>(\$103)</u>
Net Project Cost		\$5,949	\$1,936	\$7,885
<u>After Buildout Total</u>				
Service Population		42	12	54
Project-Related Officer Increase		0.05	0.01	0.06
Expenditures				
Total Project Cost		\$7,139	\$2,040	\$9,179
(less) Prop 172 Proceeds (2)		<u>\$0</u>	<u>(\$103)</u>	<u>(\$103)</u>
Net Project Cost		\$7,139	\$1,936	\$9,075

(1) Provided by the Cloverdale Police Department.

(2) Based on the citywide per capita distribution in FY2015-16 budget.

Sources: City of Cloverdale and Economic & Planning Systems, Inc.

Table A-7
Cloverdale Citywide 2015 General Assumptions and Data
Nu Forest Annexation Study; EPS #151125

Item	Amount	Sources
Housing Units	3,427	DOF 2015
Occupied Households	3,182	DOF 2015
Population	8,708	DOF 2015
Persons/Household	2.7	DOF 2015
Jobs	1,740	ABAG 2013
Service Population (1)	9,578	DOF/ABAG

(1) Calculated by adding total residential population and half of total employment. It represents a measure of public service demand in which employees are given one-half the weight of residents because of more limited service requirements.

Sources: Department of Finance (2015), ABAG *Projections 2013*, and Economic & Planning Systems, Inc.

September 20, 2016

Mr. Paul Cayler, City Manager
City of Cloverdale
124 N. Cloverdale Blvd.
Cloverdale CA 95425

Subject: Annexation to City of Cloverdale

Dear Mr. Cayler:

We are the new owners of the property formerly known as the Grace Matovich Trust property, located in the unincorporated portion of Sonoma County just west of land owned by Nu Forest Products, Inc. The property is located at 428 Asti Road, Assessor's Parcel Number 116-260-050.

We understand that the City is the process of annexing the Nu Forest property and other surrounding properties into the City of Cloverdale.

Please be advised that we are in favor of this annexation.

Please feel free to contact us if you have any questions about our position on this matter.

Sincerely,



Max and Angela Cordova

Sept 22, 2016

CITY OF CLOVERDALE
RECEIVED

SEP 26 2016

Mr. Paul Cayler, City Manager
City of Cloverdale
124 N. Cloverdale Blvd.
Cloverdale CA 95425

Subject: Annexation to City of Cloverdale

Dear Mr. Cayler:

I am the owner of the property located in the unincorporated portion of Sonoma County on the east side of Asti Road and west of land owned by Nu Forest Products, Inc. The property is further identified as 29550 Ivy Dell Lane (Assessor's Parcel 116-260-030).

I understand that the City is the process of annexing the Nu Forest property and other surrounding properties into the City of Cloverdale, including my property.

Please be advised that I am in favor of this annexation.

Please feel free to contact me if you have any questions about my position on this matter.

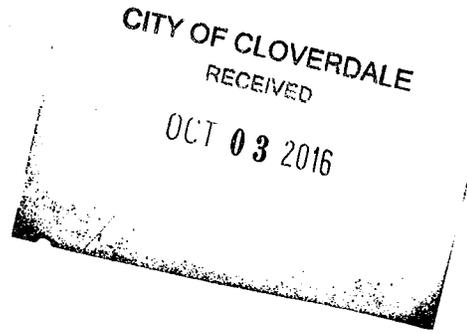
Sincerely,



Mrs. JoAnn Tankersley
Trustee
Charles R. Schwartzler Trust

September 28, 2016

Mr. Paul Cayler, City Manager
City of Cloverdale
124 N. Cloverdale Blvd.
Cloverdale CA 95425



Subject: Annexation to City of Cloverdale

Dear Mr. Cayler:

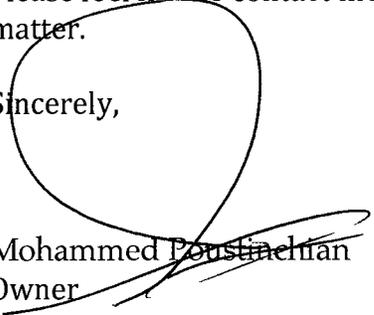
I am the owner of the property located in the unincorporated portion of Sonoma County on the east side of Asti Road and west of land owned by Nu Forest Products, Inc. The property is further identified as Assessor's Parcel Number 116-260-046.

I understand that the City is in the process of annexing the Nu Forest property and other surrounding properties into the City of Cloverdale.

Please be advised that I am in favor of this annexation.

Please feel free to contact me if you have any questions about my position on this matter.

Sincerely,


Mohammed Poustianian
Owner

October 3, 2016

OCT 04 2016

Mr. Paul Cayler, City Manager
City of Cloverdale
124 N. Cloverdale Blvd.
Cloverdale CA 95425

Subject: Annexation to City of Cloverdale

Dear Mr. Cayler,

I am the owner of the property located in the unincorporated portion of Sonoma County at 340 Asti Road (assessor's parcel # 116-260-033). The property is .45 acres of wooded hillside with an antiquated mobile home as the residence and a 20'x45' shop building. I purchased the property in October of 2013. My zoning at present is M1 Limited Urban Industrial. The following is a portion of the realtor's description of the property at the time of purchase, which can still be viewed at zillow.com:

Unique Live/Work Opportunity on .45 Acres. Zoning(M1 Limited Urban Industrial) allows the following uses: Cabinet, electrical, plumbing, heating, welding, sheet metal machine shops and Truck, trailer and farm implement sales and Service. Etc. 20'X45' Shop with Concrete Floors and Bathroom, Existing Mobile Home can be replaced with a New 2BD Traditional Home. Very Convenient Location with Easy Access to HWY 101.

Prior to purchase I spoke with Blake Hillegas, a planner with the Sonoma County Permit and Resource Management dept. He indicated there would be no size limitation on a standard construction 2 bedroom home to replace the existing mobile home. This information was repeated to me on two subsequent occasions after the purchase. On all three informational meetings with the county my M1 zoning was confirmed as well and I was given a copy of Sonoma County Code Ordinance Sec. 26-46-010, which I enclose.

I purchased the property, which was in a state of disrepair, for the investment potential of both the zoning and the ability to build a new home. I received a letter from the City of Cloverdale dated January 11, 2016 informing me of annexation of my property and the intended change of zoning to CF-Conservation. After a great deal of back and forth, the City of Cloverdale agreed to propose an amendment to the General Plan allowing my property to be zoned General Industrial (M1) under the city's ordinances. A problem instantly arose in that M1 does not allow for residential structures other than small watchmen's cabins and the like. So the next solution seemed to be to amend the zoning to allow Live/Work. In conversations with city representatives, when I asked "Will the city allow me to replace the mobile home with a 4,000 sq.ft home?" the answer I received was "probably not". The usages outlined in the real estate blurb for the property are only allowed under the city M1 zoning with a conditional use permit. When I asked "Will the city allow any of these specific usages?" the answer I received was "probably not". So I am basically being told that although you are nominally bestowing M1 zoning on my property, in practice my property will be subject to severe restrictions for future usage. Restrictions that I do not have now. And similarly, future development will be restricted in ways that I am not restricted to now. And to further the Catch 22 aspect of the situation, no city employee has been able to give me a definitive answer to what will be allowed, because there is no zoning in place on the property at present.

I fully understand the "intent" of the framers of the 2009 General Plan Amendment when they decreed that if my property and those surrounding it ever became part of the City of Cloverdale a Conservation zoning to preserve the green space of our little hillside should be imposed. But they overlooked the fact that there was a home on my property since 1966 and a legally operating cabinet shop for many of those years.

I have made great improvements to my property in the last 3 years. Your plans to annex my property afford absolutely no benefit to me and in fact greatly limit future uses and development of the parcel. I can only see that as negatively impacting the value of my property.

Mark Bramfitt of the Sonoma Local Agency Formation Commission, informs

me that it is my right to officially protest the proposed annexation. Until the City of Cloverdale can assure me in writing that there will be no curtailment of my current use and development rights, and that those rights will carry over to future owners, I respectfully inform you that I am completely opposed to the annexation of my parcel into the City of Cloverdale.

Very Sincerely,



Richard Keith Cerasoli

Copy: Jerry Haag Interim Community Development Director

enclosure: Sonoma County Code Ordinance Sec. 26-46-010

Sec. 26-46-010. - Permitted uses.

