

**Planning Commission Resolution 2023-xx**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF HEALDSBURG APPROVING A TENTATIVE  
SUBDIVISION MAP (TM 2022-07) FOR THE NORTH  
VILLAGE MIXED USE PROJECT LOCATED AT 1830  
BOXHEART DRIVE, 1840 BOXHEART DRIVE, 70  
DOVETAIL LANE AND 80 DOVETAIL LANE**

**WHEREAS**, pursuant to the requirements of the Healdsburg 2030 General Plan (“General Plan”) which identifies the northern entry to Healdsburg as an area warranting special study in recognition of its importance both as an attractive gateway into the City and an area of transition from the rural landscape of the Alexander Valley to the more urban core of downtown Healdsburg, the City prepared the North Entry Area Plan (“NEAP”), which was adopted by the Healdsburg City Council on May 20, 2019, to provide detailed guidance for future development on an approximately 32-acre property located at 16977 Healdsburg Avenue (the "North Village" site) including a vision concept, land use guidelines, development standards, and design guidelines; and

**WHEREAS**, prior to the City’s approval of the NEAP, an Environmental Impact Report ("NEAP EIR") was prepared pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000, et seq.) (“CEQA”), (State Clearinghouse No. 2018062041), which analyzed the environmental impacts of development under the NEAP and was certified by the City Council on May 20, 2019, along with the adoption of CEQA Findings, a Mitigation Monitoring and Reporting Plan (“MMRP”), and a Statement of Overriding Considerations; and

**WHEREAS**, on February 11, 2020, the Healdsburg Planning Commission approved an application by CCS Healdsburg, LLC, for a Master Conditional Use Permit (CUP 2019-04); and on April 6, 2020, the City Council approved a Development Agreement (DA 2020-01) with CCS Healdsburg, LLC, to authorize the specific uses and shared infrastructure for the North Village Project; and

**WHEREAS**, prior to the Planning Commission taking action on Master Conditional Use Permit CUP 2019-04, and the City Council taking action on Development Agreement DA 2020-01, each body considered modifications to the project analyzed in the NEAP EIR as analyzed and documented in an Environmental Checklist & Addendum to the NEAP EIR ("NEAP EIR Addendum"), adopted the NEAP EIR Addendum, and determined that, pursuant to CEQA Guidelines sections 15164 and 15183, no further environmental review was required; and

**WHEREAS**, on May 25, 2021, the Planning Commission approved a Major Design Review Permit (DR 2021-07) and a Major Conditional Use Permit (CUP 2021-04) for development of the North Village Mixed Use Project on Parcel 4 of the North Village Project site, and February 28, 2023, the Planning Commission approved an amendment to those permits to allow for development of a 53-unit affordable housing project and approximately 12,000 square feet of ground floor retail space; and

**WHEREAS**, prior to taking action on Tentative Map TM 2022-07, and at a properly noticed public hearing on February 28, 2023, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony; and received into the record all pertinent documents related to the Project; and

**WHEREAS**, the analysis in the NEAP EIR and NEAP EIR Addendum allows the use of CEQA streamlining and/or tiering provisions for projects developed under the NEAP EIR, including this Project.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission determines that TM 2022-07 is consistent with the Project evaluated in the NEAP EIR and NEAP EIR Addendum and complies with CEQA based on each of the applicable CEQA streamlining and/or tiering code sections described below, each of which, separately and independently, provides a basis for CEQA compliance:

1. The NEAP EIR Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project would not result in any significant impacts that: (1) are peculiar to the Project or Project site; (2) were not identified as significant project-level, cumulative, or off- site effects in the NEAP EIR; or (3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the NEAP EIR was certified, are determined to have a more severe adverse impact than discussed in the NEAP EIR. As a result, pursuant to Section 15183, the Project is exempt from further environmental review under CEQA.
2. The NEAP EIR Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project would not cause new significant impacts not previously identified in the previously certified NEAP EIR, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the NEAP that would cause significant environmental impacts to which the Project would contribute considerably, and no new information has been put forward that shows that the Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164.
3. The NEAP EIR Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project would not cause new significant impacts not previously identified in the previously certified NEAP EIR, which may serve as a “Program EIR” under CEQA, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the NEAP that would cause significant environmental impacts to which the Project would contribute considerably, and no new information has been put forward that shows that the Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project in accordance with CEQA Guidelines Sections 15162 and 15168.

