RESOLUTION NO. 2802-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING THE TENTATIVE MAP FOR THE WINDSOR LIVE AND WORK PROJECT (FILE NO. GPA/UP/MJS 06-20)

WHEREAS, the Town of Windsor Town Council considered the request from Misha Weidman/Pegasus Ventures for a Live /Work Planned Development consisting of 12 live/work units on a 1.17 +/- acre parcel. Total interior unit areas range from 1,750 to 2,256 square feet, including work spaces from 280 to 844 square feet, and residential living spaces from 1,470 to 1,741 square feet. The request includes a tentative map to divide 1.17 acres into 12 live/work lots plus common areas, as well as associated use permit and General Plan Amendment actions to accommodate the proposal. General Plan: General Business with a "Surrounding Residential" Overlay / Special Planning Area "H"; Zoning: "CC" (Community Commercial). Property located at 6010 Old Redwood Highway (APN 163-172-017); and

WHEREAS, by Resolution No. 2799-11, the Town Council has adopted a Mitigated Negative Declaration associated with the proposed project; and

WHEREAS, by Resolution No. 2800-11, the Town Council has approved the General Plan Amendment associated with this proposal; and

WHEREAS, in Resolution No. 2801-11, the Town Council has approved the Use Permit, including Final Site Plan and Design Review, associated with the project; and

WHEREAS, the Planning Commission, in Resolution No. 584-11, has recommended approval of the tentative map request, and;

WHEREAS, in accordance with the provisions of law, the Town Council did conduct a public hearing on June 15, 2011 on said application at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Town Council has made the following findings relative to the Windsor live and Work project tentative map:

1. The tentative map, as conditioned, is consistent with the provisions of the Windsor General Plan, including the General Business Land Use Category with Medium/High Density Residential Overlay approved as part of this proposal.
2. The tentative map is found to be in substantial conformance to the provisions of the State Subdivision Map Act and the Town of Windsor Subdivision Ordinance. The Windsor Live & Work Project demonstrates unique design and amenities consistent with Town guidelines for planned developments.
3. All findings (for denial) pursuant to Section 66474 of the Subdivision Map Act are determined to be inapplicable, based upon the project description and conditions of approval.

WHEREAS, the project does not involve potential adverse effect, either individually or cumulatively,

on wildlife resources; and

WHEREAS, mitigation measures identified in the Mitigated Negative Declaration have been incorporated herein as conditions of approval. A mitigation monitoring and reporting plan is also attached as Exhibit "A" to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor hereby approves the Tentative Subdivision Map for the Windsor Live and Work Project subject to the following conditions:

TOWN ENGINEER (Unless otherwise stated, conditions in this section shall be to the satisfaction of the Town Engineer):

Conditions Applicable to Improvement/Site Development Plan Approval:

General Requirements:

1. The developer shall prepare and submit improvement plans for the construction of all public improvements including water, sanitary sewer, recycled water, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, signing, striping, and streetlights. All design and construction shall conform to the latest edition of the Town of Windsor Design and Construction Standards and Caltrans, AASHTO and other applicable codes, standards, guidelines and specifications.
2. A meeting with the Public Works Department shall be required prior to development of the improvement plans.
3. Improvement plans must be approved and signed by the Town Engineer prior to the issuing of an Encroachment Permit, Grading Permit or Building Permit.
4. Information shown on tentative maps and site development plans shall not be construed as accepted or meeting Town standards and requirements and is subject to review and approval during the plan review process.
5. Plan check and inspection fees shall be paid prior to the signature of the improvement plans.
6. Mailbox plans and locations shall be approved by the Windsor Postmaster prior to improvement plan approval. The developer shall provide a letter and exhibit showing mailbox locations from the Windsor Postmaster approving mailbox locations.
7. All broken or sunken curb, gutter and sidewalk along the project frontage shall be repaired as part of the improvements for this project. As well, all nonconforming pedestrian ramps and driveway approaches shall be brought up to current accessibility standards.
8. Deviations from Town Standards and applicable Code requirements shall be approved by the Town Engineer. The applicant's engineer shall request all design exceptions in writing.
9. Public improvement drawings shall be drafted in the Town approved sheet format. AutoCAD drawing files can be found on the Town's website, (townofwindsor.com) in the Document Center.
10. Project benchmark shall be based on a Town approved USGS benchmark.
11. Improvement plans shall be approved by the Rincon Valley Fire Protection District.
12. All existing and proposed rights-of-way and easements shall be clearly identified on the design

drawings. Where the project is adjacent to the Town Boundary, the Town Boundary shall be clearly shown.