Permitted uses include the following:

- (a) Truck, trailer and farm implement sales, including major repair facilities;
- (b) Bakeries, creameries, soft drink bottling plants, laundries, cleaning and dyeing plants;
- (c) Cabinet shops; electrical, plumbing and heating shops; welding, sheet metal and machine shops; lumber yards;
- (d) Other heavy commercial uses for which storage, large or heavy merchandise or commercial transportation facilities are necessary and usual to the operation;
- (e) Professional, administrative and business offices;
- (f) Experimental or testing laboratories;
- (g) Manufacture of precision instruments and equipment such as watches, electronics equipment, photographic equipment, optical goods and similar products;
- (h) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops;
- (i) Accessory uses and buildings incidental and appurtenant to a permitted use that do not alter the character of the site;
- (j) Small collection facilities as an accessory use to any permitted use subject to the provisions of Section 26-88-070;

(Ord. No. 3805.)

- (k) Occasional cultural events; provided, that a written notice stating "The Sonoma County Planning Department will issue a zoning permit for a cultural event (state nature and duration) on this property if a written appeal is not received within ten (10) days from the date of this notice." is posted on the property at least ten (10) days prior to issuance of a zoning permit, and no appeal pursuant to Section 26-92-040 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works. In the event of an appeal, a hearing on the project shall be held pursuant to Section 26-92-040;
- (l) Beekeeping;
- (m) Attached commercial telecommunication facilities subject to the applicable criteria set forth in Section 26-88-130;
- (n) Minor and intermediate freestanding commercial telecommunication facilities eighty feet (80') or less in height, subject to the applicable criteria set forth in Section 26-88-130;

- (o) Noncommercial telecommunication facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26-88-130;
 - (p) Small wind energy systems not located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to zoning permit approval and the standards in Section 26-88-135;
 - (q) Small-scale homeless shelters serving no more than ten (10) persons pursuant to 26-88-127, subject to Article 82 (Design Review), within designated urban service areas;
 - (r) Emergency homeless shelters with no more than fifty (50) beds, provided pursuant to 26-88-127, subject to Article 82 (Design Review), within designated urban service areas;
 - (s) Other nonresidential uses which in the opinion of the planning director are of a similar and compatible nature to those uses described in Section 26-70-010.
- (Ord. No. 5883, § IV, 3-30-2010; Ord. No. 5435 § 2(jj), 2003; Ord. No. 5342 § 3, 2002; Ord. No. 4973 § 10(a), 1996; Ord. No. 4643, 1993.)

Sec. 26-46-020. - Uses permitted with a use permit.

Uses permitted with a use permit include the following:

- (a) New and used passenger vehicle and recreational vehicle sales including incidental rental and repair;
- (b) Retail commercial and service uses, such as hotels and motels, restaurants, financial institutions and service stations, appropriate to and in conjunction with industrial development permitted in the M1 district;
- (c) Contractor's equipment storage or rental yards;
- (d) Auto and truck repair provided all work is conducted inside a building, there is not unscreened storage of materials, junk or nonoperable vehicles, and that vehicles are not parked outside overnight;
- (e) Processing, storage, bottling, canning, etc. of agricultural products, including wineries, dehydrators, fruit and vegetable packing plants, canneries and similar agricultural uses, and including incidental retail sales of agricultural products processed on the site;
- (f) Manufacturing or processing of asphalt, building materials, cement, concrete, earth, fuel, briquettes or similar products;
- (g) One (1) single-family dwelling unit on the same lot as the permitted use, to be used only as the residence of the caretaker and his family;
- (h) Gymnasiums, health clubs, spas, indoor recreation, and similar uses;

- (i) Heliports;
- (j) Minor public service uses or facilities (transmission and distribution lines and telecommunication facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards and related parking lots which, at a minimum, meet the criteria of general plan Policy PF-2(s) and which are not otherwise exempt by state law;
- (k) Exploration and development of low temperature geothermal resources for other than power development purposes; provided that at a minimum it is compatible with surrounding land uses;
- (l) Truck terminals; bus, ambulance and taxi terminals;
- (m) Planned industrial developments and industrial condominiums. Compatibility with adjacent development, unique characteristics, innovation and the provision of amenities will be the primary criteria utilized in evaluating such development. The lot size, coverage and setback requirements of Section 26-46-030 shall not apply to such developments;
- (n) Large recycling collection facilities, light recycling processing facilities subject to the provisions of Section 26-88-070;
- (o) In urban service areas, work/live units subject to the requirements of Section 26-88-124 (Work/live unit);
- (p) Churches located in existing industrial buildings which are clearly incidental to the permitted industrial use;
- (q) Day care center;
- (r) Large residential community care facility;
- (s) Veterinary clinics;
- (t) Amplified live music;
- (u) Intermediate and major freestanding commercial telecommunication facilities greater than eighty feet (80') in height, subject at a minimum to the criteria set forth in Section 26-88-130;
- (v) Noncommercial telecommunication facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26-88-130;
- (w) Reserved;
- (x) Reserved;
- (y) Small wind energy systems located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to the standards in Section 26-88-135;

- (z) Other nonresidential use which in the opinion of the planning director are of a similar and compatible nature to those uses in this section.

(Ord. No. 5933, § II(c), 5-10-2011; Ord. No. 5883, § IV, 3-30-2010; Ord. No. 5569 § 8, 2005; Ord. No. 5435 § 2(kk), 2003; Ord. No. 5429 § 5, 2003; Ord. No. 4973 § 10(b), (c), 1996; Ord. No. 4643, 1993; Ord. No. 3805; Ord. No. 2840; Ord. No. 2936.)

From: Jerry Haag
Thursday, July 14, 2016 10:20 AM
David Kelley; Carole Cooper
Fwd: FW: Nu Forest Annexion to City of Cloverdale

From: "Harris, Bradley" <BGH2@pge.com>
Date: July 13, 2016 11:54:31 AM PDT
To: "jphaag@pacbell.net" <jphaag@pacbell.net>
Subject: FW:

Jerry –

Providing the annexation does not propose any changes to the facility as the letter states, PG&E consents to the annexation.

Brad
Land Agent

Harris

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Agenda Section New Business	Staff Contact Stephen Cramer, Police Chief
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Agenda Item Title
Resolution Opposing Proposition 57 (“The Public Safety and Rehabilitation Act of 2016”)

Summary

Nonpartisan Background:

According to the nonpartisan Legislative Analyst’s Office, “a yes vote on this measure means: certain state prison inmates convicted of nonviolent felony offenses would be considered for release earlier than otherwise. The state prison system could award additional sentencing credits to inmates for good behavior and approved rehabilitative or educational achievements. Youths must have a hearing in juvenile court before they could be transferred to adult court.”

Opposition:

Cloverdale Police Chief Cramer, in conjunction with the Sonoma County Law Enforcement Chiefs’ Association, including Police Chiefs in Sonoma County, the Sonoma County Sheriff, the Sonoma County District Attorney, and Federal law enforcement partners, urge the public to vote NO on Proposition 57 because we have determined that it will increase crime and victimization.

Proposition 57 is a ballot measure deceptively titled, “*The Public Safety and Rehabilitation Act of 2016*”. There is nothing safe about Proposition 57.

Proposition 57 will release dangerous prisoners early and result in reduced incarceration of career criminals, drug dealers and gang members. A dramatic reduction in the number of state prison inmates per a federal mandate, which began in 2011, and 2014’s Proposition 47, which reduced numerous felonies to misdemeanors, including theft of firearms, has caused a significant increase in crime. Proposition 57 would be a third strike against the safety of Californians.

We understand the intent of Proposition 57 is to reduce prison overcrowding; however, Proposition 57 includes drastic changes to our parole system that will release thousands of dangerous felons into our communities. California is currently experiencing a double digit spike in crime. Passing a new initiative to release more felons from prison will further erode public safety.

This initiative grants the politically appointed Board of Parole Hearings full authority over release decisions once an inmate has served time for their primary offense only, thereby reducing sentences that were imposed for enhancements such as gang involvement, drug dealing, and assault with a deadly weapon, or prior convictions. In doing so, sentencing enhancements essentially become “points of consideration” for the parole board, rather than impactful enhancements that have a measurable effect on time served. Repeat offenders can earn the same release date as those incarcerated for the first time.

Proposition 57 claims to apply only to nonviolent offenders. However, the initiative’s definition of “nonviolent” is in stark contrast to the public’s idea of nonviolent. This initiative allows for early parole consideration for prisoners convicted of rape of an unconscious person, assault with a deadly weapon, vehicular manslaughter, domestic violence causing trauma, solicitation of murder and other violent crimes. Additionally, Proposition 57 diminishes the sentencing severity of an inmate charged for multiple offenses. For example, under this new system, someone convicted of one burglary can do the same amount of time as someone convicted of dozens. This initiative ignores the victims who have constitutional rights to participate in the criminal justice process, and oftentimes have appeared at the sentencing and been informed of the term of imprisonment. If this initiative passes, victims may find the offender that they thought was going to be incarcerated for many years, is suddenly back in their community.