**BE IT FURTHER RESOLVED**, that the Healdsburg Planning Commission hereby makes the following findings with regard to Tentative Map TM 2022-07:

**A. The proposed map and its design and improvements are consistent with the general plan and any applicable specific plan.**

The proposed Tentative Map (TM 2022-07) establishes three airspace parcels that are consistent with the intent of the Mixed Use land use classification in the General Plan and the North Entry Area Plan. The parcels will allow for the separate ownership of retail and residential components in the Mixed Use Project. Attachment 11 and Attachment 12 of the Planning Commission staff report for the February 28, 2023 public hearing on TM 2022-07 provide a detailed analysis of the Project's consistency with the Healdsburg 2030 General Plan and the North Entry Area Plan, respectively.

**B. The site is physically suitable for the type and proposed density of development.**

The Project site is generally level and is accessed by Boxheart Drive and Dovetail Lane. It is designated for Mixed Use development and the proposed project is consistent with the General Plan, the North Entry Area Plan and prior entitlements for the North Village Project.

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

The proposed Project would have no impact on fish or wildlife or their habitat. The project will be required to comply with all relevant mitigation measures of the Mitigation Monitoring and Reporting Program for the North Entry Area Plan EIR.

**D. The design of the subdivision and the type of improvements are not likely to cause serious public health problems.**

The North Entry Area Plan EIR and the EIR Addendum evaluate potential impacts to public health including air quality impacts, noise impacts, hazards and hazardous materials, and wildfire. These analyses concluded that the North Village Project will not result in public health hazards.

**E. The design of the subdivision and 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.**

There are no easements for public access through or use of the project site. The North Entry Area Plan and its associated entitlements identifies a perimeter trail corridor for future public access that traverses the property. The design of the Tentative Map and associated site improvements will not conflict with the future trail corridors.

**F. Unless otherwise provided by the Subdivision Map Act, the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The design of the subdivision provides for solar access and allows for passive or natural heating and cooling opportunities.

**BE IT FURTHER RESOLVED**, that the Healdsburg Planning Commission hereby approves Tentative Map TM 2022-07 subject to the Conditions of Approval attached hereto as Exhibit A and all applicable mitigation measures in the Mitigation Monitoring & Reporting Program for the North Entry Area Plan EIR ("NEAP EIR MMRP") attached hereto as Exhibit B.

**DULY AND REGULARLY ADOPTED** by the Healdsburg Planning Commission on the 28th day of February, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Attest:

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Phil Luks, Chair

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Scott Duiven, Secretary

Exhibits:

A. Conditions of Approval

B. NEAP EIR MMRP

**CONDITIONS OF APPROVAL**

**TENTATIVE SUBDIVISION MAP 2022-07**

**NORTH VILLAGE MIXED USE PROJECT - PARCEL 4**

Address: 1830 Boxheart Drive, 1840 Boxheart Drive, 70 Dovetail Lane, 80 Dovetail Lane  
(APNs: 091-060-039, 091-060-025)