13. All improvements shall be clearly annotated as either public or private on the improvement/site development plans.

14. In the event that the Town is forced to condemn or acquire off-site property interest in connection with required off-site improvements, the developer shall fund the cost of condemnation or acquisition, including but not to be limited to the amounts necessary to purchase the easement or fee simple interest, document preparation, and severance or other damages payable to the owners of the land upon which the improvements are to be located, the actual cost and acquisition and all fees, including attorney's fee and/or other expenses necessary to prosecute the condemnation action, including expert witness and appraisal fees.

    In the event that the Town elects to proceed with acquisition or condemnation pursuant to Government Code Section 66462.5, the developer shall, within 60 days of written notice by the Town, deposit with the Town, as an advance, the full estimated cost of such acquisition or condemnation. The developer shall prepare any easements or deeds necessary for off-site improvements.

Roadway Improvements:

15. Old Redwood Highway shall be widened to a half-width (centerline to face of curb) of 34-feet. Right-of-way shall be dedicated to a width of 46-feet together with a 5-foot PUE behind the right-of-way. Frontage improvements shall include curb, gutter, 12-foot wide sidewalk with street trees and tree wells.

16. Old Redwood Highway shall be widened from the existing edge of pavement meeting the requirements of the Town Engineer. The existing pavement taper northerly of Esposti Park shall be removed and replaced as part of the pavement widening. Old Redwood Highway paving shall be designed for a traffic index of 11.

17. Merner Drive shall be widened to a half-width (centerline to face of curb) of 33-feet. Right-of-way shall be dedicated to a width of 45-feet together with a 5-foot PUE behind the right-of-way. Frontage improvements shall include curb, gutter, 12-foot wide sidewalk with street trees and tree wells.

18. The existing Merner Drive median shall be modified as shown on the tentative map. The existing AC dike shall be replaced with concrete curb that matches the existing concrete median curb. Paving and base removed on Merner Drive to construct curb and gutter and median curb shall be replaced with full depth AC.

19. The existing pavement along eastbound Merner Drive shall be overlaid with 0.2 feet of asphalt concrete on pavement reinforcing fabric across the project frontage. Grinding of existing asphalt pavement, as approved by the Town Engineer, shall be required at conforms to existing pavement and/or existing median curb.

20. The structural section of all road improvements shall be designed using a soil investigation which provides the basement soils R-value and expansion pressure test results. If no R-value tests are supplied, roadway structural sections shall be designed using and R-value of 5.0. A copy of Geotechnical report and structural section calculations shall also be submitted with the first improvement plan check.

21. The developer shall minimize utility trench cuts in the newly paved Old Redwood Highway. The

area around trench cuts shall be ground and overlaid to the limits approved by the Town Engineer.

22. Provide bulb outs at the intersections of Old Redwood Highway with Merner Drive as well as at the project entry from Merner Drive as shown on the tentative map to provide adequate sight distance clearance and protect parking bays.

23. ADA compliant pedestrian curb ramps shall be provided at all intersections and crosswalks where sidewalks are proposed. The new ramp at the intersection of Merner Drive and Old Redwood Highway shall direct sight impaired pedestrians to the existing crosswalk.

24. Provide a note on the plans that the Contractor shall provide a traffic and pedestrian handling plan before beginning work in the public right-of-way.

25. Sidewalk warps shall be provided to allow a clear five foot walkway at all locations, including areas where mailboxes, streetlights, street signs and fire hydrants are to be installed. All sidewalk improvements within public rights-of-way shall meet the requirements of the Town Design and Construction Standards. Pavers shall not be allowed in the public sidewalk areas in Old Redwood Highway and Merner Drive. Use of alternate color and materials is subject to approval of the Town Engineer.

26. One-inch chases shall be installed to all parkway strips from adjacent parcels to allow for the installation of irrigation lines in the future.

27. Structural soil shall be used in the potential root zone of trees planted in tree wells, parkway strips and other landscaped areas near curbs, gutters, sidewalks, or roadways in or near public rights of way. Structural soil shall be in accordance with the Town of Windsor Design and Construction Standards, or as approved by the Town Engineer.

28. All tree wells shall be provided with Town approved tree grates, Urban Accessories, 4-foot square Chinook. Root barriers shall be provided for all street trees adjacent to public utilities, or as approved by the Town Engineer.

29. Street trees, irrigation and landscaping along the project frontage within the public right-of-way shall be owned and maintained by the property owner(s) or property owner's representative.

30. The landscaping and landscape irrigation in the Merner Drive median shall be maintained by the Town. The project proponent shall provide a separate irrigation service and irrigation meter, meeting Town standards, for this median. The project proponent shall also provide a public irrigation stub and cap to the existing median island in Merner Drive immediately east of the proposed project for future irrigation.

31. Emergency Vehicle Access on Old Redwood Highway shall include design solutions to prohibit parking and meeting the requirements of the Town Engineer, Planning Director and Rincon Valley Fire Protection District.