Centralizing all authority away from local law enforcement, prosecutors and judges to the parole board is of paramount concern and dismantles the checks and balances in our criminal justice system. We would be remiss if we did not also raise concerns about how this initiative allows the Secretary of California Department of Corrections and Rehabilitation to have full authority over the prisoner credit earning system which shortens inmate’s sentences. Granting this authority to a political appointee raises serious concerns about the influence in sentencing determinations.

For these reasons, Police Chief Cramer and City Manager Cayler along with crime victims and survivors, the California Police Chiefs’ Association, the California District Attorneys’ Association and others, are recommending that City Council adopt the attached Resolution opposing Proposition 57 and supporting the “No on Proposition 57” campaign.

Options

- 1) Adopt the attached Resolution opposing Proposition 57; or
- 2) Reject the attached Resolution opposing Proposition 57.

Budget/Financial Impact

None.

Subcommittee Recommendation

None.

Recommended Council Action

The Cloverdale Police Department and the City Manager recommend that the Cloverdale City Council adopt the attached Resolution opposing Proposition 57 and supporting the “No on Proposition 57” campaign.

Attachments:

1. Resolution No. 079-2016

cc:

2713623.1

CITY OF CLOVERDALE

CITY COUNCIL

RESOLUTION NO. 079-2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE TO
OPPOSE PROPOSITION 57 AND SUPPORT THE “NO ON PROPOSITION 57”
CAMPAIGN**

WHEREAS, Proposition 57 would undo four decades of Criminal Justice Reform by allowing the early release of criminals convicted of “non-violent” felonies and reduced incarceration of career criminals, drug dealers and gang members; and

WHEREAS, the following crimes would be considered “non-violent” and be eligible for early parole and release from custody under Proposition 57:

- Rape by intoxication
- Rape of an unconscious person
- Human trafficking involving sex act with minors
- Drive-by shooting
- Assault with a deadly weapon
- Hate crime causing physical injury
- Domestic violence involving trauma
- Arson causing great bodily injury
- Lewd acts upon a child
- False imprisonment of an elder; and

WHEREAS, Proposition 57 would overturn key provisions of the Victims' Bill of Rights, Marsy's Law, and the Californians Against Sexual Exploitation Act; and

WHEREAS, Proposition 57, by disregarding sentences imposed by judges for repeat and career criminals, would treat the worst criminals the same as first time offenders; and

WHEREAS, Proposition 57 would give the California Department of Corrections and Rehabilitation unlimited constitutional authority to reduce sentences for "good behavior," even for inmates previously convicted of murder, mayhem, and rape; and

WHEREAS, Attorney General Kamala Harris has noted that California is experiencing a resurgence in crime rates. Specifically, in the last year California has experienced the following:

- Violent Crime has increased by 10.0%.
- Property Crime has increased by 8.1%.
- The Homicide Rate has increased to 4.8 homicides per 100,000 people; and

WHEREAS, Proposition 57 would exacerbate the current increase in crime rates by releasing more violent felons into our communities; and

WHEREAS, Sonoma County Law Enforcement Chiefs’ Association, the Sonoma County District Attorney and Federal law enforcement partners support the “No on Proposition 57” campaign.

WHEREAS, no public funds shall be used by the City of Cloverdale to support the “No on Proposition 57” campaign.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVERDALE FINDS AND RESOLVES AS FOLLOWS:

The Council hereby publicly opposes Proposition 57 and endorses the “No on Proposition 57” campaign (FPPC ID # 1386627).

It is hereby certified that the foregoing Resolution No. 079-2016, was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on the 11th day of October, 2016 by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Approved

Attested

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Agenda Section New Business	Staff Contact Paul Cayler, City Manager
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Agenda Item Title

Discussion and Possible Action on a Resolution No. 080-2016, of the Cloverdale City Council Authorizing the City Manager to Execute an Agreement Amendment for Professional Services with RRM Design Group for Professional Services for Additional Engineering Services Related to Trailhead and Pre-Engineered Trail Bridge Construction Documents, and Trail Design Details for the Clover Springs Open Space Preserve

Summary

The Sonoma County Agricultural Preservation and Open Space District (“District”) purchased the 249-acre Clover Springs property in the fall of 2007 with the intent to convey it to the City of Cloverdale (“City”) for use as a public park and open space preserve. The District transferred fee title to the City in 2011 for scenic and natural resource protection, and recreational and educational use. At transfer, the District retained a conservation easement that protects the natural resources and scenic open space values of the property, while allowing for low-intensity outdoor public recreation.

In June of 2011, the District commissioned a draft trail and native plant regeneration plan that was provided to the City at the time of transfer. The plan was intended to assist the City in their planning for recreational and educational uses of the property. The City of Cloverdale would like to complete and implement the draft plan and construct improvements in order to provide initial public access and ensure the protection of the property’s natural resources.

In 2014, the District granted \$313,250 of funding to the City. The funding is intended to:

- Provide project management and administration
- Finalize project plans
- Conduct CEQA analysis and obtain permits
- Construct a trail system that includes a bridge crossing and 1.8 miles of new trail
- Improve informal Creekside trail to allow for year-round public access
- Create a staging area with parking and associated elements
- Design and install signage

In order to receive District funding, the City and the District executed a Funding Agreement that specifies the types of eligible costs, such as project planning, design, CEQA, permitting, and construction. Reimbursement for planning expenses may begin upon execution of the Funding Agreement and Recreation Covenant and be paid on a rolling basis. No reimbursement for construction activities will occur until the City submits, and the District approves, a Work Plan that more specifically describes the activities and costs associated with the project, and until the City’s environmental review process, including District’s review thereof, have been completed.

It was a challenge to find a qualified consultant to work on the project. The City reached out to a number of consultants, and found that most engineering consultants were not interested or qualified for the project. There are few qualified consultants that do trail and open space design and planning work. RRM Design Group is an experienced landscape architectural and engineering firm with background in trail design. Due to the challenge finding a qualified consultant, the City Manager recommends that the project be sole sourced to RRM Design Group. The Cloverdale Municipal Code permits contracting with specialized consultants, such as engineers and architects, without competitive bidding per Section 3.08.050(A).

On February 11, 2015, the City Council authorized contracting with RRM Design Group for the Pre-Design, Design Development, and Environmental Documentation. This work included a community workshop after the completion of the draft project layout in order to seek community input, and then presentation of a final schematic design to the City Council on October 14, 2015. The final schematic design was then used to set forth the project description for the California Environmental Quality Act (CEQA) Initial Study and Mitigated Negative Declaration, which was adopted by the City Council on March 22, 2016.

In July 2016, RRM provided a revised engineering, permitting and bid document preparation cost estimate, and construction cost estimate, which equaled \$342,975. As of the writing of this staff report, there is \$224,995 remaining in the grant from the District. The City and District began work to address this challenge of the funding shortfall, because the District cannot provide more funding for the project.

The City worked with RRM to reduce the scope of the project. The priority of the project is viewed as the completion of trailhead staging area at the end of Skyview Drive. The City coordinated with the District to come to consensus to reduce the trail building expense by the initial installation of a revised trail alignment that combines the lower section of the Blue Trail and the upper section of the Pink Trail Alignment, and installing one prefabricated footbridge across Porterfield Creek at the Blue Trail alignment.

The plan is for a general engineering contractor to build the trailhead staging area and the one prefabricated footbridge through competitive bidding. This work will be subject to the State Public Contract Code provisions for prevailing wage.

The District and City came to consensus that the trail installation, trail abandonment and trail restoration work could be done through a partnership with the non-profit Sonoma County Trails Council (SCTC). The SCTC Executive Director, Mr. Ken Wells, has visited the open space preserve and reviewed the preliminary trails. Mr. Wells is in favor of SCTC doing the trail installation and restoration work. In order for the partnership with the SCTC to work, the City Council will need to make a determination to exclude the trail building work from competitive bidding because the work may be performed by volunteers, thus resulting in substantial savings to the City. Where competitive bidding would not produce an advantage to the City, and advertisement for bids would therefore be undesirable and impractical, the City Council may waive competitive bidding the principles set forth in California lawsuit known as *Graydon v. Pasadena*. In order to make this finding, the City must show that difference in an engineer's estimate and the cost for the SCTC to do the work is a substantial savings and bidding is impractical.

Based on the reduced project scope and a potential non-profit partnership with SCTC, the City requested that RRM Design Group amend their original project proposal for additional engineering and permitting services to get the project to construction. The primary project areas are: 1) Trailhead Design Plans; 2) One Pre-Engineered Trail Bridge; 3) Typical Trail Construction Details for the combined Blue and Pink Trail Alignment (approximately 1,900 feet; and 4) Restoration Work at seven project locations.