1. This approval is based upon all conditions of approval for the North Village Mixed Use Project, including relevant mitigations established in the North Entry Area Plan Environmental Impact Report Mitigation Monitoring & Reporting Program (NEAP EIR MMRP), as well as all applicable City rules and regulations. Any deviations from the Project conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to these approvals and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.
2. This approval is subject to the terms and conditions of the Development Agreement for the North Village Project. If any of these conditions of approval is in conflict, or is inconsistent with any term or condition of the Development Agreement for the North Village Project, then the Development Agreement shall control.
3. All plans and agreements required pursuant to these conditions of approval must be submitted to the City for review and approval and shall be implemented as approved by the City.
4. The final parcel map submitted for review and approval shall be substantially consistent with Tentative Map 2022-07.
5. If the tentative map is proposed to be revised, including revisions to these conditions of approval, the revisions shall be approved pursuant to and in accordance with Chapter 17.04 of the Healdsburg Municipal Code.
6. The final parcel map shall be filed within two years from the date of approval of the tentative map or an extension of time shall be requested prior to the expiration date.
7. The final parcel map shall be subject to and consistent with all applicable conditions of Project approval for Design Review DR 2021-07.01.
8. All Public Works master conditional use permit and other project related conditions shall be considered in effect for the design review including but not limited to the following:
  - Prior to issuance of the first certificate of occupancy for each parcel, private maintenance declarations shall be created and recorded for all shared private utilities, streets, driveways, sidewalks, streetlights, drainage, private shared landscaping, landscaping on the Healdsburg Avenue frontage, EVAs, and all other commonly shared infrastructure. All maintenance declarations shall be reviewed and approved by the City, prior to recordation.
  - The construction of any structures or improvements authorized by this approval shall not commence until all necessary permits pertaining to the use or construction in question are obtained. Before any grading or building permit will be issued by the City, Applicant must obtain written clearance from all departments having conditions and such clearance shall indicate that the Applicant has satisfied all pre-construction conditions.
  - All privately owned and maintained roads, sidewalks and utilities shall be designed and constructed in accordance with City standards, including pavement structural sections.

- Prior to approval of on-site improvement plans, the Applicant shall work with the City Engineer and Fire Marshal to develop a plan for on-street parking restrictions such as limited time parking, fire staging/red curb no parking areas and clear zones as well as truck/vehicle loading zones. These areas shall be appropriately signed.
  - The Applicant shall submit a maintenance agreement for storm water BMPs, using the City's template, to the City Engineer for review and approval for post construction storm water treatment items. The agreement shall be recorded prior to issuance of the first certificate of occupancy.
9. All Public Works plan check and development impact/capacity fees will be calculated and assessed, and due payable at building permit issuance.
  10. The Applicant shall submit domestic water use demands with submittal of construction drawings to determine the necessary water service and meter sizes.
  11. Individual water meters and utility accounts are required for all condominium and common parcels, to be determined in the future.
  12. Individual water meters and utility accounts are required for each commercial tenant, to be determined in the future. Backflow prevention may be required for commercial units depending on use.
  13. Combined sewer laterals shall be 6-inches diameter or larger and are allowed for the mixed-use area. Maintenance declarations and easements for any shared sewer laterals are required to be established and recorded prior to final inspection.
  14. All new on-site water supply, storm drain, and sanitary sewer lines shall be privately owned and maintained.
  15. Grease interceptors will be required, on restaurants/coffee shops/deli's, etc., to be determined in the future.
  16. No storage of combustible materials or vertical construction is allowed prior to fire water being available on the site.
  17. Final, construction level, low impact development storm water calculations and plans are required with the submittal of the building permit application construction documents, for both the on-site and off-site areas. This shall include the final SWLID determined worksheet, signed by the applicant.
  18. Locations of all utilities, including joint trench lines, shall be coordinated with the proposed landscaped plan. Landscaping over utility lines shall be limited to low lying shrubs and ground cover. Additional street pavement restoration will be required in joint trench areas, subject to the approval of the City Engineer. Draft joint trench plans shall be submitted concurrently with the public improvement and private site plans.
  19. Landscaping and irrigation shall be designed and constructed in accordance with the City's water efficiency requirements. The applicant shall submit Water Efficiency Landscape Ordinance calculations with the landscape plans submitted as part of the on-site and off-site improvements, and construction drawings submitted with building permits.
  20. Prior to issuance of any construction permits for structures, the applicant shall submit an application for a final parcel map for condominium purposes, obtain City approval of the final parcel map, and the map shall be filed with the County Recorder's Office.