Lighting, Signing and Striping Plan:

32. Striping, pavement markings and traffic signage shall be provided on all streets as necessary and as required by the Town Engineer. All existing striping and marking damaged during construction shall be replaced. Speed limit signs shall be installed at locations determined by the Town Engineer. Onsite fire lane signing, curb painting and legends shall conform to the requirements of the Vehicle Code and the requirements of the Rincon Valley Fire Protection District.

33. Street lights shall be L.E.D. Hadco Victorian "Acorn" or approved equal. Developer shall provide additional streetlights for replacement purposes (5% of total or as otherwise approved). Public and

private streets shall meet Town illumination requirements as approved by the Town Engineer. A photometric analysis shall be submitted with the first improvement plan submittal. Illumination levels shall be, Old Redwood Highway, 2.9 Foot Candles and Merner Drive, 2.5 Foot Candles.

Drainage Improvements:

34. All project related flooding impacts shall be mitigated by the project developer. Drainage improvements shall be designed by a Civil Engineer registered in the State of California in accordance with the Sonoma County Water Agency's Flood Control Design Criteria. Public and private drainage improvements shall be shown on the improvement plans and shall be approved by the Sonoma County Water Agency (SCWA) prior to approval by the Town Engineer.

35. Prior to approval of the improvement plans the applicant shall submit a Final Storm Water Mitigation Plan (FSWMP) Check List, subject to review and approval by the Town Engineer. All design and construction shall conform to the Town of Windsor, Phase II Storm Water Management Plan and shall meet the requirements of the Guidelines for the Standard Urban Storm Water Mitigation Plan, dated June 3, 2005, (2005 SUSMP).

36. In addition to any other provisions or requirements, and notwithstanding any conflicting conditions or requirements, project design and construction shall:

    a. Result in an increase of no more than 0.1 feet in any above-ground water surface elevation adjacent to or at any point downstream of the project site between pre-development conditions and post-development conditions for any storm event with a recurrence interval of 100 years or less. For purposes of this evaluation, pre-development conditions shall mean those hydrological and hydraulic conditions existing on the project site on July 20, 2005; post-development conditions shall mean those hydrologic and hydraulic conditions existing on the project site upon completion of construction and occupancy of the project in its entirety.

    b. Provide adequate underground storm drain capacity across the project site to accommodate 10-year flows under conditions of full development of the project site and all upstream areas draining to the project site in accordance with the Town of Windsor General Plan.

    c. Provide adequate underground and overland flow capacity across the project site to accommodate 100-year flows under conditions of full development of the project site and all upstream areas draining to the project site in accordance with the Town of Windsor General Plan, without flooding of structures or unacceptable flooding or damage to other facilities, as determined by the Town Engineer. All finished floor elevations of structures shall be a minimum of one foot above the 100-year water surface elevation so determined, excepting only garage floors provided that garages shall be of flood-proof construction to a minimum of one foot above said water surface elevation.

    Developer shall provide such analyses and calculations as determined by the Town Engineer necessary to demonstrate compliance with these conditions, said analyses and calculations to be subject to the approval of the Town Engineer. The project shall include such drainage improvements, including but not limited to storm drains, detention facilities, and unobstructed overland relief paths, as are required to satisfy these conditions.

37. No lot to lot drainage is allowed, except courtyard areas as shown on the tentative map. No concentrated drainage may discharge across sidewalks. All site drains must be connected to the public storm drain system, or discharged through the face of curb or to an established waterway, or as otherwise approved by the Town Engineer.

38. Plans and certifications shall demonstrate compliance of all improvements, including building finished floor elevations, with the Town's Floodplain Ordinance, to the satisfaction of the Building Official and Town Engineer. Building finished floor elevations shall be constructed at a minimum of 1 foot above the 100-year storm event water surface elevation as determined by the Town and certified by the project engineer. The Engineer of Record shall provide a signed stamped letter indicating the project meets the requirements of the Ordinance before plan approval.

Grading Improvements:

39. The developer's engineer shall include a site-grading plan prepared by a Civil Engineer registered in the State of California as part of the required improvement drawings. Lots shall be generally designed to drain to streets and driveways.

40. The applicant shall submit to the Town for review and approval, a detailed Geotechnical Report prepared by a Civil Engineer registered in the State of California and qualified to perform geotechnical evaluation. The grading plan shall incorporate the recommendations of the approved Geotechnical Report.

41. All existing wells, septic tanks and/or underground fuel storage tanks shall be permanently destroyed under permit and inspection of Sonoma County Permit and Resource Management Department, Well and Septic. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.

42. The grading plan shall clearly show all existing survey monuments and property corners and shall state that they shall be protected and preserved.

43. Improvements plans shall include an erosion control (winterization) plan.

Utility Improvements:

44. All existing overhead utilities (of 26,000 volts or less) and proposed utilities, both on-site and along project frontages contiguous to the site, shall be placed underground. This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets.