This project scope will be amended to the original professional services agreement with RRM Design Group by adding five new tasks for: Project Management, Pre-Construction Assessment, Construction Documents, Construction Administration and Resource Permitting. The increased project engineering cost estimate from RRM Design Group equals \$140,108.

The RRM Design Group proposal has been reviewed by the District. The District finds that the proposal is consistent with the Funding Agreement, and expenses related to the proposal will be eligible for reimbursement, except for expenses related to trail restoration and abandonment work. The engineering and permitting for the restoration and abandonment work is estimated to be \$15,000.

There is concern though that the cost to complete engineering and construction for the project is greater than budgeted in the funding agreement. There may continue to be a budget gap that needs to be reconciled, however the exact amount of the budget gaps will not be known until the detailed engineering construction plans and trail details are completed.

Due to the significant challenges encountered by this project, the District has extended the project completion date under the funding agreement to June 30, 2018.

Options

1) Reject RRM Design Group's proposal; or 2) Approve RRM Design Group's proposal.

Budget/Financial Impact

The estimated cost for the RRM Design Group proposal equals \$140,108, for which the Open Space District has stated that the City will be eligible of reimbursement under the Funding Agreement, except for expenses related to trail restoration and abandonment work. It is estimated that trail restoration and abandonment equals \$15,000 of the above estimated cost. Therefore, the best estimate of the amount remaining in the District funding agreement as the conclusion of the trail facilities engineering work will be \$99,887. If this remaining funding is not sufficient to construct the project, then the City will need to look to supplemental funding sources, such as the Open Space Endowment Fund or the City's General Fund.

Subcommittee Recommendation

None.

Recommended Council Action

The City Manager recommends that the City Council review the RRM Design Group proposal for Clover Springs Open Space engineering and permitting services, and adopt the resolution, authorizing the City Manager to execute with form approval by the City Attorney of an amendment to the professional service agreement with RRM Design Group.

Attachments:

1. RRM Design Group's Clover Springs Trail Plan Scope of Work and Proposal of Engineering and Permit Services.
2. Proposed Resolution.

cc:

ADD. SERVICE AUTHORIZATION

Client: City of Cloverdale	Project Number: 0131-02-RC15
Project Name: Clover Springs Open Space Preserve Trail	Date: September 27, 2016

Method:

- Letter
- Client authorization required
- Other: _____
- Email authorization attached to parties
- Included in contract, authorization not required

Fee Type(s):

- Fixed Fee
- Time & Materials/Not to Exceed (T&M/NTE)
- Time & Materials (T&M) - Hourly
- Time & Materials (T&M) - Hourly

DESCRIPTION OF WORK TO BE PERFORMED

RRM Design Group, a California Corporation ("RRM Design Group"), has entered into an agreement with the city of Cloverdale (the "Client") dated April 21, 2015 (the "Prime Agreement") for the project: Clover Springs Open Space Preserve (the "Project"). Additional Services Authorized by the Client are subject to the Terms and Conditions of the Prime Agreement.

RRM Design Group (RRM) will provide construction document preparation services for the following portions of the Clover Springs Open Space Preserve Trailhead facility.

I. Primary Project Areas

PROJECT 1 (Attachment Exhibit 1)

- o **(Trailhead Design Plans)**–Prepare Construction Documents for a Design-Bid-Build Contractor for the pavement extension to the end of Skyview Drive

to accommodate accessible on-street parking, extend existing sidewalks, grading, drainage, and trailhead amenities shown in the approved Schematic Plan.

PROJECT 2 (Attachment Exhibit 2)

- **One Pre-Engineered Trail Bridge** - Design assistance with bridge manufacturer for contractor to construct for abutments and assemble one 45-foot long (approx.), six-foot wide pre-engineered pedestrian bridge over Porterfield Creek. Pre-engineered bridge-by-bridge manufacturing company.

PROJECT 3 (Attachment Exhibit 3)

- **Typical Trail Construction Details** –Prepare Typical Trail Design Details for trail contractor in coordination with the city of Cloverdale to construct a natural surface trail. The trail design plans will include flagged field layout of horizontal centerline alignment and typical trail tread details. To construct the trail from the new trailhead at Skyview Drive to the existing bridge and from the existing bridge to the new alignment through the property, is outlined in Attachment 3.
- **Blue and Pink Trail Alignment** – Prepare the horizontal center line alignment and typical trail tread details for construction by Sonoma Trail Council group, to construct the Phase I backcountry trail segments, known as the Pink Alignment and the Blue Alignment (approx.) 1,900 linear feet.

Other Restoration Work Incorporated in Project 2, Identified in Waypoint Map Exhibit (Exhibit 4) Include:

- **WP#4** Fence along Porterfield Creek – 1,000 linear feet of split-rail fence, match exiting open space fence material and construction
- **WP#5** Split in trail (fork) east of existing footbridge – reclaim upper eroded trail segment and reroute trail to sustainable grade
- **WP#6** Two (2) failed culverts east of existing footbridge – replace two existing 18” by 12’ long culverts
- **WP#8 and WP#11** Filling in steep section of trail – reroute trail to sustainable grade, use spoils from reroute trail on eroded segment
- **WP#12** Reclaim (decommission) steep social trail – reclaim trail tread 50’ up from stream bank, scarify, reseed, install closure sign, provide natural barrier parallel with creek bank
- **WP#14** Creekside Trail wet crossing at Porterfield Creek - reclaim reroute trail to sustainable grade and rolling dips, rework drainage at existing trail crossing
- **WP#15** Area past end of Creekside Trail – install small fence section and sign for closure

II. Scope of Services Outline

TASK D - PROJECT MANAGEMENT AND COORDINATION

Subtask D.01: Project Management and Coordination

Subtask D.02: Project Conference Call Meetings

TASK E – PRE-CONSTRUCTION ASSESSMENT

Subtask E.01: Geotechnical Investigation

Subtask E.02: Pre-Design Field Meeting

TASK F: CONSTRUCTION DOCUMENTS

Subtask F.01: 75% Draft Construction Documents

Subtask F.02: 100% Construction Documents

Subtask F.03: Bid-Ready Construction Documents

Subtask F.04: Bidding Assistance

TASK G – CONSTRUCTION ADMINISTRATION

Subtask G.01: Pre-Bid Site Walk (1)

Subtask G.02: Construction Administration

Subtask G.03: Construction Observation Field Meetings (2)

TASK H –RESOURCE PERMITTING

Subtask H.01: Resource Agency Permitting and Coordination

III. Detailed Scope of Services

Task D: Project Management and Coordination

Subtask D.01: Project Management and Coordination

Construction Document and implementation duration. RRM's project manager will coordinate with city and design staff, sub-consultants, and other agencies as necessary on an on-going basis throughout construction design and implementation of the Project. Conferencing with city staff at the spur-of-the-moment needs. For example, to discuss design issues and plan check comments, or to coordinate with local agency staff are very likely occurrences during the life of the Project. This task also includes internal quality control, plan review, day-to-day project coordination efforts, including general correspondence, telephone conferencing, and update and summary reports likely to be required in supporting city staff as we move the plans through Construction Documents, Permitting, and Construction Administration.

Deliverables:

- *Memos, meeting minutes, and general correspondence for document control, compiled in a three-ring binder located in our office and available for access by city staff*
- *Prepare for and participate in conferencing staff update meetings*
- *Coordination with environmental consultants on the permitting and plan requirements*

Subtask D.02: Project Conference Call Meetings

RRM will conduct up to four (4) construction design review session with the City. The design review session will be conducted via conference call to be mindful of the Project budget. These meeting will provide a forum to discuss construction plan edits and comments through the submittal phases through the construction document phase.

Deliverable:

- *Conduct up to four (4) design review conference call meetings with city staff*
- *Prepare and distribute meeting minutes*

Task E: Site Assessment

Subtask E.01: Geotechnical Investigation

RRM's geotechnical engineer, Ninyo & Moore, will prepare a draft and final geotechnical report. Work will include literature review, site reconnaissance and field marking of test boring locations for two areas of work:

• **Street Parking Area**

Ninyo & Moore will collect one (1) core soil sample from Skyview Drive at the end of the block. The core will provide the sample for the new road edge paving.

• **Pedestrian Bridge**

Ninyo & Moore will drill and sample two (2) subsurface borings at the proposed pre-engineered pedestrian bridge abutment location to develop finding for use in bridge foundation design.

The field work and laboratory testing will be used to prepare a draft geotechnical investigation report. Following one round of review by the Client and design team, review comments will be incorporated into a final design-level geotechnical investigation report.