## Mitigation Monitoring and Reporting Program for the North Entry Area Plan Environmental Impact Report Healdsburg, California

Prepared for:



**City of Healdsburg**

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May 10, 2019



**Table 1: North Entry Area Plan EIR<sup>1</sup> Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<b>Section 3.2—Transportation/Traffic</b>					
<b>MM TRANS-1a:</b> To address anticipated deficient roadway operations, the City has planned for roadway improvements to Dry Creek Road/U.S. 101 South Ramps (study intersection 1) that include signalization. New development within the plan area shall be required to contribute a proportional share allocation towards the cost of installation of a traffic signal at Dry Creek Road/U.S. 101 South.	Prior to Construction	Applicant(s)	City shall confirm payment of proportional fair share fee		
<b>MM TRANS-1b:</b> New development within the plan area shall be required to improve the northbound approach to Dry Creek Road/Grove Street (study intersection 3). The approach shall be restriped to include a separate left-turn lane with a length of at least 275 feet and the signal modified to provide protected left-turn phasing, with the existing right-turn lane converted to use for through/right-turn movements.	Prior to Occupancy	Applicant(s)	City shall confirm completion of restriping		
<b>MM TRANS-1c:</b> New developments within the plan area shall be required to prepare and implement a Transportation Demand Management (TDM) Plan to minimize traffic as much as is reasonably feasible. Such Plans may include measures such as ride-sharing, transit passes, unbundled parking, directing traffic to the Lytton Springs Road interchange, guaranteed rides home, and other impact-reducing measures and shall be submitted to and approved by the City as part of any individual development approvals.	Prior to Occupancy	Applicant(s)	City review and approval of TDM plan		
<b>MM TRANS-3:</b> Prior to development of the plan area, an emergency vehicle only access point shall be established such that access and egress can be maintained during a train pre-emption, at the at-grade railroad crossing at the site entry.	Prior to Occupancy	Applicant(s)	City shall verify implementation of emergency vehicle access		

<sup>1</sup> Includes mitigation measures from the Initial Study included in EIR Appendix A.