Sanitary Sewer and Water and Recycled Water Improvements:

45. All public water, sewer and recycled water mains must be located in public right-of-way. Any and all rights-of-way, or if unavoidable, easement dedications must be made by the property owner to the Town, at property owner's expense, prior to final acceptance of the project by the Town. The developer shall prepare all necessary legal descriptions and deeds.

46. All private storm drain, potable water, fire service, sanitary sewer and recycled water mains, laterals, and appurtenances, must be located within the private property and clearly identified as private on the design drawings.

47. Sewer grades must be designed such that ultimate finished floors are a minimum of 12" above upstream manhole or clean-out rim elevations. Inadequate elevation differentials or grade on private SS mains and laterals, as determined by the Town, must be mitigated by either raising finished floor elevation(s) or installing privately owned and operated SS lift station(s) with grinder/ejector pump(s) on site, or as otherwise approved by the Town Engineer.

48. All public and private landscaping must be irrigated with Town of Windsor recycled water when it becomes available at the site. The property owner must enter into, and abide by all the terms of, a Recycled Water User's Agreement with the Town of Windsor. This Agreement must be

signed by the property owner prior to connection to the Town's recycled water system and any construction or installation of landscaping improvements.

49. The public and private irrigation system shall be plumbed for the future use of recycled water in accordance with State and Town laws, codes and requirements. All recycled water mains, service laterals, plumbing, valves, pipes, appurtenances, irrigation parts, vaults and boxes must be purple. Recycled water notification signs shall be installed as directed by the Town Engineer. Recycled water spray, mists and ponding must not be present in any designated eating area. All drinking fountains must be positioned or shielded to eliminate any exposure to recycled water sprays or mists.

50. Recycled water/potable water dual plumbing design and layout, construction-installation and final inspection review must be performed by an AWWA certified Cross Connection Specialist at the Property Owner's expense. All deficiencies sited by the Cross Connection Specialist must be corrected by the property owner. Written reports of the Cross Connection Specialist's finding must be submitted to and approved by the Public Works Director prior to acceptance.

51. The domestic water meters, the reduced pressure backflow assemblies and the double detector check valve shall be relocated to the landscape area adjacent to Lot #12 within a public easement as approved by the Town Engineer.

Permit Requirements:

52. If required, 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. Two copies of the project Storm Water Pollution Protection Plan shall be provided to the Town before approval of permits, signature of the improvement plans and filing of the Final Map.

Conditions Applicable to Final Map Approval:

53. A final map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing all parcels, rights-of-way, and easement(s) shall be filed with the Town of Windsor Engineers Office. Upon recording of the map, the subdivision is valid.

54. The developer shall present to the Town of Windsor, free of encumbrances, an irrevocable offer of dedication for rights-of-way as follows:

    a. Right-of-way for all public street dedications.

    b. Public utility easements, as necessary, adjacent to all street right of ways.

    c. The developer shall secure all necessary rights-of-way and easements for onsite and offsite road, utility, and drainage facilities. Rights-of-way and easements shall be dedicated on the map or provided by grant deed. The developer shall prepare all necessary legal descriptions and deeds.

55. The Final Map shall be annotated with the following information:

    a. The assessor's parcel number

    b. Total area of land being subdivided (in acres)

    c. Total number of lots and parcels being created

    d. Town file number

56. Should it be necessary, the developer shall pay all costs associated with any necessary vacation or abandonment of public rights-of-way or easements and shall prepare all necessary documents and post all required notifications.

Local Agency Sheet:

57. NOTE ON FINAL MAP: "Prior to the issuance of building permits, all applicable development impact fees shall be paid to the satisfaction of the Building Official and in accordance with Town and local district ordinances."

58. NOTE ON FINAL MAP: "CC&R's have been recorded contemporaneously with this final map."

Subdivision Agreement:

59. The developer shall either complete construction of the required improvements as shown on the signed improvement plans, or enter into an improvement agreement and post security with the Town of Windsor, agreeing to complete the required construction within 24 months of building permit issuance and prior to a request for occupancy of any structures, or as otherwise established by the Town Engineer.

60. If the property is not presently included, the owner shall execute an agreement to annex into the Town's Landscaping and Lighting and Assessment District(s).

During Construction Operations the Following Conditions Shall Apply:

61. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as found necessary by the Town.

62. 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 Town Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.

63. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work.

64. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1st. Erosion control measures shall be monitored and maintained continuously throughout the storm season.