Deliverables:

- *Draft geotechnical report*
- *Final geotechnical report*

Subtask E.02: Pre-Design Field Meeting

RRM will spend two (2) days reflagging and obtaining GPS coordinates for the trail alignments and checking design elements to include in the Construction Documents. The second day of the trail field alignment, RRM will conduct an on-site pre-design kick-off meeting. This meeting will be attended by key design team members and primary city and county staff, and will afford an opportunity to review and refine the Project schedule, key milestones, and permitting process. This meeting will also identify any remaining data needs.

Deliverables:

- *Pre-design trail field layout - two (2) days*
- *Prepare for and conduct one (1) pre-design kick-off meeting site tour*
- *Prepare and distribute meeting minutes*

Note: *The consultant team attending the two (2) day pre-design meeting and field work will be staying in town for up to three to four days to accommodate for travel time and preparation.*

Task F: Construction Documents

Subtask F.01: 75% Draft Construction Documents

RRM will prepare 75% draft Construction Documents (see Construction Document Package contents listed in Section VI) for Project I based on the approved schematic design package. The 75% draft Construction Documents will be submitted to the city project manager for distribution to and review by, staff.

Deliverables:

- *Two (2) hardcopy sets 75% draft Construction Document Package*

Subtask F.02: 100% Construction Documents

RRM will prepare 100% draft Construction Documents that address plan-check comments generated from the City's review of the 75% draft Construction Documents submittal. The 100% draft Construction Documents will be submitted to the city project manager to perform a back-check.

Deliverables:

- *Two (2) sets 100% draft construction document package*
- *75% comment response memo*

Subtask F.03: Bid-Ready Construction Documents for Project I Trailhead Design

RRM will prepare the bid-ready Construction Documents for Project I Trailhead Design that address any back-check comments generated from the City review of the 100% construction document submittal. Once the final revisions are complete, one (1) signed reproducible bid-

ready set of Construction Documents will be submitted to the city project manager for final agency signatures and bidding.

Deliverables:

- *One (1) signed reproducible bid-ready Construction Document package*

Subtask F.04: Bidding Assistance for Project I Trailhead Design

RRM's team will support the City during the bidding phase for **Project I Trailhead Design**. RRM will respond to requests for clarifications as determined by the City to be reasonable or necessary for the bidding process. All bidder questions will be received by the City and forwarded in writing to RRM for response back to the City in writing.

Deliverables:

- *Prepare written responses to bidder's questions for Project I Trailhead Design*

Task G: Construction Observation

Subtask G.01: Pre-Bid Site Walk for Project I

Following the plan approvals and the advertisement for construction bids, RRM team will participate and attend a mandatory pre-bid meeting with contractors, city staff, and county to walk the Project trail alignments and proposed construction areas for field questions and clarifications.

Deliverables:

- *Prepare for and attend one-day preconstruction bid field walk for Project I*

Subtask G.02: Construction Administration for Project I

Following award of the general construction contract, RRM's team will support the City during the construction phase of the Project. We will review and respond to Requests for Information (RFI), Change Orders (CO), submittals, and contractor supplied shop drawings. Under this task, we will also prepare and issue Supplemental Instructions as necessary to clarify technical details and prepare preliminary and final punch lists. We will also coordinate with consultants, agency, and city staff as necessary.

Deliverable:

- *RFI, CO, submittal reviews, shop drawings responses, supplemental instructions, and general record keeping documents*

Subtask G.03: Construction Observation Field Meetings (Project 1, Project 2, Project 3)

RRM's project manager, and/or designated representative, will prepare for and attend two (2) field construction observation meetings at intervals appropriate to the stage of construction to observe construction progress. Field observation meetings will be planned to coordinate with key milestones during the construction process. In the interest of cost efficiency, we will encourage meeting consolidation by strategically scheduling meetings to maximize productivity whenever possible, such as meeting with city staff, construction inspector, contractor and any other agency representatives in a single visit.

RRM shall not be responsible for any acts or omissions of the contractor, subcontractor, any entity performing any portion of the work, or any agents or employees of any of them. RRM does not guarantee the performance of the contractor and shall not be responsible for the Contractor's failure to perform work in accordance with the Contract Documents or any applicable laws, codes, rules, or regulations.

Deliverable:

- *Prepare for and attend two (2) field construction observation meetings*

Task H: Resource Permitting

Subtask H.01: Resource Agency Permitting and Coordination

RRM's sub-consultant First Carbon will provide monitoring and agency permitting assistance through the construction document submittal phase of the Project.

We understand that the Project has numerous proposed activities that may be implemented in areas under the jurisdiction of the agencies listed above, including one pre-fabricated bridge and eight (8) individual projects to reduce erosion and sedimentation and to prevent or minimize impacts on water quality and stream habitat. The 8 erosion and sedimentation control projects are listed in the Sonoma County Agricultural Preservation and Open Space District's letter to the city of Cloverdale (City) dated November 16, 2015. As most activities will occur in or in close proximity to Porterfield Creek, Prunuske Chatham Inc. (PCI) will submit one application package to each agency that will include all of the proposed activities within agency jurisdiction rather than numerous application packages to each agency. PCI proposes to conduct the services outlined below.

Site Visit

PCI will conduct a site assessment to evaluate current conditions of biological habitats within the disturbance area for each activity to determine the project specific avoidance and minimization measures required to protect resources; photo-points will be established for use in monitoring and reporting to the resource agencies, which will be a requirement of the permits.

A map of the individual activity areas with the ordinary high water mark identified will be created for submittal with the permit application packages.

Project Description Development

PCI will work with the City or its representative to define the activities in sufficient detail for permitting purposes and will develop a project description for each agency that describes the proposed actions within their jurisdiction; see Permitting discussion below for details. The application packages will require submittal of design sheets and quantities of materials to be introduced or “discharged” into the creek and other regulated areas. To gather the necessary information, PCI will initiate communications with the project engineer.

Permitting

PCI will prepare and submit applications for regulatory permits to the Corps pursuant to Section 404 of the federal Clean Water Act (CWA); CDFW pursuant to the California Fish and Game Code (1600 et seq.); Regional Water Board Pursuant Section 401 of the federal CWA and state Porter-Cologne Act. Application requirements of each of the agencies differ, but there is a great deal of overlap such as providing a project description, discussion of avoidance and minimization measures, and inclusion of a monitoring and reporting plan. The following provides detailed descriptions of individual agency permit requirements.

Corps Section 404 Clean Water Act (CWA) Pre-construction Notification

For this task, PCI assumes that Corps Nationwide Permits (NWP) rather than Standard Individual Permits will be used. PCI will complete and submit a pre-construction notification (PCN) to the Corps in compliance with Section 404 of the CWA under NWP 13 for bank stabilization, NWP 27 for aquatic habitat restoration, establishment, and enhancement activities, and NWP 33 for temporary construction, access, and dewatering. The PCN will contain necessary information about the project including project description, a discussion of impact avoidance and minimization measures, associated figures (vicinity map, project site map, impact area maps, jurisdictional delineation, etc.) and copies of the aquatic resources permit applications submitted to Regional Water Board and CDFW. The PCN will also include an application package to NMFS for “take” authorization under the federal Endangered Species Act (ESA) and information to assist the Corps’ in consultation with SHPO under Section 106 of the National Historic Preservation Act. Certain engineering graphics and calculations will be required from the City or the project engineer in order to complete this application.

Regional Water Board 401 Water Quality Certification

PCI will complete and submit an application for a Section 401 Water Quality Certification to the Regional Water Board. The application will include a project description, discussion of impact avoidance and minimization measures, impacts analysis, discussion of beneficial uses, Best Management Practices (BMPs) to minimize impacts, a copy of the CEQA document, associated figures (vicinity maps, project site map, etc.), the filing fee, and a monitoring and reporting plan.

Certain engineering graphics and calculations will be required from the City in order to complete this application. The City will provide any required permit fees.

CDFW 1600 Streambed Alteration Agreement

PCI will submit to CDFW an application for a Section 1602 Streambed Alteration Agreement. The application will include a project description, discussion of avoidance and minimization of impacts, impacts to sensitive plants and wildlife, a copy of the CEQA document, the filing fee, associated figures (vicinity maps, project site map, etc.), and a monitoring and reporting plan. Engineering graphics and calculations developed for the Water Quality Certification package will be used. The City will provide any required permit fees.

National Marine Fisheries Service Consultation Materials

As part of the PCN to the Corps, PCI will prepare an application and accompanying materials for submittal to NMFS for use of the programmatic Biological Opinion for the Corps' NWP program. The package will include a Species Relocation and Protection Plan outlining specific measures to protect steelhead and other aquatic species should they be present during project activities. Consultation with NMFS will result in "take" authorization under Section 7 of the Federal ESA.

Agency Coordination

PCI will coordinate one field visit with agency staff. Applications will be coordinated with the regulatory agencies throughout processing to answer questions and resolve issues at the earliest possible opportunity. Coordination may include telephone, email, or written correspondence, or meetings with the agencies. This scope of work includes up to 12 hours of agency coordination time in addition to the field visit.