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p><b>MM TRANS-5:</b> New development within the plan area shall be required to contribute a proportional share allocation towards the cost of widening Dry Creek Road to accommodate a westbound left-turn lane the entire length between the U.S. 101 South and North Ramps. The amount paid shall include a proportional share of the cost to widen the westbound approach to Dry Creek Road/U.S. 101 North Ramps to include a second lane; the left lane would feed into the left-turn lane at the U.S. 101 South Ramps and the right lane would be a shared through/right-turn lane serving through traffic and right turns onto the U.S. 101 North on-ramp. These improvements would allow queues in the westbound left-turn lane at the U.S. 101 South Ramps to stack beyond the Dry Creek Road/U.S. 101 North Ramps intersection, if needed, without impacting through traffic.</p>	Prior to Construction	Applicant(s)	City shall confirm payment of proportional fair share fee		
<p><b>Cumulative MM TRANS-1:</b> New development within the plan area shall be required to contribute a proportional share allocation towards the cost of signaling Dry Creek Road/U.S. 101 North Ramps. The design for the traffic signal shall include provision of an overlap phase between the westbound through movement and the right turn from the off-ramp.</p>	Prior to Construction	Applicant(s)	City shall confirm payment of proportional fair share fee		
<b>Section 3.3—Air Quality</b>					
<p><b>MM AIR-3:</b> Prior to occupancy of any residential components of the proposed plan that would occur while construction within the plan area is still underway, the applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the ARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of plan residents to TACs. The HRA shall be submitted to the Planning Division for review and approval. If the HRA concludes that the air quality risks from</p>	Prior to Occupancy	Applicant(s)	City review and approval of HRA		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
ongoing or future construction activities would result in health risks for on-site receptors that are above BAAQMD recommended thresholds that are in place at the time of the analysis (Section 2.3 of the 2017 BAAQMD CEQA Guidelines), then additional measures, such as the requirement for construction equipment to meet certain tier engine standards for off-road equipment, shall be required for all subsequent phases of construction. Alternatively, this mitigation measure can be satisfied by delaying occupancy of any on-site residential components until construction of the entirety of the proposed plan area is complete.					
<b>Section 3.4—Greenhouse Gas Emissions and Energy</b>					
<p><b>MM GHG-1:</b> Prior to the final discretionary approval for each development project in the plan area, each developer shall provide documentation to the City of Healdsburg demonstrating that the proposed development would meet the BAAQMD recommended threshold of significance for individual projects or would achieve additional GHG emissions reductions sufficient to meet the recommended threshold through a combination of one or more of the following measures and/or other comparable measures approved by the City:</p> <ul style="list-style-type: none"> <li>• Commit to 100 percent renewable energy use through a combination of use of on-site renewable energy and Healdsburg Electric’s “Green Rate” program.</li> <li>• Install onsite solar panels to generate electricity on-site electricity consumption.</li> <li>• Provide documentation of how a ride sharing program or other transportation demand management program for hotel, office, and retail employees would be implemented starting no later than 60 days after operations begin. Use of</li> </ul>	Prior to discretionary approval	Applicant(s)	City review and approval of GHG reduction measures		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p>electric vehicles for ride-share program would further reduce GHG emissions.</p> <ul style="list-style-type: none"> <li>• Install electric vehicle charging stations at workplaces and multi-family residences to promote the use of electric vehicles.</li> <li>• Use heat-pumps (rather than natural gas) for heating of residential and commercial spaces.</li> <li>• Purchase voluntary carbon credits from a verified GHG emissions credit broker in an amount sufficient to offset operational GHG emissions that exceed the recommended significance threshold over the lifetime of the proposed development (or a reduced amount estimated based on implementation of other measures listed above). Copies of the contract(s) shall be provided to the City.</li> </ul>					
<b>Section 3.5—Noise</b>					
<p><b>MM NOI-1a:</b> To reduce the occurrence of potentially-significant construction noise impacts to noise-sensitive receptors in the plan area vicinity (or sensitive receptors within the plan area during future buildout), the construction contractor for each development project within the plan area shall comply with the following:</p> <ul style="list-style-type: none"> <li>• Equip internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and are appropriate for the equipment.</li> <li>• Locate stationary noise-generating equipment as far as possible from sensitive receptors in the vicinity.</li> <li>• Locate staging areas and construction material areas as far away as possible from adjacent land uses.</li> <li>• Prohibit all unnecessary idling of internal combustion engines.</li> </ul>	During Construction	Applicant(s)	Site inspection by City grading and building inspectors		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> <li>Utilize “quiet” air compressors and other stationary noise sources where technology exists.</li> <li>Erect temporary noise control blanket barriers in a manner to shield noise-sensitive uses.</li> <li>Control noise levels from workers’ amplified music so that sounds are not audible to sensitive receptors in the vicinity.</li> <li>If impact pile driving is proposed, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced.</li> <li>If impact pile driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected.</li> <li>If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing.</li> <li>Designate a “disturbance coordinator” responsible for responding to complaints about each project development’s construction noise and taking reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in any notice sent to neighbors regarding the construction schedule.</li> <li>The construction contract shall prohibit noise producing construction activities between the hours of 6:00 p.m. and 7:30 a.m. Monday through Saturday, or at any time on a Sunday or legal holiday.</li> </ul>					