65. The following minimum Best Management Practices (BMPs) shall be required during construction:

    a. Construction crews shall be instructed in preventing and minimizing pollution on the job.

    b. Stabilize construction entrance/exit to prevent tracking onto roadway. Only one stabilized construction entrance/exit will be allowed per site, unless otherwise approved by the Town Engineer. Vehicles entering and leaving construction sites spread pollutants such as sediment, gravel, and other loose particles onto adjacent roads. Pollutants are washed into roadside ditches and are a nuisance to drivers and may cause damage to vehicles.

    c. Protect exposed slopes from erosion through preventative measures. Cover slopes to avoid

contact with storm water by hydro-seeding, mulch, use of plastic sheeting or other approved means.

d. Use brooms and shovels when possible to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.

e. Designate a concrete washout area, if needed, to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.

f. Establish a vehicle storage, maintenance, and refueling area, if needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.

g. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.

h. Be prepared for rain and have the necessary materials onsite before the rainy season.

i. Inspect all BMPs before and after each storm event. Maintain BMPs on a regular basis and replace as necessary, through the entire course of construction.

Prior to Acceptance of Improvements and Release of Surety, the Following Conditions Shall Be Satisfied:

66. All improvements shown on the Improvement Plans shall be completed and accepted by the Town.

67. Prior to acceptance of improvements or occupancy of building, existing curb, gutter and sidewalk to remain shall be inspected by the Town. Any curb, gutter and sidewalk which is not in accord with Town standards or is damaged before or during construction, shall be replaced.

68. The developer shall provide a written statement signed by his or her engineer verifying that the grading and/or drainage improvements are completed in accordance with the plans approved by the Sonoma County Water Agency, the Town Engineer, and the Building Official.

69. A complete set of *As-Built* or Record, improvement plans showing all constructive changes from the original plans, shall be provided to the Public Works Department prior to final acceptance of the public improvements.

<u>BUILDING INSPECTION DEPARTMENT</u> (Unless otherwise stated, conditions in this section shall be to the satisfaction of the Building Official):

Conditions Applicable to Improvement/Site Development Plan Approval:

70. Rear patios shall provide a secondary drain inlet to the satisfaction of the Building Official.

Conditions applicable to issuance of a building permit:

71. Construction shall comply with all applicable current codes. No site clearance or grubbing (except weed abatement), grading, or fill stockpiling, may be performed without prior approval of the Building Official.

72. No site work, including grading, shall be initiated until improvement plans have been approved

by the Planning Director and Town Engineer. Grading permits must be applied for and issued by the Building Department, prior to beginning site work.

73. Abandon any existing wells, septic tanks, or underground fuel storage tanks under permit and inspection of Environmental Health or other designated agency. If there are none, provide a letter from the project engineer relating to the scope of the search done to make this determination.

74. Upon initiation of plan check, the developer shall file with the Building Official a preliminary soils report, prepared by a civil engineer experienced and knowledgeable in the practice of soils engineering, who is registered in this state. The preliminary soil report may be waived if the Building Inspection Department shall determine that, due to the knowledge of such department as to the soils qualities of the project, no preliminary analysis is necessary.

75. The developer shall pay all applicable development impact fees as required by the Town of Windsor, prior to the issuance of a building permit. The developer shall pay all applicable impact fees to the Windsor Unified School District and Windsor Fire Protection District, prior to issuance of a building permit.

76. Site improvements shall be reviewed by the Windsor Fire Protection District.

PLANNING DEPARTMENT (Unless otherwise stated, conditions in this section shall be to the satisfaction of the Planning Director):

Conditions applicable to improvement plan approval:

77. A "Tree Preservation Plan" shall be included as part of the project grading and utility plans, and shall conform to the requirements of the Town's Tree Preservation Ordinance and Tree Technical Manual. Purpose of the plan is to protect the existing oak on Esposti Park at the southwest corner of the project.

78. Prior to inclusion in the improvement plans, final landscaping and irrigation plans shall include the following items:
    a. Landscape and irrigation plans shall be certified by the project landscape architect to comply with the Town's Water Efficient Landscape Ordinance.
    b. Ground cover and shrubs areas shall be designed to provide 100% plant material coverage at maturity.
    c. Median plant materials shall be approved by the Town's Maintenance Superintendant and Planning Director. Median stonework to be approved by the Town Engineer and Planning Director.
    d. Provide water stub-out to easterly adjacent median in Merner Drive as part of median break reconstruction.
    e. Private/public and common area ownership shall be delineated by means of fencing or minimum 4 inch wide concrete mow strip. This applies to the project perimeter boundaries.
    f. All common areas shall be provided with irrigation to a common meter(s).
    g. Master plan of all walls and fencing, including acoustic fencing. Includes location, type, elevations and cross sections.

79. Improvement Plans shall be revised to include the following:

a. Utility plan light pole placement shall be coordinated with the overall lighting plan and photometrics prepared with the architectural drawings.
b. Removable bollard design for emergency access shall match those shown in Exhibit B, or equivalent ornamental design approved by the Planning Director and Rincon Valley Fire Protection District.
c. Either widen sidewalk in front of ADA parking to a width of 7 feet (to include overhang parking, or provide tire stops to maintain a clear pathway of 5 feet.
d. Masonry wall shall be split face on both sides.
e. Wood fence along park boundary shall be finished both sides from Lot 1 gate to street.
f. Relocate "Oak Creek" sign to median east of driveway on Merner Drive.
g. Offset backflow preventers on Merner Drive to provide maximum landscape area possible behind back of sidewalk.
h. On-site detectable warning surface shall be coordinated by the project architect with building/site improvement colors and approved by the Building Official and Planning Director.