Deliverable:

- *Draft permit application package for the Corps, Regional Water Board, and CDFW for review, including the necessary attachments*
- *Revise the permit applications following receipt of comments and submit them along with the filing fees*
- *Prepare a draft copy electronically for the City's review and a final copy for the City's signature. The City is responsible to provide all filing fees*
- *Once the permit packages are submitted, coordinate with the regulators to facilitate the application review*
- *Review permit conditions from each agency permit and negotiate changes, as necessary, and then summarize permit conditions for incorporation into Construction Documents*

Title and Reference Sheets

RRM will prepare title and reference sheets, as necessary, to convey all pertinent general project information. These sheets may include project name, location, approval blocks, agency contact information, USA alert, basis of survey statement, list of abbreviations, phasing and/or additive alternate instructions.

Construction Staging Plan (Project 1 and Project 2 only)

RRM will prepare construction staging plans for the Project. The plans will identify construction access points, construction trailer location(s), equipment storage yards, and material lay-down areas.

Demolition Plans (Project 1 and Project 2 only)

RRM will prepare demolition plans, at an appropriate scale, for structures and elements requiring removal in order to implement the Project's design. The plans will locate, identify, and describe the removal items and provide instructions for the safe disposal of the demolished work. Additionally, the plans will indicate items to salvage or stockpile.

Erosion Control Plans (Project 1, Project 2 and Project 3)

RRM will prepare Erosion Control Plans for the site depicting proposed construction Best Management Practice's (BMP's) in conformance with the State Construction General Permit. The plans will include plan views with locations of proposed BMP's, and details of the BMP's. This scope assumes the Contractor will prepare the SWPPP.

Construction Keynote Plans (Project 1, Project 2 and Project 3)

RRM will prepare construction keynote plans, at an appropriate scale, for the approved design. The plans will present the overall Project's layout with a keynoting system that identifies construction items, references to appropriate details, and drawing series directions.

Site Construction Details (Project 1, Project 2 and Project 3)

As a companion to the construction plans, RRM will prepare details for all the construction items illustrated on the site construction plans. The details will specify materials, dimensions, colors, and finishes.

Horizontal Control Plans (Project 1 and Project 2 only)

RRM will prepare horizontal control plans, at an appropriate scale, for the approved design. The plans will establish all horizontal control for the Project. The plans will also establish construction layout control points and establish a coordinate system for locating site elements.

Grading and Drainage Plans (Project 1, Project 2)

RRM will prepare grading and drainage plans and details, at an appropriate scale, for the approved design. The plans will build on the topographic survey information and will show vertical control of the Project's elements, contour grading, spot elevations, and cut and fill estimates within the Project site. The plans will detail the proposed bio-retention areas, swales, and other drainage facilities within the Project's development area.

Storm Culvert Plans and Profiles (Project 3 only)

RRM will prepare plan and profile sheets of proposed stormwater culverts at 1"-20' horizontal scale and an appropriate vertical scale, identifying the existing ground, proposed grades, culvert, and crossing utilizes.

Striping and Signage Plans (Project 1 only)

RRM will prepare striping and signage plans for the proposed access roadway and parking lot improvements. The plans will clearly delineate all proposed striping and signs per City and local standards.

Pre-Fabricated Bridge Foundation Plans and Details (Project 2 only)

RRM will prepare plans, details, and calculations for a foundation system for one (1) pre-fabricated bridge. The bridge will be designed to span a distance of approximately 45 feet. The pre-fabricated bridge manufacturer will be responsible for design of the super structure including any supporting structural calculations.

Specifications (Project 1 and Project 2 only)

RRM will prepare technical specifications (formatted and based CSI specifications). This scope assumes the City will prepare all general provision specification sections related to this Project and assemble the specifications book.

CLIENT RESPONSIBILITIES

- One contact person who will serve as the city representative and will consolidate all agency review comments into one list of official comments to which RRM can respond.
- Prepare bid and contract "boiler plate" documents, such as bid form, invitation, instructions, general and special conditions, contract forms, insurance, forms, etc.
- Document distribution for design reviews, bidding, and construction.
- All Necessary Permit Fees

LIMITATION OF SCOPE

Please note the tasks to be performed by RRM team are limited to those outlined above. This scope of services excludes the following:

- This scope of services excludes the following:
- Custom (site-built) bridge structure design and engineering services.
- Irrigation system and planting design services.
- Electrical engineering services.
- Off-site utility analysis
- Preparation of the SWPPP and SMARTS registration (Contractor’s responsibility)
- Additional CEQA and NEPA document preparation services.
- Permit Fees
- Construction cost estimation services.
- Payment of fees (permit, processing, noticing, etc.)

V. Compensation

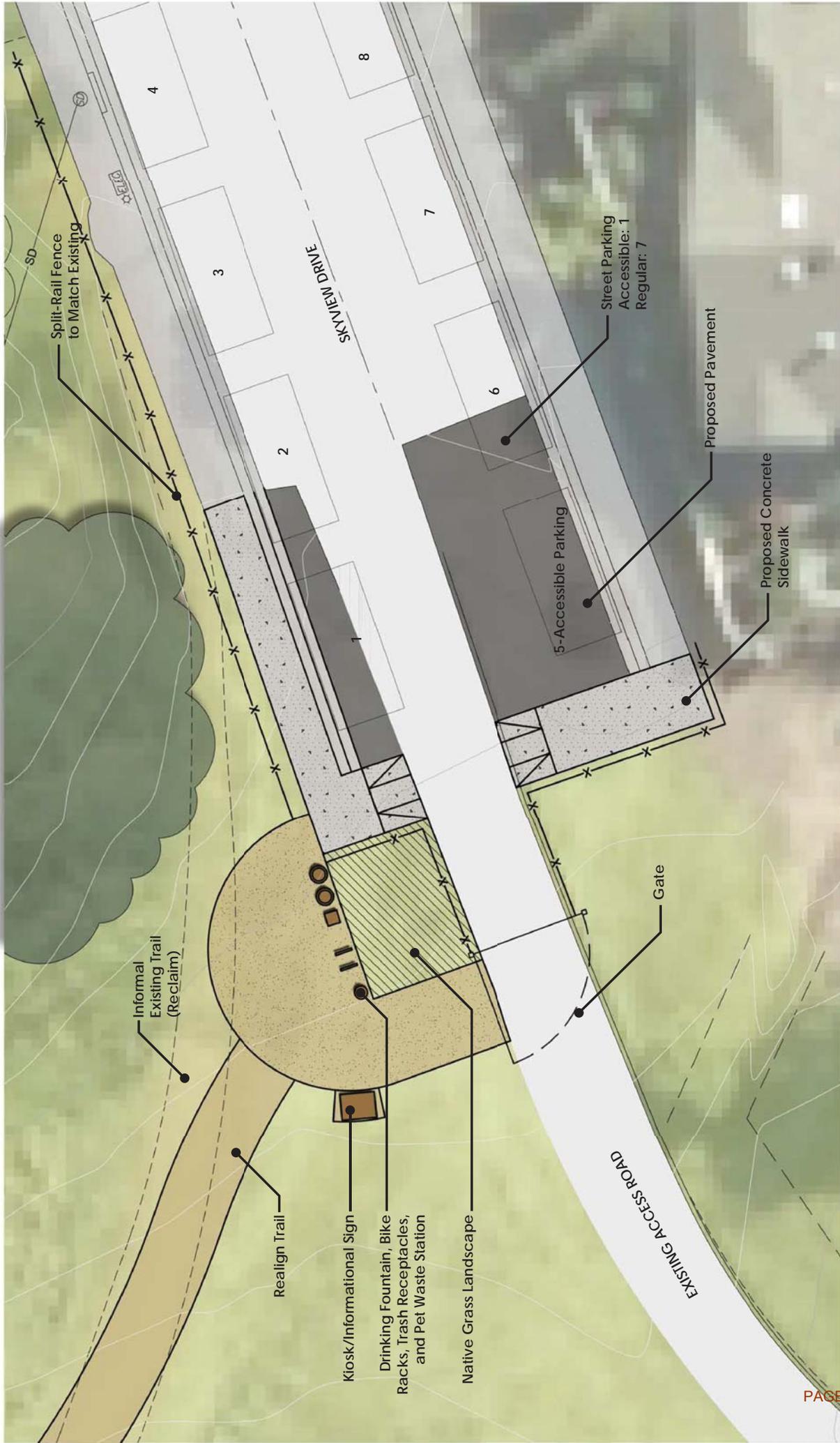
Task D: Project Management	T&M NTE Fee:	\$ 15,044
Task E: Site Assessment / Geotech.	T&M NTE Fee:	\$ 23,656
Task F: Construction Documents	T&M NTE Fee:	\$ 44,960
Task G: Construction Administration	T&M NTE Fee:	\$ 17,808
Task H: Resource Permitting	T&M NTE Fee:	\$ 32,340
<u>Reimbursable Expenses</u>	<u>T&M NTE Fee:</u>	<u>\$ 6,300</u>