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p><b>MM NOI-1b:</b> Prior to the issuance of building permits for each development project within the plan area, the following requirements shall be implemented:</p> <ul style="list-style-type: none"> <li>• For multi-family residential or motel/hotel projects proposed in areas where exterior day/night average noise levels are, or are projected to exceed, 65 dBA L<sub>dn</sub> (i.e., within 290-feet of the centerline of U.S. 101), an acoustic analysis shall be prepared that recommends project improvements, as needed, to maintain interior noise levels at or below 45 dBA L<sub>dn</sub>. This can typically be accomplished with the incorporation of an adequate forced air mechanical ventilation system in the residential units to allow residents the option of controlling noise by keeping the windows closed. The City shall confirm that the recommendations will reduce noise levels below the threshold levels and require compliance with the recommendations of the acoustic analysis.</li> <li>• For school, library, church, hospital, nursing home, neighborhood park, or commercial projects proposed in areas where exterior day-night average noise levels are, or are projected to exceed 70 dBA L<sub>dn</sub> (i.e., within 140-feet of the centerline of U.S. 101) an acoustic analysis shall be prepared that recommends project improvements, as needed, to maintain interior noise levels at or below 45 dBA L<sub>dn</sub>, if needed. Standard office construction methods typically provide about 25 to 30 decibels of noise reduction in interior spaces. The City shall confirm that the recommendations will reduce noise levels below the threshold levels and require compliance with the recommendations of the acoustic analysis.</li> </ul>	Prior to issuance of building permit	Applicant(s)	City review and approval of acoustical analysis		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p><b>MM NOI-1c:</b> Prior to the issuance of building permits for each development project within the plan area, the following requirement, if applicable, shall be met:</p> <ul style="list-style-type: none"> <li>For any noise-sensitive land uses proposed within 50-feet of the railroad centerline, the City shall ensure that an acoustic analysis be prepared that recommends project improvements, as needed, to maintain interior noise levels at or below 45 dBA L<sub>dn</sub>. The City shall confirm that the recommendations will reduce noise levels below the threshold levels and require compliance with the recommendations of the acoustic analysis.</li> </ul>	Prior to issuance of building permit	Applicant(s)	City review and approval of acoustical analysis		
<p><b>MM NOI-2:</b> Prior to the issuance of building permits for each development project within the plan area, an acoustic analysis is conducted by a qualified noise specialist shall be prepared for structures in the plan area that are located within 100 feet of the centerline of the railroad. The analysis shall specify measures including, but not limited to, setbacks and structural design features that will reduce vibration levels at or below the guidelines of the FTA Groundborne Vibration Impact Criteria shown in Table 3.5-7. The City shall confirm that the recommendations will reduce vibration levels below the threshold levels and require compliance with the recommendations of the acoustic analysis.</p>	Prior to issuance of building permit	Applicant(s)	City review and approval of acoustical analysis		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<b>Initial Study Section 4—Biological Resources</b>					
<p><b>MM BIO-1:</b> The following requirement shall be imposed as a condition of approval on all development within the proposed plan area: A pre-construction survey of the site shall be required in order to ensure that nesting raptors, loggerhead shrikes, and other nesting special-status birds are not nesting during project construction. Specifically, these measures shall include:</p> <ul style="list-style-type: none"> <li>• If construction is proposed during the breeding/nesting season for local avian species (typically February 15 through August 31), a focused survey for active nests of migratory birds within and in the vicinity of the project plan shall be conducted by a qualified biologist. Two surveys will be conducted, at least one (1) week apart, with the second survey occurring no more than two (2) days prior to tree removal. If no active nests are found, tree removal or construction activities may proceed.</li> <li>• If an active nest is located during pre-construction surveys, the United States Fish and Wildlife Service (USFWS) and/or the California Department of Fish and Wildlife (CDFW), as appropriate, shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted to avoid disturbance of the nest until it is abandoned or the biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones or alteration of the construction schedule.</li> </ul>	Prior to issuance of grading permit	Applicant(s)	City review and approval of nesting bird survey results, including implementation of protective exclusions zones (fencing), if required.		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p><b>MM BIO-2:</b> Prior to any specific project development approval or grading that may fill or otherwise encroach into potentially jurisdictional waters of the U.S., the project proponent shall conduct a delineation of waters of the U.S. to determine the extent of USACE, RWQCB, and CDFW potentially jurisdictional features that would be potentially impacted on-site. Any encroachment or fill in these USACE, RWQCB and/or CDFW jurisdictional areas shall not occur unless a Section 404/Section 401 permit or Waste Discharge Requirement and/or Streambed Alteration Agreement, respectively, are acquired and the project proponent replaces the lost value of the jurisdictional area to the satisfaction of the resources agencies issuing the permits to ensure a no-net loss. If proposed development will encroach upon or fill any jurisdictional wetland areas, the applicant shall do the following:</p> <ul style="list-style-type: none"> <li>• Apply for a Section 404 permit from the USACE concurrently or after verification of the wetland delineation by the USACE. Any wetlands that would be lost or disturbed shall be replaced or rehabilitated on a “no net loss” basis in accordance with the USACE mitigation guidelines. On-site creation of wetland habitat may be preferred to off-site mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to the USACE;</li> <li>• Obtain a Section 401 water quality waiver of certification from the Regional Water Quality Control Board (RWQCB); and</li> <li>• Obtain a Streambed Alteration Agreement with the CDFW.</li> </ul> <p>If encroachment upon or fill of wetlands is proposed, as a condition of approval for all future development within the</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant(s) shall complete consultation with resource agencies and submit permits, mitigation plan, and/or evidence of mitigation bank credits, as required.</p>	<p>City shall confirm that consultation with resource agencies has been completed.</p>		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p>plan area, a mitigation plan shall be implemented that includes at least one of the following:</p> <ul style="list-style-type: none"> <li>• Completion of an on-site Mitigation and Monitoring Plan that includes on-site creation/preservation of the wetlands and/or;</li> <li>• Credits may be obtained at an approved mitigation bank.</li> </ul>					
<b>Initial Study Section 5—Cultural Resources</b>					
<p><b>MM CUL-1:</b> The following requirement shall be imposed as a condition of approval on all future development within the plan area: In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until a qualified archaeologist who meets the Secretary of Interior’s Professional Qualification Standards for archaeology has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant in accordance with Section 15064.5 of the CEQA Guidelines. The</p>	During Construction	Applicant(s) construction contractor	City shall ensure that the requirement is printed on the plan sheets and included in bid documents		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report complete with methods, results, and recommendations, and provide for the permanent curation or repatriation of the recovered resources in cooperation with the designated Most Likely Descendant (MLD) as needed. The report shall be submitted to the City of Healdsburg, the Northwest Information Center, and the State Historic Preservation Office (SHPO), if required. The plan shall be approved by the City of Healdsburg for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the plan.					
<b>MM CUL-2:</b> The following requirement shall be imposed as a condition of approval on all future development within the plan area: In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The construction contractor shall notify a qualified paleontologist to examine the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Healdsburg for review and approval prior to implementation,	During Construction	Applicant(s) construction contractor	City shall ensure that the requirement is printed on the plan sheets and included in bid documents		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
and the applicant shall adhere to the recommendations in the plan.					
<p><b>MM CUL-3:</b> The following requirement shall be imposed as a condition of approval on all future development within the plan area: In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and Section 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> <li>1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</li> <li>2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with</li> </ol>	During Construction	Applicant(s) construction contractor	City shall ensure that the requirement is printed on the plan sheets and included in bid documents		