80. Notes on Improvement Plans (Standard):
a. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work.
b. In the event that archaeological features such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find and Town Planning staff shall be notified. A qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Town Planning. Planning staff may consult and/or notify the appropriate Trial representative from tribes know to staff to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone, or other cultural materials such as charcoal, ash, and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, fire pits, or house floor depressions. Whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age including trash pits older than fifty years of age. When contacted, a member of Planning Staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. Planning Staff may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Planning staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archaeological evaluation and mitigation shall be at the applicant's sole expense.

   If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and Planning staff, County Coroner, and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Like Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed.
c. Construction work shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturdays. No work is permitted on Sundays.

d. All existing overhead utilities (of 26,000 volts or less) and proposed utilities, both on-site and along project frontages, shall be placed underground. This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets.
e. Utility joint trench location shall be field staked and approved by the Town PRIOR TO INITIATION OF ANY TRENCHING. This required approval by the Town is independent of any authorization granted by the Utility Company, the Developer and/or Contractor. Trench locations within the tree protection zones of any protected trees may not be approved by the Town. The Town's inspector may require consultation by the Town's arborist prior to approval of trench location. Failure to comply with these requirements may result in an immediate order to stop work, as well as incurrence of civil penalties as provided by Town Ordinance.
f. Soil shall not be treated with lime or other cementitious material without prior express permission by the Planning Director and Building Official.
g. Construction shall adhere to minimum Best Management Practices (BMPs) as required by the Town to minimize the amount of sediment and other pollutants leaving the site during construction activities.

81. Street names and addresses shall be submitted to the Planning Department, reviewed by the Rincon Valley Fire Protection District and approved by the Planning Department prior to inclusion on improvement plans.

82. Prior to issuance of a grading permit, and if construction activities occur during the period of February – August, breeding season bird surveys shall be conducted by a qualified biologist not more than 30 days prior to initial ground disturbance. If an active nest is observed, an exclusion buffer of 50 to 300 feet (depending on species and location) shall be erected around the nest. A qualified biologist shall determine buffer distances and duration until any young have fledged.

Conditions applicable to approval of final map/parcel map:

83. Management Documents shall include an Owner's Association and include the following provisions:
a. Maintenance of all common areas including parking, landscaping, and building exteriors in conformance with plans approved by the Town.
b. Parkways and street trees shall be maintained by the Owner's Association (unless a maintenance easement is preferred by the Town Engineer).
c. Use shall comply with limitations specified in Use Permit Resolution No. 2801-11. All uses shall be approved by the Owners' Association independent of zoning approvals.
d. The management documents shall provide for a non-amendment clause regarding the above items unless approved by the Town. The Town may require third party benefits with the right, but no obligation, to compel compliance to these provisions.

84. Notes on Final Map:
a. "This project is approved as a planned development. See Use Permit Resolution No. 2801-11 (or as amended) for ongoing limitations on commercial and residential uses, as well as the Conditions, Covenants, and Restriction for the Project".
b. "Noise sources affecting this subdivision include Old Redwood Highway. Development of these lots includes construction requirements to attenuate noise in general compliance with the Noise Element of the General Plan. Buyers are advised that the resultant noise environment may continue to be objectionable to some individuals."

c. "Building Permits are subject to payment of the Inclusionary Housing In-Lieu Fee in effect at the time of permit issuance. Fee shall be based on total unit square footage."

85. Common area improvements shall be completed prior to recordation of the final map or shall be included in the Subdivision Improvement Agreement and Bonding.

Conditions applicable to subdivision final and/or release of securities.

86. Final arborist report concerning protected trees shall be received, including conclusions regarding construction impacts and determination of any additional required tree mitigation shall be made in accordance with the Chapter 27.36 of the Zoning Ordinance (Tree Preservation and Protection) to the satisfaction of the Planning Director.

87. The applicant shall provide to the Town Planning Director a written statement signed by the Landscape Architect who prepared the approved construction documents verifying that the landscape planting and irrigation improvements are completed in accordance with the approved drawings and the Town's Water Efficient Landscape Ordinance, and that the irrigation system has been completely tested and found to be functioning per design.

The following general conditions shall apply:

88. This project is approved for an initial two-year period from the effective date of adoption of this resolution. Extensions of time may be requested in accordance with the Town Subdivision Ordinance and the Subdivision Map Act.