Total Amended Contract: \$140,108

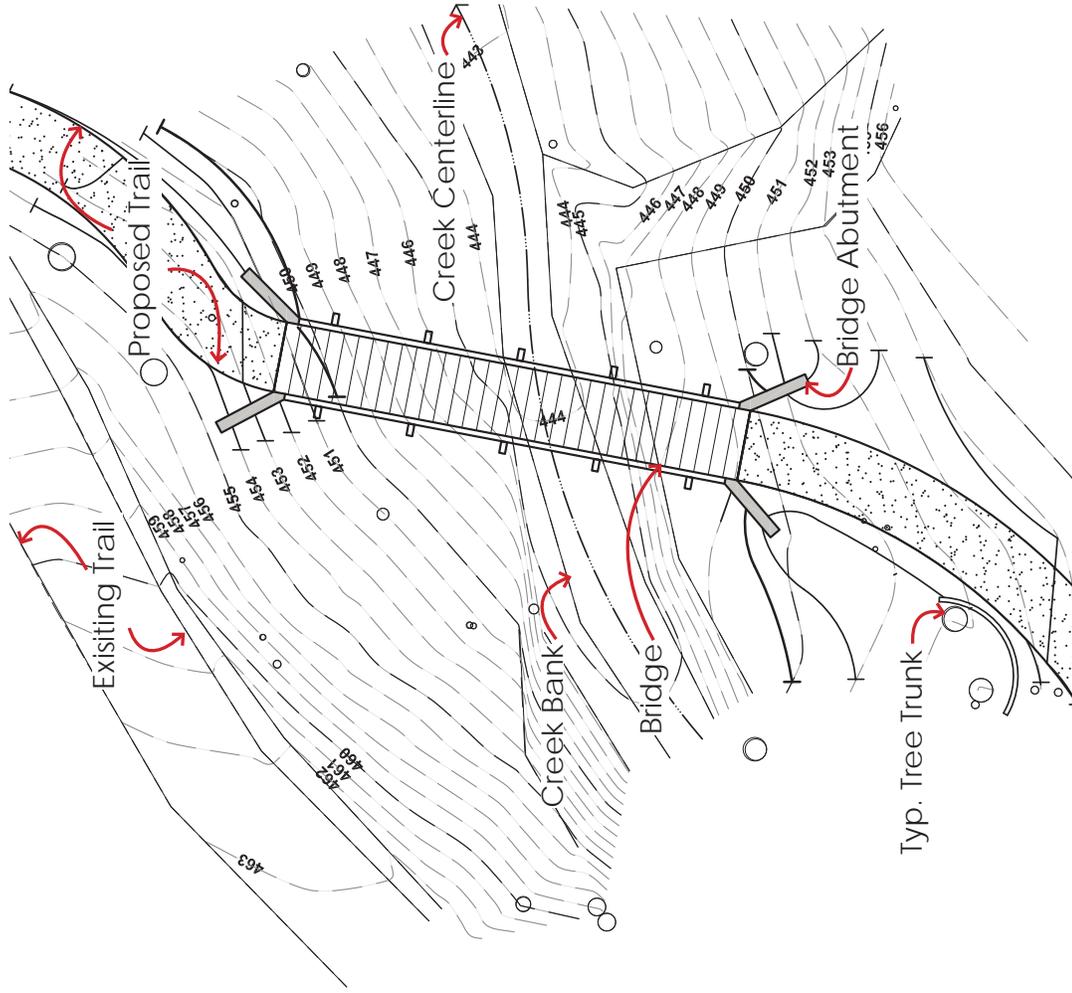
Fee Footnote

Estimated fees for tasks shown as “Time and Materials - Not to Exceed” (T&M/NTE) establish the maximum that will be billed for each task. Amounts billed will reflect actual hours, and will not exceed the maximum amount shown without prior approval by the Client.