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<p>appropriate dignity either in accordance with the recommendations of the most likely descendant or within the plan area in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>• The NAHC is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission.</li> <li>• The descendant identified fails to make a recommendation.</li> <li>• The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul> <p>Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:</p> <ul style="list-style-type: none"> <li>• When an initial study identifies the existence of, or the probable likelihood of, Native American remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.</li> </ul>					

**Table 1 (cont.): North Entry Area Plan EIR Mitigation Monitoring and Reporting Program**

Mitigation Measures	Timing of Verification	Responsible Entity	Method of Verification	Verification of Completion	
				Date	Initial
<b>Initial Study Section 8—Hazards and Hazardous Materials</b>					
<b>MM HAZ-1:</b> The following requirement shall be imposed as a condition of approval prior to all development within the plan area: The Comstock property developer shall prepare a dust control plan that specifies measures to reduce fugitive dust emissions during construction. The developer shall also prepare an asbestos dust mitigation plan to be submitted to and approved by NSCAPCD, in accordance with 17 CCR Section 93105 and 8 CCR Section 1529.	Prior to Construction	Applicant(s)	NSCAPCD review and approval of dust control plan.  Field inspection by City grading and building inspectors		
<b>MM HAZ-2:</b> The following requirement shall be imposed as a condition of approval prior to or concurrent with all development within the plan area: The Comstock property developer shall provide a secondary emergency vehicle access point to facilitate more orderly and efficient levels of development and minimize delaying emergency response times. Potential location options for secondary emergency access include, but are not limited to, a second railroad crossing over the NCRA railway north of the main entrance or a new route south of the plan area through the vacant parcel owned by SIMI Winery, Inc. (APN 091-060-032) and into the plan area. If secondary emergency access is not provided to satisfy fire safety standards, development on the Comstock property will be limited to the extent allowed under applicable fire safety regulations, codes, and ordinances.	Prior to Occupancy	Applicant(s)	City shall verify implementation of emergency vehicle access		