89. The project shall generally comply with the project description and materials included in the staff report dated April 12, 2011 and materials presented to and approved by the Planning Commission and Town Council, except as modified herein.

90. Any reasonable costs incurred to review legal documents, agreements, deeds, easements, etc. shall be born by the applicant/developer, at the time of review. Owner shall be entitled to a written estimate of Town Attorney services prior to authorization of such work.

91. Growth control allocations are established for this project in Town Council Resolution No. 2217-08.

92. Prior to issuance of building permits, and within 5 working days of project approval, applicant shall submit $50.00 (payable to the *Sonoma County Clerk*) to the Planning Department for filing of a Notice of Determination, and

a. ___ No additional fee because the project is exempt from Fish and Game fee.

b. ___ $2839.25 because the project is non-exempt from Fish and Game fee, and an EIR was prepared, for a total of $2889.25.

c. _X_ $2,044.00 because the project is non-exempt from Fish and Game fee, and a Mitigated Negative Declaration was prepared (for a total of $2,094.00), unless a No Effect Determination is received from the Department of Fish and Game for filing with the Notice of Determination.

93. General Plan Amendments necessary to accommodate the project shall be approved by the Town Council.

PASSED, APPROVED AND ADOPTED this 15th day of June 2011, by the following vote:

AYES:	**COUNCILMEMBERS SALMON, SCHOLAR AND VICE MAYOR FUDGE**
NOES:	**NONE**
ABSTAIN:	**COUNCILMEMBER GOBLE**
ABSENT:	**MAYOR ALLEN**

DEBORA FUDGE, VICE MAYOR

ATTEST:

J. MATTHEW MULLAN,
DEPUTY TOWN CLERK

Attachments:

Exhibit "A" – Mitigation Monitoring and Reporting Plan

(I:\60 - Planning & Building Dept\Planning Department\2006-10\06\06-20 Live + Work Misha Weidman\Resolutions\TC Resolutions\Exhibits\Tent Map Exhibit A Mit Mon.doc)

Exhibit "B" – Removable Bollard Design

(I:\60 - Planning & Building Dept\Planning Department\2006-10\06\06-20 Live + Work Misha Weidman\Resolutions\TC Resolutions\Exhibits\Tent Map Exhibit B.doc)

EXHIBIT "A" -- MITIGATION MONITORING PLAN

Windsor Live & Work Project
6010 Old Redwood Highway
GPA/UP/MJS 06-20

MITIGATION MEASURE	RESPONSIBLE PARTY	TIME FRAME	COMPLETION DATE
Mitigation Measure # 1 (Biological Resources – Raptors & Passerines: 1. If construction activities occur during the period of February – August, breeding season bird surveys shall be conducted by a qualified biologist not more than 30 days prior to initial ground disturbance. If an active nest is observed, an exclusion buffer of 50 to 300 feet (depending on species and location) shall be erected around the nest. A qualified biologist shall determine buffer distances and duration until any young have fledged. **Monitoring Plan:** This mitigation measure is included as Tentative Map Condition #82.	Planning Dept	Prior to Grading Permit Issuance	
Mitigation Measure #4 (Noise): 2. Prior to issuance of a building permit, an acoustical analysis shall be submitted reviewing the construction drawings for compliance with the Town's noise attenuation requirements and the provisions of the Environmental Noise Assessment conducted by Illingworth & Rodkin, Inc. dated July 23, 2007. **Monitoring Plan:** Tentative Map Condition # 84b and Use permit Condition #10 address this issue.	Planning Dept.	Prior to Building permit issuance	



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- ALL Models / Styles
- Removable
- Retractable
- Bike Parking
- Plastic Bollard Covers
- Flexible Bollards

- PRICE LIST
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- Bollard Brochure
- Frequently Asked Questions
- Request a Formal Quote
- How to Use Bollards

Bollard Use Information:
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- Retractable
- Architectural
- Security
- Landscaping
- Traffic Control
- Bike Parking
- Metal Post Covers
- Plastic Post Covers
- Flexible/Bendable
- Safety Bollards

ARCHITECTURAL SECURITY TRAFFIC

Home >> Removable Bollard Solutions >

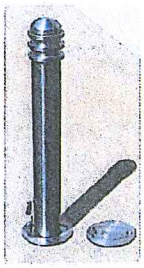
Removable Bollard Solutions - Series 7900 & 8900

For outdoor locations where change of accessibility is needed, Reliance Foundry offers a unique range of removable steel bollards with complimentary fixed bollard options.

Our Series 7900/8900 lockable, removable traffic bollards provide roadway and pathway definition, while diverting vehicle access when required. They can be installed in pathways to deter intrusion, to allow pedestrian access and to define desired traffic flow. They provide safety & protection to critical infrastructures while still maintaining pedestrian freedom.

Removable

Click to see all of our Series 7900 & Series 8900 Removable Bollards



Our Series 7900 and Series 8900 removable bollards are intended for applications where frequent or quick manual removal of the bollard may be necessary (i.e. emergency access). These removable bollards consist of a permanently installed receiver below grade, with a top that is flush with the pavement; the removable bollard posts can be manually lifted out of the receiver to allow access. Complimentary **fixed bollard options are available** for consistent site appearance when using multiple bollards.

Series 7900 Removable Steel Bollards

We have two unique, steel removable bollard designs; our R-7901 removable bollard and our R-7902 removable bollard. These models are available with two types of bike arm accessories, and five different mounting options (pictured below). **Complimentary fixed bollard options** can be installed with either a flanged mounting system for installing into existing concrete, or a permanent/fixed mounting system for installing into new concrete.

Series 7900

Bollard (Click for details)	Mounting / Usage	Material	Stripe Colors Available
R-7901	Removable or Fixed	Steel	White, Yellow
R-7902	Removable or Fixed	Steel	White, Yellow
R-7903	Removable or Fixed	Steel	White, Yellow
R-7903-RSA	Removable or Fixed	Steel, Stainless Steel Arms	White, Yellow
R-7904	Removable or Fixed	Steel	White, Yellow
R-7904-RSA	Removable or Fixed	Steel, Stainless Steel Arms	White, Yellow
R-7905	Removable or Fixed	Steel	White, Yellow
R-7905-RSA	Removable or Fixed	Steel, Stainless Steel Arms	White, Yellow
R-7906	Removable or Fixed	Steel	White, Yellow
R-7906-RSA	Removable or Fixed	Steel, Stainless Steel Arms	White, Yellow

Series 8900 Removable Stainless Steel Bollards

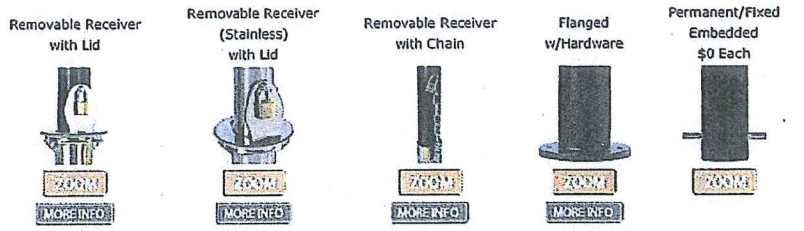
We have two unique, stainless steel removable bollard designs; our R-8901 removable bollard and our R-8902 removable bollard. These models are available with two types of bike-arm accessories, and five different mounting options (pictured below). **Complimentary fixed bollard options** can be installed with either a flanged mounting system for installing into existing concrete, or a permanent/fixed mounting system for installing into new concrete.

Series 8900

Bollard (Click for details)	Mounting / Usage	Material	Stripe Colors Available
R-8901	Removable or Fixed	Stainless Steel	White, Yellow
R-8902	Removable or Fixed	Stainless Steel	White, Yellow
R-8903	Removable or Fixed	Stainless Steel	White, Yellow
R-8904	Removable or Fixed	Stainless Steel	White, Yellow
R-8905	Removable or Fixed	Stainless Steel	White, Yellow
R-8906	Removable or Fixed	Stainless Steel	White, Yellow

Mounting Options (hardware sold separately):

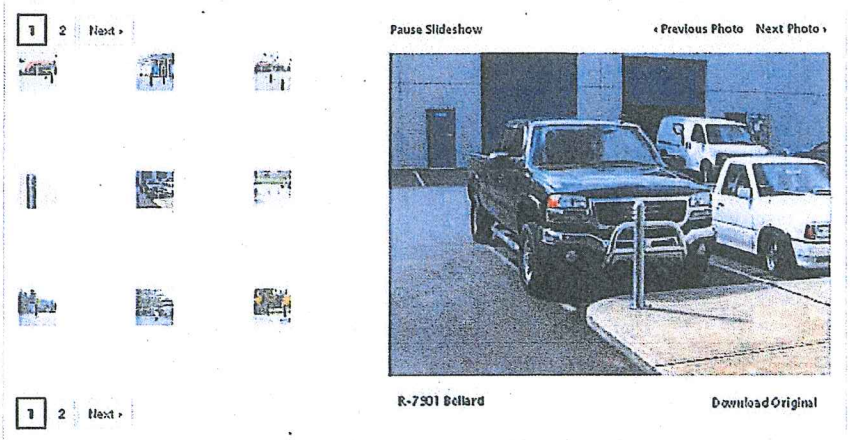
Exhibit B



For further information regarding the installation of our removable bollards, see our removable bollard installation details.



Most of our other bollard models can be made **Removable** using our **Universal Removable Bollard Mounting Kit**



If you have any questions or require a quote for world-wide delivery to your site, please contact our Bollard Product Specialists:

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