Attachment Exhibit 1



Attachment Exhibit 2

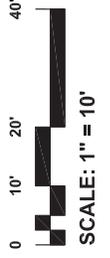


Upper Bridge Location (Blue Alignment)
Bridge Locations



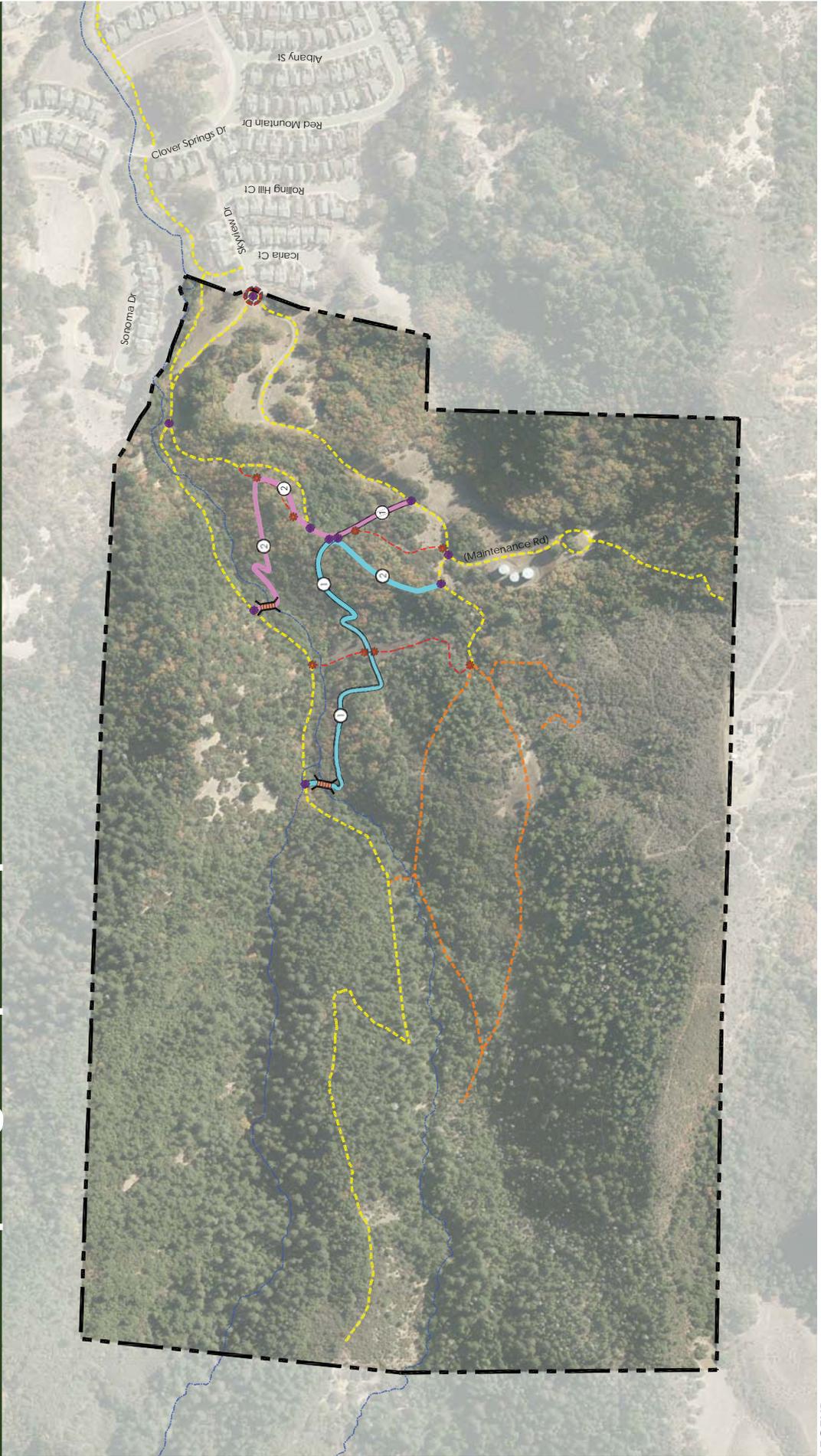
Clover Springs Open Space Preserve

July 2015



Attachment Exhibit 3

Clover Springs Open Space Preserve Trail Network



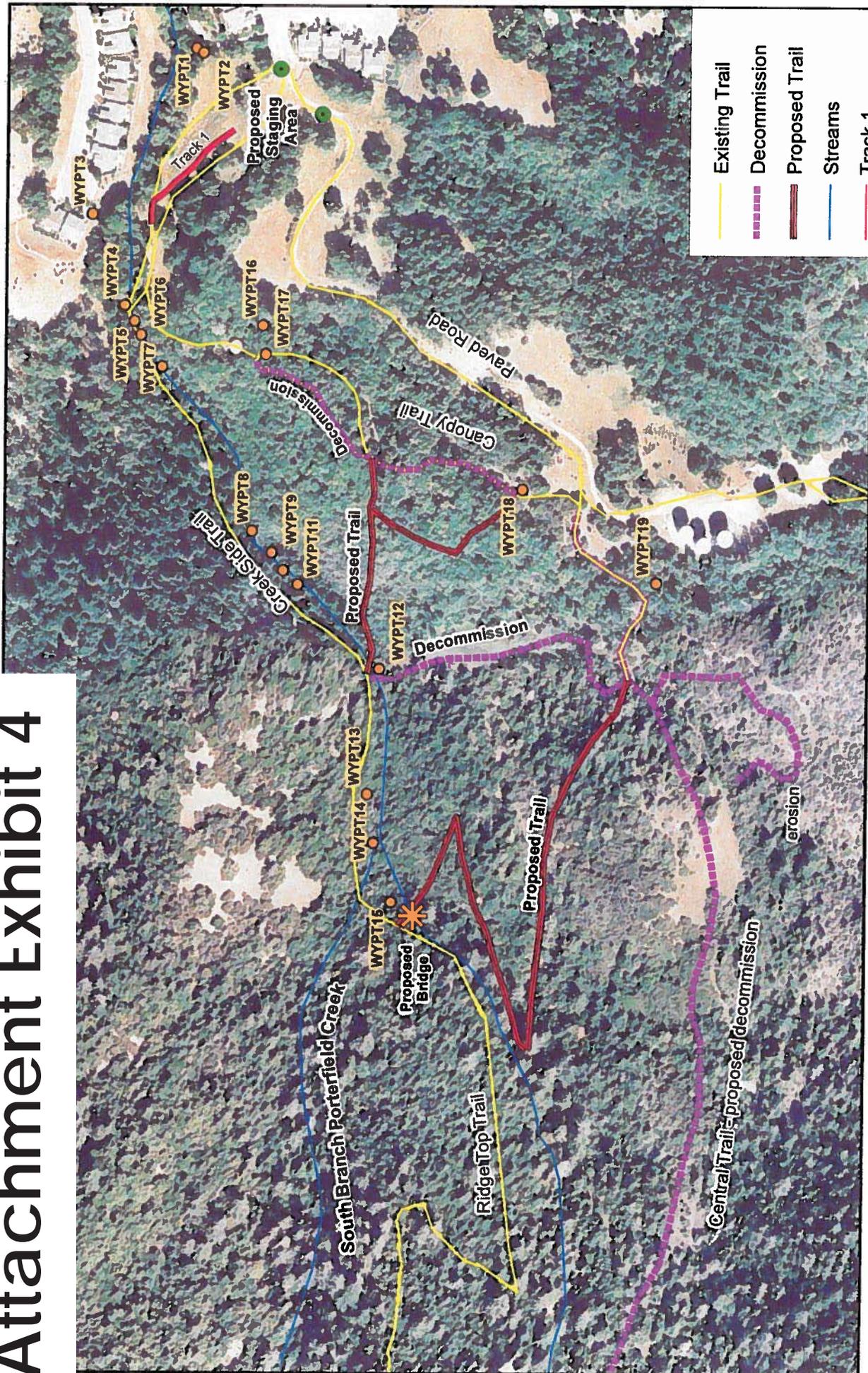
LEGEND

- Open Space Preserve Boundary
- Stream
- Contours: 50' Intervals
- Blue Alignment
- Pink Alignment
- Existing Trails
- Social Trails
- Decommissioned Trails
- Bridge Locations
- Trail Directional Signs
- Trail Closure Signs
- Trailhead Location
- Phase 1
- Future Phase

0 150 300 450 feet
SCALE: 1" = 150' 0"

CITY OF CLOVERDALE

Attachment Exhibit 4



Clover Springs Property Draft Trail Map With Waypoints

Map Date: 1/19/2011
 Photo Source: Digital Globe 2007
 This map is for illustrative purposes only and is not
 intended to be a definitive property description.



- Existing Trail
- Decommission
- Proposed Trail
- Streams
- Track 1
- Proposed Bridge
- Boundary Gate
- Waypoints
- Gate

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 080-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE
AUTHORIZING THE CITY MANAGER TO EXECUTE
A PROFESSIONAL SERVICES AGREEMENT AMENDMENT WITH RRM DESIGN GROUP
FOR PROJECT ENGINEERING AND PERMITTING SERVICES FOR THE
CLOVER SPRINGS OPEN SPACE PRESERVE TRAIL PROJECT**

WHEREAS, in May 2011, the Sonoma County Agricultural Preservation and Open Space District (District) conveyed fee title of the approximately 250-acre property located in Cloverdale, known as Assessor Parcel numbers 115-230-026, 115-230-041 and 115-230-042 (Property), to the City of Cloverdale (City); and

WHEREAS, the Property is also known as the Clover Springs Open Space Preserve; and

WHEREAS, the City requested that the District provide funds to assist with planning and recreation development costs associated with the provision of public access to the Property; and

WHEREAS, consistent with District policy, the District provided funding on a reimbursement basis to assist in “jumpstarting” public access to recreation property purchased with open space sales tax revenues; and

WHEREAS, the City provided the District a Preliminary Work Plan for Property access improvements, including planning, permitting, engineering and constructing of new trails that create loops by eliminating dead ends, and improve the Creek-side trail to allow for a year-round sustainable trail; and

WHEREAS, in consideration of the City granting a recreation covenant over the Property, the District agreed to provide the City up to \$313,250 for public access improvements through a funding agreement; and

WHEREAS, the City Council of the City of Cloverdale reviewed and approved a funding agreement with the District for the Property on June 25, 2014; and

WHEREAS, qualified consultants in the area of trail design and open space facility development are limited, and finding a qualified consultant is a challenge; and

WHEREAS, RRM Design Group is a landscape architecture and engineering company with experience consulting in the development of trails and open space areas; and

WHEREAS, RRM Design Group is familiar with the Property, and understands the scope of the project; and

WHEREAS, the City Council approved Resolution 005-2015 on February 11, 2015, which authorized a professional services agreement with RRM Design Group for schematic design services and environmental documentation for a \$91,740; and

WHEREAS, RRM Design Group completed schematic designs and conducted public workshops on various options to develop a preliminary conceptual design and project description; and

WHEREAS, the City Council approved the project conceptual design and project description including the trail map, the trailhead, the amenities and footbridge locations on October 14, 2015, after receiving much public feedback; and

WHEREAS, RRM Design Group then proceeded with the completion of an Initial Study and Mitigated Negative Declaration for the project, which was circulated for a 30 day public review, and then the City Council conducted a noticed public hearing before adopted the project's mitigated negative declaration on March 22, 2016, by Resolution No. 022-2016; and

WHEREAS, further work on the next phase of project engineering for the trailhead, footbridge, trail design and restoration was delayed to resolve project budgetary challenges with the District; and

WHEREAS, the City and District came to consensus that the scope of the project may be reduced by eliminating one of the two trail footbridges and reducing the length of trail to be installed in the initial project construction, and further, a partnership with the non-profit Sonoma County Trails Council will be formed for trail installation and restoration work; and

WHEREAS, RRM Design Group submitted a proposal for additional professional services for engineering and permitting services to provide construction level plans and permits for the trailhead, one pre-engineered trail footbridge, typical trail construction details and a horizontal alignment for 1,900 feet of trail installation, and other trail restoration work; and

WHEREAS, the District reviewed and approved RRM Design Group's proposal for additional professional services for engineering and permitting services, and agreed to reimburse for RRM Design Group's services, except for work related to restoration services, from the funding agreement; and

WHEREAS, the Cloverdale Municipal Code Section 3.08.050(A) permits contracting with specialized consultants, such as engineers and architects, without competitive bidding; and

WHEREAS, the City Manager reviewed RRM Design Group's proposal for additional engineering and permitting services, and finds the proposal to be fair and reasonable.

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

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Cloverdale.
2. The City Manager, with agreement as to form by the City Attorney, is hereby authorized and directed to execute agreement amendment with RRM Design Group for providing additional engineering and permitting services at the Clover Springs Open Space Reserve, for a maximum amount not to exceed \$140,108.
3. Said authorization is granted under the provisions of the Cloverdale Municipal Code Section 3.08.050(A).
4. This Resolution shall become effective immediately.

It is hereby certified that the foregoing Resolution No. 080–2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on the 11th day of October, 2016, by the following vote: (Ayes –X; Noes –X)

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk