Agenda
City of Sacramento
Planning Commission

COMMISSION MEMBERS:

Anna Molander
Jon Bagatelos
Michael Mendez, MCP
Philip Harvey
Jameel Pugh
Joseph Contreraz
Michael Notestine, Chair
Rommel Declines
James Frayne
Joseph Yee, AIA, Vice Chair
Panama Bartholomy

CITY STAFF:

Tom Pace, Long Range Planning Manager
Sabina Gilbert, Senior Deputy City Attorney

New City Hall
915 I Street, 1st Floor – Council Chambers

November 18, 2010 – 5:30 P.M.

The City Planning Commission was created by the City Council. Its powers and duties include: to develop and maintain the General Plan; to make recommendations to the City Council on amendments to the General Plan and the City's zoning code and on zoning changes; to act upon applications for tentative subdivision maps, special permits and variances; and to make environmental determinations associated with these actions.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in the lobby of the hearing room and should be completed and submitted to the Commission Secretary.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations. The order of agenda items is for reference and may be taken in any order deemed appropriate by the legislative body. The agenda provides a general description and staff recommendations; however, the legislative body may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. Hard copies are available at the Community Development Department (10 cents per page). Live video streams and indexed archives of meetings are available via the internet. Visit http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

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AGENDA

November 18, 2010

New City Hall
915 I Street – 1st Floor, Council Chambers

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. Approval of Minutes for October 28, 2010
Location: Citywide
Recommendation: Approve Commission Minutes from October 28, 2010.

Contact: Tom Pace, Long Range Planning Manager, 916-808-6848

Director's Report

2. Director's Report (Oral)
Location: Citywide

Recommendation: Receive and File- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact: Tom Pace, Long Range Planning Manager, 916-808-6848

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

3. P10-036 Township 9 Modifications (Noticed on 10/15/10) (Continued from 10/28/10)
Location: 819 N 7th Street, 001-0020-003-0000, 001-0020-019-0000, 001-0020-034-0000, 001-0020-036-0000, 001-0020-041-0000, 001-0020-044-0000, 001-0020-045-0000, 001-0020-046-0000, 001-0200-012-0000, 001-0200-013-0000, 001-0200-034-0000, District 1

A. **Recommendation: Approve –Item A:** Environmental Determination: Exempt under CEQA Guidelines Section 15305; **Item B:** PUD Design Guidelines

Amendment to modify requirements regarding the location and shape of park paseos; **Item C:** Subdivision Modification to change the prior Tentative Map conditions to allow recreational easements in lieu of fee simple ownership and reconfigure the location and shape of the park paseo easement on Lot 11; **Item D:** Subdivision Modification to adjust the right of way alignment for Vine Street.

Contact: Evan Compton, Associate Planner, 916-808-5260, Stacia Cosgrove, Senior Planner, 916-808-7110

4. P10-062 45th and F Streets Tentative Map (Noticed on 11/4/10)
Location: 601 45th Street and 4510 F Street, 004-0303-037-0000, 004-0303-038-0000, District 3

Recommendation: Approve – Item A: Environmental Exemption (Per CEQA 15332); **Item B:** Tentative Map to subdivide one parcel into two; **Item C:** Tentative Map-Subdivision Modification to create non-standard sized lots; **Item D:** Variance - to allow non-conforming setbacks and lot coverage.

Contact: David Hung, Associate Planner, 916-808-5530, Stacia Cosgrove, Senior Planner, 916-808-7110

5. P10-065 Pell Circle Billboard Relocation (Noticed on 11/4/10)
Location: 3961 Pell Circle, 237-0400-016-0000, District 2

Recommendation: Forward to City Council - Item A: Environmental Exemption (Per CEQA 15303); **Item B:** Rezone of approximately 2.32 acres from the Light Industrial (M-1S-R) zone to the Light Industrial (M-1-R) zone; **Item C:** Billboard Relocation Agreement to relocate three existing billboards from three different locations to a 45-foot tall billboard to be located at 3961 Pell Circle; and **Approve - Item D:** Variance-Signs to exceed the height limit for a detached sign.

Contact: Antonio Ablog, Associate Planner, 916-808-7702, Lindsey Alagozian, Senior Planner, 916-808-2659

6. P10-074 Bruceville Road Electronic Billboard Variance (Noticed on 11/4/10)
Location: 7935 Bruceville Road, 117-0170-067-0000, District 8

Recommendation: Withdrawn, to be re-noticed

Contact: Sandra Yope, Senior Planner, 916-808-7158, Joy Patterson, Principal Planner, 916-808-5607

7. P10-079 Iceland Restoration (Noticed on 11/5/10)
Location: 1430 Del Paso Blvd., 275-0125-007-0000, 275-0125-008-0000, District 2

Recommendation: Approve - Item A: Environmental Exemption (Per CEQA 15302); **Item B:** Special Permit to establish an outdoor amusement center in the General Commercial Del Paso Boulevard Special Planning District (C-2-SPD) zone.

Contact: Antonio Ablog, Associate Planner, 916-808-7702, Lindsey Alagozian, Senior Planner, 916-808-2659

Staff Reports

Staff reports include oral presentations including those recommending Receive and File.

8. LR10-008 Update on Public Notice Procedures
Location: Citywide

Recommendation: Review and Comment

Contact: Tom Pace, Long Range Planning Manager, 916-808-6848

Public Comments- Matters Not on the Agenda

9. To be announced.

Questions, Ideas and Announcements of Commission Members

10. To be announced.

Adjournment

Back to Agenda

Minutes
City of Sacramento
Planning Commission

1

COMMISSION MEMBERS:

Anna Molander
Jon Bagatelos
Michael Mendez, MCP
Philip Harvey
Jameel Pugh
Joseph Contreraz
Michael Notestine, Chair
Rommel Declines
James Frayne
Joseph Yee, AIA, Vice Chair
Panama Bartholomy

CITY STAFF:

Gregory Bitter, Principal Planner
Sabina Gilbert, Senior Deputy City Attorney

New City Hall
915 I Street, 1st Floor – Council Chambers

October 28, 2010 – 5:30 P.M.

The City Planning Commission was created by the City Council. Its powers and duties include: to develop and maintain the General Plan; to make recommendations to the City Council on amendments to the General Plan and the City's zoning code and on zoning changes; to act upon applications for tentative subdivision maps, special permits and variances; and to make environmental determinations associated with these actions.

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MINUTES

October 28, 2010

New City Hall
915 I Street – 1st Floor, Council Chambers

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call - All commissioners present except Commissioner Contrarez.

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. Approval of Minutes for September 23, 2010
Location: Citywide
Recommendation: Approve Commission Minutes from September 23, 2010.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Action: Moved, seconded, and carried (Molander/Yee 9:0:2, Abstain – Bartholomy, Absent- Contrarez) to approve minutes.

Director's Report

2. Director's Report (Oral)
Location: Citywide

Recommendation: Receive and File- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Action: Received and Filed.

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

3. P10-051 **Radiological Associates of Sacramento Sign Variance** (Noticed on 10/15/10) (Continued from 9/23/10)
Location: 2929 K Street, 007-0117-001-0000, District 3

Recommendation: Approve – Item A. Environmental Exempt (Per CEQA 15311); **Item B:** Request to construct a new exterior sign which exceeds 20-feet in height within 660-feet of a designated freeway, located within the Transportation Corridor Special Planning District (TC-SPD) Zone in the Alhambra Corridor Special Planning District.

Contact: Matthew Sites, Design Review Staff, 916-808-7646, Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Bartholomy/Molander 10:0:1, Absent-Contrarez) to approve staff recommendations.

4. Z10-053 Appeal of Cornerstone Restaurant Parking Waiver (Noticed on 10/15/10)

Location: 2301 K Street, 007-0095-021-0000, District 3

Recommendation: Approve - Item A: Environmental Exemption (Per CEQA 15301); **Item B**: Special Permit for Parking Reduction Waiver of required parking for the conversion of an existing structure into a restaurant; **Item C**: Staff Level Design Review, DR10-110.

Contact: Robert W. Williams, Associate Planner, 916-808-7686, Sandra Yope, Senior Planner, 916-808-7158

Public comment made by Marilyn Shaffer, Nick Karas, Kelly Karas, Todd Wilson, Anna Maria Marquez, Lynn Whigham, Karen Jacques, Vivian Gerlach.

Action: Moved, seconded, and carried (Harvey/Pugh 10:0:1, Absent-Contrarez) to approve staff recommendations.

5. P10-036 Township 9 Modifications (Noticed on 10/15/10)

Location: 819 N 7th Street, 001-0020-003-0000, 001-0020-019-0000, 001-0020-034-0000, 001-0020-036-0000, 001-0020-041-0000, 001-0020-044-0000, 001-0020-045-0000, 001-0020-046-0000, 001-0200-012-0000, 001-0200-013-0000, 001-0200-034-0000, District 1

Recommendation: Approve –Item A. Environmental Determination: Exempt (Per CEQA Section 15305); **Item B:** PUD Design Guidelines Amendment to modify requirements regarding the location and shape of park paseos; **Item C:** Subdivision Modification to change the prior Tentative Map conditions to allow recreational easements in lieu of fee simple ownership. **Item D**: Subdivision Modification to adjust the right of way alignment for Vine Street.

Contact: Evan Compton, Associate Planner, 916-808-5260, Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Declines/Molander 10:0:1, Absent-Contrarez) to continue item to November 18, 2010

6. P10-038 City Life Church (Noticed on 10/15/10)

Location: 2719 K Street, District 3, 007-0111-015-0000

Recommendation: Approve – Item A: Environmental Exemption (Per CEQA 15301); **Item B:** Special Permit – Church to establish a church use; **Item C:** Variance – Signs within 10 feet of a property line.

Contact: Kimberly Kaufman-Brisby, Associate Planner, 916-808-5260, Stacia Cosgrove, Senior Planner, (916) 808-7110

Action: Moved, seconded, and carried (Harvey/Bartholomy 10:0:1, Absent-Contrarez) to approve staff recommendations.

7. P10-056 Clearwire on Auburn Blvd - PG&E (Noticed on 10/15/10)
Location: Corner of Auburn Blvd & Connie Drive, 266-0111-009-0000, District 2

Recommendation: Approve – Item A: Environmental Exemption (Per CEQA 15301); **Item B**: Special Permit-Major Modification to add three panel antennas three microwave dishes, one GPS antenna, and an equipment cabinet on an existing PG&E lattice tower.

Contact: Elise Gumm, Associate Planner, 808-1927, Lindsey Alagozian, Senior Planner, 916-808-2659

Action: Moved, seconded, and carried (Pugh/Declines 10:0:1, Absent-Contrarez) to approve staff recommendations.

8. P10-057 Clearwire on Natoma Way - PG&E (Noticed on 10/15/10)
Location: Southwest corner of Natoma Way & Roanoke, 252-0172-001-0000, District 2

Recommendation: Approve – Item A: A Environmental Exemption (Per CEQA 15301); **Item B**: Special Permit-Antennas/Wireless to install three panel antennas, three microwave dishes, one GPS, antenna, and an equipment cabinet on an existing PG&E lattice tower.

Contact: Elise Gumm, Associate Planner, 808-1927, Lindsey Alagozian, Senior Planner, 916-808-2659

Public Comment made by Ramona Landeros and Gordon Bell.

Action: Moved, seconded, and carried (Yee/Pugh 10:0:1, Absent-Contrarez) to approve staff recommendations.

9. P10-064 Wolf Ranch Inclusionary Housing Amendment (Noticed on 10/15/10)
Location: 7200 Jacinto Avenue, 117-0140-042-0000, District 8

Recommendation: Approve – Item A: A Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B**: Misc-Inclusionary Housing Plan to amend an approved inclusionary housing plan.

Contact: Elise Gumm, Associate Planner, 916-808-1927, Lindsey Alagozian, Senior Planner, 916-808-2659

Public comment made by Michael Hakeem.

Action: Moved, seconded, and carried (Declines/Pugh 10:0:1, Absent-Contrarez) to approve staff recommendations.

10. P10-065 Pell Circle Billboard Relocation (Noticed on 10/15/10)

Location: 3961 Pell Circle, 237-0400-016-0000, District 2

Recommendation: Withdrawn, to be re-noticed

Contact: Antonio Ablog, Associate Planner, 916-808-7702, Lindsey Alagozian, Senior Planner, 916-808-2659

Action: Received and Filed.

11. LR10-005 Proposed Rezones and Land Use Designation and Text Changes to the 2030 General Plan (Noticed on 10/15/10)

Location: City-wide

Recommendation: Forward Recommendations of Approval to City Council – Proposed text amendments to the 2030 General Plan and the North Natomas Community Plan include: 1) adding a policy to clarify how changes to the minimum floor-area-ratio may be consistent with the General Plan; 2) addition of a policy from the North Natomas Community Plan regarding infrastructure financing and removal of that policy from that plan; and 3) clarifying application of the density policy for the Traditional Neighborhood designation.

Contact: Teresa Haenggi, Associate Planner, (916) 808-7554, Jim McDonald, Senior Planner, 808-5273

Public comment made by Jessica Kalenik, Sondra Betancourt, Moleen Osmany, Patricia Yaner, Paula C. Dula, Jim Luscutoff, Jonathan Schnal and eComments made by Peter Anderson, Paula Dula and J. Caldwell.

Action: Moved, seconded, and carried (Harvey/Molander 10:0:1, Absent-Contrarez) and forward recommendation of approval to City Council.

Staff Reports

Staff reports include oral presentations including those recommending Receive and File.

None

Public Comments- Matters Not on the Agenda

12. None.

Questions, Ideas and Announcements of Commission Members

13. Commissioner Molander said the sub-committee on Policies and Procedures met on Monday night to discuss noticing and has recommended a meeting on cell phone towers. Commissioner Declines urged staff to speak with cell tower industry staff. Staff member Bitter said that cell phone tower policy will be discussed at the Planning Commission meeting as a workshop in December.

Commissioner Notestine urged that the meeting in December be a good opportunity to discuss changes in the cell tower industry. He also mentioned research on the issue. Commissioner Yee discussed "cell tower" terminology. Commissioner Molander suggested we research other jurisdictions regarding cell tower oversight. Commissioner Declines asked the Planning Commission's responsibility pertaining to cell towers. Commissioner Yee discussed the enforcement of removing cell towers when necessary. Commissioner Notestine asked if cell tower cases could be documented in the City's GIS system.

14. Commissioner Notestine mentioned a meeting that occurred with management staff of Tom Pace, David Kwong, Max Fernandez and Joy Patterson about signage noticing and public outreach.

Adjournment 10:12 p.m.

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Oral Report

For

City of Sacramento

Planning Commission

Agenda Packet

For the Meeting of: November 18, 2010

Title: Director's Report **- Receive and File-** Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact Information: Tom Pace, Long Range Planning Manager, 916-808- 6848

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REPORT TO PLANNING COMMISSION City of Sacramento

3

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
November 18, 2010

To: Members of the Planning Commission

Subject: Township 9 Modification (P10-036)
A request to modify the previously approved Township 9 project by adjusting the Vine Street right of way and changing prior Tentative Map conditions on 47.71± acres in the Office Building (OB-PUD SPD), Residential Mixed Use (RMX-PUD SPD), and Agricultural Open Space (A-OS-PUD SPD) zone and located in the Township 9 Planned Unit Development and Richards Boulevard Special Planning District.

A. Environmental Determination: Exempt under CEQA Guidelines Section 15305;

B. PUD Design Guidelines Amendment to modify requirements regarding the location and shape of park paseos;

C. Subdivision Modification to change the prior Tentative Map conditions to allow recreational easements in lieu of fee simple ownership and reconfigure the location and shape of the park paseo easement on Lot 11;

D. Subdivision Modification to adjust the right of way alignment for Vine Street.

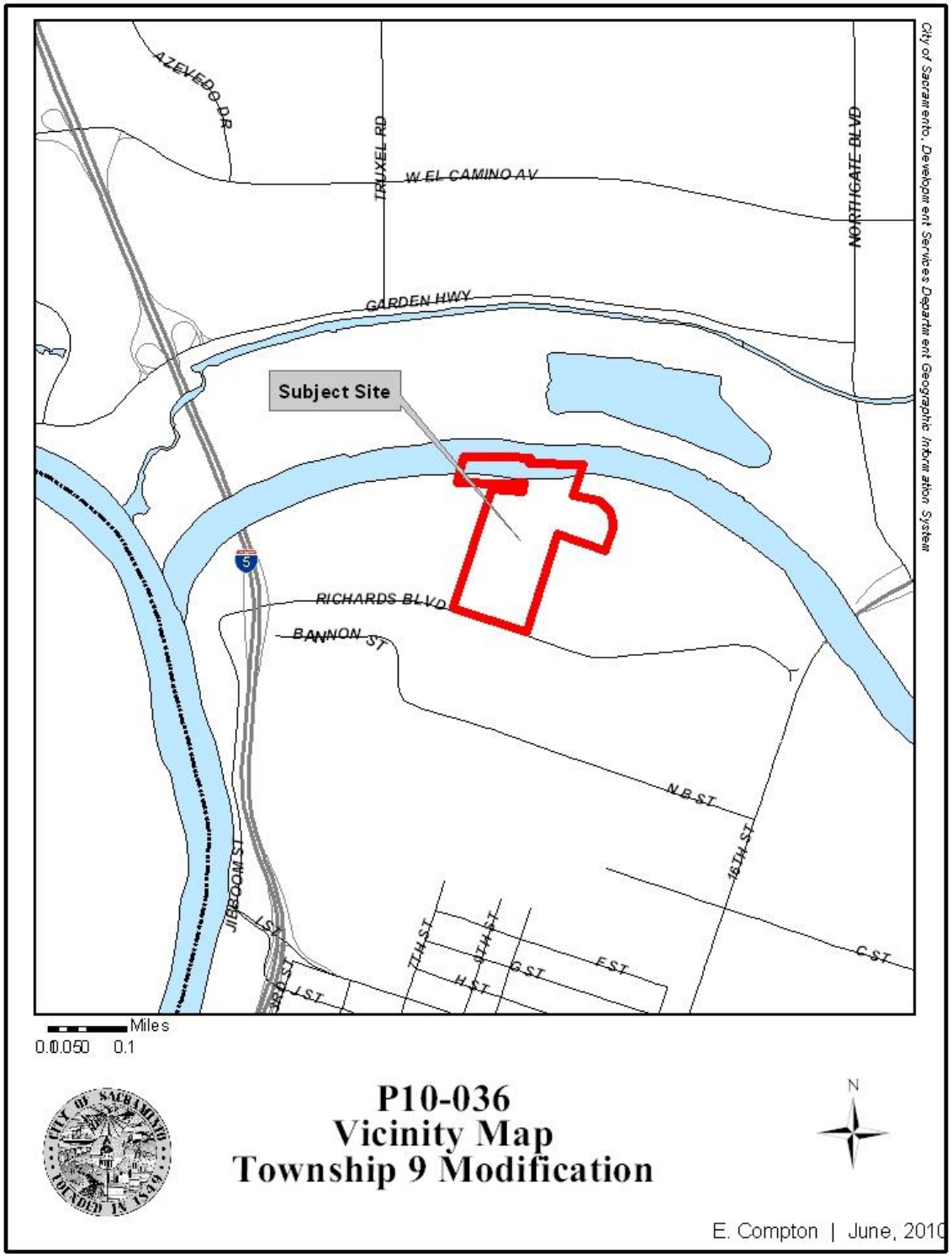
Location/Council District:

424 North 7th Street, Sacramento, CA 95811
Assessor's Parcel Numbers: 001-0020-003, -019, -034, -036, -041, -044, -045, -046, and 001-0200-012, -013, -034
Council District 1

Recommendation: Staff recommends the Planning Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-D above, and its decision is appealable to City Council.

Contact: Evan Compton, Associate Planner, 916-808-5260 and Stacia Cosgrove, Senior Planner, 916-808-7110.

Applicant: Al Esquivel, Capitol Station 65 LLC, 640 Bercut Drive, Suite C, Sacramento, CA 95811 (916-482-7900)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City of Sacramento, Development Services Department Geographic Information System
Miles
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P10-036
Vicinity Map
Township 9 Modification
N
E. Compton | June, 2010

Owner: Steve Goodwin, Capitol Station 65 LLC, 640 Bercut Drive, Suite C, Sacramento, CA 95811 (916-482-7900)

Summary: The applicant is requesting entitlements to modify the previously approved Township 9 project by adjusting the Vine Street right of way and modifying conditions relating to the park paseos on 47.71± acres in the Office Building (OB-PUD SPD), Residential Mixed Use (RMX-PUD SPD), and Agricultural Open Space (A-OS-PUD SPD) zone and located in the Township 9 Planned Unit Development and Richards Boulevard Special Planning District.

At the time of writing the report, there were no outstanding issues or concerns regarding the project. **The project is considered to be non-controversial.**

Table 1: Project Information
General Plan designation: Urban Center Low
Existing zoning of site: OB-PUD-SPD, RMX-PUD-SPD, and A-OS-PUD SPD
Existing use of site: Buildings Currently Under Demolition
Property area: 47.71 ± net acres

Background Information: The Township 9 project (P06-047) was approved by the City Council on August 28, 2007. (Resolution 2007-644) The project allowed for a high density mixed use development of approximately 2,350 residential units, 840,000 square feet of office, and 146,000 square feet of retail uses on 65± gross acres.

Entitlement History: On February 24, 2010, the Planning Director approved a Plan Review for the Township 9 Light Rail Station and Scale House relocation projects (P09-054). On February 24, 2010, the Preservation Director approved a request to move and remodel a historic structure (Scale House) in preparation for the new light rail station (PB09-081).

Public/Neighborhood Outreach and Comments: Staff notified the River District Association. In addition, staff notified property owners within 500 feet of the subject property. At the time of writing this report, staff had not received any comments.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations. The project consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

Township 9 Planned Unit Development (PUD) Design Guidelines

The project site is located in the Township 9 Planned Unit Development. The designated PUD includes a Schematic Plan and a set of development guidelines. Staff finds that the proposed modifications do require amendments to the PUD Design Guidelines because Section 4.8 (Open Space/Parks) states that "[t]hree linear, landscaped greenways shall be developed to transverse the live/work/townhouse area in Township 9." The guidelines dictated the linear shape and location of the greenways and therefore an amendment is necessary. A redlined copy of all the text amendments has been included in this report as Attachment 4.

The Planning Commission may approve the amendment of PUD Design Guidelines provided that the proposed amendments do not change the intensity of land uses by more than ten percent. Staff finds that the text amendments are minor in nature and do not intensify the land uses and therefore the entitlement may be handled at the Planning Commission level.

Parks and Open Space

The Tentative Map contemplated a series of small parks located throughout the project. Condition 75 of the approved Tentative Map requires title to Lots 7B, 8B, 9, 11B, 12B, 15B, 20, and 21 be provided in fee simple ownership. The applicant is requesting to modify the condition to allow the parcels to be dedicated as recreational easements. This change would allow the applicant to have greater flexibility in planning future buildings which include underground parking. The proposal for underground parking is problematic with the existing Parks condition because the park dedication must be completed with fee simple ownership. Therefore staff supports the modification which would allow a recreational easement to facilitate underground parking and ultimately encourages active ground floor uses facing the street.

The location and configuration of the recreational easement on Lot 11 has been modified in this proposal. Originally parcel 11B was a 40 foot wide parcel in the middle of the block. The revised Tentative Map allows for a corner easement and has been reviewed by the Parks Department. Staff supports the new reconfiguration for Lot 11 because it allows for a more usable open space element and simplifies the future development of the block.

Traffic Circulation

The irrevocable offer of dedication (IOD) for the Vine Street right of way is proposed to be relocated 35 feet to the north of the previously approved alignment. The original street alignment required 35 feet along the CHP Headquarters site and another 35 feet along the Township 9 site for a total of 70 feet. The modification removes the 35 foot requirement on the CHP site and realigns the 70 feet to be provided on the Township 9 site. Traffic Engineering staff have reviewed the realignment request and have no objections to the request.

Tentative Map

The Subdivision Review Committee (SRC) heard this item on October 6, 2010 and recommended that the Planning Commission approve the request based on the conditions of approval found in Attachment 1. These conditions will replace the previous conditions of approval from the original project (P06-047).

Adjacent Properties

To the north of the subject site is the American River. The parcels to the east are currently used for the California Highway Patrol Headquarters. On the west of the subject site are FedEx, the State Department of Communications, and the Sheriff Work Release Facility. The State Printing Plant and other industrial buildings are located to the south.

Policy Considerations:

General Plan: The subject site is designated Urban Center Low on the General Plan Land Use and Urban Form Diagram. The proposal is consistent with the following General Plan policies:

1. *Screening of Off-street Parking. The City shall reduce the visual prominence of parking within the public realm by requiring most off-street parking to be located behind or within structures or otherwise fully or partially screened from public view. (LU 2.7.8)* Staff finds that the proposal for underground parking is problematic with the existing Parks condition which requires the park dedication be completed with fee simple ownership. Therefore staff supports the modification which would allow a recreational easement to facilitate underground parking and ultimately encourages active ground floor uses facing the street.

2. *Small Public Spaces for New Development. The City shall allow new development to provide small plazas, pocket parks, civic spaces, and other gathering places that are available to the public, particularly in infill areas, to help meet recreational demands. (ERC 2.2.9)* Staff finds that the blocks in Township 9 will have recreational easements to provide necessary open space amenities.

3. *Adequate Rights-of-Way. The City shall ensure that all new roadway projects and major reconstruction projects provide appropriate and adequate rights-of-way for all users including bicyclists, pedestrians, transit riders, and motorists except where pedestrians and bicyclists are prohibited by law from using a given facility. (M 4.2.1)* Staff finds that although the alignment of Vine Street is being modified, it will maintain the same width and therefore staff supports the requested realignment.

<u>Urban Center Low Designation</u> (Page 2-72): This designation provides for smaller urban areas throughout the city. Each center includes employment-intensive uses, a mix of housing, and a wide variety of retail uses.

Key components of the urban form in the Urban Center Low designation include:

- Blocks are small and rectangular, allowing for convenient pedestrian access from adjacent areas
- Relatively small and narrow lots, providing a fine-grained development pattern
- Building heights generally ranging from two to seven stories (taller heights are acceptable if supported by context and market)
- Building heights stepping down to not more than one story higher at the property line than permitted in the adjacent neighborhood unless separated by a roadway, rail corridor, or other setback or buffer
- Lot coverage generally not exceeding 80 percent
- Buildings sited at or near the sidewalk along the primary street frontage and typically abut one another with limited side yard setbacks
- Building entrances set at the sidewalk along the primary street frontage
- Rear alleys and secondary streets providing vehicular and service access, with limited driveways and curb cuts on primary streets
- Parking provided on-street as well as in individual or shared lots at the rear of structures, or in screened parking structures
- Transparent building frontages with pedestrian-scaled articulation and detailing
- Moderately wide sidewalks (e.g., 6 to 10 feet), furnished with street trees, public seating areas, and other amenities that create inviting streetscapes
- Public streetscapes serving as the area's primary open space, complemented by plazas, courtyards, and sidewalk dining areas

Staff finds that the proposal is consistent with the intent of the components of the urban form listed above.

Subdivision Code

The Planning Commission may approve a subdivision modification to modify the conditions of approval of an approved Tentative Map. Approval of the modification to the conditions of approval must be based on the same findings of fact needed for approval of the subdivision map:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's 2030 General Plan and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

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 habitat since the site is located in an urban area and historically was developed with an industrial use;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems since the proposed residential, retail, and office uses will not generate smoke or toxics;

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.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

Alternative Modes

The first phase of the future Downtown-Natomas-Airport light rail transit is under construction along North 7th Street and then will turn west on Richards Boulevard and terminate at the Township 9 site. The subsequent phase will continue the light rail down Richards Boulevard to turn north on Sequoia Pacific Boulevard and cross the American River to connect to Truxel Boulevard and eventually will connect to the Sacramento International Airport. The future light rail station at the Township 9 project (north side of Richards Boulevard between North 5th and North 7th Street) is scheduled to be open in

2011. According to the Regional Transit website, there are also three bus routes in the Richards Boulevard Area: Route 11, 15, and 33.

Conclusion:

Staff recommends approval of the project since the proposal: a) is consistent with the 2030 General Plan, Central City Community Plan, and the Office Building (OB), Residential Mixed Use (RMX), and Agricultural Open Space (A-OS) zoning; b) facilitates underground parking by allowing recreational easements in lieu of fee simple title; and c) continues to provide adequate right-of-way with the proposed realignment of the future Vine Street.

Respectfully submitted by: _____
EVAN COMPTON
Associate Planner

Approved by:

_____
STACIA COSGROVE
Senior Planner

Recommendation Approved:

_____
GREG BITTER, AICP
Principal Planner

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Attachment 1
Proposed Findings of Fact and Conditions of Approval
Township 9 Modification (P10-036)
424 North 7th Street

1. Findings of Fact

A. Environmental Determination: Categorical Exemption per CEQA Guidelines 15305

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act Guidelines as follows:

The project consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

B. PUD Design Guidelines Amendment: The amendment to the Township 9 PUD Design Guidelines to modify requirements regarding the location and shape of park paseos is **approved** based on the following Findings of Fact:

1. The PUD Design Guidelines amendment conforms to the General Plan and the Central City Community Plan;

2. The PUD Design Guidelines amendment facilitates the construction of subterranean parking by removing regulations dictating the linear shape and location of paseos, which allows screened parking and future opportunities for active ground floor uses; and

3. The PUD Amendments will not be injurious to the public welfare, nor to other property in the vicinity of the development and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures the development will be well-designed.

C. and D. Subdivision Modifications: The Subdivision Modifications to allow the realignment of Vine Street along the Township 9 project area and revisions of approved Tentative Map conditions are **approved** based on the following Findings of Fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's 2030 General Plan and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

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 habitat since the site is located in an urban area and historically was developed with an industrial use;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems since the proposed residential, retail, and office uses will not generate smoke or toxics;

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.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

2. Conditions of Approval

C. and D. Subdivision Modifications: The Subdivision Modifications to allow the realignment of Vine Street along the Township 9 project area and to revise the Parks conditions on the Tentative Map are **approved** subject to the following conditions of approval:

CONDITIONS: Tentative Map

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD Design guidelines approved for this project (P06-047). The design of any improvement not covered by these conditions or the Design Guidelines shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Transportation.
The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

2. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P06-047);

3. Meet all conditions of the Design Guidelines established for this project "Township 9" (P06-047) unless it is superseded by a Tentative Map condition;

4. Show all continuing and proposed/required easements on the Final Map;

5. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

6. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, the Department of Transportation and Development Services.

7. Riverfront Drive shall be set back a minimum of 50 feet from the Two Rivers Bicycle Trail. This setback shall be measured from the southern edge of pavement of the Two Rivers Bicycle Trail to the back of curb along the northern boundary of Riverfront Drive.

Engineering: Streets General

8. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions. (See also condition 41 under Porous Concrete);

9. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the design guidelines and to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards, the adopted design guidelines and to the satisfaction of the Department of Transportation;

10. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such streets shall be aligned.

11. Construct bulb-outs at locations specified within the design guidelines or as directed by the City.

12. All crosswalks shall be disability access compliant; ramps shall be installed and/or relocated as determined necessary by the City.

13. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance

to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Transportation.

14. Street lights shall be provided as prescribed by the design guidelines and must be acceptable to the City.

Streets

15. Prior to first map being finaled and with the initial improvement plan set, the applicant shall provide an overall layout and phasing plan for Richards Blvd from 300 feet west of 5th Street to 300 feet east of 7th street. At a minimum this plan set shall include the proposed future location of curb, gutter, and sidewalk improvements, street light locations and striping plans, existing right-of-way and any future right-of-way needs. This plan set shall include the intersections of 5th and 7th along Richards and 300 feet of each intersection leg or as determined acceptable by the City.

16. Dedicate and construct the following streets as development occurs within the map boundary, for each phase of development the adjacent streets shall be improved to the right-of-way and easement standards established by the Design Guidelines and shown on this map, applicable City Standards, and to the satisfaction of Development Services engineers authorized to accept plans on behalf of the City;

17. Dedicate and construct the north side of Richards Blvd per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction, and to the satisfaction of Department of Transportation;

18. Dedicate and construct Riverfront Drive per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

19. Dedicate and construct the east side of 5th Street per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

20. Dedicate and construct 7th Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of

Transportation, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);

21. Dedicate and construct Park Boulevard per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);

22. Dedicate and construct Signature Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

23. Dedicate and construct New Street “A” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation; New Street “A” shall be extended east of 7th Street with the development of Lot 1B to provide vehicle access. Note: The subdivision modification resulted in a change in the alignment of New Street “A” East of 7th street (Extension of Vine Street) as shown on the revised Tentative Map submitted on 8-20-2010. The new Street “A” is located entirely within the township 9 project boundary.

24. Dedicate and construct New Street “B” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

25. Dedicate and construct New Street “C” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

26. Dedicate and construct New Street “D” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

27. Dedicate and construct New Street “E” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

28. Dedicate and construct New Street “F” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation;

29. Dedicate and construct New Street “G” per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Department of Transportation.

Signalized Intersections

30. With the improvement plan sets for signalized intersections, the applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process. Signal Design concept reports shall be submitted for the construction and/or modification of the existing traffic signals located at the following intersections:

    a. The modification of the signalized intersection of Richards Blvd and North 5th Street.
    b. The modification of the signalized intersection of Richards Blvd and North 7th Street
    c. The construction of a signal at the intersection of North 7th Street and “Signature” Street.

31. Prior to the construction of 1/3rd of the project trip generation or 1000 of the dwelling units are constructed and as when determined necessary by the city of Sacramento, the intersection of Richards Blvd and North 5th Street shall be reconstructed to allow for eastbound dual left turn lanes and/or other modifications. The applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd if not already dedicated. To the extent necessary and at its discretion, the City

may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.

32. The applicant shall dedicate sufficient rights-of-way for an expanded intersection to the City of Sacramento Street Standards and shall construct modifications to 7th Street for the southbound approach at Richards Boulevard. These modifications to the southbound approach shall be to provide one left-turn lane, one through lane, and two right-turn lanes or as determined acceptable by the city of Sacramento. As necessary during the design of the intersection, the applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd and 7th street if not already dedicated for appurtenances and necessary alignment of the intersection. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.

33. The applicant shall construct a signal at the intersection of North 7th Street and "Signature" Street to the satisfaction of the city of Sacramento.

Roundabout Intersections

34. Dedicate and construct the roundabout at "Signature" Street and New Street "C" per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento Department of Transportation Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.

35. Dedicate and construct the roundabout at the intersection of 7th Street and New Street "A" per the recommendations provided by the W-trans analysis or other acceptable design, this analysis is on file with the City of Sacramento Department of Transportation Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento. Note: The subdivision modification resulted in a change in the alignment of New Street "A" East of 7th street (Extension of Vine Street) as shown on the revised Tentative Map submitted on 8-20-2010. The applicant shall provide sufficient right-of-way (as needed) to accommodate the roundabout design to the satisfaction of the Department of Transportation.

36. Dedicate and construct the roundabout at the intersection of 'Park' Blvd, New Street 'B' and New Street "C' per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento Department of Transportation Traffic Study section.

Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.

37. Prior to construction, the roundabout designs shall return to the Disability Advisory Commission for final review and comment. The commission is chaired by Ron Brown and the meeting coordinator is Obi Agha (916-808-8426) and Rocky Burks (916-808-5521).

Regional Transit

38. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.

39. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Department of Transportation. Bus stop turnouts shall be constructed with reinforced concrete pads.

40. Applicant shall enter into agreement with Regional Transit to provide right-of-way for light rail tracks, a light rail station platform and a bus turnout in the form of an Irrevocable Offer of Dedication (IOD). The 60-foot easement over the south edge of lots 13, 14 and 17 mentioned on Page 2-14 of the DEIR will be sufficient for the tracks, platform and bus turnout if the train route continues along Richards Boulevard.

41. The developer shall coordinate with RT regarding the placement of the outlet of New Street “C" onto Richards Boulevard, which crosses the future rail tracks.

Porous Concrete – Street Maintenance (See also condition 67 City Utilities)

42. The city of Sacramento is not convinced that porous concrete within the street will function adequately or be maintainable in the long term. Some additional information will need to be provided to show that it is feasible as a storm water treatment measure including a recommendation from a Geotechnical Engineer that the street section will continue to function under long term use by passenger and truck traffic. City staff will need a demonstration of its maintainability and its ability to treat storm water run-off. In addition, because of the potential for failure of the pavement section there must be a funding source to reconstruct and/or replace the pavement if it fails. This may include a contingency in the development agreement, the Community Financing District and bonding of the improvements for 3years to demonstrate that a porous pavement in a street functions and is maintainable.

a. A Geotechnical Soils report must verify that storm water will drain 10 feet below the surface at the rate required for water quality. The water table in all of the proposed drainage areas must be identified before approval for this method. Seasonal groundwater levels for the area must be reported.
b. A Geotechnical Engineer must submit a pavement design to provide an adequate structural section.
c. Surface drainage will need to be accommodated for safety considering the underground storage capacity of the porous surface areas is unknown.
d. Cutoff walls may be needed to keep water separate from the structural section supporting the vehicle travel ways.

CITY UTILITIES

43. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions may be required.

44. All existing easements and all existing right-of-ways shall be shown on the Final Map.

45. If required by the DOU, any parcels that are subject to additional water quality treatment measures shall be identified on the Final Map.

46. Dedicate all necessary easements, IOD easements right-of-way, fee title property, or IOD in fee title property on the final map as required to implement the approved drainage, water and sewer studies, per each approving agency requirements.

47. If required by the Department of Utilities (DOU), the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book____, O.R. Page___."

48. Design and construct water, sewer, and drainage pipe systems and appurtenances in all existing and proposed streets in accordance with the approved sewer, water, and drainage studies.

49. Provide all weather roadway and concrete driveway access to sump 111 to the satisfaction of DOU.

50. Unless otherwise approved by the DOU, all public water, sanitary sewer and storm drain pipelines shall be placed within the asphalt concrete (AC) section of public-right-of-ways and easements.

51. Public streets, with publicly maintained water, sanitary sewer and storm drain systems shall have a minimum paved AC width of 25 feet from lip of gutter to lip of gutter. Drain inlets, curbs and gutters shall be constructed to City Standards for all public streets. Any parallel underground dry utilities proposed within in the public right-of-way (or within the required 25-feet AC public section) shall be designed, constructed, and placed to the satisfaction of the City.

52. Along all streets with separated curb and sidewalk, place minimum 2-inch diameter sleeves under the sidewalk for irrigation of the landscape planter. The irrigation sleeves shall be placed prior to construction of sidewalks. In situations where separated sidewalks are located along the perimeter of parks or other common lots/parcels, irrigation sleeves shall be placed at maximum 200-foot intervals under the sidewalks.

53. Any decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). The owner(s) shall form or annex to a community facility district to finance the replacement of said decorative paving at no cost to the City.

54. The developer(s)/owner(s) shall complete a drainage master plan for this site. The 10-year and 100-year HGL's for this study shall be calculated using the City's SWMM model. This project may require a storm water detention basin, based on the approved SWMM model and/or increasing the pump capacity of basin sump 111, which serves this project. The drainage study shall also include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff.

55. The DOU shall approve the drainage master plan and any phasing plan, if appropriate, included with the master plan for drainage infrastructure.

56. The developer(s)/owner(s) shall be responsible to obtain all the necessary permits from the Army Corps of Engineering, Fish and Game, U.S. Fish and

Wildlife Services, SAFCA, American River Flood Control District, and/or any other applicable agency.

57. The applicant/owner shall also coordinate with SAFCA to determine any potential flooding problems or related issues for this area that may have a significant impact to the design of this project.

58. If the approved drainage study requires a project detention facility, the applicant shall construct the detention facility to the satisfaction of the DOU. The detention facility shall be designed for dual purpose (flood control and water quality) and utilized as joint use facility (public amenities) whenever possible.

59. Provide a seepage study prepared by a registered engineer. The study shall identify and recommend solutions to groundwater related problems that may occur within both the subdivision lots and the public streets. Appropriate facilities shall be constructed to alleviate those problems. The DOU and SAFCA shall approve this study.

60. If the approved drainage study and/or comprehensive storm-water quality plan requires the construction of a detention basin facility for the purpose of flood control, storm-water quality treatment, and/or recreational facility, the owner(s) shall Dedicate to the City said property as an IOD in fee title, at no cost to the City.

61. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. Furthermore, all lots shall be graded so that drainage does not cross lot or property lines. The project shall construct the required public and/or private infrastructure to handle runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

62. A grading plan showing existing and proposed elevations is required. All lots and/or parcels shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one-foot off-site contours within 100 feet of the project boundary are required. No grading shall occur until the grading plan has been reviewed and approved by the DOU.

63. The developer(s)/owner(s) shall mitigate the storm water quality impacts generated by this development by implementing comprehensive storm water quality control measure(s) for the entire 65 acres. The DOU shall approve the comprehensive water quality control plan (measures). These measures shall be implemented prior to the recordation of the respective final map(s) or otherwise as approved by the DOU.

64. This project is greater than 1 acre in size; therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

65. Post construction, storm-water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the project. Since the project is not served by a regional water quality control facility, both source control and on-site treatment control measures (e.g. storm-water planters, detention basin, infiltration basin and/or trench, media filters (Austin Sand Filter), vegetated filter strips and/or swales, and pre-approved proprietary devices) are required.

66. If a water quality facility such as a detention basin or any publicly maintained feature is required for the development of this project, the developer(s)/owner(s) will be required to form a maintenance district and/or participate in the existing regional maintenance district, which is created to incorporate storm-water quality measures through "extraordinary maintenance procedures". This maintenance district shall be formed to the satisfaction of the DOU. The extraordinary maintenance procedures are implemented to meet post construction, storm-water quality control measures to minimize the increase of urban runoff caused by development of the area. Acceptance of the required landscaping, irrigation, drainage structures, and other features (Detention/Water Quality Facility) by the City into the proposed financing mechanism shall be coordinated with the Development Services Department (Special Districts); Parks Planning, Design, & Development Department; and the DOU. The developer shall maintain the

Detention/Water Quality Facility for a period of two (2) years or until acceptance by the City into the District, whichever is less. The two-year period shall begin following the issuance of a notice of completion by the City for the Water Quality Facility. At the time of acceptance by the City, the developer shall remove any sediment or debris that has accumulated prior to acceptance.

67. If require by the DOU, the owner(s) shall enter into and record maintenance agreement, for all storm water quality treatment measures, with the city in a form acceptable to the City Attorney.

68. Any storm water quality treatment features proposed within the public right away (e.g. storm-water planters, porous pavements, vegetated filter strips and/or swales, etc.) shall be reviewed and approved by the DOU, the Department of Transportation (DOT) and the Department of Parks and recreations prior to their implementation and prior to the recordation of the respective final Map(s). At a minimum, said proposed features shall consider the following requirements:

    a. Any infiltration features that utilize natural or imported soil to treat the storm water runoff shall provide a minimum separation between the ground water table and the bottom of said feature of 10 feet. The developer(s)/owner(s) shall provide groundwater elevation data to the DOU confirming this requirement will be met at all times of the year. The groundwater data collection period and locations shall be approved by the DOU prior to collecting the data.
    b. Infiltration rate of the soil will need to be established. Since most soils around this area have very poor infiltration rates, any roadway pavement adjacent to these features must be designed so that the structural integrity of the pavement is not compromised. Since roadways are designed and constructed to withstand significant traffic loads (vertical loads), stem walls may have to be incorporated as part of the design of the roadway infrastructure.
    c. Maintenance cost is a major factor in the implementation of these features. Since the city has not approved this as part of the roadway design criteria, no maintenance costs have been assessed for such features. Thus, the developer(s)/owner(s) shall bond for any feature maintenance and/or replacement of this pavement structures, to the satisfaction of the DOT and DOU. If these features were to prove deficient and since these features' purpose is to treat storm water run-off the developer(s)/owner(s) will need to provide alternatives to this treatment feature in case they fail.
    d. A comprehensive and detail geotechnical report by a register geotechnical engineer will need to be provided for review and approval by the DOT, DOU,

and the Department of Transportation Section prior to the design of these features.

NOTE: Please be advised that the requirements mentioned above are not the only issues that need be considered. Subsequent requirements may be required when and if the information is provided.

69. Prior to the submittal of improvement plans, prepare a project specific water study for review and approval by the DOU. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch, (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the DOU for the pressure boundary conditions to be used in the water study.

70. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

71. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All public water mains shall be placed within the asphalt section of public right-of-ways or dedicated easements as per the City's Design and Procedures Manual.

72. Current city records indicate an existing private water system for this area. Properly abandon the existing private water system. Prior to abandoning said private system, provide to the adjacent parcels that are dependent of this system and that are not part of this development with adequate water services to the satisfaction of the DOU. Any utility services that cross property lines to serve any existing building-that are not part of this project- shall be relocated to the satisfaction of the Department of Utilities.

73. A sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the DOU.

PG & E

74. The developer may need to reserve space with a width of approximately 20 feet by 40 for a future easement to be granted to Pacific Gas and Electric Company.

This space would consist of gas regulator station to supply the development with such a large capacity. This will need to be coordinated with PG&E early on in the design stages to decide the best location for the regulator lot's placement if needed. The developer should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project.

SPECIAL DISTRICTS: Assessment Districts

75. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final (Parcel) Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Development Services Department, Parks Planning and Development Services (PPDS). Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Department of Transportation (Special Districts and Development Services) and PPDS. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences;

PPDS: Parks

76. Park Dedication – IOD: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall provide on City's form an irrevocable offer of dedication in fee (IOD) of the parks sites identified on the approved tentative map as Lots 2, 9 and 18. The applicant shall also provide on City's form an irrevocable offer of dedication of exclusive recreation easements in the North 7th Street median between Signature Street and Riverfront Drive (excepting the roundabout at New Street "A", and the Park Boulevard Median, excepting the roundabout at the intersections of Park Boulevard, New Street "C" and New Street "B". In addition, exclusive recreation easements shall be provided for the transit plaza, situated between Lots 13 and 14, the Mew between Lots 3 and 4, and mid-block paseos between Lots 7A/7C, 8A/8C, 12A/12C, 15A/15C, 16A/16C and in the southeast corner of Lot 11 as reflected on the Tentative Subdivision Modification Map, submitted 08/20/2010 (see condition below in "Park Site" section). At the time of delivery of the IOD, the applicant shall (1) provide to City a title report demonstrating that it holds full and clear title to Lots, including all interests necessary for maintenance and access;

(2) provide a Phase 1 environmental site assessment of Lot(s) 2, 9, 18 and the areas subject to the recreation easements; (3) if the environmental site assessment identifies any physical conditions or defects in Lots 2, 9, or 18, or the areas subject to the recreation easements which would interfere with its intended use as a park, as determined by PPDS in its sole discretion, applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDS; and (4) take all actions necessary to ensure that Lots 2, 9, 18, and the areas subject to the recreation easements are free and clear of any wetland mitigation, endangered or threatened animal or plant species (except for Lot 18), sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots 2, 9, 18, (except for Lot 18) and the areas subject to the recreation easements;

77. Prior to acceptance of recreation easements for the mew, transit plaza and paseos, Applicant shall enter into Agreement with City to address matters including, without limitation, (1) waiver of City's liability for damages to Applicant's parking structure which may be caused by the park improvements and/or maintenance of such improvements, (2) Applicant's agreement to hold City harmless and to defend and indemnify City for any claims of injury or damage to persons or property located with a parking garage or other improvements which may be caused by or arise from City's maintenance of the park improvements;

78. Applicant shall be responsible for maintenance of IOD Lots 2, 9 and 18, and all of the areas subject to the recreation easements until the time that the City records acceptance of the IOD. Maintenance of Lot 18 shall be consistent with the maintenance standard for the American River Parkway and be coordinated with the Sacramento County Department of Regional Parks;

79. The square footage of each paseo shall remain intact within each block within which it is located; however, each paseo's location and shape may be reconfigured subject to approval of PPDS and approval of a subdivision modification, as needed;

80. Applicant shall provide an exhibit that shows Lot 18 overlaid on the 2001 aerial provided by the City of Sacramento. The exhibit shall indicate the land acreage that is not submerged and that land that is submerged. Only the land acreage (net) that is not submerged shall be eligible for park land dedication credit pursuant to the Sacramento City Code Chapter 16.64;

81. The following shall not be eligible for park land dedication requirements and/or park development impact fee (PIF) credits pursuant to the Sacramento City Code Chapters 16.64 and/or 18.44:

    a. The roundabouts because they are not safely accessible by the public.
    b. Any portion of the public right-of-way area that may be used for vehicular use, excepting the 3 foot wide turf block or stamped concrete walkway adjacent to North 7th Street.
    c. Any area that serves as a water detention or water quality feature unless otherwise approved by PPDS.
    d. Any area that is submerged under the American River as shown on the 2001 aerials provided by the City.
    e. The associated costs of the realignment and/or replacement of Two Rivers Trail.
    f. Any rough grading or off-site improvements outlined in Condition 95 below.

82. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. If the final map is phased, each phase must fulfill its parkland dedication obligation;

Park Sites

83. All park sites and recreation easements and their net acreage shall be shown on the final subdivision map. The amount of acreage to be applied towards the park land requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) will be determined and approved by PPDS;

84. The exclusive recreation easements (paseos) located on blocks containing Lots 7A/7C, 8A/8C, 12A/12C, 15A/15C, and 16A/16C shall be at least 40 ft wide, not including the building setbacks. The square footage of each paseo shall remain intact within each block within which it is located; however, each paseo's location and shape may be reconfigured subject to approval of PPDS and approval of a subdivision modification, as needed;

85. Lot 7A and 7C shall provide a 16 ft. wide public access easement for pedestrian and bicycle use connecting the exclusive recreation easement with New Street "D" and New Street "B ";

86. The blocks containing Lots 12A/12C and 16A/16C, shall provide a 16 ft. wide public access easement for pedestrian and bicycle use connecting the exclusive recreation easement between Lots 12A and 12C, and 16A and 16C, and connecting New Street "D" and Signature Street;

87. The applicant shall dedicate a recreation easement for the 20 ft. portion of the 40 ft. wide median along North 7th Street between "Signature" Street and the roundabout at New Street "A", and a 40 ft. wide median between "Riverfront" Drive and the roundabout at New Street "A" that falls within the project boundaries, excluding the roundabout. The easement shall not include curb, gutters, and sidewalks (except for sidewalks within median), on North 7th Street. The easement and the associated net acreage shall be shown on the final subdivision map;

88. The applicant shall dedicate an exclusive recreation easement for the 70 ft. wide 'transit plaza' (located between Lot 13 and Lot 14), excluding an area 28+ ft. by 66+ ft. to allow for the placement of the former scale house to be developed for a retail use;

89. The applicant shall dedicate the 40 ft. wide median on Park Blvd. as a recreation easement between the roundabout at the intersection of New Street "B", New Street "C" and "Park" Boulevard, and New Street "A" excluding the intersections and the roundabout. The easement shall not include curb, gutters, and sidewalks (except for walkways within median) along Park Blvd. The easement and the associated net acreage shall be shown on the subdivision map;

Park Master Planning and Development

90. Applicant shall prepare a park master plan(s) for all parks and all recreation easements. The park master plan(s) shall be prepared to the satisfaction of PPDS and shall be submitted for review and shall be approved by the PPDS, Parks and Recreation Commission and City Council. The park master plan(s) shall be designed to the appropriate neighborhood or community park standard as outlined in Table 18 of the City of Sacramento Parks and Recreation Master Plan 2005-2010 and as determined by PPDS. Park design shall comply with Crime Prevention through Environmental Design (CPTED) principles;

91. Applicant shall be responsible for the design and construction of all park sites and all recreation easements. Applicant shall enter a standard City credit / reimbursement agreement to construct the park improvements to the satisfaction of the City's PPDS. The credit / reimbursement agreement shall address (1) the

preparation and approval of the park design and improvement plans, (2) time for completion of the park improvements, (3) any credits to be awarded to the applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The maintenance period shall begin following the issuance by the City of a notice of completion for the improvements;

92. Each paseo, mew and/or transit plaza shall be developed as one complete park space (not in phases) and shall be constructed concurrently with the first development that occurs within the block within which the paseo, mew and/or transit plaza is located so that the public improvements will be available for use no later than when the housing units or other development on that block are ready for occupancy;

93. Public park improvements in the North 7th Street median and Park Boulevard median shall occur when the street improvements are constructed. The street improvements cannot be accepted until the public median improvements are completed;

94. Site Plan: The applicant shall submit a site plan and electronic file showing the location of all utilities on all park sites and recreation easements to the PPDS for review and approval ;

95. Improvements: The applicant shall construct the following public improvements on all park lots and recreation easements prior to and as a condition of City's acceptance of the park and recreation easement sites:

    a. Full street improvements where adjacent to streets, including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
    b. A concrete sidewalk and vertical curb along all street frontages, unless otherwise approved by PPDS. The sidewalk shall be contiguous to the curb unless otherwise approved by PPDS.
    c. PPDS to approve rough grading plan for the sites as required by City Code to provide positive drainage as approved by PPDS.
    d. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of sidewalk on all parks and recreation easements or as sized and located per approved park master plan for future service. Number of

stubs and locations to be approved by PPDS. Storm drain and sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.

e. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to all parks and recreation easements. The irrigation water tap shall be 4 inches for parkland 4 acres and larger, and 2-1/2 inches for parkland less than 4 acres, or as approved by PPDS; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.

f. A ten foot (10') driveway into each park and recreation easement at a location approved by PPDS in order to provide future maintenance access to the public spaces.

96. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of- way contiguous to Lots 2, 3, 4, 7A/7C, 8A/8C, 9, 11, 12A/12C, 13, 14, 15A/15C, 16A/16C, 18 or the North 7th Street or Park Blvd. median, the applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the parks and to best accommodate future park improvements. The applicant shall facilitate meetings with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project;

97. Multi-Use Trail: Any realignment or replacement of Two Rivers Trail or associated access ramps shall be designed to PPDS specifications. PPDS shall approve the alignment and design of the trail prior to submitting improvement plans for the trail;

Any realignment of the North 5th Street trailhead to Two Rivers Trail shall be at Applicant's expense and shall be subject to the review and approval of PPDS and the California Resources Agency.

An access to the Two Rivers Trail shall be provided at North 7th Street. PPDS shall approve the alignment and design of the access.

Vehicular access controls shall be placed at the entrance to all access points to the trail (refer to PPDS details and specifications for approved designs).

Finance Plan and Park Maintenance

98. Finance Plan: The Applicant shall provide a Finance Plan for the project prior to first final subdivision map approval that identifies all funding sources and includes the development of all designated park facilities, trails, open space/parkway or other open space areas anticipated to be maintained by the City of Sacramento Department of Parks and Recreation. The Plan shall include all improvement costs associated with the designated park facilities, trails, open space/parkway or other open space areas along with ongoing maintenance, operations, and replacement costs for these facilities in perpetuity. The Finance Plan shall reference the Applicant's obligation to pay Park Development Impact Fees, construct turnkey parks, realign or replace Two River Trail, maintain park improvements until dedication is accepted by City, and Applicant's obligation to form into an assessment district to fund on-going park maintenance as described below;

99. Landscaping and Lighting Maintenance and/or Mello-Roos District: Prior to recording the first final subdivision map, Applicant shall have completed the proceedings to create a Landscaping and Lighting District in accordance with Streets and Highway Code Section 22500 et seq. to fully fund the maintenance of all public improvements under Streets and Highways Code Section 22525, and/or a Mello Roos District in accordance with Government Code Section 53322 (Community Facilities Act) for all park improvements.

    The City will be responsible for maintenance of City-owned or controlled property only .

100. The foregoing maintenance district (Lighting and Landscaping or Mello-Roos special tax assessment district), shall encompass the full costs of park maintenance, operations and replacement. The applicant shall pay all city fees for formation of a new assessment or Mello Roos district.

MISCELLANEOUS

101. Meet all conditions of the development agreement;

102. Form a Homeowner's Association or other financial funding mechanism such as a Community Facility District for the maintenance of special features proposed in the design guidelines. CC&R's or other financial funding mechanism shall be approved by the City and recorded assuring maintenance of roadway(s) and/or landscaping. The Homeowner's Association or Community Facility District shall fund the maintenance of all streets, lights, sewers, drains and water systems unless determined otherwise by the City;

Fire Department

103. All turning radii for fire access shall be designed as 35' inside and 55' outside.

104. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. Street sections C-C 7th Street North and Section H-H Park Boulevard don't meet this requirement. Therefore, make provisions for emergency use of medians by providing rolled or mountable curbs and surface capable of supporting fire apparatus.

105. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

106. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3.

SMUD

107. The owner/developer must disclose to future /potential owners the existing 21 kV electrical facilities. This whole area is both overhead and underground 21 kV.

108. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ways excepting therefrom any building locations or zero lot line development.

109. Dedicate a 12.5-foot public utility easement for underground and overhead facilities and appurtenances adjacent to Richards Boulevard, 7th Street and 5th Street excepting therefrom any building locations or zero lot line development.

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

A. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of any school fees for the applicable school district(s);

B. City may enter into a reimbursement agreement for over-width pavement construction on Richards Blvd;

Note: Subdivider shall notify future property owners within this subdivision that they will be required to maintain the sidewalks and landscaping between the curbs and sidewalks;

Utilities

C. The applicant is responsible for the protection and repair of the City sanitary sewer and water mains during construction of the proposed structures. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.

D. Sewer development fees are estimated at 5.16 million dollars.

E. Many projects within the City of Sacramento require an on-site booster pump system for fire suppression and/or domestic water systems. DOU suggest that the future developers request a water supply test for available flows and pressures prior to the design of any buildings.

Regional Transit

F. Transit information shall be displayed in prominent locations in the residential sales/rental office, through a homeowner's association, or with real estate transactions and for employees and patrons.

G. For the station block (New Street “C” to 7th Street), the south platform may be constructed within the 11' to 18' City easement, and the track centers may be reduced from 16' to 14', and incorporating the 5' sidewalk north of the light rail tracks into the station platform area.

H. For the non-station block (5th Street to New Street ‘C’), RT proposes leaving the sidewalk north of the tracks but replacing the 16' wide platform areas with a 4' RT maintenance walkway (and making the other changes above).

I. Bicycle parking facilities should be provided at building entrances.

J. The applicant shall join the Sacramento Transportation Management Association (TMA).

Solid Waste

K. Recycling capacity be met or exceeded.

L. A recycling program shall be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.

M. This project shall divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division (For questions contact Tyler Stratton at 916-808-4927):
    - Method of recovery
    - Hauler information
    - Disposal facility
    - Diversion percentage
    - Weigh tickets documenting disposal and diversion

Parks

N. A Development Agreement exists for this project which allows parkland dedication credit for lands that do not meet the standards and formulas for dedication of land as established in Sacramento City Code Chapter 16.64, the City's Quimby Ordinance. A Second Amendment to the Agreement allows paseos, the transit plaza and mew to be dedicated as exclusive recreation easements instead of dedicated in fee title; requires landowner to indemnify the City against liability for damages that may occur as a result of the easement's improvements or maintenance; and requires that the paseos remain intact within each block and the timing of the development of the paseos

O. If the project is phased, each phase shall meet its parkland dedication obligation through the dedication of land or payment of in lieu fees or a combination of the two at the discretion of the PPDS prior to approval of each phased final map.

P. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

1) Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map.

2) Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is

estimated at $7,799,702. This is based on 2,396 multi-family residential units at the rate of $3,058 per unit, 839,628 square feet of office at the rate of $0.50 per square foot and 147,000 square feet of retail space at the rate of $0.36 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit. The project does not qualify for the City's 'specified infill' rate because the project as a whole exceeds the size constraints as defined by 'specified infill'.

3) Creation of a new maintenance district rather than Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation .

Q. The Developer shall be responsible for maintenance (weed abatement) of IOD Lot(s) 2, 9, 18, and all recreation easements until the time that the City records acceptance of the IOD.

R. Private Facility Credits: City Code Chapter 16.64, Sections 16.64.100,110 and 120 address granting of private recreation facility credits. The city may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise required under this chapter and no more than five percent per category of open space or recreational facilities described in City Code Section 16.64.100. The request for credit shall be made in writing before recordation of the final map and the eligibility for credit shall be at the sole discretion of PPDS.

S. The City of Sacramento (City) is responsible for providing local sewer service for the subject property. The City collector pipelines will convey the sewage to the Sacramento Regional Wastewater Treatment Plant (SRWTP) via the 96-inch City Inceptor.

Developing this property will require the payment of SRCSD sewer impact fees. Impact fees shall be paid prior to the issuance of building permits. Applicant should contact the Sewer Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

SRCSD will issue sewer permits to connect to the system if it is determined the capacity is available and that the property has met all requirements for service.

This process is "*first come, first served*." There is no guarantee that capacity will be available when the actual request for sewer is made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

Due to the existing and future growth proposed within the City of Sacramento, it appears that the sewage flow being routed to the City Inceptor may be exceeding or close to exceeding the allotted 108.5 MGD indicated within the Operating and Maintenance (O&M) Agreement between the City of Sacramento, the County of Sacramento, and SRCSD.

Exhibit A: Tentative Map

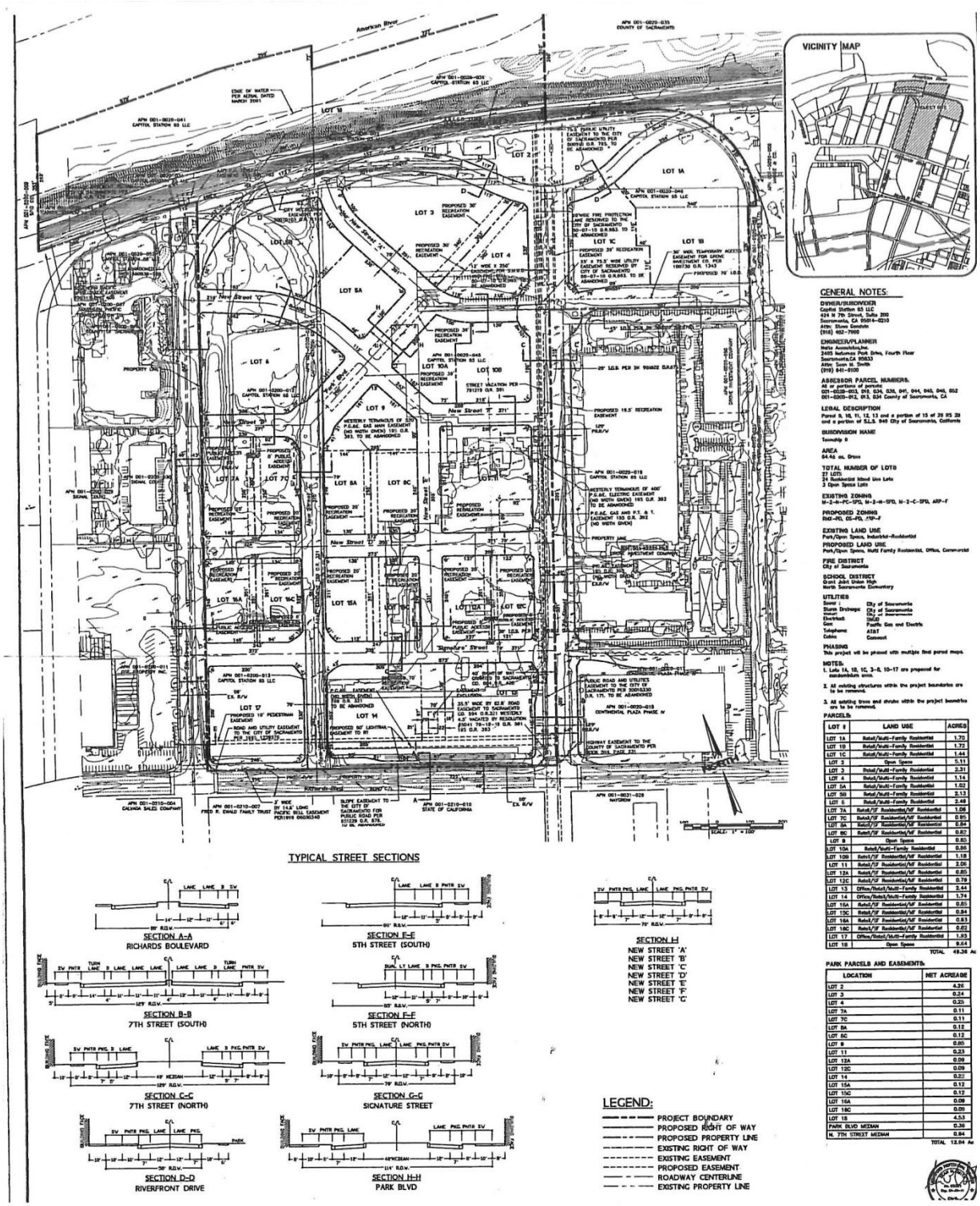
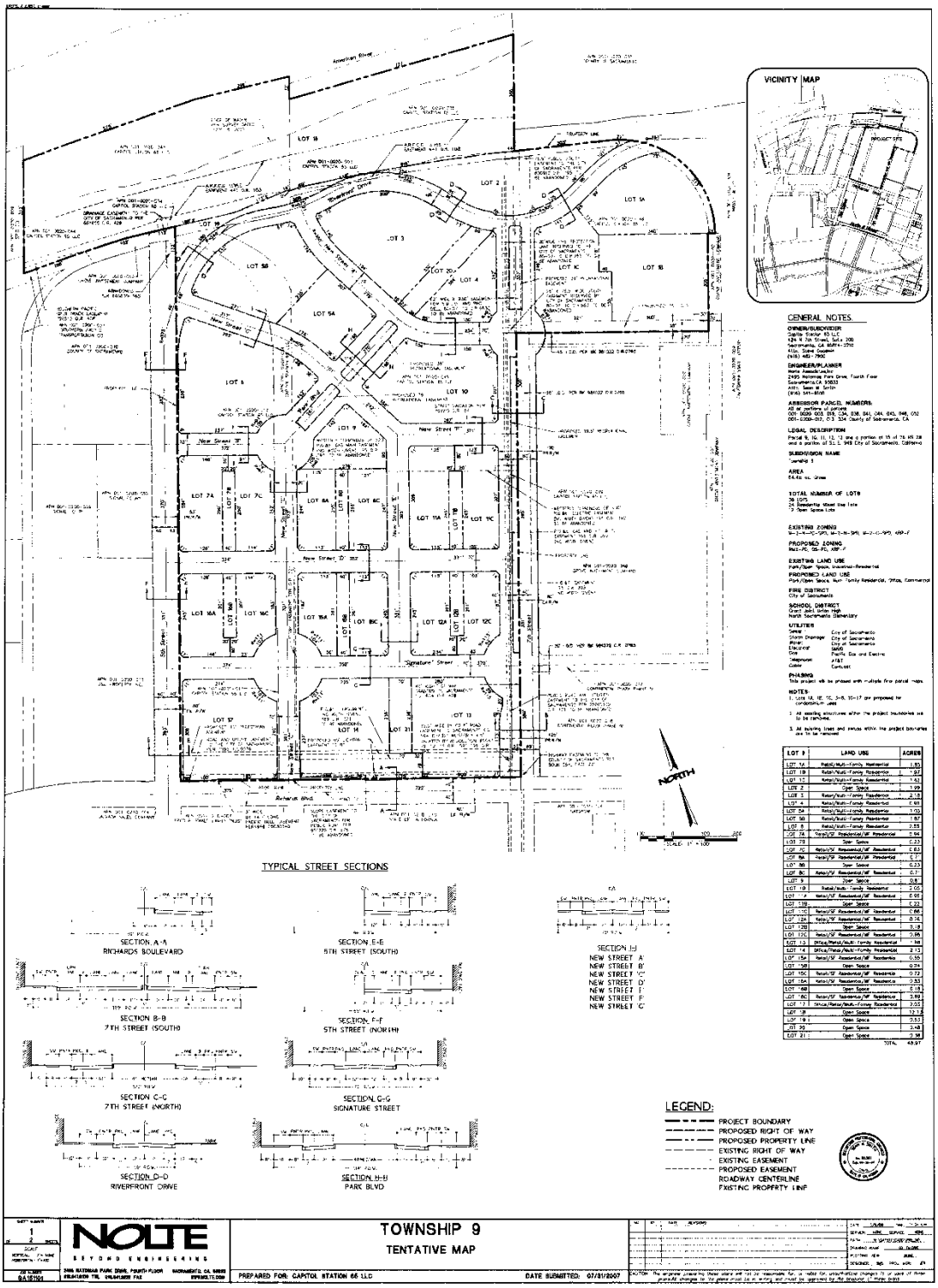
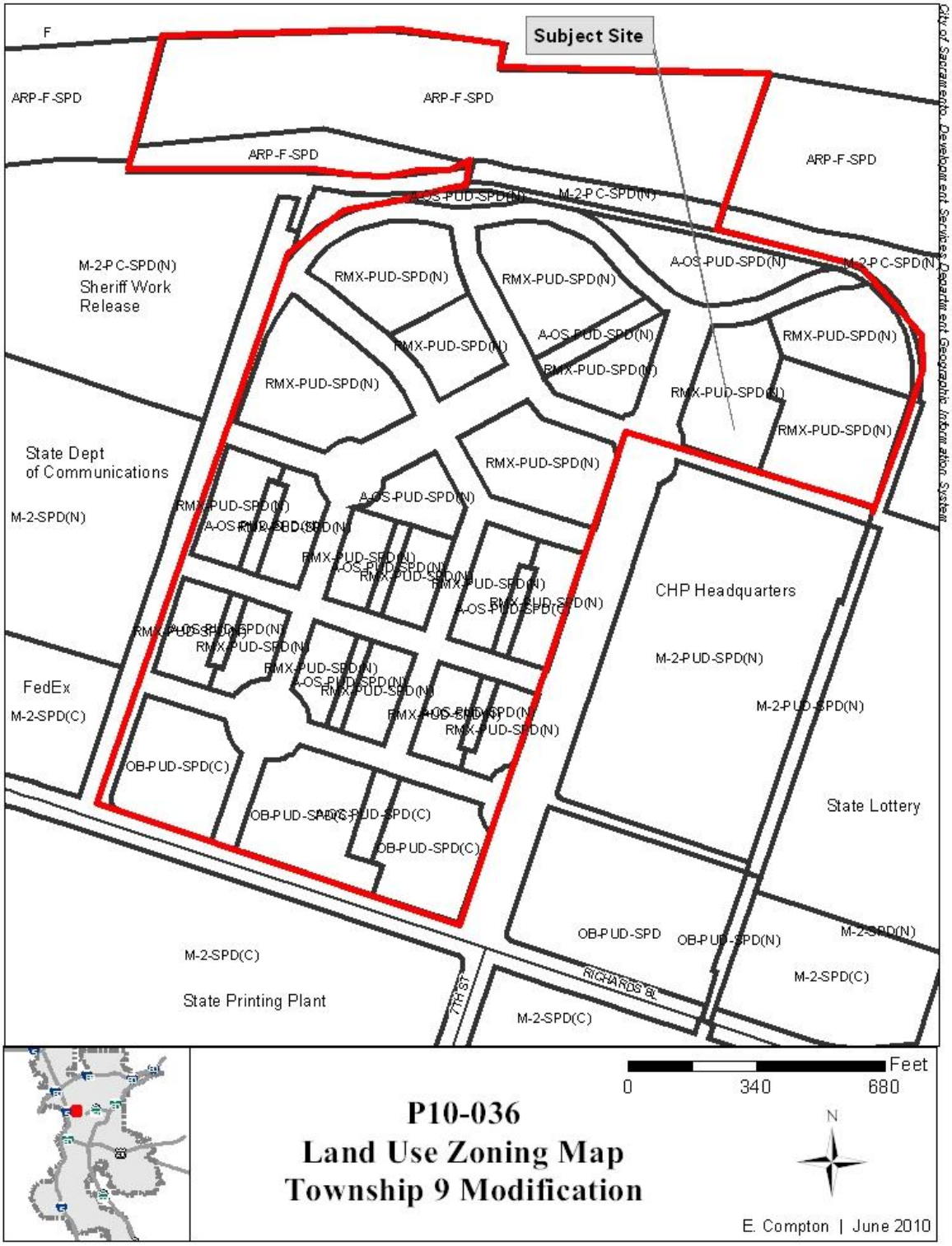


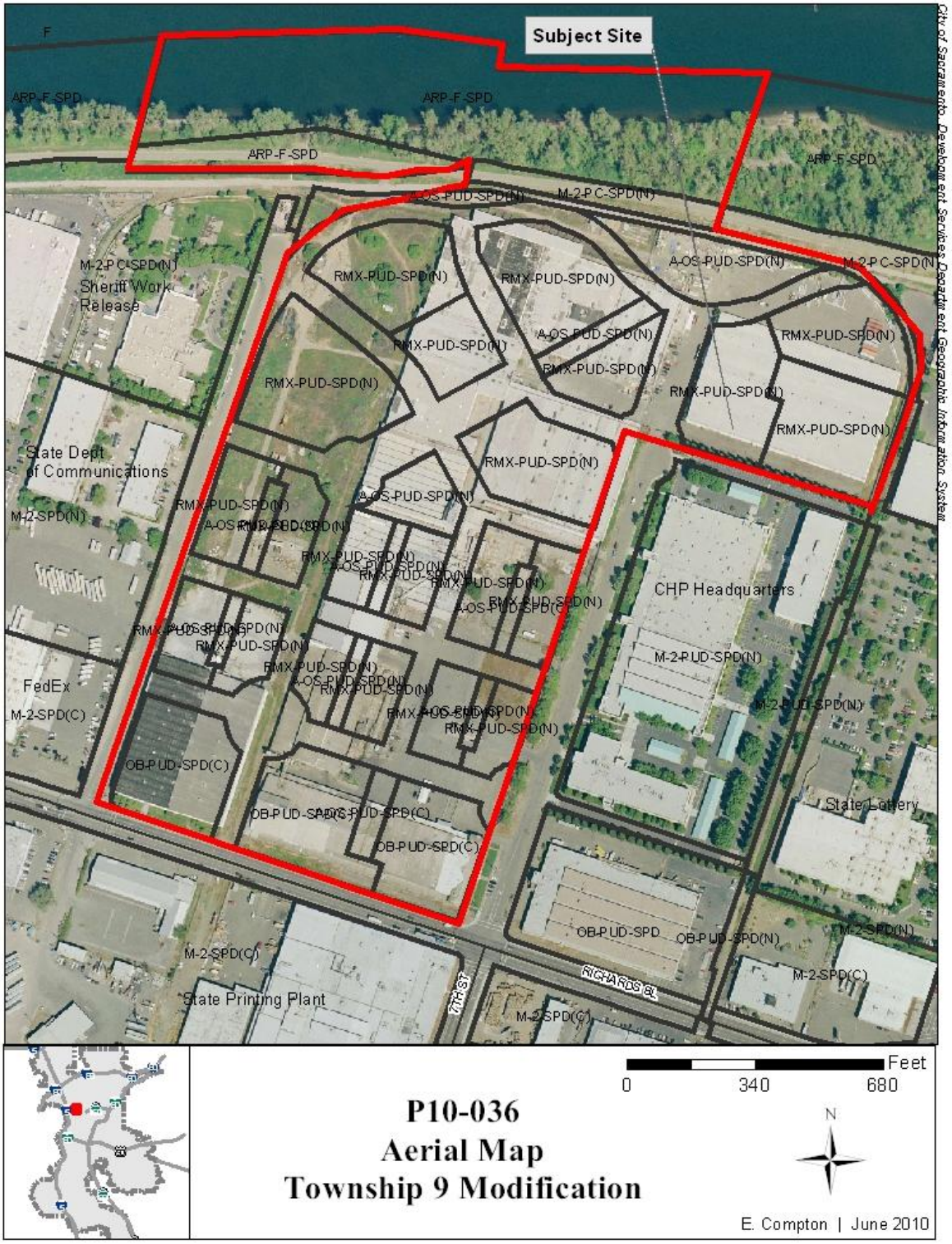
Exhibit B: **SUPERCEDED** Tentative Map



Attachment 2: Land Use Map



Attachment 3: Aerial Map



Attachment 4: Redline of Original Tentative Map Conditions

Item No: 1 File: P10-036
SRC Date: 10-6-2010 JN:P15032101

SRC CONDITIONS: **Township 9 Subdivision Modifications**

TO: Evan Compton, Community Development Department.
FROM: Anis Ghobril, Department of Transportation.
DATE: 10-6-2010

CONDITIONS: Tentative Map ~~OF APPROVAL~~

~~A. Tentative Map: The Tentative Map to subdivide 65 gross acres into 36 lots for residential, retail and office development is approved subject to the following conditions of approval:~~

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD Design guidelines approved for this project (P06-047). The design of any improvement not covered by these conditions or the Design Guidelines shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final ~~(Parcel)~~ Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Transportation~~velopment Engineering Division~~.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

2. Comply with requirements included in the Mitigation Monitoring Plan developed

by, and kept on file in, the Planning Division Office (P06-047);

3. Meet all conditions of the Design Guidelines established for this project "Township 9" (P06-047) unless it is superseded by a Tentative Map condition;

4. Show all continuing and proposed/required easements on the Final ~~(Parcel)~~ Map;

5. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

6. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, the Department of Transportation and Development Services.

7. Riverfront Drive shall be set back a minimum of 50 feet from the Two Rivers Bicycle Trail. This setback shall be measured from the southern edge of pavement of the Two Rivers Bicycle Trail to the back of curb along the northern boundary of Riverfront Drive.

Engineering: Streets General

8. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions. (See also condition 41 under Porous Concrete);

9. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the design guidelines and to the satisfaction of the Department of Transportation~~velopment Engineering Division~~. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards, the adopted design guidelines and to the satisfaction of the ~~Development Engineering Division~~Department of

Transportation;

10. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the ~~Development Engineering Division~~Department of Transportation. The center lines of such streets shall be aligned.

11. Construct bulb-outs at locations specified within the design guidelines or as directed by the City.

12. All crosswalks shall be disability access compliant; ramps shall be installed and/or relocated as determined necessary by the City.

13. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the ~~Development Engineering Division~~Department of Transportation.

14. Street lights shall be provided as prescribed by the design guidelines and must be acceptable to the City.

Streets

15. Prior to first map being finaled and with the initial improvement plan set, the applicant shall provide an overall layout and phasing plan for Richards Blvd from 300 feet west of 5th Street to 300 feet east of 7th street. At a minimum this plan set shall include the proposed future location of curb, gutter, and sidewalk improvements, street light locations and striping plans, existing right-of-way and any future right-of-way needs. This plan set shall include the intersections of 5th and 7th along Richards and 300 feet of each intersection leg or as determined acceptable by the City.

16. Dedicate and construct the following streets as development occurs within the map boundary, for each phase of development the adjacent streets shall be improved to the right-of-way and easement standards established by the Design Guidelines and shown on this map, applicable City Standards, and to the satisfaction of Development Services engineers authorized to accept plans on behalf of the City;

17. Dedicate and construct the north side of Richards Blvd per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction, and to the

satisfaction of ~~Development Engineering~~Department of Transportation;

18. Dedicate and construct Riverfront Drive per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

19. Dedicate and construct the east side of 5th Street per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

19. Dedicate and construct 7th Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);

20 Dedicate and construct Park Boulevard per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);

21 Dedicate and construct Signature Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

22. Dedicate and construct New Street "A" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation; New Street "A" shall be extended east of 7th Street with the development of Lot 1B to provide vehicle access. **Note: The subdivision modification resulted in a change in the alignment of New Street "A" East of 7th street (Extension of Vine Street) as shown on the revised Tentative Map submitted on 8-20-2010. The new Street "A" is located entirely within the township 9 project boundary.**

23. Dedicate and construct New Street "B" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

24. Dedicate and construct New Street "C" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

25. Dedicate and construct New Street "D" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

26. Dedicate and construct New Street "E" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

27. Dedicate and construct New Street "F" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation;

28. Dedicate and construct New Street "G" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of ~~Development Engineering~~Department of Transportation.

Signalized Intersections

29. With the improvement plan sets for signalized intersections, the applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the ~~Development Engineering Division~~Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process. Signal Design concept reports shall be submitted for the construction and/or modification of the existing traffic signals located at the following intersections:

    a. The modification of the signalized intersection of Richards Blvd and North 5th Street.

    b. The modification of the signalized intersection of Richards Blvd and North 7th Street

    c. The construction of a signal at the intersection of North 7th Street and "Signature" Street.

30. Prior to the construction of 1/3rd of the project trip generation or 1000 of the dwelling units are constructed and as when determined necessary by the city of Sacramento, the intersection of Richards Blvd and North 5th Street shall be reconstructed to allow for eastbound dual left turn lanes and/or other modifications. The applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd if not already dedicated. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.

31. The applicant shall dedicate sufficient rights-of-way for an expanded intersection to the City of Sacramento Street Standards and shall construct modifications to 7th Street for the southbound approach at Richards Boulevard. These modifications to the southbound approach shall be to provide one left-turn lane, one through lane, and two right-turn lanes or as determined acceptable by the city of Sacramento. As necessary during the design of the intersection, the applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd and 7th street if not already dedicated for appurtenances and necessary alignment of the intersection. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.

32. The applicant shall construct a signal at the intersection of North 7th Street and "Signature" Street to the satisfaction of the city of Sacramento.

Roundabout Intersections

33. Dedicate and construct the roundabout at "Signature" Street and New Street "C" per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento ~~Development Engineering~~Department of Transportation Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.

34. Dedicate and construct the roundabout at the intersection of 7th Street and New Street "A" per the recommendations provided by the W-trans analysis or other acceptable design, this analysis is on file with the City of Sacramento ~~Development Engineering~~Department of Transportation Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento. **Note: The subdivision modification resulted in a change in the alignment of New Street "A" East of 7th street (Extension of Vine Street) as shown on the revised Tentative Map submitted on 8-20-2010. The applicant shall provide sufficient right-of-way (as needed) to accommodate the roundabout design to the satisfaction of the**

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Department of Transportation.

35. Dedicate and construct the roundabout at the intersection of 'Park' Blvd, New Street 'B' and New Street "C' per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento ~~Development Engineering~~Department of Transportation Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.

36. Prior to construction, the roundabout designs shall return to the Disability Advisory Commission for final review and comment. The commission is chaired by Ron Brown and the meeting coordinator is Obi Agha (916-808-8426) and Rocky Burks (916-808-5521).

Regional Transit

37. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.

38 The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the ~~Development Engineering Division~~Department of Transportation. Bus stop turnouts shall be constructed with reinforced concrete pads.

39. Applicant shall enter into agreement with Regional Transit to provide right-of-way for light rail tracks, a light rail station platform and a bus turnout in the form of an Irrevocable Offer of Dedication (IOD). The 60-foot easement over the south edge of lots 13, 14 and 17 mentioned on Page 2-14 of the DEIR will be sufficient for the tracks, platform and bus turnout if the train route continues along Richards Boulevard.

40. The developer shall coordinate with RT regarding the placement of the outlet of New Street "C" onto Richards Boulevard, which crosses the future rail tracks.

Porous Concrete – Street Maintenance (See also condition 67 City Utilities)

41. The city of Sacramento is not convinced that porous concrete within the street will function adequately or be maintainable in the long term. Some additional information will need to be provided to show that it is feasible as a storm water treatment measure including a recommendation from a Geotechnical Engineer that the street section will continue to function under long term use by passenger and truck traffic. City staff will need a demonstration of its maintainability and its ability to treat storm water run-off. In addition, because of the potential for failure of the pavement section there must be a funding source to reconstruct and/or replace the pavement if it fails. This may include a contingency in the development agreement, the Community Financing District and bonding of the

improvements for 3years to demonstrate that a porous pavement in a street functions and is maintainable.

a. A Geotechnical Soils report must verify that storm water will drain 10 feet below the surface at the rate required for water quality. The water table in all of the proposed drainage areas must be identified before approval for this method. Seasonal groundwater levels for the area must be reported.

b. A Geotechnical Engineer must submit a pavement design to provide an adequate structural section.

c. Surface drainage will need to be accommodated for safety considering the underground storage capacity of the porous surface areas is unknown.

d. Cutoff walls may be needed to keep water separate from the structural section supporting the vehicle travel ways.

CITY UTILITIES

42. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions may be required.

43. All existing easements and all existing right-of-ways shall be shown on the Final Map.

44. If required by the DOU, any parcels that are subject to additional water quality treatment measures shall be identified on the Final Map.

45. Dedicate all necessary easements, IOD easements right-of-way, fee title property, or IOD in fee title property on the final map as required to implement the approved drainage, water and sewer studies, per each approving agency requirements.

46. If required by the Department of Utilities (DOU), the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book____, O.R. Page___."

47. Design and construct water, sewer, and drainage pipe systems and appurtenances in all existing and proposed streets in accordance with the

approved sewer, water, and drainage studies.

48. Provide all weather roadway and concrete driveway access to sump 111 to the satisfaction of DOU.

49. Unless otherwise approved by the DOU, all public water, sanitary sewer and storm drain pipelines shall be placed within the asphalt concrete (AC) section of public-right-of-ways and easements.

50. Public streets, with publicly maintained water, sanitary sewer and storm drain systems shall have a minimum paved AC width of 25 feet from lip of gutter to lip of gutter. Drain inlets, curbs and gutters shall be constructed to City Standards for all public streets. Any parallel underground dry utilities proposed within in the public right-of-way (or within the required 25-feet AC public section) shall be designed, constructed, and placed to the satisfaction of the City.

51. Along all streets with separated curb and sidewalk, place minimum 2-inch diameter sleeves under the sidewalk for irrigation of the landscape planter. The irrigation sleeves shall be placed prior to construction of sidewalks. In situations where separated sidewalks are located along the perimeter of parks or other common lots/parcels, irrigation sleeves shall be placed at maximum 200-foot intervals under the sidewalks.

52. Any decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). The owner(s) shall form or annex to a community facility district to finance the replacement of said decorative paving at no cost to the City.

53. The developer(s)/owner(s) shall complete a drainage master plan for this site. The 10-year and 100-year HGL's for this study shall be calculated using the City's SWMM model. This project may require a storm water detention basin, based on the approved SWMM model and/or increasing the pump capacity of basin sump 111, which serves this project. The drainage study shall also include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff.

54. The DOU shall approve the drainage master plan and any phasing plan, if appropriate, included with the master plan for drainage infrastructure.

55. The developer(s)/owner(s) shall be responsible to obtain all the necessary permits from the Army Corps of Engineering, Fish and Game, U.S. Fish and Wildlife Services, SAFCA, American River Flood Control District, and/or any other applicable agency.

56. The applicant/owner shall also coordinate with SAFCA to determine any potential flooding problems or related issues for this area that may have a significant impact to the design of this project.

57. If the approved drainage study requires a project detention facility, the applicant shall construct the detention facility to the satisfaction of the DOU. The detention facility shall be designed for dual purpose (flood control and water quality) and utilized as joint use facility (public amenities) whenever possible.

58. Provide a seepage study prepared by a registered engineer. The study shall identify and recommend solutions to groundwater related problems that may occur within both the subdivision lots and the public streets. Appropriate facilities shall be constructed to alleviate those problems. The DOU and SAFCA shall approve this study.

59. If the approved drainage study and/or comprehensive storm-water quality plan requires the construction of a detention basin facility for the purpose of flood control, storm-water quality treatment, and/or recreational facility, the owner(s) shall Dedicate to the City said property as an IOD in fee title, at no cost to the City.

60. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. Furthermore, all lots shall be graded so that drainage does not cross lot or property lines. The project shall construct the required public and/or private infrastructure to handle runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

61. A grading plan showing existing and proposed elevations is required. All lots and/or parcels shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one-foot off-site contours within 100 feet of the project boundary are required. No grading shall occur until the grading plan has been reviewed and approved by the DOU.

62. The developer(s)/owner(s) shall mitigate the storm water quality impacts generated by this development by implementing comprehensive storm water quality control measure(s) for the entire 65 acres. The DOU shall approve the comprehensive water quality control plan (measures). These measures shall be implemented prior to the recordation of the respective final map(s) or otherwise as approved by the DOU.

63. This project is greater than 1 acre in size; therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

64. Post construction, storm-water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the project. Since the project is not served by a regional water quality control facility, both source control and on-site treatment control measures (e.g. storm-water planters, detention basin, infiltration basin and/or trench, media filters (Austin Sand Filter), vegetated filter strips and/or swales, and pre-approved proprietary devices) are required.

65. If a water quality facility such as a detention basin or any publicly maintained feature is required for the development of this project, the developer(s)/owner(s) will be required to form a maintenance district and/or participate in the existing regional maintenance district, which is created to incorporate storm-water quality measures through "extraordinary maintenance procedures". This maintenance district shall be formed to the satisfaction of the DOU. The extraordinary maintenance procedures are implemented to meet post construction, storm-water quality control measures to minimize the increase of urban runoff caused by development of the area. Acceptance of the required landscaping, irrigation, drainage structures, and other features (Detention/Water Quality Facility) by the City into the proposed financing mechanism shall be coordinated with the Development Services Department (Special Districts); Parks Planning, Design, & Development Department; and the DOU. The developer shall maintain the Detention/Water Quality Facility for a period of two (2) years or until acceptance by the City into the District, whichever is less. The two-year period shall begin following the issuance of a notice of completion by the City for the Water Quality Facility. At the time of acceptance by the City, the developer shall remove any sediment or debris that has accumulated prior to acceptance.

66. If require by the DOU, the owner(s) shall enter into and record maintenance agreement, for all storm water quality treatment measures, with the city in a form acceptable to the City Attorney.

67. Any storm water quality treatment features proposed within the public right away (e.g. storm-water planters, porous pavements, vegetated filter strips and/or

swales, etc.) shall be reviewed and approved by the DOU, the Department of Transportation (DOT) and the Department of Parks and recreations prior to their implementation and prior to the recordation of the respective final Map(s). At a minimum, said proposed features shall consider the following requirements:

a. Any infiltration features that utilize natural or imported soil to treat the storm water runoff shall provide a minimum separation between the ground water table and the bottom of said feature of 10 feet. The developer(s)/owner(s) shall provide groundwater elevation data to the DOU confirming this requirement will be met at all times of the year. The groundwater data collection period and locations shall be approved by the DOU prior to collecting the data.

b. Infiltration rate of the soil will need to be established. Since most soils around this area have very poor infiltration rates, any roadway pavement adjacent to these features must be designed so that the structural integrity of the pavement is not compromised. Since roadways are designed and constructed to withstand significant traffic loads (vertical loads), stem walls may have to be incorporated as part of the design of the roadway infrastructure.

c. Maintenance cost is a major factor in the implementation of these features. Since the city has not approved this as part of the roadway design criteria, no maintenance costs have been assessed for such features. Thus, the developer(s)/owner(s) shall bond for any feature maintenance and/or replacement of this pavement structures, to the satisfaction of the DOT and DOU. If these features were to prove deficient and since these features' purpose is to treat storm water run-off the developer(s)/owner(s) will need to provide alternatives to this treatment feature in case they fail.

d. A comprehensive and detail geotechnical report by a register geotechnical engineer will need to be provided for review and approval by the DOT, DOU, and the ~~Development Engineering~~Department of Transportation Section prior to the design of these features.

NOTE: Please be advised that the requirements mentioned above are not the only issues that need be considered. Subsequent requirements may be required when and if the information is provided.

68. Prior to the submittal of improvement plans, prepare a project specific water study for review and approval by the DOU. The water distribution system shall

be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch, (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the DOU for the pressure boundary conditions to be used in the water study.

69. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

70. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All public water mains shall be placed within the asphalt section of public right-of-ways or dedicated easements as per the City's Design and Procedures Manual.

71. Current city records indicate an existing private water system for this area. Properly abandon the existing private water system. Prior to abandoning said private system, provide to the adjacent parcels that are dependent of this system and that are not part of this development with adequate water services to the satisfaction of the DOU. Any utility services that cross property lines to serve any existing building-that are not part of this project- shall be relocated to the satisfaction of the Department of Utilities.

72. A sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the DOU.

PG & E

73. The developer may need to reserve space with a width of approximately 20 feet by 40 for a future easement to be granted to Pacific Gas and Electric Company. This space would consist of gas regulator station to supply the development with such a large capacity. This will need to be coordinated with PG&E early on in the design stages to decide the best location for the regulator lot's placement if needed. The developer should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project.

SPECIAL DISTRICTS: Assessment Districts

74. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism

acceptable to the City, prior to recordation of the Final (Parcel) Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Development Services Department, Parks Planning and Development Services (PPDS). Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Department of Transportation (Special Districts and Development Services) and PPDS. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences~~Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final (Parcel) Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Development Services Department, Parks Planning, Design and Development (PPDD). Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Development Engineering Division (Special Districts and Development Services) and PPDD. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences~~;

PPDD: Parks

75. Park Dedication – IOD: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall provide on City's form an irrevocable offer of dedication in fee (IOD) of the parks sites identified on the approved tentative map as Lots 2, 9 and 18. The applicant shall also provide on City's form an irrevocable offer of dedication of exclusive recreation easements in the North 7th Street median between Signature Street and Riverfront Drive (excepting the roundabout at New Street "A", and the Park Boulevard Median, excepting the roundabout at the intersections of Park Boulevard, New Street "C" and New Street "B". In addition, exclusive recreation easements shall be provided for the transit plaza, situated between Lots 13 and 14, the Mew between Lots 3 and 4, and mid-block paseos between Lots 7A/7C, 8A/8C, 12A/12C, 15A/15C, 16A/16C and in the southeast corner of Lot 11 as reflected on the Tentative Subdivision Modification Map, submitted 08/20/2010 (see condition below in "Park Site" section). At the time of delivery of the IOD, the applicant shall (1) provide to City a title report demonstrating that it holds full and clear title to Lots, including all interests necessary for maintenance and access; (2) provide a Phase 1 environmental site assessment of Lot(s) 2, 9, 18 and the areas subject to the recreation easements; (3) if the environmental site

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assessment identifies any physical conditions or defects in Lots 2, 9, or 18, ~~and~~ or the areas subject to the recreation easements which would interfere with its intended use as a park, as determined by PPDS in its sole discretion, applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDS; and (4) take all actions necessary to ensure that Lots 2, 9, 18, and the areas subject to the recreation easements are free and clear of any wetland mitigation, endangered or threatened animal or plant species (except for Lot 18), sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots 2, 9, 18, and the areas subject to the recreation easements. (except Lot 18)

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76. Prior to acceptance of recreation easements for the mew, transit plaza and paseos, Applicant shall enter into Agreement with City to address matters including, without limitation, (1) waiver of City's liability for damages to Applicant's parking structure which may be caused by the park improvements and/or maintenance of such improvements, (2) Applicant's agreement to hold City harmless and to defend and indemnify City for any claims of injury or damage to persons or property located with a parking garage or other improvements which may be caused by or arise from City's maintenance of the park improvements;

77. Applicant shall be responsible for maintenance of IOD Lots 2, 9 and 18, and all of the areas subject to the recreation easements until the time that the City records acceptance of the IOD. Maintenance of Lot 18 shall be consistent with the maintenance standard for the American River Parkway and be coordinated with the Sacramento County Department of Regional Parks;

78. The square footage of each paseo shall remain intact within each block within which it is located; however, each paseo's location and shape may be reconfigured subject to approval of PPDS and approval of a subdivision modification, as needed;

79. Applicant shall provide an exhibit that shows Lot 18 overlaid on the 2001 aerial provided by the City of Sacramento. The exhibit shall indicate the land acreage that is not submerged and that land that is submerged. Only the land acreage (net) that is not submerged shall be eligible for park land dedication credit pursuant to the Sacramento City Code Chapter 16.64;

80. The following shall not be eligible for park land dedication requirements and/or park development impact fee (PIF) credits pursuant to the Sacramento City Code Chapters 16.64 and/or 18.44:

    a. The roundabouts because they are not safely accessible by the public.
    b. Any portion of the public right-of-way area that may be used for vehicular use excepting the 3 foot wide turf block adjacent to North 7th Street.~~.~~

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c. Any area that serves as a water detention or water quality feature unless otherwise approved by PPDS.
d. Any area that is submerged under the American River as shown on the 2001 aerials provided by the City.
e. The associated costs of the realignment and/or replacement of Two Rivers Trail.
f. Any rough grading or off-site improvements outlined in Condition 94 below.

~~75.~~ Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. If the final map is phased, each phase must fulfill its parkland dedication obligation;~~Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall provide on City's form an irrevocable offer of dedication in fee (IOD) of the parks sites identified on the approved tentative map as Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, and 21. The applicant shall also provide on City's form an irrevocable offer of dedication of recreation easements in the 7th Street median and the Park Blvd. median. (see condition below in "Park Site" section). At the time of delivery of the IOD, the applicant shall (1) provide to City a title report demonstrating that it holds full and clear title to Lots, including all interests necessary for maintenance and access; (2) provide a Phase 1 environmental site assessment of Lot(s) 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements; (3) if the environmental site assessment identifies any physical conditions or defects in Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21and recreation easements which would interfere with its intended use as a park, as determined by PPDD in its sole discretion, applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDD; and (4) take all actions necessary to ensure that Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21, and recreation easements are free and clear of any wetland mitigation, endangered or threatened animal or plant species (except for lot 18), sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements.~~

81. ~~The Developer shall be responsible for maintenance of IOD Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements until the time that the City records acceptance of the IOD. Maintenance of Lot 18 shall be consistent with the maintenance standard for the American River Parkway and be coordinated with the Sacramento County Department of Regional Parks.~~

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Park Sites

82. All park sites and recreation easements and their net acreage shall be shown on the final subdivision map. The amount of acreage to be applied towards the park land requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) will be determined and approved by PPDS;

83. The exclusive recreation easements (paseos) located on blocks containing Lots 7A/7C, 8A/8C, 12A/12C, 15A/15C, and 16A/16C shall be at least 40 ft wide, not including the building setbacks. The square footage of each paseo shall remain intact within each block within which it is located; however, each paseo's location and shape may be reconfigured subject to approval of PPDS and approval of a subdivision modification, as needed;

84. Lot 7A and 7C shall provide a 16' wide public access easement for pedestrian and bicycle use connecting the exclusive recreation easement with New Street "D" and New Street "B ";

85. The blocks containing Lots 12A/12C and 16A/16C, shall provide a 16 ft. wide public access easement for pedestrian and bicycle use connecting the exclusive recreation easement between Lots 12A and 12C, and 16A and 16C, and connecting New Street "D" and Signature Street;

86. The applicant shall dedicate a recreation easement for the 20 ft. portion of the 40 ft. wide median along North 7th Street between "Signature" Street and the roundabout at New Street "A", and a 40 ft. wide median between "Riverfront" Drive and the roundabout at New Street "A" that falls within the project boundaries, excluding the roundabout. The easement shall not include curb, gutters, and sidewalks (except for sidewalks within median), on North 7th Street. The easement and the associated net acreage shall be shown on the final subdivision map;

87. The applicant shall dedicate an exclusive recreation easement for the 70 ft. wide 'transit plaza' (located between Lot 13 and Lot 14), excluding an area 28+ ft. by 66+ ft. to allow for the placement of the former scale house to be developed for a retail use;

88. The applicant shall dedicate the 40 ft. wide median on Park Blvd. as a recreation easement between the roundabout at the intersection of New Street "B", New Street "C" and "Park" Boulevard, and New Street "A" excluding the intersections and the roundabout. The easement shall not include curb, gutters, and sidewalks (except for walkways within median) along Park Blvd. The easement and the associated net acreage shall be shown on the subdivision map;

Park Master Planning and Development

89. Applicant shall prepare a park master plan(s) for all parks and all recreation

easements. The park master plan(s) shall be prepared to the satisfaction of PPDS and shall be submitted for review and shall be approved by the PPDS, Parks and Recreation Commission and City Council. The park master plan(s) shall be designed to the appropriate neighborhood or community park standard as outlined in Table 18 of the City of Sacramento Parks and Recreation Master Plan 2005-2010 and as determined by PPDS. Park design shall comply with Crime Prevention through Environmental Design (CPTED) principles;

90. Applicant shall be responsible for the design and construction of all park sites and all recreation easements. Applicant shall enter a standard City credit / reimbursement agreement to construct the park improvements to the satisfaction of the City's PPDS. The credit / reimbursement agreement shall address (1) the preparation and approval of the park design and improvement plans, (2) time for completion of the park improvements, (3) any credits to be awarded to the applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The maintenance period shall begin following the issuance by the City of a notice of completion for the improvements;

91. Each paseo, mew and/or transit plaza shall be developed as one complete park space (not in phases) and shall be constructed concurrently with the first development that occurs within the block within which the paseo, mew and/or transit plaza is located so that the public improvements will be available for use no later than when the housing units or other development on that block are ready for occupancy;

92. Public park improvements in the North 7th Street median and Park Boulevard median shall occur when the street improvements are constructed. The street improvements cannot be accepted until the public median improvements are completed;

93. Site Plan: The applicant shall submit a site plan and electronic file showing the location of all utilities on all park sites and recreation easements to the PPDS for review and approval;

94. Improvements: The applicant shall construct the following public improvements on all park lots and recreation easements prior to and as a condition of City's acceptance of the park and recreation easement sites:

a. Full street improvements where adjacent to streets, including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.

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b. A concrete sidewalk and vertical curb along all street frontages, unless otherwise approved by PPDS. The sidewalk shall be contiguous to the curb unless otherwise approved by PPDS.

c. PPDS to approve rough grading plan for the sites as required by City Code to provide positive drainage as approved by PPDS.

d. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of sidewalk on all parks and recreation easements or as sized and located per approved park master plan for future service. Number of stubs and locations to be approved by PPDS. Storm drain and sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.

e. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to all parks and recreation easements. The irrigation water tap shall be 4 inches for parkland four acres and larger, and 2-1/2 inches for parkland less than 4 acres or as approved by PPDS; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.

f. A ten foot (10') driveway into each park and recreation easement at a location approved by PPDS in order to provide future maintenance access to the public spaces.

95. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of- way contiguous to Lots 2, 3, 4, 7A/7C, 8A/8C, 9, 11, 12A/12C, 13, 14, 15A/15C, 16A/16C, 18 or the North 7th Street or Park Blvd. median, the applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the parks and to best accommodate future park improvements. The applicant shall facilitate meetings with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project;

96. Multi-Use Trail: Any realignment or replacement of Two Rivers Trail or associated access ramps shall be designed to PPDS specifications. PPDS shall approve the alignment and design of the trail prior to submitting improvement plans for the trail.

Any realignment of the North 5th Street trailhead to Two Rivers Trail shall be at Applicant's expense and shall be subject to the review and approval of PPDS and the California Resources Agency.

An access to the Two Rivers Trail shall be provided at North 7th Street. PPDS shall approve the alignment and design of the access.

Vehicular access controls shall be placed at the entrance to all access points to the trail (refer to PPDS details and specifications for approved designs).

Finance Plan and Park Maintenance

97. Finance Plan: The Applicant shall provide a Finance Plan for the project prior to first final subdivision map approval that identifies all funding sources and includes the development of all designated park facilities, trails, open space/parkway or other open space areas anticipated to be maintained by the City of Sacramento Department of Parks and Recreation. The Plan shall include all improvement costs associated with the designated park facilities, trails, open space/parkway or other open space areas along with ongoing maintenance, operations, and replacement costs for these facilities in perpetuity. The Finance Plan shall reference the Applicant's obligation to pay Park Development Impact Fees, construct turnkey parks, realign or replace Two River Trail, maintain park improvements until dedication is accepted by City, and Applicant's obligation to form into an assessment district to fund on-going park maintenance as described below;

98. Landscaping and Lighting Maintenance and/or Mello-Roos District: Prior to recording the first final subdivision map, Applicant shall have completed the proceedings to create a Landscaping and Lighting District in accordance with Streets and Highway Code Section 22500 et seq. to fully fund the maintenance of all public improvements under Streets and Highways Code Section 22525, and/or a Mello Roos District in accordance with Government Code Section 53322 (Community Facilities Act) for all park improvements.

The City will be responsible for maintenance of City-owned or controlled property only .

~~76.~~ The foregoing maintenance district (Lighting and Landscaping or Mello-Roos special tax assessment district), shall encompass the full costs of park maintenance, operations and replacement. The applicant shall pay all city fees for formation of a new assessment or Mello Roos district.~~All park sites and recreation easements and their net acreage shall be shown on the final subdivision map. The amount of acreage to be applied towards the park land requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) will be determined and approved by PPDD.~~

~~77. Lot 7B shall provide a public pedestrian and bicycle corridor connecting New Street "D" and New Street "B". The modification shall be shown on the final subdivision map.~~

~~78. Lot 11B shall provide a public pedestrian and bicycle corridor connecting New Street "D" New Street "F". The modification shall be shown on the final subdivision map.~~

~~79. Lots 12B and 16B shall provide a public pedestrian and bicycle corridor connecting New Street "D" and Signature Street. The modification shall be shown on the final subdivision map.~~

~~80. Lots 7B, 11B, 12B, and 16B shall be at least 40 ft wide, not including the building setbacks.~~

~~81. The applicant shall dedicate a recreation easement for the 20 ft. portion of the 40 ft. wide median along 7th Street that falls within the project boundaries. The easement shall not include curb, gutters, and sidewalks (except for sidewalks within median), on 7th Street. The easement and the associated net acreage shall be shown on the final subdivision map.~~

~~82. The applicant shall dedicate the 40 ft. wide median on Park Blvd. as a recreation easement. The easement shall not include curb, gutters, and sidewalks (except for sidewalk within median) along Park Blvd. The easement and the associated net acreage shall be shown on the subdivision map.~~

~~83. Applicant shall develop the 7th Street median through a turn-key agreement.~~

~~84. Applicant shall provide an exhibit that shows Lot 18 overlaid on the 2001 aerial provided by the City of Sacramento. The exhibit shall indicate the land acreage that is not submerged and that land that is submerged. Only the land acreage (net) that is not submerged shall be eligible for park land dedication credit pursuant to the Sacramento City Code Chapter 16.64.~~

~~85. The following shall not be eligible for park land dedication requirements pursuant to the Sacramento City Code Chapter 16.64:~~

~~a. The roundabouts because they are not safely accessible by the public.~~

~~b. Any portion of the public right-of-way area that may be used for vehicular use.~~

~~c. Any area that serves as a water detention or water quality feature unless otherwise approved by PPDD.~~

~~d. Any area that is submerged under the American River as shown on the 2001 aerials provided by the City.~~

~~e. The associated costs of the realignment and/or replacement of Two Rivers Trail.~~

~~86. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication.~~

~~87. Finance Plan: The Applicant shall provide a Finance Plan for the project prior to first final subdivision map approval that includes the development of all designated park facilities, trails, open space/parkway or other open space areas anticipated to be maintained by the City of Sacramento Department of Parks and Recreation. The Plan shall include all improvement costs associated with the designated park facilities, trails, open space/parkway or other open space areas along with ongoing maintenance, operations, and replacement costs for these facilities in perpetuity. The Finance Plan may reference the Applicant's obligation to pay Park Development Impact Fees, construct turnkey parks, realign or replace Two River Trail, maintain park improvements until dedication is accepted by City, and Applicant's obligation to form into an assessment district to fund on-going park maintenance as described below.~~

~~88. **Landscaping and Lighting Maintenance or Mello-Roos District.** At the time of filing of the first final subdivision map, LANDOWNER shall initiate the proceedings to create a Landscaping and Lighting District in accordance with Streets and Highway Code Section 22500 et seq. encompassing the Property or a Mello-Roos District in accordance with Community Facilities Code 53322 to fund the maintenance of all of the public improvements as permitted under Streets and Highways Code Section 22525.~~

~~The City will be responsible for maintenance of City-owned or controlled property only.~~

~~The foregoing maintenance district (Lighting and Landscaping or Mello-Roos special tax assessment district), shall encompass park maintenance, operations and replacement costs. The applicant shall pay all city fees for formation of a new assessment~~

~~89. Site Plan: The applicant shall submit a site plan and electronic file showing the location of all utilities on the park/parkway sites to the PPDD for review and approval.~~

~~90. Improvements: The applicant shall construct the following public improvements on all lots shown as open space on the final subdivision map prior to and as a condition of City's acceptance of the park/parkway sites:~~

~~a. Full street improvements where adjacent to streets, including but~~

~~not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.~~

~~b. A concrete sidewalk and vertical curb along all street frontages, unless otherwise approved by PPDD. The sidewalk shall be contiguous to the curb unless otherwise approved by PPDD.~~

~~c. PPDD to approve rough grade plan for the sites as required by City Code to provide positive drainage as approved by PPDD.~~

~~d. PPDD to approve the size and location and of all storm drain, sanitary sewer, water for irrigation and domestic water, and electrical and phone service infrastructure that serves each public open space site.~~

~~e. PPDD to approve access to each park/public open space location for maintenance purposes.~~

~~91. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of- way contiguous Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 the 7th Street median or an existing park site, the applicant shall coordinate with PPDD and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the parks and to best accommodate future park improvements. The applicant shall facilitate meetings with SMUD and PPDD prior to SMUD's facilities coordinating meeting for the project.~~

~~92. Multi-Use Trail: Any realignment or replacement of Two Rivers Trail or associated access ramps must be designed to PPDD specifications. PPDD shall approve the alignment and design of the trail prior to submitting improvement plans for the trail.~~

~~An access to the Two Rivers Trail shall be provided at 7th Street. PPDD shall approve the alignment and design of the access.~~

~~Vehicular access controls shall be placed at the entrance to all access points to the trail (refer to PPDD details and specifications for approved designs).~~

~~93. Turn Key Park Development: If the Applicant desires to construct a turnkey park, the Applicant shall notify PPDD in writing no later than the final subdivision map for the project and shall enter into a City standard turn key park construction agreement to construct the park improvements to the satisfaction of the City's PPDD. The park construction agreement shall address (1) the preparation and approval of the park design and improvement plans, (2) time for~~

~~completion of the park (or of each phase of the park if the park is not to be completed in one phase) as a function of build-out of the subdivision or issuance of occupancy permits, (3) any credits to be awarded to the applicant against the City's Park Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements.~~

MISCELLANEOUS

~~94.~~93. Meet all conditions of the development agreement;

~~95.~~94. Form a Homeowner's Association or other financial funding mechanism such as a Community Facility District for the maintenance of special features proposed in the design guidelines. CC&R's or other financial funding mechanism shall be approved by the City and recorded assuring maintenance of roadway(s) and/or landscaping. The Homeowner's Association or Community Facility District shall fund the maintenance of all streets, lights, sewers, drains and water systems unless determined otherwise by the City;

Fire Department

~~96.~~95. All turning radii for fire access shall be designed as 35' inside and 55' outside.

~~97.~~96. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. ~~Note: Park Blvd.'s and 7th Street's street sections show a divided road with trees lining a 40 foot median. The single travel lane provided on either side of the median does not meet the fire access road requirements as outlined in the California Fire Code (CFC), 902.2.2.1. The median for Park Blvd and 7th Street shall provide for a mountable curb and paved all weather surface area acceptable to the Fire Department to meet this access width requirement of the CFC.~~Street sections C-C 7th Street North and Section H-H Park Boulevard don't meet this requirement. Therefore, make provisions for emergency use of medians by providing rolled or mountable curbs and surface capable of supporting fire apparatus.

97. Provide the required fire hydrants in accordance with CFC ~~903.4.2 and Appendix III-B, Section 5.~~508 and Appendix C, Section C105.

98. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-

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weather driving capabilities. CFC 503.2.3.

~~99. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more.~~

~~Exceptions: This provision may be modified, with a resulting road width of not less than 17 feet, if the following conditions are met:~~

~~a. Provisions are made for the emergency use of sidewalks and/or medians by such means as a rolled or mountable curb and surface capable of supporting fire apparatus; or~~

~~b. Streets are identified for one-way circulation with pull-outs 30 feet in length (i.e. No Parking) every 150 feet; or~~

~~c. A grid system for traffic flow is provided in which roadways in the grid do not exceed 300 feet in length and are accessible from each end from approved access roadways~~

SMUD

100. The owner/developer must disclose to future /potential owners the existing 21 kV electrical facilities. This whole area is both overhead and underground 21 kV.

101. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ~~street rights of way.~~ways excepting therefrom any building locations or zero lot line development.

~~100.~~102. Dedicate a 12.5-foot public utility easement for underground and overhead facilities and appurtenances adjacent to Richards Boulevard, 7th Street and 5th Street excepting therefrom any building locations or zero lot line development.

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

A. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of any school fees for the applicable school district(s);

B. City may enter into a reimbursement agreement for over-width pavement construction on Richards Blvd;

Note: Subdivider shall notify future property owners within this subdivision that they will be required to maintain the sidewalks and landscaping between the

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curbs and sidewalks;

Utilities

C. The applicant is responsible for the protection and repair of the City sanitary sewer and water mains during construction of the proposed structures. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.

D. Sewer development fees are estimated at 5.16 million dollars.

E. Many projects within the City of Sacramento require an on-site booster pump system for fire suppression and/or domestic water systems. DOU suggest that the future developers request a water supply test for available flows and pressures prior to the design of any buildings.

Regional Transit

F. Transit information shall be displayed in prominent locations in the residential sales/rental office, through a homeowner's association, or with real estate transactions and for employees and patrons.

G. For the station block (New Street "C" to 7th Street), the south platform may be constructed within the 11' to 18' City easement, and the track centers may be reduced from 16' to 14', and incorporating the 5' sidewalk north of the light rail tracks into the station platform area.

H. For the non-station block (5th Street to New Street 'C'), RT proposes leaving the sidewalk north of the tracks but replacing the 16' wide platform areas with a 4' RT maintenance walkway (and making the other changes above).

I. Bicycle parking facilities should be provided at building entrances.

J. The applicant shall join the Sacramento Transportation Management Association (TMA).

Solid Waste

K. Recycling capacity be met or exceeded.

L. A recycling program be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.

M. This project shall divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the

Solid Waste Division (For questions contact Tyler Stratton at 916-808-4927):

- Method of recovery
- Hauler information
- Disposal facility
- Diversion percentage
- Weigh tickets documenting disposal and diversion

Parks

N. A Development Agreement exists for this project which allows parkland dedication credit for lands that do not meet the standards and formulas for dedication of land as established in Sacramento City Code Chapter 16.64, the City's Quimby Ordinance. A Second Amendment to the Agreement allows paseos, the transit plaza and mew to be dedicated as exclusive recreation easements instead of dedicated in fee title; requires landowner to indemnify the City against liability for damages that may occur as a result of the easement's improvements or maintenance; and requires that the paseos remain intact within each block and the timing of the development of the paseos

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O. If the project is phased, each phase shall meet its parkland dedication obligation through the dedication of land or payment of in lieu fees or a combination of the two at the discretion of the PPDS prior to approval of each phased final map.

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~~A Development Agreement exists for this project which allows parkland dedication credit for lands that do not meet the standards and formulas for dedication of land as established in Sacramento City Code Chapter 16.64, the City's Quimby Ordinance.~~

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~~O. In-lieu fees shall be paid in full prior to approval of the final subdivision map.~~

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P. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

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1) Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map~~Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map~~.

2) Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at $7,799,702. This is based on 2,396 multi-family residential units at the rate of $3,058 per unit, 839,628 square feet of office at the rate of $0.50 per square foot and 147,000 square feet of retail space at the rate of $0.36 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit. The project does not qualify for the City's 'specified infill' rate because the project as a whole exceeds the size constraints as defined by 'specified infill'~~Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. This is based on number & type of residential units~~

~~and the square footage of commercial and office space~~.

3) Creation of a new maintenance district rather than Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation .~~Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation~~

Q. The Developer shall be responsible for maintenance (weed abatement) of IOD Lot(s) 2, 9, 18, and all recreation easements until the time that the City records acceptance of the IOD~~The Developer shall be responsible for maintenance (weed abatement) of IOD Lot (s) 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easement until the time that the City records acceptance of the IOD~~.

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R. Private Facility Credits: City Code Chapter 16.64, Sections 16.64.100,110 and 120 address granting of private recreation facility credits. The city may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise required under this chapter and no more than five percent per category of open space or recreational facilities described in City Code Section 16.64.100. The request for credit shall be made in writing before recordation of the final map and the eligibility for credit shall be at the sole discretion of PPDS.~~Private Facility Credits: City Code Chapter 16.64, Sections 16.64.100,110 and 120 address granting of private recreation facility credits. The city may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise required under this chapter and no more than five percent per category of open space or recreational facilities described in this Chapter under 16.64.100~~

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~~Should the applicant elect to request City consideration of private facility credits the procedure outlined in 16.64.120 must be followed. Critical timing outlined in this Section includes:~~

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~~1) At the time of the hearing on the tentative subdivision map, the planning commission shall recommend to the city council whether a credit is to be given for private recreation facilities, unique natural and special features, or for any other reason provided in Section 16.64.100 of this chapter.~~

~~2) Open space covenants for private park or recreational facilities shall be submitted to the city council prior to approval of the final subdivision map or~~

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~~parcel map and shall be recorded contemporaneously with the final subdivision map. (Prior code § 40.16.1612)~~

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SRCSD Advisories:

The City of Sacramento (City) is responsible for providing local sewer service for the subject property. The City collector pipelines will convey the sewage to the Sacramento Regional Wastewater Treatment Plant (SRWTP) via the 96-inch City Interceptor.

Developing this property will require the payment of SRCSD sewer impact fees. Impact fees shall be paid prior to issuance of building permits. Applicant should contact the Sewer Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

SRCSD will issue sewer permits to connect to the system if it is determined that capacity is available and that the property has met all requirements for service. This process is *"first come, first served."* There is no guarantee that capacity will be available when the actual request for sewer service is made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

Due to the existing and future growth proposed within the City of Sacramento, it appears that the sewage flow being routed to the City Interceptor may be exceeding or close to exceeding the allotted 108.5 MGD indicated within the Operating and Maintenance (O&M) Agreement between the City of Sacramento, the County of Sacramento and SRCSD.

Township 9

Sacramento, California

PUD Design Guidelines

Applicant:
Capitol Station 65, LLC

Consultant:
Carter & Burgess, Inc.

September 7, 2007
Amended October 28, 2010

Section 1: Purpose and Intent

1.1 Vision for Community

Township 9 is a mixed-use, urban infill development located on the south bank of the American River in the River District of Sacramento, California. The 65-acre site is generally bounded by the American River to the north, North 5th Street to the west, Richards Boulevard to the south, and North 7th Street to the east. Access to the region is provided via Interstate 5 (a half-mile to the west) State Route 160, (a half-mile to the east) and a future light rail line between downtown Sacramento and the Sacramento International Airport. Direct access to the Central Business District (CBD)—Downtown and Midtown—is provided via 7th Street. The CBD can also be accessed via Jibboom Street and 12th Street. Not only is the CBD within walking distance, alternatives to automobile also include future light rail and bus service and regional bicycle network access via Two Rivers Trail along the American River.

The vision for Township 9 is a vibrant mixed-use neighborhood developed to a human scale in accordance with principles of the Sacramento Blueprint. The plan also incorporates New Urbanism and Smart Growth principles with neighborhood parks, paseos, and tree-lined streets to encourage walking and neighborhood interaction. The pedestrian environment and activated streets will be enhanced by a unified lighting concept, attractive site furnishings and pedestrian-scaled architecture.

1.2 Purpose and Effect of Development Guidelines

The Township 9 Design Guidelines have been adopted by the Sacramento City Council under authority of Chapter 17.180 of Title 17 of the Sacramento City Code (the Zoning Code) to implement the Township 9 Planned Unit Development (PUD) and the Richards Boulevard Area Plan (RBAP). These Guidelines contain the development standards applicable to development within the Township 9 PUD and contain specific details, elements, conditions, and restrictions that the City Council determined to be necessary and appropriate to carry out the vision of the Township 9 PUD.

As authorized under Chapter 17.180 of the Zoning Code, certain zoning regulations related to height, setbacks, area requirements, and other development standards otherwise applicable to the property may have been modified in these Guidelines for the Township 9 PUD. Therefore, to the extent that development standards contained in these Guidelines conflict with provisions of the Zoning Code, the development standards contained in these Guidelines shall apply. City of Sacramento staff will review project applications for conformance to these Guidelines as described below in Section 1.3.

The Township 9 Design Guidelines incorporate by reference a portion of the Central City Urban Design Plan design standards. To the extent that the same subject matter regarding a design standard is not included in these Township 9 Design Standards, then the applicable requirement in the Central City Urban Design Plan shall apply to the Township 9 PUD. As of the date of approval of these Township 9 Design Guidelines, the Central City Urban Design Plan was in draft form. Therefore, the adopted version of the Central City Urban Design Plan, and as it may be amended in the future, will be applicable to the Township 9 PUD to the limited extent as described above.

These Guidelines incorporate both mandates and recommendations. *Where the word "shall" is used it is intended to be a mandate and where the words "should" or "encouraged" are used it is intended to be a recommended guideline.* The mandates are treated as standards with little room for variation whereas the recommendations are subject to some interpretation and have room for minor variations.

These Guidelines have been organized for ease of use by planners, design reviewers, City staff and builders. Section 2: Development Areas describes the overall land use plan and types of uses and buildings envisioned for the project. Section 3: Development Standards establishes design standards for buildings, roadways, and individual parcel development. Section 4: Development Guidelines provides recommended design criteria for architecture, site plans, common use areas and other community elements.

1.3 Procedures for Approval

All development in the Township 9 PUD is subject to Planning Director Plan Review to ensure conformance with the PUD Schematic Plan and these Guidelines. The Plan Review application shall include information required on the standard City application.

The Township 9 Development Agreement provides that the Township 9 PUD is exempt from the special permit requirement for large buildings, as set out in Section 17.60.030 (9) of the Zoning Code. If a proposed use requires a special permit, then review for conformity with the PUD Schematic Plan and these Guidelines would be part of the special permit process as provided in Chapter 17.220 in lieu of the Planning Director's Plan Review process.

Because the Township 9 Project is a PUD, development is not subject to City design review under Chapter 17.132 of the Zoning Code that otherwise is required for all development in the Richards Boulevard SPD (Project applications will also be subject to review by the township 9 Design Review Committee which standards and review may exceed these Guidelines). Section 17.120.020 exempts properties within a planned unit development from design review because the PUD project approval process incorporates design review. The Planning Director's Plan Review process will ensure that projects within the Township 9 PUD comply with these Guidelines. Appeal of a Planning Director's decision regarding Plan Review for a project is set out in Chapter 17.220 of the zoning code.

Amendments to these Guidelines and development project entitlements approved in the Township 9 PUD are subject to review and approval of the City as required by the Zoning Code, and subject to the provisions of the Township 9 Development Agreement.

Section 2: Development Areas

Township 9 is comprised of four distinct development areas linked by a network of pedestrian-friendly streets and open spaces. The design vernacular is "urban mixed-use" where elements of the former cannery building can mix with contemporary mixed-use design elements typically found in warehouse conversion developments. The **Transit Area** is a high density mix of office and/or high-density residential and retail uses adjacent to a future light rail station on Richards Boulevard. **The Central Mixed-Use Area** provides a medium density transition from the intensity of the transit area to a central residential neighborhood. The **Live-Work / Townhouse Area** provides an enclave of primarily residential uses. The **Riverfront Area** is a collection of mid-rise residential buildings with ground floor retail that embrace the new Riverfront Drive along the American River.

2.1 Transit Area

The transit area incorporates a future light rail station and fronts Richards Boulevard, the arterial connecting

the project to highways east and west of the site. The Transit Area will also have frontage on Signature Street, the "main street" of Township 9, located parallel to Richards Boulevard and one block north. The Transit Area will be the front door to Township 9 and will have the highest activity, highest densities and tallest buildings. It is planned either for mixed use combinations of multi-family residential or office with ground floor retail. It is anticipated that buildings in this area will have underground parking with the ability to have shared parking. Dramatic downtown views will be provided to users of buildings on these sites.

The transit station at Township 9 presents a unique opportunity to preserve the history of this site as one of the prominent canneries in California. The station is envisioned as a partially enclosed warehouse structure built from the trusses and bricks recovered from the largest of the historic cannery buildings on the site.

2.2 Central Mixed Use Area

The Central Mixed-Use Area provides a transition from the higher density transit area to a lower density residential area in the middle blocks of the project. It is intended to provide an active neighborhood edge and street life while keeping a pedestrian scale. Buildings will be 3 to 5 stories in this area. Retail is expected to serve the surrounding residential neighborhood, except along Signature Street where community or regional uses may occur. Many parcels in this area are within two development areas-the Central Mixed Use and the Live-Work/ Townhouse Area that are discussed below. There is no fixed or defined boundary between the two development areas on any given parcel; however, the Central Mixed-Use Area is intended to have 50' to 100' lot depths fronting major streets, such as Signature Street and North 7th Street, or the area fronting a public open space.

2.3 Live-Work / Townhouse Area

This area is planned primarily for multi-family residential use. It will be developed at a pedestrian scale with building story heights limited to low-rise construction. Two to four-story attached residences are expected. The area will have a network of local driveways and pedestrian passages connecting the Transit Area to the Riverfront Area.

Buildings and sites in the Live-Work / Townhouse Area are limited to Multi-family Residential or any non-residential accessory use directly related to Live-Work occupancies that would otherwise be allowed in comparable zones elsewhere in the City and as stipulated by the existing Richards Boulevard Area Plan.

2.4 Riverfront Area

The Riverfront Area encompasses the parcels adjacent to the American River. This is the most unique district because of the visual and physical access to the River. The grade within this district will be elevated to meet the top of the existing levee, thereby eliminating the barrier normally created by a levee. This will benefit users of the Two Rivers Trail by providing access and improved safety while also creating much needed open space and recreational opportunities for residents of Township 9 and the citizens of Sacramento. Riverfront Drive (as prescribed by the Richards Boulevard Specific Plan) is incorporated into this district as a meandering roadway with open space along the north edge and a tree-lined pedestrian walkway and active ground floor buildings to the south (Figure 9).

Buildings in the Riverfront District are primarily high density multi-family residential with ground floor retail. Buildings along Riverfront Drive are limited to 4 stories with front facades and major entrances oriented towards the river to accentuate the prominence of this unique adjacency. Buildings shall be oriented to minimize the visual impact from the river view while also allowing views of the river and parkway from

individual buildings.

To minimize the visual impact of buildings from the river the following guidelines shall be incorporated into each parcel along Riverfront Drive.

- Buildings in this district must adhere to setback standards as defined in Section 3 of this document.
- Street trees shall be planted along Riverfront Drive per the streetscape guidelines in Section 4.7 of this document.
- Building facades visible from the river shall conform to the architectural guidelines in Section 4.2 of this document.
- Building bulk, massing and towers shall conform to the architectural guidelines in Section 3.6 & 3.7 of this document.

Section 3: Development Standards

3.1 Land Use and Zoning

Purpose & Intent: Provide zoning that allows mixed-use development within the PUD. Encourage active ground floor uses within the mixed-use buildings.

The Tentative Map of Township 9 consists of multiple parcels on 65 acres of land, and it is anticipated that multiple final maps will be recorded and further subdivision of the property will occur in the future. The land uses for the development parcels are a combination or residential, retail, office and commercial. There are also several open space parcels to accommodate parks and public spaces. The PUD incorporates flexibility in uses on individual parcels to facilitate changes in market conditions and to encourage creativity in development. Many parcels have a range of potential uses and most are encouraged to have ground floor retail. The specific land uses and zoning by parcel are shown in the following plan and table.

3.2 Allowable Development

Purpose & Intent: Provide mixed-use development with maximum flexibility to transfer uses and density within the PUD.

The specific allowable development area by parcel is shown in the following table. Transfers of density and uses are permitted within the PUD provided the total density and square footage does not exceed the totals shown in the table.

3.3 Permitted Uses

Purpose & Intent: Promote a dynamic mix of uses within the PUD that serves the daily needs of local residents while also creating destination oriented retail and commercial uses. Maximize the potential of the transit station access through TOD oriented retail and commercial uses. Note that area boundaries do not necessarily correspond with parcel boundaries.

Transit Area Permitted Uses

Buildings and sites in the Transit Area (parcels 13, 14 and 17) may be used for the following:

- Office

- Multi-Family Residential
- Child Care Facilities
- Ground floor commercial, retail or service uses as follows:
    - Art gallery
    - Bank, savings and loan
    - Barber, beauty shop
    - Book, stationary store
    - Cleaners, laundry agency
    - Clothing store
    - Florist
    - Food store, bakery, delicatessen
    - Gym
    - Laundromat
    - Restaurant, café
    - Retail
    - Photography studio
    - Martial arts training
    - Video rental store
- Education
- Hotels
- Parking, general and parking structure
- Open space
- Transit stations and rail facilities
- Other uses as approved by the Planning Director

Central Mixed Use Area Permitted Uses

Buildings and sites in the Central Mixed Use Area (parcels 6, 7, 8, 10, 11, 12, 15 and 16) may be used for the following:

- Office
- Multi-Family Residential
- Child Care Facilities
- Ground floor commercial, retail or service uses as follows:
    - Art gallery
    - Bank, savings and loan
    - Barber, beauty shop
    - Book, stationary store
    - Cleaners, laundry agency
    - Clothing store
    - Florist
    - Food store, bakery, delicatessen
    - Gym
    - Laundromat
    - Restaurant, café
    - Retail
    - Photography studio
    - Martial arts training

    - Video rental store
- Parking, general and parking structure
- Open space
- Other uses as approved by the Planning Director

Live-Work and Townhouse Area Permitted Uses

Buildings and sites in the Live-Work and Townhouse Area (parcels 7, 8, 11, 12, 15 and 16) may be used for the following:

- Multi-Family Residential
- Child Care Facilities
- Ground floor commercial, retail or service uses as follows:
    - Art gallery
    - Bank, savings and loan
    - Barber, beauty shop
    - Book, stationary store
    - Cleaners, laundry agency
    - Clothing store
    - Florist
    - Food store, bakery, delicatessen
    - Gym
    - Laundromat
    - Restaurant, café
    - Retail
    - Photography studio
- Parking, general and parking structure
- Open space
- Other uses as approved by the Planning Director

Riverfront Area Permitted Uses

Buildings and sites in the Riverfront Area (parcels 1, 3, 4, 5 and 6) may be used for the following:

- Multi-Family Residential
- Child Care Facilities
- Ground floor commercial, retail or service uses as follows:
    - Art gallery
    - Bank, savings and loan
    - Barber, beauty shop
    - Book, stationary store
    - Cleaners, laundry agency
    - Clothing store
    - Florist
    - Food store, bakery, delicatessen
    - Gym
    - Laundromat
    - Restaurant, café
    - Retail
    - Photography studio

- Hotels
- Parking, general and parking structure
- Performing Arts Center
- Open space
- Other uses as approved by the Planning Director

3.4 Density and Height Standards

Purpose & Intent: Provide an urban standard for development that supports Transit Oriented Design objectives established by the Sacramento Blueprint. Create a pedestrian oriented urban environment for mixed-use development.

Guidelines for residential density are provided here with the intent of allowing development flexibility while retaining the overall character of each development area as it is presented in the conceptual plan. Residential density ranges are approximately those found in the concept plan. Building heights shall be limited to the lower limit either by stories or height in feet. Building heights take into account that the ground floor of a mixed-use building may be higher than a standard residential floor.

The guidelines rely on the definition and measurement method of building height in the City Zoning Ordinance. Exceptions to building heights that are allowed elsewhere by Ordinance would be allowed here. Buildings with sloping roofs and/or limited architectural features of buildings may exceed height limits as approved during Design Review.

3.5 Building Setback Standards

Purpose & Intent: Provide an urban standard that is similar to the Central Business District and urban areas of Midtown Sacramento. Provide an urban edge to all streets with interesting ground floor building massing.

The building setbacks shown in table 5A are based upon the adjacent sidewalk and are intended to establish an urban relationship between building and street.

Additional riverfront setback criteria regulate parcels 3 and 5B as follows:

Riverfront Building Setbacks:
The building setback criteria for those buildings located on parcels 3 and 5B are unique due to their proximity to the American River Parkway. Buildings located here are subject to "Parkway Setbacks" as follows:

- 400' minimum setback from the American River Waterline for buildings exceeding 4 stories in height.
- The American River Waterline for this PUD shall be defined per Nolte survey July 2007 and aerial photo (dated 2001).

3.6 Building Step-back Standards

Purpose & Intent: Provide articulation for the upper levels of buildings exceeding 4 stories in height to enhance the scale of the building at street level for pedestrians, allow more sunlight to reach the street level and to make the buildings more architecturally interesting at the upper levels.

The City of Sacramento Urban Design Plan (UDP) requires a building bulk reduction of 10% for the upper 20% of the tower elements (greater than 8 stories) within the Central Business District. This PUD incorporates the PUD criteria as a standard and adds additional "step-back" criteria to address the numerous buildings within the PUD that are between 8 and 12 stories in height. Because these buildings are allowed to have a ground floor plan length of 200', the step-back criteria helps to articulate the upper levels of the buildings to achieve the purpose and intent statement above.

The step-back criteria are unique to the adjacent street frontage to reinforce the scale of that particular street. Wide streets require less step-back than narrow streets. The standards are identified in Table 5B.

3.7 Building Bulk Standards

Purpose & Intent: Define spatial standards that will create a visually cohesive yet lively community image for the diverse building types of Township 9. Establish architecture as community building blocks whose collective effect in creating the urban form is greater than the individual buildings alone.

The City of Sacramento Urban Design Plan (UDP) requires a building bulk standard for buildings exceeding 8 stories in height that limits the plan dimensions to 90' length with a 120' diagonal. This PUD supercedes this standard by allowing buildings between 8 and 12 stories to use a maximum plan dimension of 200' length with a 225' diagonal. Refer to figure 15.

3.8 Parking Standards

Purpose & Intent: Provide parking commensurate with the density and variety of uses within the PUD while allowing reduced parking requirements for parcels in close proximity to the future light rail station.

The minimum parking standards for the PUD are based upon the Richards Boulevard Area Plan (RBAP) Special Planning District (zoning code 17.120.020). These standards are identified in Table 6 below. There are several additional standards that supersede the RBAP parking requirements as follows:

1. Parcels 12, 13, 14, 15 and 17 will be allowed a reduced parking requirement of 1 space / 1,000 square feet of office space and 1 space / unit with no guest parking space for residential units. This reduction may require an interim off-site parking solution prior to the operation of the light rail station subject to approval by the Planning Director.
2. Adjacent on-street public parking spaces will be counted towards the required retail and guest parking within the PUD. This will be limited to the parking directly adjacent to the public ROW fronting the building and excludes office, hotel and general commercial requirements.

   Reciprocal parking is encouraged on a project basis where adjacent buildings and/or parcels have compatible shared use opportunities. General guidelines for reciprocal parking are provided in the appendix.

3.9 Private Open Space Standards

Purpose & Intent: Provide private open space for residential buildings within the PUD that complements the public open space areas throughout the project. Allow high density building types to waive individual private open space where common open space is provided.

A. Office:

- Office buildings shall provide open space at a ratio of one square foot of open space per 10 square feet

of site development (1:10) area.

- The open space area shall incorporate, but not be limited to, one or more of the following features:
  - Landscaping (i.e., turf, trees, flower gardens, etc.)
  - Decorative paving (i.e., tile, cobblestone, colored concrete, etc.)
  - Public art pieces
  - Water features (i.e., ponds, reflecting pools, etc.)
  - Seating areas
  - Canopies
  - Lighting
- Open space features shall be complementary to the building architecture. Design elements, material, colors and lighting should be contextual with the proposed building or existing adjacent buildings.

B. Residential:

Multi-family residential housing:

- A minimum of 80 square feet of common usable open space (e.g., for the use of two or more units) per unit is required. Such areas may include courtyards, gardens and recreational areas.
- A minimum of 50 square feet of private usable open space (e.g., for the exclusive use of one unit) per unit is required. Such areas may include decks, balconies and patios. Private usable open space should be directly accessible from the associated unit.

Within the RMX zone, the Richards Boulevard Special Planning District includes an open space requirement, as set out in Section 17.120.020 (3)(g) of the City Code, that specifies that a minimum of eighty (80) square feet of common usable open space per unit and a minimum of fifty (50) square feet of private (exclusive) usable open space per unit that is directly accessible from the unit. Landowner shall be allowed to meet this combined 130 square foot on-site open space per unit requirement by a combination of common and private open spaces. This means that if the amount of common open space provided exceeds eighty (80) square feet per unit, the excess common open space may counted towards meeting the minimum of fifty (50) square feet of private open space per unit, as long as each unit has some amount of private open space (e.g., a Juliette balcony). In addition, all or part of the common open space for one parcel may be provided on the immediately adjacent parcel of land if the common open space is accessible to the residents in both of the adjoining parcels. Landscaped setback areas may be counted towards meeting the common open space requirement if the setback area is designed to be an integral part of a larger common open space area.

The PUD acknowledges that the City anticipates adopting a new Central City Urban Design Plan that makes recommendations regarding changes to Central City design guidelines and development standards, including open space requirements for residential developments. If and when the Urban Design Plan is adopted and the Richards Boulevard Special Planning District is amended to change the open space requirements for residential developments, the Project shall be subject to those open space requirements if such requirements provide for a reduction in the total amount of common and private open space.

Live/Work housing:

- Common usable open space is encouraged to be developed as courtyards for the use of all units. There

is no minimum standard.

- New live/work developments are encouraged to provide a gallery space at ground level, to be used as exhibition space.

Section 4: Development Guidelines

4.1 Building Orientation Standards

Purpose & Intent: Provide guidelines that encourage thoughtful placement of individual buildings that contribute to the overall fabric of the PUD.

To support the creation of a community of buildings that are pedestrian-oriented and that promote convenient access to the street and/or public spaces, the following guidelines will apply to architectural development in all areas of Township 9:

- Building Orientation - all building main entrances shall be oriented to streets and public spaces.
- Sidewalk entries - shall be located to accommodate ease of pedestrian movement along primary streets. In general, applicants will be required to distribute sidewalk entries as frequently as necessary to demonstrate acceptable pedestrian-focused design.
- Micro-climatic considerations – should be considered when locating entrances and placing buildings on the site. Passive solar orientation, wind-tunnel effects, shadows cast by the building and other influences should be evaluated by individual projects within the context of the adjacent streets, buildings and overall project development.
- View corridor considerations – should be considered when locating buildings within the PUD to ensure that extended views from within the PUD towards the American River Parkway are maximized. This is particularly important for parcels located within the "modified grid" of the Riverfront Area where angled buildings and angled streets occur. Similarly, views from the parkway looking towards the PUD should also be considered such that visual penetration between buildings is maximized.
- Awnings and/or canopies – Building entrances and pedestrian paths in front of retail uses shall be provided with shelter from sun or inclement weather by means of awnings or canopies. These elements may encroach into right of way to cover sidewalks. Structural supports for these may occur in sidewalks as long as public access is not impeded and travel clearances required elsewhere are maintained such as for barrier-free access. Continuous coverage of pedestrian paths for up to 75% of street frontages are encouraged at key locations in the plan (Figure 16) to unify and reinforce important pedestrian oriented places.
- Street Terminuses - all buildings shall be sited / oriented to serve as terminuses to primary streets. No parking or unarticulated building wall shall terminate any street corridor.
- Community Service Uses - all community-serving building uses within residential projects are strongly encouraged to be oriented to face the street or other adjacent public space (these uses may include leasing offices, fitness centers, community centers, etc.)

4.2 Building Design Elements

Purpose & Intent: Building design throughout Township 9 should promote visual interest and diversity

through use of architectural detail and massing changes where appropriate.

Building design within the PUD is to reflect the warehouse character of the cannery while also creating an edgy architectural style similar to the Pearl District in Portland, Oregon. Brick, masonry, wood trusses, and other industrial materials are encouraged. Modern design features are also welcomed. The following general design elements shall also be considered.

- **Building Articulation** - Unbroken facades shall be limited to 120 feet in length with articulation based upon multiples of 40 feet maximum. Fenestration will be required on approximately 50% of each building façade. Un-articulated walls facing streets or public spaces will not be allowed on any building façade in Township 9.
- **Building Facades** – buildings should be clearly organized to have a Base Course (bottom), Street Wall (middle), and Cornice (top).
- **Building Base Course** – should have visual interest and variety since it defines the street experience within the project. The base course should be scaled for the pedestrian with rich materials, texture and detailing. Durable materials such as stone and masonry are encouraged. Additional details such as arcades, colonnades, awnings and other changes in the vertical plane are encouraged.
- **Building Street Wall** – this element creates the urban massing of the community. Windows and balconies provide visual interest to this element. Patterns should reflect the urban character of the community and avoid relentless grids and repetitive patterns. Reveals, step-backs, moldings are encouraged to create shadow lines and visual interest. This fenestration should differ from the base course and the cornice.
- **Building Cornice** – parapets and roof elements should be designed with decorative treatments that provide a clearly defined top to the building. Variations for entries, setbacks, and corners are encouraged. Roof top aesthetics, as viewed from adjacent buildings, should also be incorporated.
- **Building Entries** – entries should be clearly defined and oriented to the public street frontage. Multiple entries at corner locations are encouraged to activate both street frontages. Canopies, awnings and other features are encouraged with distinctive lighting for safety and effect. Service entries should be located away from the main entrance where possible. Main entrances should be elevated whenever practical especially for individual residential units facing a street or other public or semi-public space. This provides territorial reinforcement and exposure to abnormal users.
- **Building Corners** – Building corners shall be designed to support increased pedestrian activity and way finding needs and are encouraged to emphasize street termini and intersections. Buildings shall be designed to accommodate City of Sacramento required visibility triangles without compromising the corner design.
- **Tower Elements** – encouraged at key corners or terminus locations. The tower element should be integrated with lower elements of the building incorporating the same family of materials and interconnecting the base course, street wall and cornice features.
- **Clearstory Windows** – Many of the warehouse buildings associated with the Cannery Facility had north facing clearstory windows to vent heat and provide natural lighting. This detail is encouraged for buildings where practical.
- **Roof Mechanical Equipment** – Roof mounted mechanical equipment shall be screened from public view through use of parapet walls or continuous partial roofs.

4.3 Riverfront Drive Guidelines

Purpose & Intent: Provide guidelines for buildings along Riverfront Drive that promote architectural solutions that minimize visual impact to the users of the adjacent American River Parkway.

Building Materials:

- Natural colors (medium and dark earth tones) found along the American River corridor shall be incorporated into the building facades where visible from the river.
- Transparent and/or low reflectivity glass shall be incorporated into the building facades where visible from the river.
- Non-reflective surfaces are required to minimize glare towards the river.
- Natural materials such as stone and wood are required within the building facades as accents or ground floor features.

Building Massing:

- Building accents shall emphasize the horizontal features of the parkway (rather than vertical).
- Building elements (exceeding 4 story height) must adhere to setback and massing standards established in section 3 of this document. They should be oriented at an angle towards the river to preclude a monotonous wall of towers and to allow visual penetration between towers as viewed from the parkway.
- Building facades along Riverfront Drive should have breaks and variations to avoid a monotonous urban edge.

Building Landscaping & Lighting:

- Street Trees shall be installed along the South edge of Riverfront Drive as defined in the Landscape Guidelines).
- Landscaping is encouraged at ground level and elsewhere on the building where practical (balconies, terraces, outdoor areas) to provide a vegetation buffer and to screen the building form the river view.
- Lighting of the building shall be minimal along the waterfront. Shields and directional louvers are required to ensure minimal spillage across Riverfront Drive and into the river.
- Where commercial and/or retail uses occur along Riverfront Drive the signage and lighting shall minimize bright lights, flashing lights, neon and other highly intrusive light sources that could be visible from the river.

4.4 Streetscape and Circulation

Purpose & Intent: Provide a cohesive streetscape that ensures a walkable community where pedestrians are comfortable, safe and interested in walking to daily services and transit facilities. Establish an urban tree canopy on all streets.

The development of Township 9 as a vibrant, sustainable urban center will require the implementation of a hierarchical framework of sidewalks, streets, lighting, parks, greenways, plazas, and other public facilities – the design of which will be critical in establishing a dynamic, pedestrian-oriented environment.

The streetscape and circulation network of Township 9 is seen as a hierarchy of public spaces that create a

strong sense of place and contribute to the social vibrance of the community. Streets, intersections, and their related streetscapes are designed not only to move vehicular and pedestrian traffic, but also to enrich the public realm by encouraging street life, a sense of community, and promoting pedestrian activity and social interaction throughout day and evening hours alike. The key design features that will be used to achieve the objectives are:

- Continuity of street parking, planters, sidewalks, and building setbacks along each street
- Consistent and generous width of sidewalks
- Consistent tree canopy and spacing
- Consistent light spacing
- Bulb-outs/neck-downs and wide, well marked crosswalks at intersections

Landscape Easements

The rights-of-way for streets will vary, but the landscape easement (LSE) shall be defined from the back of curb to the adjacent building. The landscape easement will be used to ensure consistent design, use, and maintenance of the public realm at the edge of the street. The maintenance of the LSE will be the responsibility of either a community facilities district (CFD), homeowners' association (HOA) or landscape and lighting district (LLD) to be established by the Township 9 developer. The LSE encompasses two or three parallel streetscape zones, all of which have unique characteristics and uses as defined below.

Zone A – Street Tree Planter Zone

This zone occurs on all streets throughout the PUD and is usually 8' wide (back of curb to sidewalk). The width increases to 10' on Riverfront Drive. The primary use is to provide planting area for street trees, which are to be spaced uniformly at approximately 30' on center in order to ensure a consistent and extensive shade canopy. Tree species shall be the same along the length of streets within the PUD as specified by the Street Tree Map. To avoid monoculture, no one species should be used on more than two streets. On the ground, turf should be the predominant planting to allow pedestrian access. Other low ornamental planting may be allowed occasionally.

Paving in Zone A can be at corners (bulb-outs) and at certain, relatively small stretches to allow for building entrances, outdoor dining areas, etc. to connect to the curb. These paved areas shall be carefully located so as to not interrupt the regular spacing of street trees, which have priority within Zone A. Site furniture (benches, trash receptacles, bike racks, etc.) are allowed within Zone A on paved surfaces only. Lighting shall be located midway between alternating tree locations (approximately 60' on center).

It is a goal of this document to ensure that the streets of Township 9 have a full and continuous tree canopy and a consistent rhythm of vertical elements (trees and lights) along their edges. Site plans for individual parcels should maintain the prescribed spacing (30' for trees, 60' or 120' for lights) by locating driveways in between tree and light locations. Applicants are encouraged to split wider driveways into two or more driveways and use tree grates or tree wells when necessary. They should design patios, plazas and other hardscape features and overhead structures around light locations (which may occur in hardscape). Utilities should be placed around trees and lights, not vice versa. These measures help to give priority to the visual public framework (shade, trees, lights), making it an unbroken urban platform from which private developments can build variety and architectural character.

Zone B – Pedestrian Zone

Sidewalks are a minimum of 8' wide on all streets and increase to 10' at Riverfront Drive. They vary in size on

Richards Boulevard (depending on the light rail right-of-way). Streets and sidewalks may have coverings for protection from rain and sunshine. These coverings combined with a consistently full tree canopy over streets and sidewalks and the ample width of sidewalk pavement, will help to provide a pleasant pedestrian experience. To ensure consistent design throughout the project, sidewalks should have similar color and scoring pattern (see subsequent discussion on Paving Design). Sidewalks should generally remain free of permanent obstructions; however columns (for sidewalk coverings or similar structures) may be located at the edges of sidewalks.

Zone C – Buffer Zone

The third zone from the street is the buffer zone and is a more flexible space that may be used in different ways depending upon uses in the adjacent buildings. The width varies from 8' to 10' where it occurs (it does not occur on local streets or Richards Boulevard). Zone C should be considered the "front yard" of the adjacent ground floor building uses and should be designed in such a way to compliment them. Outdoor dining patios, small plazas, seating areas, or other enhanced paving areas are encouraged. A minimum of 15% (square footage) of Zone C shall be landscaped with planting areas or potted plants. Full width continuous planters in Zone C are discouraged.

This zone may be covered by awnings or canopies which extend from the building. Architectural elements such as bays, or columns may encroach and raised planters can be used to provide seating. The design of this area is to be unique to the adjacent building and need not match any particular standards, other than minimum width and percent of landscaping. In special cases such as building entrances or large outdoor dining areas, the paving layout and planting design may extend beyond Zone C, into the pedestrian and tree planter zones. In such cases, street tree spacing and a minimum sidewalk width of 5' shall be maintained (tree grates are allowed).

Street Furniture

Minimum street furnishings are identified in this document. Individual parcels may propose additional furnishings so long as they are coordinated with adjacent parcels and support a consistent approach for that particular city block and / or street. Street furniture shall be placed in logical relationship to primary pedestrian movement with higher concentrations at retail buildings and open spaces/plazas. Recommended locations and/or placement intervals for street furniture in all zones of development shall be as follows:

Benches, trash cans, and bicycle racks should be constructed in a manner consistent with crime prevention strategies and placed in highly visible locations.

- **Benches** - Benches shall be installed at a one (1) per 100' average. Owners may place benches individually or in groupings, but near street lamps, street intersections, and building entries as necessary. Seat walls around raised planters are acceptable substitutions for benches.

  Benches should be designed to discourage sleeping by utilizing partitions or circular designs that wrap around trees or poles. In areas such as bus and transit stops where loitering is not desirable, benches should also be designed to deliver minimal comfort while still providing a temporary resting place for legitimate customers. Wrought iron benches are desirable because they provide a fireproof design that is difficult to damage and is easily secured to the ground.

- **Light Standards** – Street light standards shall be located within Zone A and/or Zone C and spaced at the mid-point of adjacent street trees. The lights shall be decorative features within the streetscape and are

defined in the street furniture appendix of this document.

- **Bollards** – Post bollards and/or light bollards shall be installed as needed in drop-off and plaza areas.
- **Trash Receptacles** - Trash receptacles shall be installed at a one (1) per two (2) benches or group of benches. One per block minimum.

  Trash receptacles should be designed to be vandal resistant. Wrought iron designs are fireproof, can be easily secured to the ground and cannot be easily broken and utilized as a weapon or projectile.
- **Bicycle Racks** - Bicycle racks shall be placed near building entrances in Zone A or C only.
- **Pet Waste Stations** – Pet waste stations are to be located so as to conveniently serve pedestrian use. Logically, residential streets and open space will require the greatest concentration, and applicants shall place at least one (1) station per City block.

Street Trees

Township 9 is designed to facilitate a dense urban street tree canopy. Each street within the project site has provisions for street trees. In most cases the tree will be located within the planter strip located between the curb and the sidewalk, but there are some streets where the tree is in an individual tree planter or tree grate. Trees are also located in medians and adjacent open space areas.

Each street within the project has been assigned a particular tree species per the figure below. This map identifies the primary tree to be located on each street but is not intended to be the only tree species allowed on that street.

Paving Design

While building designs will be allowed to have their own style, building materials, forms, etc., the wider framework of streets and sidewalks should be unified in its design in order to create some cohesiveness for Township 9. The paving design of Township 9 will be an important factor in unifying the public realm by providing visual continuity. There are four categories of paving found throughout the site that will be influenced by these design guidelines: sidewalks, crosswalks, special vehicular paving (at intersections and Signature Street), and Riverfront Promenade/Two Rivers Trail.

- **Sidewalks** shall be built with score lines at 3.5′ feet apart along their length and width (as illustrated in Figure 26 – Typical Sidewalk Paving Design). Since most sidewalks are 8′ wide, the scoring pattern will have a score line down the center, leaving a 6″ strip at each edge of the sidewalk. This pattern is found on many historical sidewalks in Sacramento. At 10′ sidewalks, the same pattern should be applied, with a line down the middle and 18″ strips on the sides. The color shall be a standard medium gray to be applied as a dust on powder (for consistency over several pours and patches). Paseo walkways, bulbed-out street corners, and small extensions of the sidewalks into the planter strip should all have the same color and pattern as the regular street sidewalks. As previously noted, specialty paving that is associated with a building may interrupt the standard sidewalk color and pattern at certain special locations such as building entries.
- **Crosswalks** - Specialty paved crosswalks in Township 9 shall be 15′ in width and shall consist of brick pavers in a running bond (or similar decorative) pattern with a 2′ wide colored concrete band or soldier courses of pavers (2′ width) at the crosswalk edge. To promote universal accessibility for all residents, employees, and patrons, barrier free ramps complying with ADA standards shall be installed at each intersection crossing.

- **Special Vehicular Paving** is defined as street pavement (not including crosswalks) within enhanced intersections, traffic plazas, Signature Street, and Park Boulevard north. Materials may consist of stamped and colored concrete or asphalt, concrete unit pavers, or a befitting combination of each. For consistency and continuity, complementary design treatments shall be used at all special vehicular paving within Township 9.

Street Sections

Subject to phasing as market and traffic conditions allow, the Master Developer will be responsible for installing improvements to the major streets within the project—Richards Boulevard, North 7th Street, Riverfront Drive, North 5th Street, Park Boulevard and Signature Street. Builders of buildings on individual parcels shall be responsible for installing improvements for local streets adjacent to their parcels. The streets within Township 9 are defined as follows:

Richards Boulevard - The main roadway for this part of Sacramento will maintain a similar cross section to that which exists currently from curb to curb except that median landscaping will be installed in place of the existing dual left turn lane. North of Richards, light rail tracks and a station will parallel the roadway, separated by a planting strip. To the north of the light rail, a 10' sidewalk will provide circulation and access to buildings.

North 7th Street - North 7th Street serves as the gateway to Township 9 from Downtown and terminates at Riverfront Park and the adjacent American River Parkway. The central feature of the North 7th Street cross section is a usable linear park within the median. This median starts one block north of Richards Boulevard (signalized intersection at Signature Street) and continues to Terminus Park (intersection at Riverfront Drive). One block south of the Riverfront Drive, the "grand boulevard" will be punctuated by the Parkway Tower, a 150' tall sculptural icon located within the traffic circle and on axis with the intersection of Vine Street and will begin gradually increasing in elevation to meet the grade of Riverfront Drive.

Riverfront Drive - Riverfront Drive at the north edge of project Township 9 is intended to connect to future developments east and west along the river. The elevation of the road will be the top of the American River levee providing a strong visual connection to the river. The meandering alignment will provide park space at the river's edge on top of the levee. Riverfront Drive features gateway intersections at North 7th and North 5th Streets and a secondary intersection at a local street.

North 5th Street - The existing North 5th Street at the western boundary of the Project connects Richards Boulevard to the south. The terminus of North 5th Street will be reconstructed to slope up to and connect to Riverfront Drive. Frontage improvements will also be installed along the Project boundary. North 5th Street features a Gateway Intersection at Signature Street.

Signature Street - This will be the main retail street of Township 9. It will be close to the light rail station and Richards Boulevard edge, making it highly accessible. Being entirely internal to the Project site, Signature Street is envisioned as a slower speed, pedestrian-friendly, narrow street more suitable for shopping and other urban activities. Signature Street will feature major amenities such as specialty paving throughout and a large traffic plaza with the center island serving as a public square. It is envisioned to connect to Richards Boulevard and the light rail station via two linear plazas.

Park Boulevard - Park Boulevard is the main diagonal street on the project, stretching from the Parkway Tower on the north to a traffic plaza adjacent to the urban park on the south. This street is set apart by the

fact that it has two distinct sections. For two blocks it contains a wide median and a traffic plaza whose center island can be accessed by pedestrians. For one block it becomes more of an urban plaza with specialty pavement that can be driven on or closed off for special occasions. This portion of Park Boulevard will slope up at no more than 5% to the north where it will meet the elevated grade of Riverfront Drive. Park Boulevard features three Secondary Intersections.

Local Streets - Local streets are largely residential in their land use and have no building setbacks from the back of sidewalk. Their design will follow the pattern established by the major streets. Local streets shall be built with enhanced intersections as required by these guidelines.

4.5 Intersections

Purpose & Intent: Celebrate key intersections and traffic circles as design opportunities that enrich the pedestrian experience and calm automobile traffic.

In order to reinforce an experiential transportation framework for both pedestrian and vehicular traffic in Township 9, special consideration should be afforded to design treatments at all intersections. Adding punctuation and accentuation to such crossroads will offer the Township 9 traffic environment an opportunity to celebrate and engage significant crossing nodes/points of entry, rather than simply pass through them. In addition, the design treatments of infrastructure elements in any development are ultimately decisive communicators of the overall development image and should be designed in order to communicate success and thoughtful design vision to residents and patrons alike.

Gateway Intersections

Gateway intersections in Township 9 are located at significant points of entry into the development. The "main gateway" intersection is 7th Street and Signature Street. The remaining gateway intersections are located at 7th Street and Riverfront Drive, and at 5th Street and Signature Street. These intersections should be viewed as first impressions and front doors of Township 9, and should be designed to reflect a strong, inviting project image. The gateway enhancements are:

- **Monumentation** –Visually significant landmark monuments will be incorporated into the gateway intersections. Monuments will be placed at highly visible locations and outside of standard visibility triangles and shall be related in style and form to the historic cannery buildings.
- **Special Vehicular Paving** – Paving enhancement of the roadway surface will occur at all gateway intersections within the area bounded by the crosswalks. Paving materials may consist of stamped and colored concrete or asphalt, concrete unit pavers, or a befitting combination of each.

Secondary Intersections, Traffic Circles, and Traffic Calming

In addition to the Gateway Intersections there are several roadway enhancements that contribute to the unique design of Township 9. These are defined as secondary intersections, traffic circles and traffic calming features.

- **Secondary Intersections** – Paving enhancement of the roadway surface will occur at secondary intersections within the area bounded by the crosswalks. Paving materials may consist of stamped and colored concrete or asphalt, concrete unit pavers, or a befitting combination of each.
- **Traffic Circles** – The traffic circles provide visual interest, improved traffic flow and a unique design feature

within the project. They are designed to have a landscape island in the center of the intersection where sculpture, fountains or enhanced landscape can be added. The perimeter will have enhanced paving within the roadway and pedestrian surfaces. The perimeter will have public open space areas that complement adjacent buildings and provide shade, seating and circulation.

- **Traffic Calming** – There are several options for traffic calming that can be incorporated into Township 9. These can be used in combination with each other and in addition to the enhanced intersections discussed above. Final design must consider visibility triangles, ADA codes and other criteria prescribed by the City.

Crosswalks

Specialty paved crosswalks in Township 9 should be 10'-15' in width, and shall consist of brick pavers in a running bond (or similar decorative) pattern with a 1'-2' wide colored concrete band or soldier courses of pavers at the crosswalk edge. To promote universal accessibility for all residents, employees and patrons, barrier free ramps complying with ADA standards shall be installed at each intersection crossing.

Mid-Block Crossings

As a minimum, there shall be three mid-block crosswalks, with the same special paving as intersection crosswalks, along the paseos where they intersect local street D (see tentative map for location). Their purpose is to make pedestrian circulation along the paseos easy and efficient. The crosswalks shall be 10'-15' in width, and shall consist of brick pavers in a running bond (or similar decorative) pattern with a 1'-2' wide colored concrete band or soldier courses of pavers at the crosswalk edge. To promote universal accessibility for all residents, employees and patrons, barrier free ramps complying with ADA standards shall be installed at each intersection crossing. Mid-block pedestrian crosswalks will be required where retail, housing, and transportation locations are separated by busy streets

Bulb-Outs

Street corners within Township 9 (where feasible) shall have bulb-outs. The purpose of these is to reduce the length a pedestrian has to travel to cross a street and to calm traffic. The bulb-outs effectively move the curb location 7' (the width of a parking lane) closer to the center of the street. They do not encroach within the travel lanes (or bike lanes), leaving a 20'- 24' curb-to-curb width in most situations. There should be no bulb-outs into Park Boulevard in order to maintain a larger street width for emergency vehicle access. There should also be no bulb-outs at Richards Boulevard because it has no parking lanes.

Bicycle Circulation

Bicycles are accommodated within Township 9 on a combination of on-street Class II and III facilities and one off-street Class I facility. The Class I facility is located on the American River levee known as the Two Rivers Trail. The Class II facilities occur along Richards Boulevard, 5th and 7th Streets. The remaining streets within the PUD are Class III facilities and will be equipped with "share the road" signage.

4.6 Parking Design Criteria

Purpose & Intent: Provide design criteria that ensures that structured parking is located away from public streets or designed such that they do not appear to be parking structures at the ground level.

Structured Parking Design

In order to ensure the safety and security of all parking structures, the following guidelines shall apply.

- Parking structures with continuous floor transitions are preferable to ramp design structures (because they cause fewer pedestrian/vehicle conflicts).
- Structures should be engineered with as many open interior and exterior walls as practical.
- Staircases should be very open by design, or they should have glass/polycarbonate walls.
- Elevators should be designed with mirrors, video surveillance, and glass/polycarbonate back walls whenever possible.
- Larger parking structures include space on one or more floors for small retail operations that can bring legitimate activity to the area.
- Larger structures should also use private security.

Transit Area Parking

With the exception of on-street parking, parking areas in the Transit Area will be limited to structured or below-grade parking. Applicants are required to design these structures to be within or below buildings, in a manner that conceals them from public view and that does not interrupt the continuity of the pedestrian environment. Parking garages shall be exempt from height restrictions, provided they are not taller than the development they serve and are not visible from streets or any public open spaces.

Occupied space shall be developed between above ground parking garages and street level for a minimum of 80% of the garage wall facing a street. Should the necessity arise to expose one façade of the garage to a street front, the façade shall comply with all architectural guidelines and restrictions as defined in this document, including building articulation and accent features. In such cases, the incorporation of planters, decorative screens and/or trellis elements is strongly encouraged to bring variation and interest to the façade design.

To promote a secure, visually continuous streetscape environment, street level entryways and stairways should be located along the street edge, and should be easily distinguishable and well lit (with elements from the streetscape family of lighting elements). Upper level openings of garages should be designed as defined window openings rather than a continuous horizontal slit between structural columns.

Central Mixed Use Area Parking

Freestanding parking structures as well as surface parking lots will be permitted in the Central Mixed-Use Area. Parking structures should be positioned along key vehicular corridors to intercept traffic and reduce the potential for traffic congestion at peak traffic times. Parking structures should also be positioned to encourage shared use by retail shops / restaurants and public activities during non-peak hours. Sloping floor elevations designed to be viewable from, or adjacent to, public streets will not be allowed. As in the Transit Area, all parking structure openings should be designed as windows rather than continuous strips.

Surface parking lots are permitted in this area. When surface lots are adjacent to any primary street, parking should be screened from public view and where practical, in concert with crime prevention guidelines. All surface lots shall be developed with landscaping, lighting, and shade trees per City ordinance.

Live-Work / Townhouse Area Parking

Same as Transit Area, only that above ground parking garages may have one wall facing a local street with the same stipulation that the garage wall receives architectural treatment as described above. Surface

parking lots are permitted in this area subject to the same development requirements as the Central Mixed-Use Area above.

Riverfront Area Parking
Riverfront Area Parking is the same as shown in the Central Mixed Use Area above.

Reciprocal Parking
Reciprocal parking is encouraged on a project basis where adjacent buildings and/or parcels have compatible shared use opportunities. General guidelines for reciprocal parking are provided in appendix 5.6.

Parking and Delivery Screening
Functional service areas in Township 9, while necessary, are not intended to be viewable from primary streets, neighboring properties, or any public space. Materials and elements used in screening shall be complementary to the architecture and streetscape design of the development zones in which they fall. The following guidelines will function to conceal objectionable areas / activities from public view and are intended for application in all development zones of Township 9.

- **Delivery, Loading and Other Service Areas** - Loading and service areas must be screened by masonry walls at least 6' in height, or screened by a solid evergreen planting reaching at least 6' in height at maturity. Plantings shall be a minimum of 36" in height at time of planting and must reach mature height within three years of installation.
- **Garbage Collection** – Applicants should make efforts to design garbage collection areas to be enclosed in a building envelope. These collection areas should be screened by a solid metal gate and should not face any primary street or civic space. In the Transit Area, this configuration will be required for design approval by the Design Review Committee.

  In alternative cases, garbage collection areas shall be enclosed by a masonry wall 6' high, or 1' higher than the container it screens – whichever is greater, and will have a solid, metal lockable gate to screen the opening. A double row of evergreen shrubs (5-gallon, 18" height minimum size at installation) shall be planted in a triangular spacing pattern, 36" o.c., at the base of the screen wall.

  Masonry walls should incorporate murals and/or other types of graffiti reducing public art. Screen plantings/shrubs should be a hostile variety to reduce habitation by transients.

4.7 Landscaping

Purpose & Intent: Provide shade and aesthetic value through thoughtful selections of trees, shrubs and ground cover plantings. Ensure the long term viability of an urban street tree canopy.

In all zones of Township 9, applicants shall incorporate suitable landscape design that will enhance the architectural character of the building it serves, and create a cozy, urban atmosphere that promotes a comfortable pedestrian experience. Spaces and plantings shall be designed at a human-scale and be harmonious to the rest of the development in form and expression. To enhance public safety, it is imperative that the landscaping plan is coordinated with the lighting plan to ensure proper illumination is maintained through the maturity of the trees and shrubs.

- **Street Trees** – Installation of a consistent network of street trees along Township 9 travel corridors will

establish shade, beauty, and a human scale element to the development as a whole. Trees are to be planted at approximately 30' o.c. which allows for mature tree growth and room for lights and other street elements to be located on street edges. As previously noted, this tree spacing (which works in tandem with street light spacing) should be constant and not violated by sidewalks, utilities, or other ground plane objects. Even driveways are encouraged to be located or reconfigured so as to not change the street tree and light pattern.

Street trees planted along the length of any street, in medians as well as on the sides, must be of the same genus and species to promote an ordered visual structure to the street (as specified by the Street Trees Map, Figure 25). To avoid monoculture, no one species should be used on more than two streets. Street trees shall be installed at a minimum container size of 24" boxes. Regardless, all trees shall be nursery container-grown and planted in the center of the 8' (minimum) planter strip. Planter strip should generally be planted with lawn, although minor variations may be allowable.

To denote a special condition, street trees adjacent to plazas, dining patios or other similar conditions may be planted in tree wells or tree grates, especially to maintain the continuous 30' tree spacing pattern. Each tree grate or well should measure 5' x 5' minimum.

- **Site Landscaping** - Property owners shall provide appropriate landscaping for all structures erected in Township 9. Landscape designs shall reinforce the urban street front character and should introduce an interesting human scale element to the base of buildings. The use of window boxes, planting pockets, and the like, are encouraged.

  All landscapes shall include an automatic, underground irrigation system. Developers shall attempt to locate controllers, valve boxes, and other irrigation/electrical equipment requiring access out of public view from walks, drives, and buildings, as best as physically and practically possible.

- **Plant Material Guide** - Planting design should always be incorporated into thoughtful landscape planning by a qualified landscape designer. The massing and composition of proposed planting areas should enhance the overall style of the architecture and should not detract or become obtrusive.

  Plant material should be chosen to create visual interest by incorporating a well-balanced variety of forms, textures, and colors. The use of seasonal color plantings is encouraged, especially at building entries, civic/public spaces, and other special points of interest.

4.8 Open Space / Parks

Purpose & Intent: Provide a variety of open space & park amenities that offer a variety of passive and active urban experiences. Provide public access to the American River Waterfront while protecting the natural environments of the American River Parkway.

Individual project applicants and designers shall give special attention to appropriate design regarding scale, safety, maintainability, and visual/physical connectivity when designing parks and open space in Township 9. Each applicant should design with the principle that successful open space locations and linkages are critical in creating a vibrant, enjoyable community. To ensure Township 9 residents and patrons are afforded convenient access to a variety of high-quality open spaces, a full spectrum of parks is provided in Township 9.

The American River Waterfront

The American River Waterfront within the project site is envisioned as a contiguous open space feature

along the South side of the American River and the most prominent open space feature in Township 9. Located on the north boundary of Township 9, along the levee that defines the American River, it will provide an important regional amenity for the entire Sacramento community by bringing the city to the river and celebrating it. The American River Waterfront will ultimately be part of a larger linear open space/parkway system that extends along the south side of the American River levee throughout the entire Richards Boulevard area.

A critical design element of the waterfront (and the urban interface along the south side of Riverfront Drive) is raising the Township 9 grade (elevation) up to the same elevation as the top of the existing levee. This provides a direct visual and physical connection with the river rarely found in Sacramento. The grade will vary along the waterfront based upon the Riverfront Drive centerline profile. The new earthen fill will be transitioned back to existing grade through subtle slopes (2-4%) and in some locations with retaining walls incorporated into the foundation of adjacent buildings.

Other important objectives of the waterfront design are to enhance and compliment the native vegetation of the American River Parkway, screen views of buildings from the river and maintain flood protection.

The American River Waterfront is defined by three distinct landscape areas within Township 9 that ensure a balance between the urban uses, recreation uses and open space and preservation uses.

American River Parkway

The natural landscape area located within the American River Parkway (north of the levee) will be preserved and enhanced as an open space and riparian preserve. This area is subject to flooding and is monitored by numerous agencies to ensure that the vegetation supports the flood protection, water quality and habitat objectives for the corridor. Township 9 respects this landscape by restricting access to it, planting non-invasive species adjacent to it, controlling irrigation, fertilizer and surface run-off into it and collaborating with the operating agencies to clear invasive species, protect suitable species and re-vegetate where appropriate to ensue that this landscape area remains healthy.

Riverfront Park

Riverfront Park is the linear park located between the American River Parkway (open space and riparian preserve) and Riverfront Drive. The park varies in width due to the meandering alignment of Riverfront Drive creating a variety of passive recreational opportunities. The primary recreational facility is the Two Rivers Trail which passes through the Township 9 site and connects into a regional multi-use trail system along the existing levee adjacent to the American River Parkway. Other passive recreational features may include ~~a promenade,~~ picnic areas, and open lawn areas.

Riverfront Park will primarily be landscaped as an Oak Woodland with native Oak species and grasses. The landscape will include native Oak tree species throughout, but the ground plane planting (ground cover) will transition from native grasses to ornamental grasses (turf) along a clear edge such as a walkway or the Two Rivers Trail. (The approved Riverfront Park plant list is included in the appendix). This transition of grasses provides a balance between the natural and urban landscapes and offers an opportunity for interpretive and / or educational elements within the Riverfront Park. The south edge of the park is defined by Riverfront Drive where California Sycamores are planted as street trees to complement the Sacramento riparian landscape.

Terminus Park / Riverfront Plaza

Terminus Park and Riverfront Plaza are located at the terminus of North 7th Street at Riverfront Drive. They are located within the Riverfront Park and are the jewel of the Township 9 waterfront. Terminus Park is a large turf area with informally planted shade trees that creates an active gathering place for outdoor festivals, fairs and passive recreation. Riverfront Plaza provides Sacramento with a formal gathering place along the American River where public events such as live performances and special ceremonies can celebrate the beauty of the waterfront and the excitement of the mixed use community in Township 9.

The plaza is designed hardscape, lawn, and a participatory fountain and related park amenities. Within the plaza there could be an interpretive feature that highlights the significance of the American River within the hydrological, ecological and geographical systems of California.

A linear water feature starts at Riverfront Plaza and flows downhill through the 7th Street median. Along with the design of the plaza, the water feature shall convey the meaning and importance of the hydrological link between the Sierra Nevada Mountains and the Sacramento metropolitan area via the American River. A tower feature within a small pool in the traffic circle island at the intersection of North Seventh and new street A makes up the end of the water feature. Within this pool rises a tower feature (maximum 150') that serves as a community identity maker. ~~The tower is envisioned to be lit with neon (or similar) lights that can only be seen from the south.~~

Riverfront plaza is designed to minimize light and noise pollution into the adjacent American River Parkway. Programming will have limited night time hours to avoid conflicts with adjacent human and wildlife populations.

7th Street Linear Parkway – 7th Street is envisioned as a **linear park** with 2 lanes of traffic on either side ~~moving through it~~. These lanes are divided by a 40' wide median which contains an interpretive walkway. The sides of the street contain wide planting areas and sidewalks and a 10' building setback which makes room for outdoor dining, plazas and more planting space. The width and length of the street are unified by a strong boulevard tree planting pattern which is interrupted at intersections by focal nodes with accent trees.

The interpretive walkway provides an opportunity to describe Sacramento's ecology, history and/or culture. The paving design of the walkway could be derived from the American River, abstracting the form of the river as it begins in the high mountains and descends through different ecological and urban environs on the way to the Pacific Ocean. The pavement should consist of specialty materials, for example colored concrete with decorative stone exposed aggregate or special art pieces embedded into the surface of the walk. The design of the walkway could portray uses of the river: gold mining, irrigation, transportation, recreation, etc. These literal ideas and facts should thoughtfully be expressed into the designed landscape in the form of sculptural pieces, special plantings, or the shape, color & texture of the pavement of the walkway. Interpretive signs that explain the ideas being portrayed in the design should occur at regular intervals.

~~In addition to the linear parkway interpretive walk there are two nodes along the walk that create opportunity for historical interpretation. These are the shelters located within the median (at the intersections of 7th with local streets) that provide an opportunity for a mini-museum for interpreting the cannery operation (or other cultural or historical items) and a rest area for pedestrians. One of these shelters should be the historic scale house which exists on site currently. Its size and the fact that it served a function for the historical use of the property make the building a good choice for an interpretive building. The scale house will need to be relocated into the new location within the median as well as structurally modified to~~

~~serve its new use. Changes should include making the structure somewhat open to the outside in order to keep it safe, while maintaining the spirit, intent and most of the material of the original building.~~

~~The other structure could likewise interpret or reuse the building materials from the site, including brick for the columns, wood trusses and galvanized metal roofing. Historically accurate lights and other accessories could also be used. Shelters could house remnants of the historic cannery machinery, historical artifacts, ecological exhibits and other appropriate displays along with interpretive signage and benches.~~

Other signage and entry features should be located along the sides of 7th Street, especially near the south end to mark the arrival from Richards Blvd into Township 9. For the construction of all of these features, here again, the materials used should be taken from the demolished cannery and warehouses that are on site, especially bricks and hollow clay units.

Paseos - ~~Three~~ Six ~~linear,~~ mid-block landscaped ~~greenways~~ greenspaces shall be developed ~~to transverse~~in the live-work/townhouse area in Township 9. These ~~greenbelts~~ greenspaces shall be a minimum of 40' wide with an 8' wide concrete walkway and should be designed to complement development occurring on its edges. The paseos should link the central mixed-use area on their north end to Signature Street on the south. The eastern and western paseos may pass through breezeways under larger buildings to retain their linear continuity. Breezeways shall be designed to enhance safety. The paseo design should reflect the surrounding development and the paseos may be relocated to another location within the same block if first agreed to by Parks Department staff. ~~However, t~~The central paseo should be designed to be more important since it connects to the urban park and the middle of Signature Street.

Mew~~s~~ – This is a linear plaza that is intended to achieve the effect of a narrow street. It is situated as the logical extension of Park Boulevard and should be designed to accommodate traffic, although only an occasional vehicle (emergency, ~~delivery,~~ etc) would be permitted. It will slope gently up to the level of Riverfront Drive and contain two rows of ~~palm~~ trees which continue south into the Park Boulevard median. The ~~palm~~ trees also serve to accentuate the view from Riverfront Plaza to the traffic circle at the end of Park Boulevard.

Urban Parks - To serve the needs of residents/employees of Township 9 and to reduce the effects of compact development in the higher-density areas of development, incorporation of additional open space will be critical in the creation of an enjoyable living and working environment. With that in mind, an urban park located in the center of the project provides relief from urban conditions and serves as a space for recreational, civic, or commercial activities. This space is intended to provide a sense of definition to sub-areas within Township 9, and to provide linkages between activity centers.

Urban Plazas- There are two public plazas conceived for Township 9. Two of them are located on the southernmost edge of the site, connecting the Richards Boulevard frontage to Signature Street.

Each plaza is somewhat linear in shape and is partially intended to convey pedestrians - transitional spaces, rather than gathering spaces. They should be wide enough to give ample room for pedestrians and seating and planting areas. Specialty pavement colors and patterns are encouraged.

Traffic Circles –The traffic circles within Township 9 are considered key design features that create a unique identity for the project. These circles are intended to be pedestrian oriented spaces that emphasize the

outdoor seating, walkways, and adjacent ground floor uses to create exciting gathering places. The roadway will be designed with enhanced paving, bollards and landscaping to minimize the visual and physical presence of automobiles. The traffic circle at Signature Street is shown here as an example of these design features. The other circles will be designed with a similar approach.

4.9 Lighting

Purpose & Intent: Provide safe and interesting streets, plazas and parks through decorative lighting solutions. Shield glare to adjacent properties especially the American River Parkway. Establish solutions that meet the principles of "dark sky" lighting.

Lighting in Township 9 shall be used as a tool to: 1) illuminate roadways, pedestrian spaces, and architecture while enhancing their safety component as well as aesthetic qualities and 2) serve as repetitive elements that reinforce the image of Township 9. Lighting elements shall blend attractively into the environment by day and perform effectively at night to promote a comfortable, visually continuous condition. Lighting shall be directed and controlled so not to disturb residences, and to respect "dark sky" principles of lighting design. All light fixtures shall have incandescent, halogen, or metal halide light sources.

General Guidelines

- Lighting should minimally meet the Illuminating Engineering Society of North America (IESNA) standards. In troubled areas, consideration should be given to doubling or tripling the foot candle output. Lighting must also be uniform and efforts made to avoid glare and light trespass.
- Fixtures should be vandal resistant. Full cut off wall packs and shoebox fixtures are recommended for parking lots, walkways and around buildings. These help eliminate glare and light trespass.
- For exterior commercial lighting (e.g., parking lots, paths, parks, plazas, etc.), either Metal Halide or Induction lighting is recommended. This lighting provides a clear white light that allows for true color rendition and the ability to better recognize potential threats. For some applications such as apartment doorways, a compact fluorescent white bulb can be used.
- In addition to lighting levels being uniform (should have a uniformity average to minimum ratio of 4:1), the lighting plan should be made part of the landscaping plan. The lighting plan should be capable of meeting the lighting standards from the time of planting up through the time of landscaping maturity.
- The lighting plan should address issues such as shadows that will be created by awnings and/or canopies that are planned to shade business windows. Lighting solutions under these structures should be implemented and utilize the same types of lighting listed above.

Street Lighting

Along major roadways in Township 9, roadway scale illumination located within medians will be required at intervals designed to promote safety, visual continuity, and community identity. The general height for light poles is to be 16'-24' for street lights and they should be located in the center of the planting strip. These parameters in combination with the spacing intervals and target foot-candle intensities listed below are intended to provide adequate lighting for automobile and pedestrian as well as an aesthetically pleasing pedestrian scale. Lights may contain Township 9 logos suspended from a cross arm at special locations.

Pedestrian Lighting

On most streets, it is strongly encouraged that applicants include pedestrian-scale lighting in the design of

all streetscapes and public spaces in Township 9. Pedestrian scale illumination promotes visual continuity, safety, and night activity in any community. This may consist of lighting that is suspended from adjacent buildings. In situations away from buildings (paseos, parks, plazas, etc.) 12' tall pedestrian lights (otherwise being of the same design as a 16' street light) are required along walks or other high traffic corridors. Bollard lighting is also encouraged as a way to provide lower level lighting.

Architectural Accent Lighting
Exterior illumination, designed to highlight and accent architectural features of buildings, will be required on all building facades facing streets, sidewalks, parking areas, and other public spaces in Township 9. This may include pedestrian-scale lamps, bollards, landscape lighting, and/or step lighting that is complementary in design to the family of light elements described by these guidelines.

In general, lighting plans shall be designed to appropriately accent architecture / landscape elements, and shall not include ostentatious shows of light such as wall washes or multi-colored displays. By exception, festive light displays in retail or entertainment areas will be reviewed on an individual basis for approval by the Development Review Committee.

Sign Lighting – In all zones of development, lighting of signs shall be from a relatively concealed light source that is not intrusive to vehicular traffic, pedestrians, or neighboring properties. Encouraged sign lighting treatments are as follows:

- Snorkel lighting
- Hooded spotlights
- Lighting recessed at the base or side of the sign
- Lights concealed within relief lettering, illuminating the background
- Appropriately sized and directed floodlights

Internally lit, plastic box type signs, in which the light source is not visible, are not allowable in any development zone in Township 9. Sign lights that flash on and off intermittently are also not allowable. All sign lighting design will be subject to review and approval by the Development Review Committee prior to installation.

Because of the narrow width of the streets, these smaller scale lights will also provide lighting for the roadway surface. The light should be located within the center of the street planter strip, able to throw light on both the sidewalk area and street surface. They are usually placed exactly midway between tree locations. Certain streets will receive a special non-City standard light fixture. See Table 6 for pedestrian lighting intervals, height, and style.

4.10 Signage

Purpose & Intent: Encourage unique solutions for signage while meeting the existing City codes.

Signage serves a dual purpose within any urban space – it not only orients and directs users, but with thoughtful design, it can enhance the aesthetic environment of a streetscape while adding to its identity and sense of place.

Lack of way-finding can lead to fear, confusion and possibly exposure to crime. It is important to incorporate clear way-finding measures in parks and public plaza areas because it increases public safety.

Following are general guidelines regarding different types of signage design that may be appropriate in all development areas of Township 9. All signage design shall be subject to review and approval by the Design Review Committee prior to installation.

Regulatory Signage – All regulatory signage design shall include painted back surfaces, and sign trim of color that is coordinated to other streetscape elements. Where possible, regulatory signs shall be consolidated on light standard poles.

Projecting Signage – In pedestrian-oriented communities such as Township 9, projecting signs have an advantage over traditional fascia signs in that they can be viewed by pedestrians at right angles to the building façade, as well as from a distance. In general, projecting signage features will be encouraged, provided they comply with the following guidelines. Projecting signage, in all zones of development in Township 9, should:

- Identify the name and business of the occupant
- Not be of unusual size or shape when compared to human scale or adjacent buildings (maximum dimensions equal 24"-36" in width by 18"-24" in height)
- Be oriented at right angles to primary pedestrian movement
- Not project above the roof line of a building
- Not block or detract from adjacent property
- Preserve the architectural quality and atmosphere of Township 9

Awning Signage – Awnings over building entrances add color, visual interest, and environmental protection to the streetscape environment, and are encouraged as design accents in Township 9. Awning signs are typically non-illuminated displays that are painted on or permanently attached to an awning. These treatments are encouraged for signage design in Township 9, provided they are:

- Permanently attached designs
- Not of unusual size so as to detract from the visual continuity of the streetscape
- Appropriate in scale when compared to the building/business which they serve
- Simple in text / logo design so easily read and not detracting from the overall streetscape

Ground Signage – Ground signage is an acceptable alternative to pole-mounted or billboard-type signage that often defaces the community image of neighborhoods. Use of ground signage is allowable only in the Transit Area of Township 9, and should be:

- Of complimentary architectural design and material when compared to the building it serves
- Integrated into the landscaping
- Simple in text design so to be easily read at typical driving speeds
- Creatively lit from a concealed light source that is not intrusive to vehicular traffic, pedestrians, or neighboring properties

Window Signage – Window signs may be etched or painted onto the glass surface (as permitted by owners), and must maintain clear visibility through the window or display case. Symbols, logos, or decorative elements comprising a window sign should be subtle in size / design, and should cover no more than approximately 15% - 30% of display window surface.

Fascia Signage – Fascia signs, signboards, or wall-mounted signs are allowable in Township 9 provided they

are designed to accentuate the vertical architectural elements of the building they serve, and that the sign size, shape, or scale does not detract from the overall character of the business.

Rooftop Signage – The historic "Richards Bercutt Cannery Company" had a rooftop sign that was unique to this site and since been removed. The proposed transit station shelter provides an opportunity to re-interpret this historical form of signage. Rooftop signage will be permitted on this rooftop subject to review by the City zoning administrator.

4.11 Historic Preservation

Purpose & Intent: Respect the unique history of the cannery buildings through selective re-interpretation and re-use of materials and forms in both architectural features and site features where practical.

The construction of Township 9 will remove a historically significant cannery and industrial site. The historical report states, "It is important that the property's historic significance be conveyed to future residents and visitors to the Township 9 property." To achieve this and to satisfy mitigation measures required by the EIR, portions of the existing buildings could be used to replicate the cannery building architectural vernacular in shelters for transit users and visitors to the site. Additionally, project entry signage that is to occur along seventh and in other site entry points could be constructed of historic materials from the site. The warehouse identified as the Fruit Cocktail Building (building #3) in the Historical Report is the best inspiration for historical reuse and interpretation. The brick columns, wood trusses and galvanized metal roofing from this building could all be closely (if not in fact literally) recreated at the interpretive shelters. One of the walls of the shelter could even contain a metal framed window from the original warehouse. Lights and other accessories should also be reused if possible, but historically accurate fixtures may be substituted if necessary.

Transit Station Shelter – The Sacramento Rapid Transit (RT) station located along Richards Boulevard is the most promising location to preserve the history of the cannery facility. This location would establish this historical identity for thousands of RT users as they pass through the station. This location creates a distinct sense of place for the entire Township 9 community while interpreting history for residents and visitors to Sacramento.

The shelter uses traditional warehouse construction of clay brick, scissor trusses and factory glass (windows) to create a functional enclosure for the transit platform that recalls the cannery vernacular of this historic site.

Interpretation Shelters - Two shelters are planned within the 7th Street linear park that provide an opportunity for a "mini-museum" for interpreting the cannery operation (or other cultural or historical items) and a rest area for pedestrians. Beneath the shelter, a remnant of the historic cannery machinery could be displayed with other valuable historical artifacts or resources, along with cultural or ecological exhibits. Interpretive signage can be used to explain the interpretive display of the site's history and the exhibits displayed underneath the shelter. Other amenities that should be located under the shelter are benches, drinking fountains and trash receptacles.

Entry Monuments - The entry monuments planned for Township 9 is an excellent opportunity to reuse materials from the site. Obelisks, pedestrian arches, seat walls, and other structures that were not part of the historical shelters could be used to mark the arrival into the project and provide a sense of place. Materials used for these structures would be primarily salvaged brick. Other materials could be hollow clay tiles

(units) and possibly galvanized metal roofing. Interpretation of these materials could be done through small signs affixed directly to the monuments or signs. There could be direct access to the entry monuments via the interpretive walkway and sidewalks.

4.12 Public Utilities

Purpose & Intent: Encourage careful placement of utility appurtenances to minimize visual impact within the streetscape and other public spaces.

Above grade utilities, including telephone boxes, air conditioning units, meters, irrigation controllers, and the like, are to be placed away from public view or views from neighboring properties where possible. Below ground vaults are encouraged within the public ROW where practical and should be located away from building entrances and public features such as paseos, mews, traffic circles, etc. Architectural niches or offsets should be designed to accommodate mechanical equipment. Green screens are allowable provided they accomplish solid screening at initial installation, not at assumed plant maturity.

4.13 Stormwater Quality Treatment Control

Purpose and intent: To comply with the City's Municipal NPDES Permit that require both source control and treatment control measures to minimize the increase of urban runoff pollution caused by the project.

Off-site treatment control measures: The streets planned for the Township 9 shall incorporate both runoff reduction measures and treatment control measures. All streets in the project shall have separated sidewalk and continuous planting of trees. Local streets shall have stormwater planters alongside of them when necessary. The control measures shall include stormwater planters, porous pavement, vegetated swales or other appropriate treatment control measures. Any selected measures shall meet the design criteria of the City's current stormwater quality design manual in effect at the time of the development. Attached schematic drawings show the conceptual stormwater quality treatment measures for the project, but the measures have not been verified meeting the criteria or suitable for intended use.

On-site treatment control measures: Some of the off-site treatment measures can be designed to include treatment for the abutting parcels. Most parcels will be able to be fully treated by the off-site treatment measures. Parcels 1, 3, 4, 5, 12, 14, 15 and 16 have been identified as those parcels not meeting the one hundred percent treatment in the preliminary Water Quality Plan, dated June 2007. Additional parcels may be added to this list if field conditions limit the implementation of some of the proposals. Those parcels that do not meet the one hundred percent treatment shall provide additional on-site treatment controls. The exact measures can not be predetermined; however, the measures shall include porous pavement, stormwater planters, vegetative swale, proprietary treatment devices, sand filters and eco roof, as appropriate. Any selected measures shall meet the design criteria of the City's current stormwater quality design manual in effect at the time of the development. Attached drawing shows the conceptual on-site stormwater quality treatment measures. The measures have not been verified if they have met the design criteria or if they are suitable for intended use.

Section 5: Appendices

5.1 Approved Tree List

5.2 Recommended Plant List (Non Trees)

5.3 Riverfront Park Plant List

5.4 Township 9 Street Furniture Guidelines

Note that the following furniture examples are suggestions based on preliminary design concepts in this document. Changes may be made as the design is further developed.

5.5 Sustainability Guidelines

Purpose and Intent: Sustainable developments: promote livable developments, reduce Sacramento's environmental footprint, and sustain economic viability for Sacramento businesses and general population.

The following guideline is a summarization of elements that encompass sustainable communities. These are not all encompassing and general and nature.

Sustainable Sites

- Plan building lot orientation to take into account the path of the sun and design for passive solar strategies (solar heating and cooling). Allow for the installation of photovoltaic installations that convert sunlight to electricity.
- Consider natural breezes and utilize thermal mass in the building interior for cooling effect in the summer.
- Plant trees that sequester carbon, shade and cool the environment and reduce the urban heat island effect (thermal gradient differences between developed and undeveloped areas).
  Do not block solar access to the rooftops of designated solar projects.
- Consider cool roofs and/or green roofs to reduce urban heat island effect.
- Reduce pollution and land development impacts from single occupancy vehicle use by sizing parking capacity appropriately and providing preferred parking for carpools, van pools, car-share services, bicycles, etc.
- Develop infrastructure and provide for low emission, fuel efficient and alternative fuel vehicles, (i.e.: electric, hybrids, fuel cell).

Water Efficiency

- Plan site for natural drainage, increase on-site infiltration and manage stormwater runoff. Provide pervious (vs. impervious) landscaped and parking surfaces and provide on-site planting, bioswales, constructed wetlands and vegetated filters to allow water to return naturally to the aquifer and pretreat it before it enters the storm drainage system. Utilize drought resistant and water efficient planting and irrigation efficiency.
- Reduce generation of wastewater and potable water demand. Capture and re-use rainwater, provide water-conserving fixtures and consider the use of "greywater" for landscaping and other uses.

- Maximize water efficiency within buildings (water closets, urinals, lavatory faucets, showers, kitchen sinks) by utilizing high efficiency fixtures and consume less of our community's water.

Energy & Atmosphere

- Verify that building's energy related systems are installed, calibrated and perform according to project requirements.
- Optimize and increase energy performance above standards to reduce the environmental and economic impacts associated with excessive energy use.
- Minimize condenser and refrigerant driven mechanical systems and utilize clean air renewable energy sources on-site which reduce carbon emissions and maximize energy efficiency (i.e.: photovoltaics, indirect-direct evaporative cooling, wind power, co-generation, District Heating & Cooling, etc.).
- Include mechanical systems that utilize fresh air intake and the best ventilation and filtration technology.
- Support building envelope design that appropriately insulates homes and address their orientation to the sun with the use of sun shades, light shelves, high performance glass, roof slopes, cool roofs, green roofs and solar photovoltaics. Integrate photovoltaics into the building envelope.
- Encourage the use of Green Energy programs as provided by local utilities or third party providers.
- Address daylighting strategies to improve the indoor environmental quality and productivity of building occupants.

Materials & Resources

- Reuse and recycle building materials and products in order to reduce demand for virgin materials. Use salvaged, refurbished or reused materials in construction. Use building products that incorporate recycled content materials. When possible, use rapidly renewable building materials and products (made from plants that are typically harvested within ten-year cycle or shorter) in order to reduce the use and depletion of finite raw materials.
- Utilize regional building materials and products whenever possible, thereby supporting the local economy and reducing the environmental impacts resulting from transportation.
  Utilize low emitting building materials and minimize or avoid the use of materials and interior finished that utilize urea-formaldehyde and other volatile organic compounds in their production, and are irritating and/or harmful to the comfort and well-being of installers and occupants (adhesives, caulking, paints, finishes, sealers, carpet systems

Other Innovative Design Strategies

- Utilize LEED (Leadership in Energy & Environmental Design) and/or Build It Green rating systems for your project.

5.6 Reciprocal Parking Guidelines

(to be inserted)

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REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
November 18, 2010

To: Members of the Planning Commission

Subject: 45th and F Streets Tentative Map (P10-062)
A request to subdivide an existing 0.15-acre parcel in the Standard Single-Family (R-1) zone into two parcels with each parcel containing an existing single-family residence.

- **A.** Environmental Determination: Exempt per CEQA Guidelines Section 15332;
- **B.** Tentative Map to subdivide an existing 0.15-acre parcel in the Standard Single-Family (R-1) zone into two parcels;
- **C.** Subdivision Modification to create a corner lot with less than 62 feet in width in the Standard Single-Family (R-1) zone;
- **D.** Subdivision Modification to create an interior lot with an area less than 5,200 square feet and a corner lot with an area less than 6,200 square feet in the Standard Single-Family (R-1) zone;
- **E.** Subdivision Modification to create two lots less than 100 feet in depth in the Standard Single-Family (R-1) zone;
- **F.** Variance to allow non-standard building setbacks in the Standard Single-Family (R-1) zone; and
- **G.** Variance to allow non-standard lot coverage in the Standard Single-Family (R-1) zone.

Location/Council District:

601 45th Street and 4510 F Street, Sacramento, CA 95819

Assessor's Parcel Number 004-0303-037-0000 and 004-0303-038-0000

Council District 3

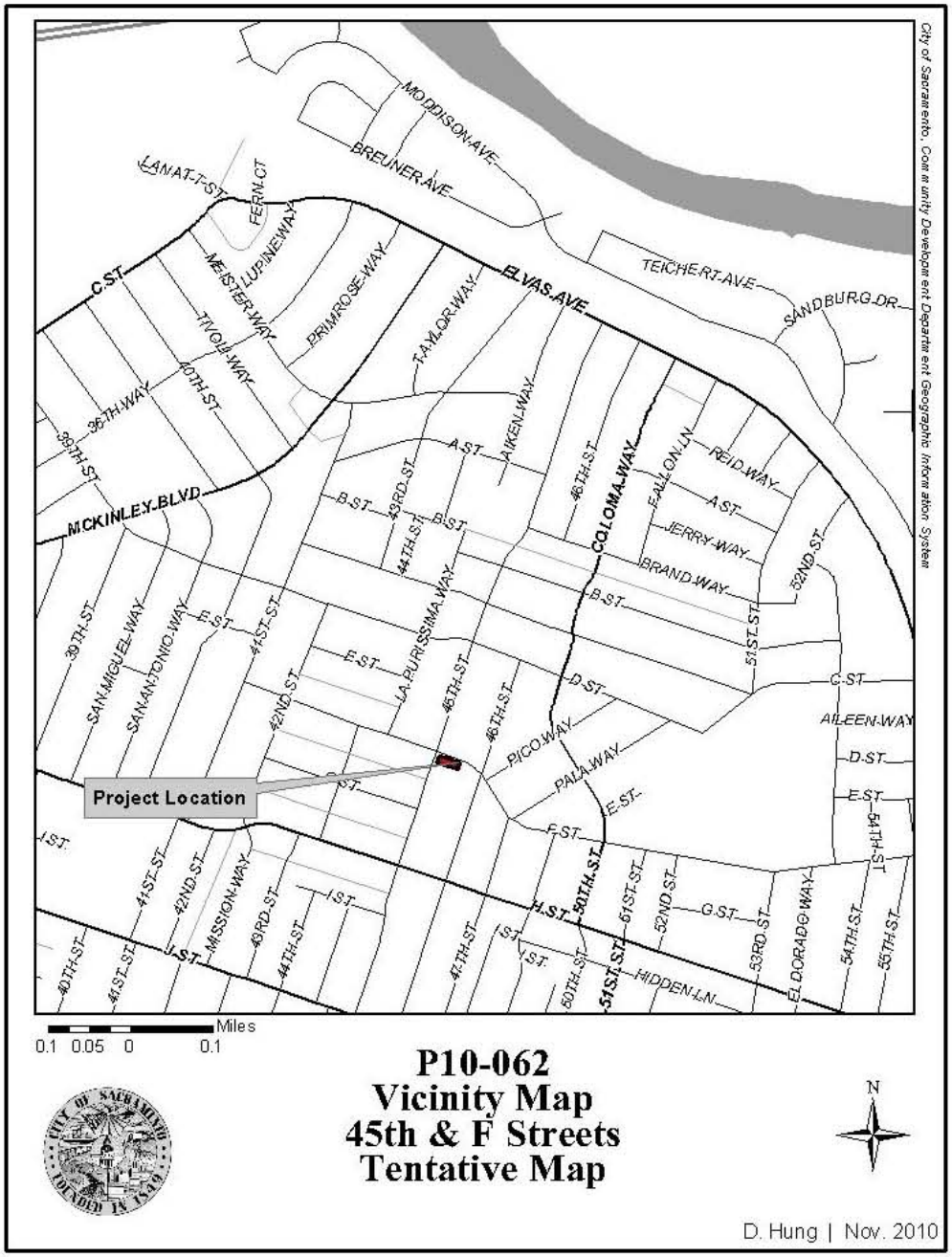
Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-G above, and its decision is appealable to City Council

Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110

Applicant: Brian Holloway, Holloway Land Company, (916) 996-2019, 442 Pico Way, Sacramento, CA 95819

Owners: Chris Little, (916) 698-1961, 4510 F Street, Sacramento, CA 95819; Beatrice Morley, 601 45th Street, Sacramento, CA 95819

Vicinity Map



Summary: The applicant is proposing to subdivide one parcel into two parcels on approximately 0.15 acres to create two legally subdivided lots. There are currently two single-family residences on the site and the proposal will result in a separate parcel for each dwelling. The project requires a Tentative Map, Subdivision Modifications and Variances for setbacks and lot coverage. Staff has sent early notices to various neighborhood groups in the area and has not received any opposition on the proposal.

Table 1: Project Information
General Plan designation: Traditional Low Density Residential
Existing zoning of site: Standard Single-Family (R-1) zone
Existing use of site: Residential
Property area: 0.15 acre

Background Information: The subject parcel was originally known as Lot 119 on the recorded map of the Plat of Mont Clair or Brooke Realty Company's Subdivision No. 106. The parcel was never legally subdivided but is separated into two halves with each half having its own assessor's parcel number for tax reporting purpose only. Records search finds that the dwelling on parcel 004-0303-037 (601 45th Street) was built in 1938 and the dwelling on parcel 004-0303-038 (4510 F Street) was built in 1968. Since the subject parcel is a corner lot, the use of two units, or duplex, would be allowed by right. Applicant is now requesting to subdivide the lot to create two individual lots.

Public/Neighborhood Outreach and Comments: Staff sent early notices to various community groups including the East Sacramento Improvement Association (ESIA), the East Sacramento Preservation Task Force, the McKinley East Sacramento Neighborhood Association (MENA) and WALKSacramento. Staff received a correspondence from ESIA dated October 12, 2010 which reads, "The ESIA Board reviewed the project notification for 45th and F Streets, and we have no objections to the project."

Environmental Considerations: The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332, In-fill Development Projects, which characterized the project as an infill development. The project is consistent with the applicable general plan and zoning designations and with the general plan policies, occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses, has no habitat value, would not result in significant effects to traffic, air, noise, and water, and can be adequately served by utilities and public services.

Policy Considerations: The 2030 General Plan Update was adopted by City Council on March 3, 2009. The 2030 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The 2030 General Plan Update designation of the subject site is Traditional

Low Density Residential which provides for moderate intensity housing and neighborhood-support uses. The 2030 General Plan has identified goals and policies under the Land Use and Urban Design Element and the Housing Element. Some of the goals and policies supported by this project are:

- *Land Use and Urban Design Element (Goal LU 4.1)* Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.
- *Land Use and Urban Design Element (Policy LU 4.3.2)* Replacement of Non-Conforming Densities in Traditional Neighborhoods. The City shall preserve the existing diversity of housing types and densities on each block of Traditional Neighborhoods. Where proposed residential development on a parcel within a Traditional Neighborhood block would exceed the maximum allowed density, the City may allow the development if it would not cause the overall density for the block to be exceeded. Where the density of existing development on a Traditional Neighborhood block falls outside the applicable density range of its land use designation, the City shall allow replacement development on the parcel that maintains the same density.
- *Land Use and Urban Design Element (Policy LU 4.3.7)* Single-Family Housing in Traditional Neighborhoods. The City shall encourage the retention of existing single-family dwellings in Traditional Neighborhoods and discourage rezoning of single-family districts to multifamily districts.
- *Housing Element. (Policy H-2.2.1)* The City shall promote quality residential infill development through the creation/adoption of flexible development standards and with funding resources.
- *Housing Element. (Goal H-4)* Preserve, maintain and rehabilitate existing housing to ensure neighborhood livability and promote housing affordability.

The proposed project meets the 2030 General Plan goals and policies related to Citywide Land Use and Urban Design and the Housing Element for the traditional residential designation. Even though the designation of the site is Traditional Low Density Residential which allows for three to eight units per net acre, the dwelling units are existing and no change in density occurs as a result of the proposed tentative map; the project would also not cause the overall density for the block to be exceeded. Therefore, staff does not feel that the proposal conflicts with the allowable density of the General Plan designation.

Project Design:

Land Use

Tentative Map

Map Design: The tentative map proposes to subdivide an existing 0.15-acre parcel in the Standard Single-Family (R-1) zone into two parcels; the tentative map design is summarized below:

Table 2: Map Design Summary			
Parcel No.:	**Lot Size:**	**Lot Description:**	**Use:**
A (601 45th Street)	3,140 square feet	Corner Lot	Existing Single-Family Dwelling
B (4510 F Street)	3,610 square feet	Interior Lot	Existing Single-Family Dwelling

The minimum lot area per dwelling unit in the R-1 zone is 6,200 square feet for a corner lot and 5,200 square feet for an interior lot. Due to the substandard lot sizes proposed, as well as non-standard lot widths and lot depths, subdivision modifications and variances are required; see the respective sections below for further discussions.

Vehicular Circulation and Parking: The subject site is located on the southeast corner of 45th Street and F Street. Both 45th Street and F Street are two-way public streets. The existing residence on Parcel A does not have off-street parking; however, there is available on-street parking directly in front of the parcel. The existing residence on Parcel B has an existing driveway on F Street for access to an attached garage.

Pedestrian Circulation: Existing sidewalk and rolled curb are found at the frontage on 45th Street and F Street. The project does not impact or change existing circulation in and around the site.

Walls and Fencing: All existing fencing on each of the parcels is to remain.

On October 20, 2010, the Subdivision Review Committee, with all ayes, voted to recommend approval of the proposed Tentative Map, subject to the conditions of approval as found in Attachment 1.

In evaluating tentative maps, the Commission is required to make the following findings:

A. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision:

   a. The proposed map is consistent with applicable general and specific plans as specified in Section 65451;
   b. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

c. The site is physically suitable for the type of development proposed;
d. The site is physically suitable for the proposed density of the development;

e. 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 their habitat;
f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
g. 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;

B. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

C. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

D. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

E. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

Staff recommends approval of the Tentative Map with conditions as it is consistent with the goals and policies of the General Plan and Title 16 of the City Code. The site is physically suitable for the type of development proposed and suited for the proposed density; 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 habitat; the design of the subdivision and the type of improvements are not likely to cause serious public health problems, and 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. The project will not overly burden the sewer system, nor will it preclude future passive or natural heating and cooling opportunities.

Subdivision Modifications

Per the City's Title 16 Subdivision Code, the minimum width and area of all lots proposed for single-family and two-family residential uses in the R-1 zone shall conform to the following restrictions:

- Interior lots shall have a minimum width of fifty-two (52) feet at the front building setback line.
- Corner lots shall have a minimum width of sixty-two (62) feet at the front building setback lines.
- Lot depth shall not exceed one hundred sixty (160) feet and shall not be less than one hundred (100) feet in depth.
- Interior lots shall have an area of not less than five thousand two hundred (5,200) square feet.
- Corner lots shall have an area of not less than six thousand two hundred (6,200) square feet.

The lot design standards for the project are as follows:

Table 3: Lot Design Standards

Standard	Required	Proposed	Deviation?
Minimum lot size Corner Parcel	6,200 square feet	3,140 square feet (Parcel A)	**Yes**
Minimum lot size Interior Parcel	5,200 square feet	3,610 square feet (Parcel B)	**Yes**
Corner lot width	62'	45' (Parcel A)	**Yes**
Interior lot width	52'	80.23' (Parcel B)	No
Lot depth	Not more than 160', not less than 100'	69.77' (Parcel A) 45' (Parcel B)	**Yes**

Both Parcels A and B do not meet the minimum lot size requirement. Parcel A does not meet the minimum corner lot width. Both parcels do not meet the required lot depth. By the creation of substandard sized parcels which do not meet the minimum lot area, minimum lot width and lot depth requirements, the project requires the approval of Subdivision Modifications. In evaluating subdivision modifications, the Commission is required to make the following findings:

A. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;

Due to the existing structures and site constraints, it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations.

B. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;

The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

C. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;

The modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity in that the buildings are already constructed on the site and adequate yard areas are being provided.

D. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the general plan and with all other applicable specific plans of the city.

The density and the land use are consistent with general plan goals and policies for single-family housing in traditional neighborhoods.

Taking into account that the site is already developed and adequate yard areas exist around the buildings, and no additional construction is being proposed at this time, staff supports the proposed lot sizes, lot widths and lot depths. Due to the substandard corner lot size for Parcel A, staff has conditioned that neither a duplex nor a halfplex shall be allowed on the new corner parcel. The applicant has also requested Variances to allow non-conforming setbacks and lot coverage; see Variance section for more discussion. The subdivision modification is not based solely on the cost to the subdivider and will not be detrimental to the public health, safety or welfare in the neighborhood. The proposal is consistent with the goals and polices for single-family housing in traditional neighborhoods. Therefore, staff supports the requested subdivision modifications.

Variances

As shown below, the proposal will create non-conforming street side and rear setbacks on Parcel A and non-conforming front and rear setbacks for Parcel B. This is because when the single lot is subdivided into two lots, the front setback of the new “Parcel B” is now located on F Street (the narrowest portion of a lot abutting a public street). As a result, a setback variance is required to deviate from standard setback requirements. Additionally, a lot coverage variance is required for Parcel B since it exceeded the maximum lot coverage of 40%. The following tables show compliance or non-compliance of the proposal with height, setback and lot coverage requirements:

Table 4A: Height and Setback Standards (Parcel A: 601 45th Street)			
Standard	**Required**	**Proposed**	**Deviation?**
Height	35'	1-story	No
Front setback	20' or average of the two nearest buildings	24.48'	No
Side setback	5'	8.31'	No
Street side setback	12.5'	6.75'	**Yes**
Rear setback	15'	13.11'	**Yes**

Table 4B: Height and Setback Standards (Parcel B: 4510 F Street)			
Standard	**Required**	**Proposed**	**Deviation?**
Height	35'	2-story	No
Front setback	20' or average of the two nearest buildings	7'	**Yes**
Side setback	5'	5' (west side) 14.44' (east side)	No
Rear setback	15'	4.63'	**Yes**

Table 5: Lot Coverage and Density					
Parcel	**Lot Square Footage**	**Building Coverage**	**Lot Coverage (40% Maximum)**	**Density (Traditional Low Density 3 – 8 units/acre)**	**Deviation?**
Parcel A	3,140 sq. ft.	819 sq. ft.	26%	14 units per net acre	**Yes**
Parcel B	3,610 sq. ft.	2,265 sq. ft.	62%	12 units per net acre	**Yes**

As shown above, the proposal will create non-conforming street side and rear setbacks on Parcel A and non-conforming front and rear setbacks for Parcel B. As a result, a setback variance is required to deviate from standard setback requirements. Additionally, a lot coverage variance is required for Parcel B since it exceeded the maximum lot coverage of 40%.

The following findings must be made in order to grant a variance:

A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances;

   Granting the variances does not constitute a special privilege extended to one individual property owner in that due to the existing location of the built structures on the site, a land subdivision on similar parcels would create non-conforming setbacks.

B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance;

   Granting the variances does not constitute a use variance in that the existing use is allowed in the zone and a change in use is not requested.

C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant;

   Granting the variances will not be injurious to public welfare, nor to property in the vicinity of the applicant in that the use has already been legally established on the site and the buildings were approved and built to the current manner.

D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.

   The variances do not adversely affect the goals and policies for single-family housing in traditional neighborhoods.

Staff supports the variances to the setbacks and lot coverage as described above since the use was established legally on the site and built to the current manner and no changes are proposed to the structures. Even though the designation of the site is Traditional Low Density Residential which allows for three to eight units per net acre, the dwelling units are existing and no change in density occurs as a result of the proposed tentative map; the project would also not cause the overall density for the block to be exceeded. Therefore, staff does not feel that the proposal conflicts with the allowable density of the General Plan designation. Staff also finds that adequate yard areas are provided for each residence. Due to the above findings, staff has no objections to the variances.

Recommendation: Staff recommends the Commission approve the requested entitlements based on the findings and subject to the conditions listed in Attachment 1.

Respectfully submitted by: _____
DAVID HUNG
Associate Planner

Approved by: _____
STACIA COSGROVE
Senior Planner

Recommendation Approved:

_____
GREGORY BITTER
Principal Planner

Table of Contents:

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Attachment 1
Proposed Findings of Fact and Conditions of Approval
45th and F Streets Tentative Map (P10-062)
601 45th Street and 4510 F Street

Findings of Fact

A. Environmental Determination: Exemption

1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under CEQA Guidelines Section 15332, In-Fill Development Projects of the California Environmental Quality Act, as follows:

   a. The project complies with all applicable policies of the General Plan, as well as with the applicable zoning regulations;

   b. The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses;

   c. The project site has no value as habitat for endangered, rare or threatened species;

   d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and

   e. The site can be adequately served by all required utilities and public services.

B. The **Tentative Map** to subdivide an existing 0.15-acre parcel in the Standard Single-Family (R-1) zone into two parcels is **approved** subject to the following Findings of Fact and Conditions of Approval:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:

   a. The proposed map is consistent with applicable general and specific plans as specified in Section 65451;

   b. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

c. The site is physically suitable for the type of development proposed;

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

e. 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 their habitat;

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

g. 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;

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

C/D/E. The **Subdivision Modifications** to allow non-standard sized lots, non-standard lot widths and lot depths are **approved** subject to the following Findings of Fact and Conditions of Approval:

1. Due to the existing structures and site constraints, it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;

2. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;

3. The modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity in that the buildings are already constructed on the site and adequate yard areas are being provided;

4. The density and the land use are consistent with general plan goals and policies for single-family housing in traditional neighborhoods.

F/G. The **Variances** to allow non-conforming setbacks and lot coverage are **approved** subject to the following Findings of Fact and Conditions of Approval:

1. Granting the variances does not constitute a special privilege extended to one individual property owner in that due to the existing location of the built structures on the site, a land subdivision on similar parcels would create non-conforming setbacks;

2. Granting the variances does not constitute a use variance in that the existing use is allowed in the zone and a change in use is not requested;

3. Granting the variances will not be injurious to public welfare, nor to property in the vicinity of the applicant in that the use has already been legally established on the site and the buildings were approved and built to the current manner;

4. The variances do not adversely affect the goals and policies for single-family housing in traditional neighborhoods.

Conditions of Approval

B. The Tentative Map to subdivide an existing 0.15-acre parcel in the Standard Single-Family (R-1) zone into two parcels is hereby approved subject to the following conditions:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P10-062). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Parcel Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Transportation.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

2. Show all continuing and proposed/required easements on the Parcel Map;

DEPARTMENT OF TRANSPORTATION: STREETS
(Anis Ghobril, Department of Transportation, 808-5367)

3. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. **This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along "F" and "45th" Streets per City standards to the satisfaction of the Department of Transportation**;

PLANNING (David Hung, 808-5530)

4. The following shall be recorded on the Title Report: **A duplex or halfplex development per section City Code section 17.24.050(37) is not permitted on the resulting corner lot (601 45th Street).**

PUBLIC/PRIVATE UTILITIES (Yujean Kim, SMUD, 732-5027)

5. Dedicate a 5-foot public utility easement (PUE) for underground and overhead facilities and appurtenances adjacent to F street;

CITY UTILITIES (Neal Joyce, Department of Utilities, 808-1912)

6. The applicant shall enter into and record an Agreement of Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that a private reciprocal sewer, and/or drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the

Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORD AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK_____, PAGE _____)";

C/D/E. The Subdivision Modifications to allow non-standard sized lots, non-standard lot widths and lot depths is hereby approved subject to the following conditions:

C/D/E1. The applicant shall comply with the conditions of approval on the Tentative Map (P10-062).

C/D/E2. The following shall be recorded on the Title Report: **A duplex or halfplex development per section City Code section 17.24.050(37) is not permitted on the resulting corner lot (601 45th Street).**

F/G. The Variances to allow non-standard building setbacks and lot coverage **is hereby approved subject to the following conditions:**

F/G1. The street side and rear setbacks of Parcel A (601 45th Street) are approved as such:

Street side setback	6.75' (minimum)
Rear setback	13.11' (minimum)

F/G2. The setbacks and lot coverage of Parcel B (4510 F Street) are approved as such:

Front setback	7' (minimum)
Side setback (west)	5' (minimum)
Side setback (east)	14.44' (minimum)
Rear setback	4.63' (minimum)
Lot coverage	62% (maximum)

F/G3. Any deviation from the minimum setbacks or any request to exceed the maximum allowed lot coverage for Parcel B shall be subject to further review and approval by the City of Sacramento's Community Development Department.

F/G4. The following shall be recorded on the Title Report: **A duplex or halfplex development per section City Code section 17.24.050(37) is not permitted on the resulting corner lot (601 45th Street).**

Exhibit 1A – Tentative Map

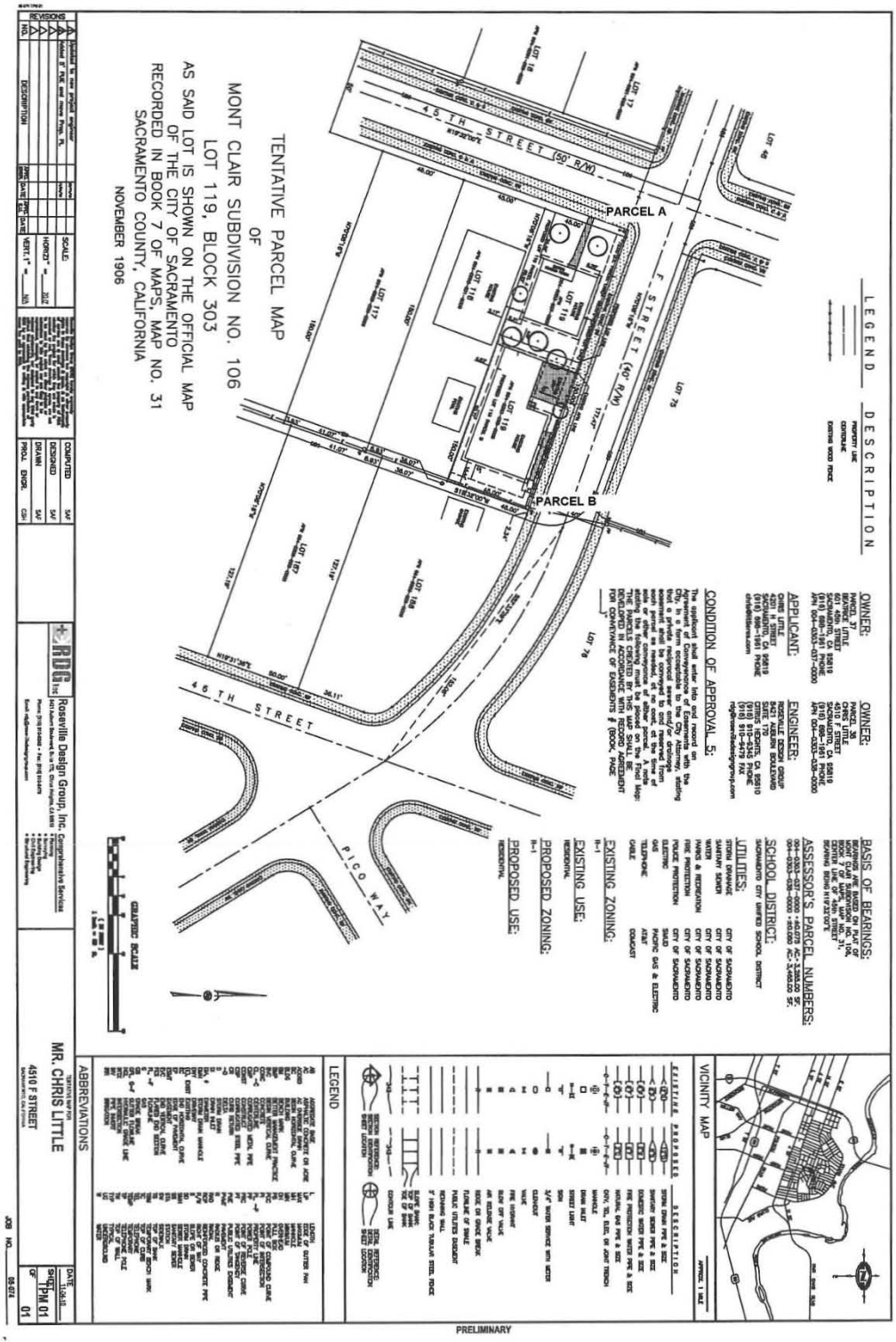
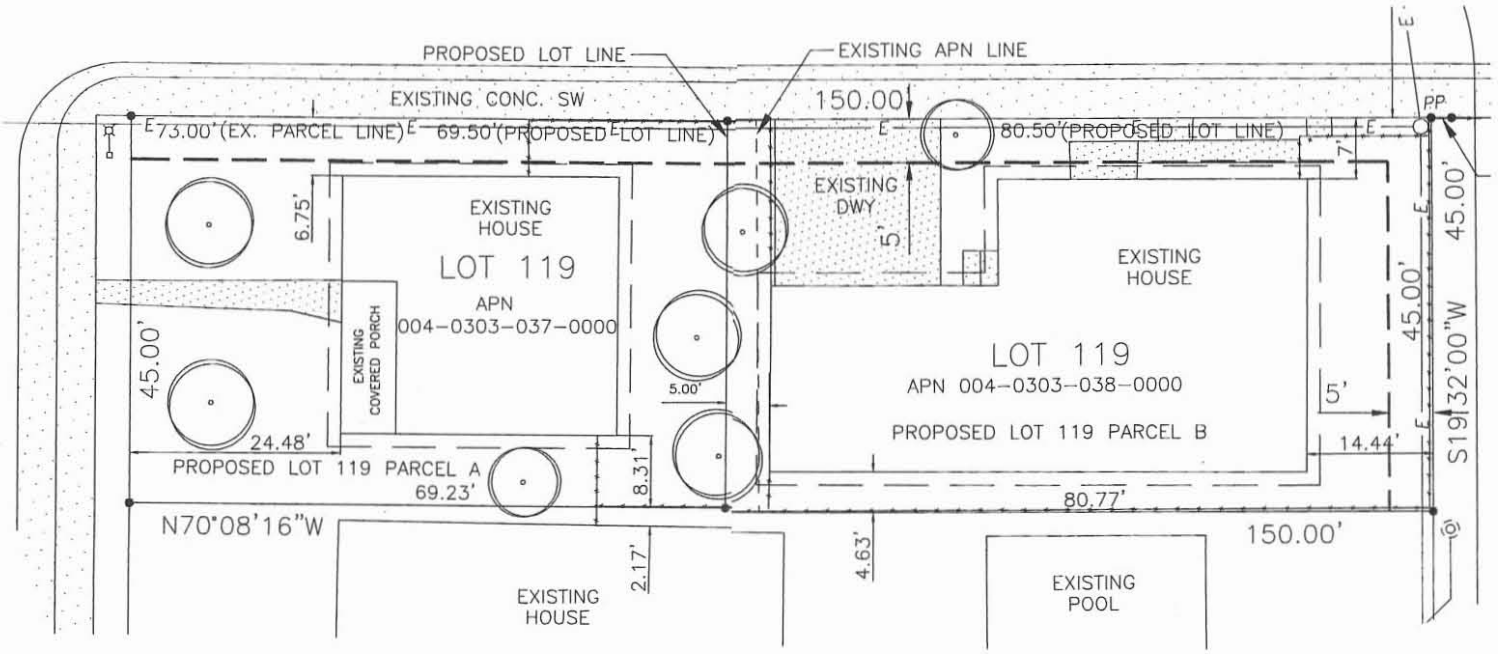


Exhibit 1B – Enlarged Map Section



Attachment 2 – Land Use & Zoning Map

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Back to Agenda

REPORT TO PLANNING COMMISSION City of Sacramento

5

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
November 18, 2010

To: Members of the Planning Commission

Subject: Pell Circle Billboard Relocation. A request to relocate three existing billboards from three different locations to a 45-foot tall billboard to be located at 3961 Pell Circle. (P10-065)

A. Environmental Determination: Exempt per CEQA 15303

B. Rezone of approximately 2.32 acres from the Light Industrial (M-1S-R) zone to the Light Industrial (M-1-R) zone.

C. Relocation Agreement to relocate three existing billboards from three different locations to a 45-foot tall billboard to be located at 3961 Pell Circle in the Light Industrial (M-1-R) zone.

D. Variance to exceed the 40-foot height limit for a detached sign in the Light Industrial (M-1-R) zone in order to construct a 45-foot tall billboard.

Location/Council District:

3961 Pell Circle, Sacramento, CA

Assessor's Parcel Number: 237-0400-016-0000

Council District 2

Recommendation: Staff recommends the Planning Commission recommend approval and forward the rezone and Billboard Relocation Agreement request to the City Council based on the findings listed in Attachments 3 and 4. The City Council has the final approval authority over items B and C. This recommendation is based upon the conclusion that the project is consistent with the applicable policies, requirements and findings for a relocation agreement established under Chapter 15.148 of the Sacramento City Code. Staff recommends the Planning Commission approve the variance based on the findings of fact. The Planning Commission has final approval authority over item D, above, and its decision is appealable to City Council.

Land Use Map

SALIDA ST
JESSIE AVE
ENGLEWOOD ST
FRUITA CT
PELL CIR
Project Location
DU BOIS AVE
OPPORTUNITY ST
City of Sacramento Development Services Department Geographic Information System
Feet
0
280
560
P10-065
Land Use Map
Pell circle Billboard Relocation
N
W
E
S
A. Ablog | 9.24.10

Contact: Antonio Ablog, Associate Planner, 808-7702, Lindsey Alagozian, Senior Planner, 808-2659.

Applicant: David Nybo, Rogers Media Company, Inc., 5409 Rogers Street, Davis, CA 95618

Owner: Alan K. Stahl, 3961 Pell Circle, Sacramento, CA 95838

Summary: The applicant is requesting approval of a billboard relocation agreement to allow for the removal of three existing billboards with a total of 4 advertising faces and allowing the construction of a new replacement billboard that will be located at 3961 Pell Circle, adjacent to Interstate 80. The new billboard will have a double face and will be 45 feet tall. The project requires a rezone from the Light Industrial (M-1S-R) zone to the Light Industrial (M-1-R) zone, and a variance to exceed the 40-foot height requirement for signs in the Light Industrial (M-1-R) zone. As of the time of writing the report there were no comments or objections from any neighborhood groups or adjacent property owners. **The project is not controversial.**

Table 1: Project Information
General Plan designation: Employment Center Low Rise
Existing zoning of site: Light Industrial (M-1S-R)
Existing use of site: Light Industrial (Viking Pools).
Property area: 2.32± Acres

Background Information: On October 16, 2007, the Sacramento City Council adopted Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City, except for billboards approved under a relocation agreement as provided in Sacramento City Code Section 15.148.815, a part of the City Sign Code. Under Section 15.148.815, new billboards may be constructed in exchange for the permanent removal of existing billboards, resulting in a net reduction of both the number and total square footage of billboards then lawfully allowed. Section 15.148.815 prescribes when and how the City may enter into a relocation agreement.

Rogers Media Company wishes to construct a new billboard under a billboard relocation agreement. The proposed agreement (Attachment 4, Exhibit A) identifies the location of the proposed new billboard site (which is “freeway oriented”) and the location, general description, and size of the billboards proposed for permanent removal.

Public/Agency Outreach and Comments: The proposed project was routed to the Robla Park Community Association, as well as to landowners within a 500 foot radius of the project site. At the time of writing this report, staff has not received any comments, and staff is not aware of any opposition to the project.

As the proposed billboard is adjacent to Interstate 80, project information was sent to Caltrans for review. Caltrans has determined that the installation of the new billboard would be permitted.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15303, New Construction or Conversion of Small Structures. The project consists of the installation of a new small structure (billboard).

Policy Considerations: The subject site is designated Employment Center Low Rise on the 2030 General Plan Land Use and Urban Form Diagram. The proposed sign location is consistent with the land use designation. Locating the billboard sign on the southwest side of the site provides a buffer to the residential uses to the east.

The relocation agreement meets the requirements of Section 15.148.815 Sacramento City Code and the findings can be made to support the agreement. Under both Section 15.148.815 and the provisions of the Outdoor Advertising Act (Bus. And Prof. Code §5200 et seq.), the proposed new billboard may be located only on commercial or industrial zoned property. The subject site is proposed to be rezoned from Light Industrial Review (M-1S-R) to Light Industrial Review (M-1-R) in order to accept the relocated sign.

Currently there are very few opportunities within the City to reduce the number of billboards through a relocation agreement. With the exception of the recent billboard relocation initiated by the City of Sacramento, there have been only two proposed billboard relocation agreement applications submitted to the Planning Department since the adoption of Ordinance No. 2007-079. Further, there are no other planned or anticipated relocation agreements in the near future. Ordinance No. 2007-79 requires that the Planning Commission conduct a hearing on and forward a recommendation on billboard relocation agreements to the City Council.

Rezone: The applicant is requesting to rezone the subject property from the Light Industrial Review (M-1S-R) Zone to the Light Industrial Review (M-1-R) Zone. This rezone would remove the “S” designation on the parcel. With respect to industrial zones, the “S” designation allows the same land uses as are allowed in the base M-1 Zone. The “S” designation denotes special development standards related to aesthetics and landscape setbacks. Specifically, the “S” designation requires properties to maintain a 20-foot landscape setback at any public street frontage, and requires that any industrial activities be screened from view from any public rights-of-way.

The subject site is also designated with an “-R” plan review designation. This designation affects the development of the site, but does not affect the sign relocation. The –R plan review designation will remain on the site to provide for plan review should the site be redeveloped.

Section 15.148.815 does not allow for the relocation of billboard signs to the M-1S zone. According to the sign code, sign regulations for the M-1S-R zone and the M-1-R zone are different to accommodate signage within the required landscape setback. Specifically, the sign code allows pole signs in the M-1 and M-2 zones but does not allow them in the M-1-S and M-2-S industrial zones. All freestanding signs in the "S" designated industrial zones shall be monument style and low profile in nature. The applicant is requesting to remove the S designation so that the site can be used for the relocated billboard. Staff supports this rezone as it; a) does not change any allowed/prohibited land uses for the site; b) the site has already been developed with the required 20-foot setback as prescribed by the M-1S-R zone; c) the proposed billboard is located along the side of the property and not within the required front landscape setback area; and d) it will allow for the removal of three existing billboard signs throughout the city.

Project Design: The site is a 2.2± acre industrial property currently occupied by a swimming pool installation business. The site is currently zoned Light Industrial (M-1S-R). The site is located adjacent to Interstate 80. To the north and west is industrial development. There are existing single-family homes to the east of the site.

Proposed Billboard Design: The applicant proposes to construct a new billboard on the southwest portion of the site. The new sign will be 45 feet high and supported by a single pole. The billboard will have a "V" shaped design for the sign faces. The east sign face will be 12 feet by 40 feet and the west face will be 14 feet by 48 feet for a total of 1,152 square feet of display area. Each face side will consist of a tri-face prism advertising display. The prism display must meet the requirements of the Sign Code which require that revolving prisms do not exceed a speed of one complete revolution, including the stationary condition of the prisms, in a thirty (30) second period

Variance: The Sign Code (Title 15.148) permits a maximum height of 40 feet for any detached sign in the M-1 zone. The applicant is requesting a variance for a height of 45 feet in order for the sign to be visible in both directions on interstate 80. The bridge over the Natomas East Main Drainage canal is to the west of the site and is elevated; therefore, the applicant is proposing the 45 foot height to provide greater visibility to the eastbound lanes of Interstate 80.

A variance from the provisions of the Sign Code may be approved by the Planning Commission only if the following findings are made concerning the proposed sign, as provided in Section 15.148.1040:

1. That exceptional or extraordinary circumstances or conditions apply to the proposed sign that do not apply generally in the same zoning district, and that the enforcement of the regulations of the Sign Code would have an unduly harsh result upon the utilization of the subject property.

The proposed new billboard meets this finding requirement in that the proposed sign is oriented to the freeway with nearby ramps and overpasses. The existing conditions are

such that strict adherence to the 40-foot height limit would limit the visibility of the proposed billboard sign.

2. That the variance will not result in a special privilege to one individual property owner, and that the variance would be appropriate for any property owner facing similar circumstances.

The proposed new billboard meets this finding requirement in that other variances for sign height have been granted in similar situations.

3. That the requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood.

The proposed new billboard meets this finding requirement in that the proposed billboard is located adjacent to the freeway in an area that is predominantly comprised of industrial uses. Further, the relocation of the billboard will allow for the removal of three existing billboard signs.

In addition, a use variance is not allowed.

Relocation Agreement: New billboards that are the subject of a relocation agreement are exempt from Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City. Section 15.148.815 allows an applicant to apply for a billboard relocation agreement under which new billboards may be constructed in exchange for the permanent removal of existing billboards, resulting in a net reduction in both the number and total square footage of billboards then lawfully allowed. Under the proposed billboard relocation agreement, a total of 3 existing billboards of different sizes will be removed, one of which is a double-faced sign. The new, double-face billboard will result in a net reduction of 2 billboards, 2 sign faces, and 12 square feet of existing billboard sign area. The list of signs proposed for removal is attached to the relocation agreement (Attachment 4, Exhibit A).

Billboard relocation agreements are subject to the same procedural and hearing requirements as a city council approved special permits under Section 17.212.060. A billboard relocation agreement may be approved only if the following findings are made concerning the proposed new signage:

1. The new billboards comply with the purpose and requirements of Sacramento City Code Chapter 15.148, including section 15.148.815.

2. The new billboards are compatible with the uses and structures on the new sites and in the surrounding areas, including parks, trails, and other public facilities and amenities.

3. The new billboards will not interfere with onsite access, circulation, or visibility.

4. The new billboards will not create a traffic or safety hazard.

5. The new billboards will not result in any undue or significant increase in visual clutter in the areas surrounding the new billboards.

Conclusion

The relocation agreement proposes to remove 3 billboard signs with a total of 4 advertising faces and construct a new double-faced billboard adjacent to Interstate 80 at 3961 Pell Circle. The rezone will amend the zoning designation to Light Industrial (M-1-R) so that the site may be used for the proposed billboard. Staff supports this request as the applicant has met all relocation requirements which will result in a net reduction of signage, and the permanent removal of three existing billboards.

Respectfully submitted by: _____
ANTONIO A. ABLOG
Associate Planner

Approved by: _____
LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:

_____
GREGORY BITTER, AICP
Principal Planner

Attachments:

Attachment 1	Recommended Findings of Fact
Attachment 2	Draft Environmental Resolution
Attachment 3	Draft Rezone Ordinance
Exhibit A	Rezone

Attachment 4	Draft Project Resolution
Exhibit A	Draft Relocation Agreement
Exhibit B	Site Plan
Exhibit C	Elevations
Exhibit D	Signs to be removed

Attachment 1

Proposed Record of Decision
Pell Circle Billboard Relocation Project (P10-065)

Findings of Fact

A. Environmental Determination: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under **15303, New Construction or Conversion of Small Structures** of the California Environmental Quality Act (CEQA) Guidelines as follows:

The proposed project is consistent with the construction of new, small structure as it consists of the construction of a new billboard sign on approximately 2.32 acres in the Light Industrial (M-1-R) zone.

B. The Planning Commission recommends approval and forwards to the City Council the **Rezoning** for the Project as set forth in Attachment 3.

C. The Planning Commission recommends approval and forwards to the City Council the **Relocation Agreement** for the Project based on the findings as set forth in Attachment 4.

D. The **Variance** to exceed the maximum allowed 40 foot height by 5 feet for a 45 foot high billboard within the M-1-R zone is approved based on the following Findings of Fact:

1. That exceptional or extraordinary circumstances or conditions apply to the proposed sign that do not apply generally in the same zoning district, and that the enforcement of the regulations of the Sign Code would have an unduly harsh result upon the utilization of the subject property in that the proposed sign is oriented to the freeway with nearby ramps and overpasses. The existing conditions are such that strict adherence to the 40-foot height limit would limit the visibility of the proposed billboard sign.

2. That the variance will not result in a special privilege to one individual property owner, and that the variance would be appropriate for any

property owner facing similar circumstances in that other variances for sign height have been granted in similar situations.

3. That the requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood in that the proposed billboard is located adjacent to the freeway in an area that is predominantly comprised of industrial uses. Further, the relocation of the billboard will allow for the removal of three existing billboard signs.

4.Granting the variance does not constitute a use variance in that a relocated billboard on the same site is allowed in the M-1-R zone with a relocation agreement.

Attachment 2

(Draft) RESOLUTION NO.

Adopted by the Sacramento City Council

DETERMINING PELL CIRCLE BILLBOARD RELOCATION PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA EXVIRONMENTAL QUALITY ACT (P10-065)

BACKGROUND

A. On November 18, 2010, the City Planning Commission conducted a hearing on, and forwarded to the City Council a recommendation to approve the Pell Circle Billboard Relocation Project.

B. On _____, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a), and (c) (publication and mail (500 feet), and received and considered evidence concerning the Pell Circle Billboard Relocation.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15303 of the California Environmental Quality Act Guidelines as follows**:**

a. The proposed project is consistent with the construction of a new, small structure as it consists of the construction of a new billboard sign on approximately 2.32 acres in the Light Industrial (M-1-R) zone.

Attachment 3 - Draft Rezone Ordinance

(DRAFT) ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM LIGHT INDUSTRIAL REVIEW (M-1S-R) TO LIGHT INDUSTRIAL REVIEW (M-1-R).
(3961 PELL CIRCLE)(P10-070)(APN: 237-0400-016-0000**)**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 3961 Pell Circle (APN: 237-0400-016-0000) and consisting of ± 2.32 net acres, from Light Industrial Review (M-1S-R) to Light Industrial Review (M-1-R).

Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

Table of Contents:

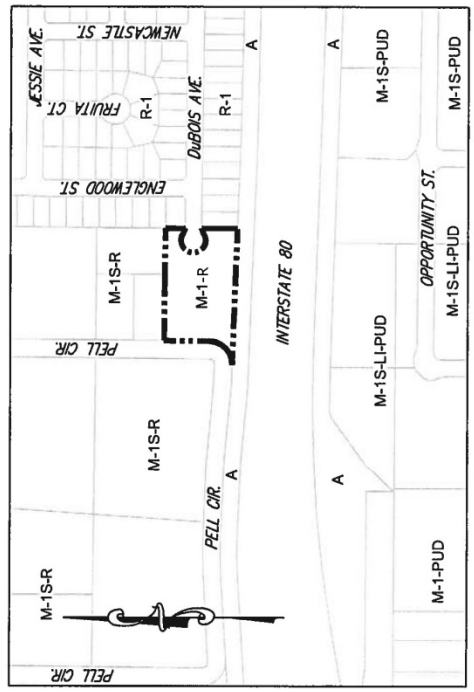
Exhibit A - Rezone

Exhibit A – Rezone

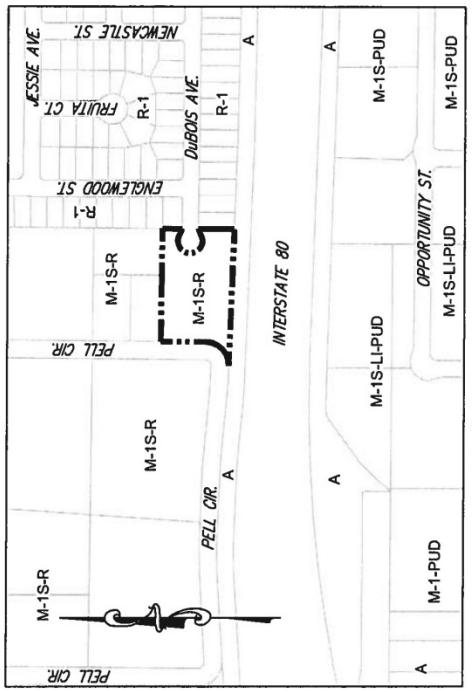
Rezone Exhibit
Pell Circle Billboard Relocation
City of Sacramento
October 28, 2010

SUMMARY TABLE

DESIGNATION	LAND USE	EXISTING	PROPOSED	DIFFERENCE
M-1S-R		2.33 ac.	0.00 ac.	-2.33 ac.
M-1		0.00 ac.	2.33 ac.	2.33 ac.
		2.33 ac.	2.33 ac.	



Proposed Zoning



Existing Zoning

SCALE: 1"=500'

0 100 200 300 400 500 1000

KELLEY
ENGINEERING & SURVEYING
1000 SAN BENITO STREET, HOLLISTER, CA 95023
OFFICE (831) 636-1104 FAX (831) 636-1837

Job No.:	10002
Designed:	AA
Scale:	1"=500'
Date:	10/28/2010
Sheet:	of

Attachment 4 - Draft Project Resolution

(DRAFT) RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE PELL CIRCLE BILLBOARD RELOCATION PROJECT (P10-065)

BACKGROUND

A. November 18, 2010, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Pell Circle Billboard Relocation Project.

B. On _____, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a), and (c) (publication and mail (500 feet), and received and considered evidence concerning the Pell Circle Billboard Relocation Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Pell Circle Billboard Relocation Project, the City Council approves the Relocation Agreement as attached in Exhibit A, based on the findings of fact as set forth below.

Section 2. Findings of fact:

B. Relocation Agreement: The Billboard Relocation Agreement for the Project is approved based on the following findings of fact:

1. The new billboards comply with the purpose and requirements of Sacramento City Code Chapter 15.148, including section 15.148.815.

2. The new billboards are compatible with the uses and structures on the new sites and in the surrounding areas, including parks, trails, and other public facilities and amenities.

3. The new billboards will not interfere with onsite access, circulation, or visibility.

4. The new billboards will not create a traffic or safety hazard.

5. The new billboards will not result in any undue or significant increase in visual clutter in the areas surrounding the new billboards.

Exhibit A: Draft Proposed Relocation Agreement

Billboard Relocation Agreement

City of Sacramento and Rogers Media Company, Inc.

This agreement, dated _____, 2010, for purposes of identification, is between the **City of Sacramento** (the "City"), a California municipal corporation; and **Rogers Media Company, Inc.** ("RMC"), a California corporation.

Background

A. On October 16, 2007, the Sacramento City Council adopted Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City. Ordinance No. 2007-079 also provides, however, that this prohibition does not limit the City's ability to enter into relocation agreements under which new billboards may be constructed in exchange for the permanent removal of existing billboards, as encouraged by the Outdoor Advertising Act.[1] Section 15.148.815 of the Sacramento City Code ("Section 15.148.815") prescribes when and how the City may enter into a relocation agreement.

B. RMC desires to construct, maintain, and operate a new billboard on privately owned land within the City's jurisdiction, at RMC's sole expense (the "New Billboard"). The first column of **Exhibit A** to this agreement identifies the land on which RMC proposes to locate the New Billboard (the "New Billboard Site").

C. RMC owns the existing billboards identified in the second column of **Exhibit A**, each of which is located on privately owned land within the City's jurisdiction (the "Existing Billboards"). To fulfill the requirement that RMC remove existing billboards in return for the right to construct, operate, and maintain the New Billboard on the New Billboard Site, RMC applied to the City for a relocation agreement covering the Existing Billboards (Project No. P10-065). Removal of the Existing Billboards will result in a net reduction within the City of both (1) the total number of lawfully permitted offsite signs and (2) the total square footage of lawfully permitted offsite signage, as required by Section 15.148.815.

D. In accordance with Section 15.148.815, on _____, 2010, the City's Planning Commission held a public hearing on RMC's application for a relocation agreement and then forwarded a recommendation of approval to the City Council; and on _____, 2010, the City Council held a public hearing on the application and approved it based on the findings of fact, and subject to the conditions of approval (if any), set out in Resolution No. 2010-___.

With these background facts in mind, the City and RMC agree as follows:

[1] Chapter 2 (beginning with section 5200) in division 3 of the California Business and Professions Code.

1. Removal of Existing Billboards. In return for the City's approval of the New Billboard (Project No. P10-065), and to comply with Ordinance No. 2007-079, Section 15.148.815, and the Outdoor Advertising Act, RMC shall remove the Existing Billboards according to the schedule set forth in the second column of **Exhibit A**.

2. Compliance with Law. While removing the Existing Billboards and while constructing, operating, and maintaining the New Billboard on the New Billboard Site, RMC shall comply with all conditions of approval set out in Resolution No. 2010-___ and with valid and applicable statutes, ordinances, regulations, rules, and orders that concern the Existing Billboards, the New Billboard, or the New Billboard Site, including Section 15.148.815 and the Outdoor Advertising Act, whether enacted or issued before, on, or after the effective date of this agreement (see Section 6(i), below).

3. Waiver of Compensation. RMC hereby waives and releases all claims for compensation RMC has or may have in the future that are against the City or the City's elected officials, officers, employees, or agents and are related to, or connected with, RMC's removal of the Existing Billboards. This waiver and release includes any claims made or arising under the California Government Claims Act,[2] the Outdoor Advertising Act, the California Constitution, the federal Highway Beautification Act of 1965,[3] or the United States Constitution.

4. Release of Claims. RMC unconditionally and forever releases and discharges the City and the City's elected officials, officers, employees, and agents from all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final resolution on appeal) that in any way arise from, or are connected with, RMC's removal of the Existing Billboards. This release and discharge covers all claims, rights, liabilities, demands, obligations, duties, promises, costs, expenses, damages, and other losses or rights of any kind, past, present, and future, whatever the theory of recovery, and whether known or unknown, patent or latent, suspected or unsuspected, fixed or contingent, or matured or unmatured. RMC hereby waives all rights it has or may have in the future under section 1542 of the California Civil Code, which provides as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known to him or her must have materially affected his or her settlement with the debtor."

5. Indemnity. RMC shall indemnify, defend (upon the City's written request), protect, and hold the City and the City's elected officials, officers, employees, and agents harmless against all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through appeal) that arise in any way from either or both of the following:

---

[2] Parts 1 through 7 (beginning with section 810) in division 3.6 of title 1 of the California Government Code.

[3] Title 23 United States Code section 131.

(a) The acts or omissions of RMC or RMC's officers, employees, or agents in removing the Existing Billboards.

(b) The City's processing and approval of RMC's application for this relocation agreement. RMC's obligation under this Section 5(b) includes all claims by the owner of property from which an Existing Billboard is removed, including claims based on the California Government Claims Act, the Outdoor Advertising Act, the California Constitution, the federal Highway Beautification Act of 1965, or the United States Constitution.

6. Miscellaneous.

(a) *Notices*. Any notice or other communication under this agreement must be in writing and will be considered properly given and effective only when mailed or delivered in the manner provided by this Section 6(a) to the persons identified below. A mailed notice or other communication will be effective or will be considered to have been given on the third day after it is deposited in the United States Mail (certified mail and return receipt requested), addressed as set forth below, with postage prepaid. A notice or other communication sent in any other manner will be effective or will be considered properly given when actually delivered. Any party may change its address for these purposes by giving written notice of the change to the other party in the manner provided in this section.

If to the City:

City of Sacramento
Community Development Department
Planning Division
300 Richards Boulevard, Third Floor
Sacramento, California 95811
Attention:
Antonio Ablog
Associate Planner

If to RMC:

Rogers Media Company, Inc.
5409 Rogers Street
Davis, California 95618
Attention:
David Nybo
Vice President

(b) *Assignment.* A party may not assign or otherwise transfer this agreement or any interest in it without the other party's written consent. An assignment or other transfer made contrary to this Section 6(b) is void.

(c) *Successors and Assigns*. This agreement binds and inures to the benefit of the successors and assigns of the parties. This Section 6(c) does not constitute the City's consent to any assignment of this agreement or any interest in this agreement.

(d) *Interpretation.* This agreement is to be interpreted and applied in accordance with California law, without regard to conflict-of-law principles, subject to the following:

(1) Sections 3, 4, and 5 of this agreement are to be interpreted so as to provide the City and the City's elected officials, officers, employees, and agents with the maximum protection possible against any obligation or liability that in any way arises from, or is connected with, RMC's removal of the Existing Billboards.

(2) The rule of interpretation in Civil Code section 1654 will not apply.

(3) "Includes" and "including" are not restrictive. "Includes" means "includes but not limited to," and "including" means "including but not limited to."

(4) Exhibit A is part of this agreement.

(e) *Waiver of Breach.* A party's failure to insist on strict performance of this agreement or to exercise any right or remedy upon the other party's breach of this agreement will not constitute a waiver of the performance, right, or remedy. A party's waiver of the other party's breach of any term or provision in this agreement will not constitute a continuing waiver or a waiver of any subsequent breach of the same or any other term or provision. A waiver is binding only if set forth in writing and signed by the waiving party.

(f) *Attorney's Fees.* The party prevailing in any litigation concerning this agreement will be entitled to an award by the court of reasonable attorneys' fees and litigation costs through final resolution on appeal in addition to any other relief that may be granted in the litigation. If the City is the prevailing party, then this Section 6(f) will apply whether the City is represented in the litigation by the Office of the City Attorney or by outside counsel.

(g) *Severability.* If a court with jurisdiction holds any nonmaterial provision of this agreement to be invalid, void, or unenforceable, then the remaining provisions will remain in full force.

(h) *Counterparts.* The parties may execute this agreement in counterparts, each of which will be considered an original, but all of which will constitute the same agreement.

(i) *Effective Date*. This agreement is effective as of the date on which both the City and RMC have signed it, as indicated by the dates in the signature blocks below.

(j) *Time of Essence.* Time is of the essence of this agreement.

(k) *Integration and Modification*. This agreement sets forth the parties' entire understanding regarding the matters addressed. It supersedes all prior or contemporaneous agreements, representations, and negotiations (written, oral, express, or implied) and may be modified only by another written agreement signed by both parties.

(*Signature Page Follows*)

City of Sacramento

By: _____
Gus Vina
Interim City Manager
Dated: _____, 2010

Approved as to Form
Sacramento City Attorney

By: _____
Joseph Cerullo Jr.
Senior Deputy City Attorney

Rogers Media Company, Inc.

By: _____
David Nybo
vice President
Dated: _____, 2010

Approved as to Form
[Firm Name]

By: _____
Jeffrey Dorso
Attorneys for Rogers Media Company

Exhibit A to Billboard Relocation Agreement

City of Sacramento and Rogers Media Company, Inc.

New Billboard	Existing Billboards
New Billboard *General Location*: 3961 Pell Circle *APN*: 237-0400-016-000 *Zoning*: M-1-R (Light Industrial) *General Description*: double-faced billboard oriented toward Interstate 80, with one 14' X 48' face and one 12' X 40' face *Total Display Area*: 1,152 square feet	**RMC shall permanently remove these three Existing Billboards from the indicated locations *before* RMC begins constructing the New Billboard:** **Existing Billboard 1** *General Location*: 118 El Camino Place *APN*: 277-0061-021-000 *RMC Location Number*: SIG-0707252 *General Description*: Single-face billboard (8' X 36') *Total Display Area*: 288 square feet **Existing Billboard 2** *General Location*: 5905 Elvas Avenue *APN*: 005-0010-013 *RMC Location Number*: SIG 0708480 *General Description*: single-face billboard (20' X 15') *Total Display Area*: 300 square feet **Existing Billboard 3** *General Location*: 3950 Power Inn Road *APN*: 061-0023-025-0000 *RMC Location Number*: SIG-0604633 *General Description*: double-faced billboard (each face 8' X 36') *Total Display Area*: 576 square feet

Net Reduction in Number of Signs:	**2 signs**
Net Reduction in Number of Display Faces:	**2 faces**
Net Reduction in Display Area:	**12 square feet**

Exhibit B – Site Plan

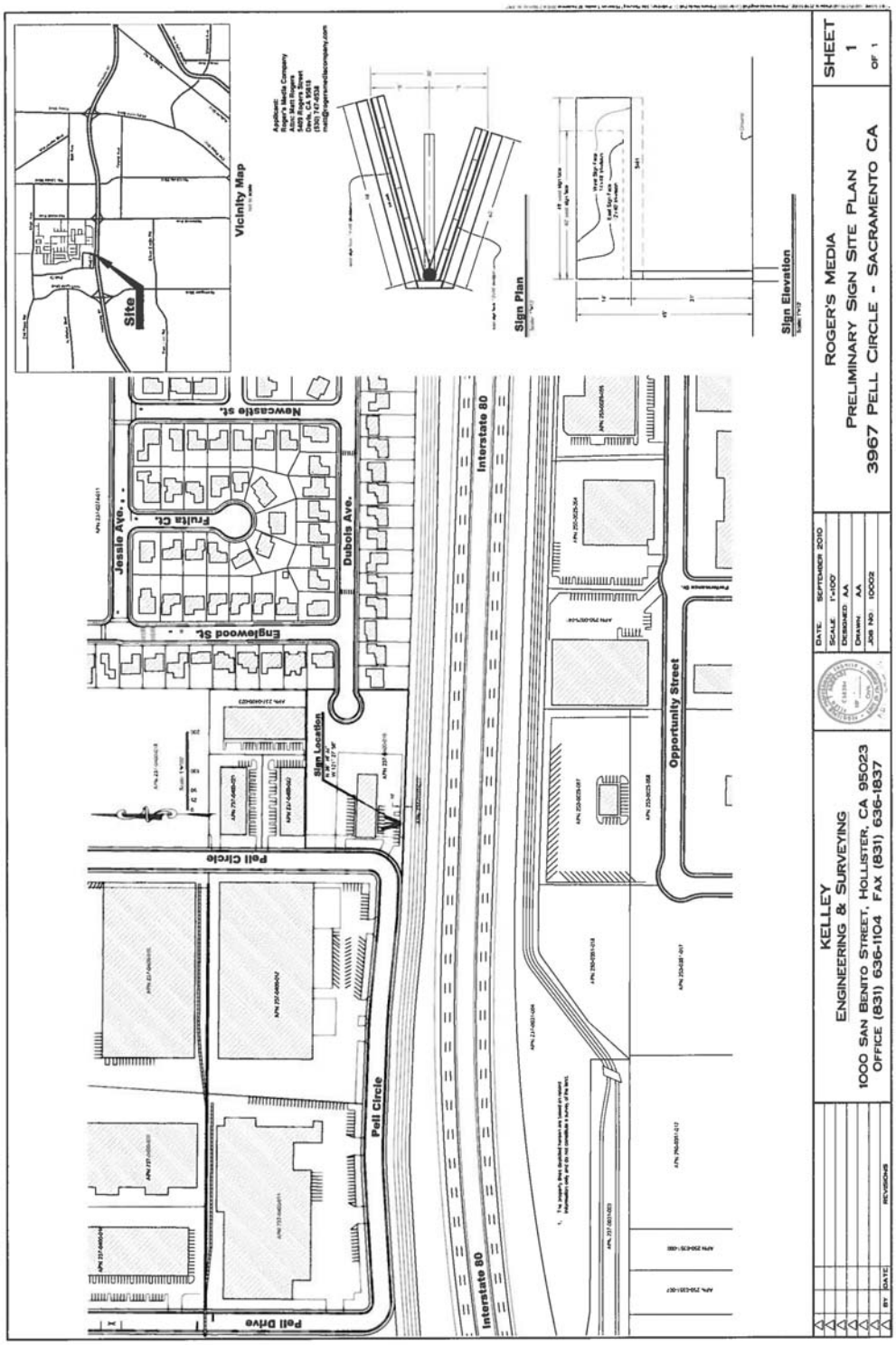


Exhibit C – Photosimulations

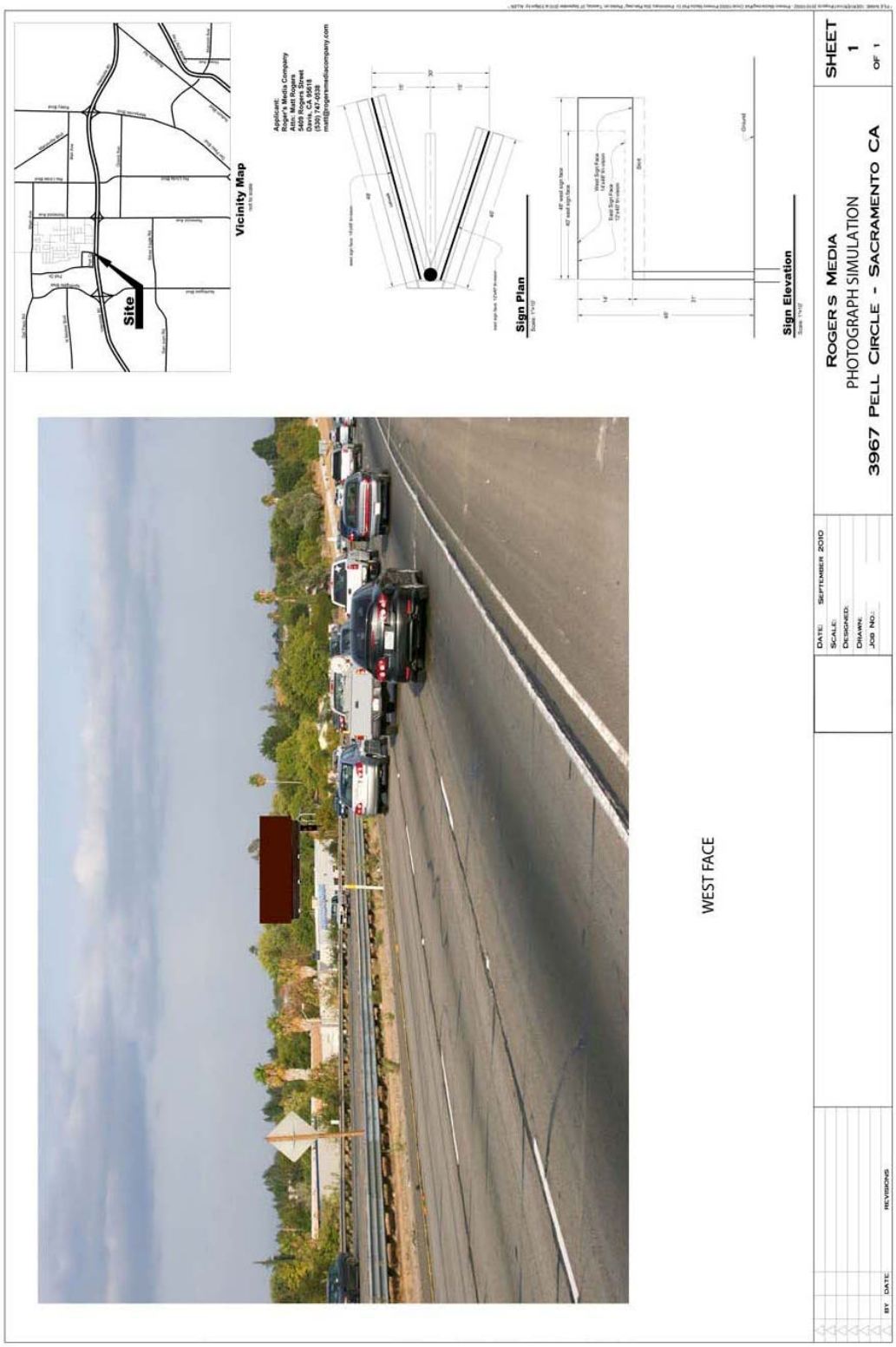
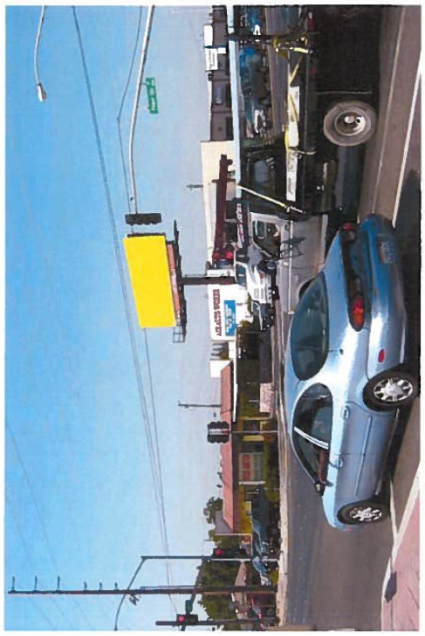

Vicinity Map
Site
Applicant:
Roger's Media Company
Attn: Matt Rogers
5409 Rogers Street
Davis, CA 95618
(530) 757-0138
matt@rogersmediacompany.com
Sign Plan
Sign Elevation
WEST FACE
ROGERS MEDIA
PHOTOGRAPH SIMULATION
3967 PELL CIRCLE - SACRAMENTO CA
SHEET
1
OF 1
DATE: SEPTEMBER 2010
SCALE:
DESIGNED:
DRAWN:
JOB NO.:
BY DATE REVISIONS

Exhibit D – Billboards to be removed

Pell Circle Billboard Relocation – Photographs of To Be Removed Billboards

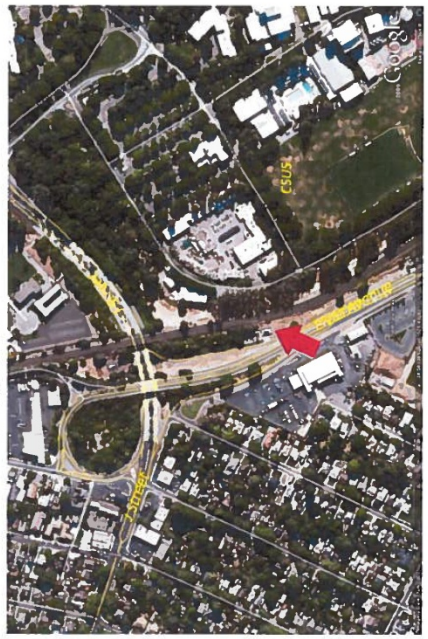
14th Avenue (West Face) at Power Inn Road



14th Avenue (West Face) at Power Inn Road

Page 1 of 2

Pell Circle Billboard Relocation – Photographs of To Be Removed Billboards



Elvas Avenue before J Street Overpass

El Camino Avenue East of Interstate 80

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Withdrawn

For

City of Sacramento

Planning Commission

Agenda Packet

For the Meeting of: November 18, 2010

Title: P10-074 Bruceville Road Electronic Billboard Variance
(Noticed on 11/4/10)
Location: 7935 Bruceville Road, 117-0170-067-0000, District 8
Recommendation: Withdrawn, to be re-noticed.

Contact Information: Sandra Yope, Senior Planner, 916-808-7158, Joy Patterson, Principal Planner, 916-808-5607

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REPORT TO PLANNING COMMISSION City of Sacramento

7

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
November 18, 2010

To: Members of the Planning Commission

Subject: Iceland Restoration. A request to establish a 13,500± square foot outdoor ice skating rink on approximately 0.53 acres in the General Commercial Special Planning District (C-2-SPD) zone in the Del Paso Boulevard Special Planning District.

A. Environmental Determination: Exempt per CEQA 15302

B. Special Permit to establish an outdoor amusement center in the General Commercial Special Planning District (C-2-SPD) zone.

Location/Council District:

1430 Del Paso Boulevard, Sacramento, CA
Assessor's Parcel Number: 275-0125-007, 275-0125-008
Council District 2

Recommendation: Staff recommends approval of the Special Permit to establish an outdoor ice skating rink based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-B above, and its decision is appealable to City Council. Staff recommends approval of this request as staff believes that the ice skating rink is compatible with the subject site and surrounding uses.

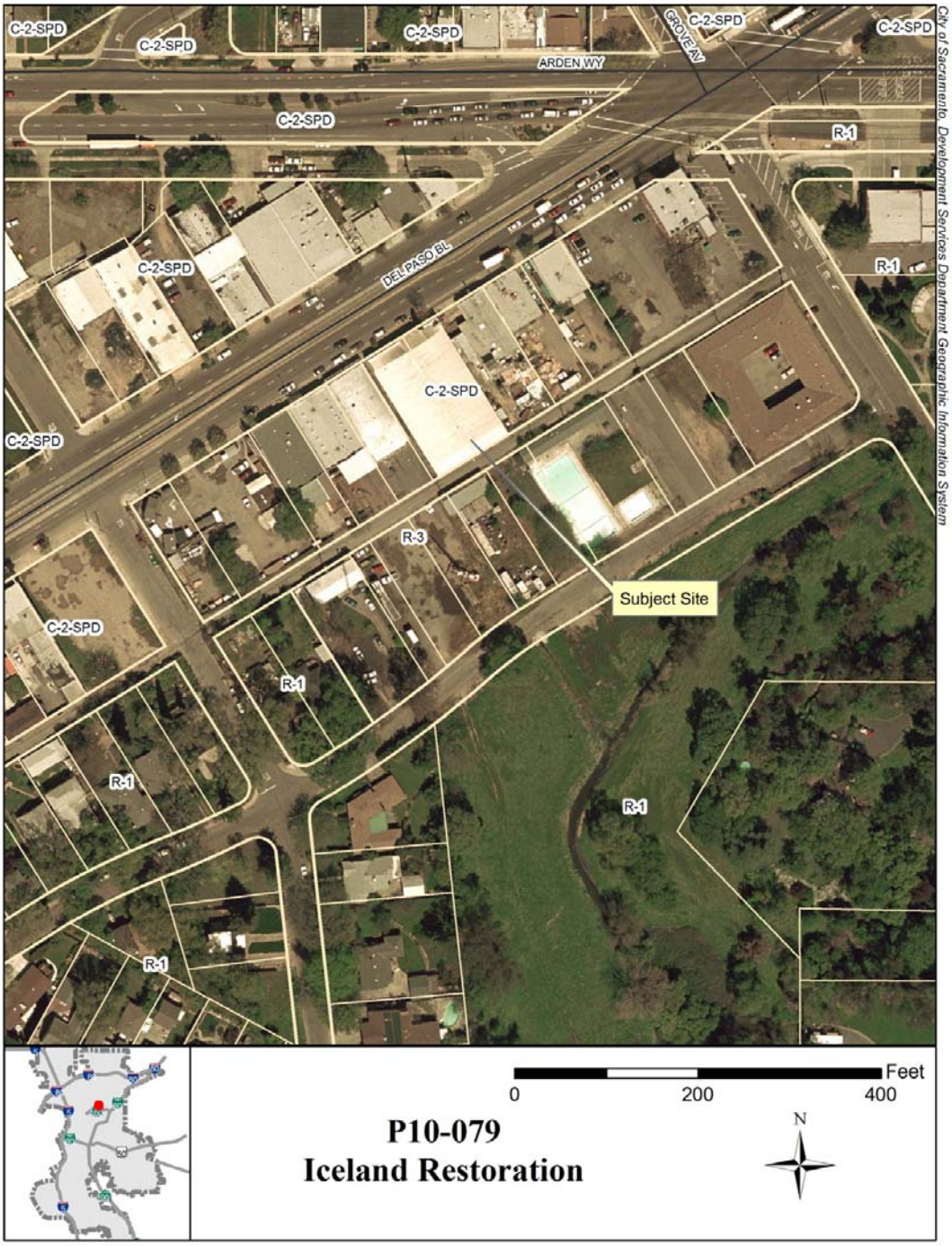
Contact: Antonio Ablog, Associate Planner, 808-7702, Lindsey Alagozian, Senior Planner, 808-2659.

Applicant/Owner: Rob Kerth, American Iceland LLC, 539 Southgate Road, Sacramento, CA 95815

Summary: The applicant is requesting approval of a Special Permit to establish an outdoor amusement center. The proposed outdoor ice skating rink will operate within the building footprint of the Iceland ice skating rink that was destroyed by fire. The applicant intends to operate as an outdoor amusement center for approximately two years before the former, fully enclosed, structure can be rebuilt. **The application has been reviewed on an expedited timeline in order to meet the applicant's goal of re-opening for the winter of 2010; therefore, the community has had limited time**

to review and comment on the project. The public hearing was noticed to all affected neighborhood organizations and property owners within a 500-foot radius. Any correspondence received by staff related to this project will be presented to the Planning Commission at the public hearing.

Land Use Map



Background Information: The Iceland ice skating rink was built in 1940 and was in continuous operation until March of 2010 when the structure was badly damaged by an arson-set fire. Though there was extensive damage to Iceland, the exterior walls remained standing. The intent of the current request is to operate Iceland as a non-profit, outdoor ice skating facility that would operate during the winter season. The applicant expects to operate as an outdoor skating facility for one or two years until the facility can be fully rebuilt. Currently, the Iceland building is in the application process for Landmark nomination.

Table 1: Project Information
General Plan designation: Urban Corridor Low
Existing zoning of site: C-2-SPD
Special Planning District: Del Paso Boulevard
Existing use of site: Ice Skating Rink (destroyed by fire)
Property area: 2.32± Acres

Public/Agency Outreach and Comments: The proposed project was routed to the Woodlake Neighborhood Association, North Sacramento Chamber of Commerce, Del Paso Boulevard Partnership, North Sacramento Redevelopment Advisory Committee, Harmon Johnson Neighborhood Association, Twin River South Community Council, and all landowners within a 500 foot radius of the project site. The application has been reviewed on an expedited timeline in order to meet the applicant's goal of re-opening for the winter of 2010; therefore, the community ha s had limited time to review and comment on the project. The public hearing was noticed to all affected neighborhood organizations and property owners within a 500-foot radius. Any correspondence received by staff related to this project will be presented to the Planning Commission at the public hearing.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15302, replacement or reconstruction of existing structures and facilities. The project consists of the reconstruction of a commercial facility.

Policy Considerations: The subject site is designated Urban Corridor Low on the 2030 General Plan Land Use and Urban Form Diagram. The proposed outdoor ice skating ring is consistent with the land use designation. Additionally, the ice skating rink promotes the following General Plan Policies:

- Identify and preserve the city's historic and cultural resources to enrich our sense of place and our understanding of the city's prehistory and history (Goal HCR 2.1).

- The City shall encourage the development of private commercial recreational facilities to help meet recreational interests of Sacramento's residents, workforce, and visitors (ERC 2.2.18).

Project Design: The site is a 0.53± acre commercial property located at 1430 Del Paso Boulevard. The American Ice company is also located on the subject site, and was not affected by the March 2010 fire. The exterior walls of the Iceland structure remain and the applicant proposes to operate the outdoor ice skating rink within the original building footprint. Associated facilities, such as the skate shop and portable restrooms will be located to south of the rink on the opposite site to the Del Paso-Lochbrae alley.

At the time of its construction, the Iceland ice skating rink was not required to provide parking. A parking ratio of 1 parking space for every 100 square feet of building area has since been added as a requirement for a skating rink. In such cases, where a parking requirement has been added after the establishment of a use, a parking credit is given based on the use and building size. Since the restoration project will not expand the skating facility, there will be no changes in the parking requirement. The 13,500 square foot building already has the credit for 135 parking spaces. Parking is available on Del Paso Boulevard and on a surface lot to the south which provides additional, but unrequired parking.

Special Permit: According to section 17.24.050 of the Zoning Code, outdoor amusement centers require a Special Permit to establish an outdoor amusement center in the General Commercial (C-2) zone. The original ice skating rink was built as a indoor facility and therefore was originally allowed by right. Since the fire damaged the structure and the roof has been damaged beyond repair, the applicant is proposing to re-open the ice skating rink as an outdoor amusement center. The subject property is also in the Del Paso Boulevard SPD, but the development requirements of the SPD do not affect the requested Special Permit. In evaluating Special Permit proposals of this nature, the Commission is required to make the following findings:

A. A special permit shall be granted upon sound principles of land use.

   The facility will continue to operate as an ice skating rink. Since the structure was damaged by fire, the venue will operate as an outdoor rink until the facility can be fully rebuilt. The proposed use is compatible with the adjacent commercial uses.

B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

   The operation of the skating rink will not be detrimental to public health, safety or welfare because the installation of the facility will be subject to City building

permits and the establishment of an outdoor skating rink will activate an underutilized property.

C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project is consistent with the General Plan Policies promoting the preservation of the city's historic and cultural resources, and that encourage the development of private recreational facilities.

Conclusion

The Iceland Restoration project proposes to operate Iceland as a non-profit, outdoor skating facility that would operate during the winter season. The proposed ice skating facility will operate within the footprint of the original building that was damaged by fire. Staff supports this request to restore ice skating activities to the subject site.

Respectfully submitted by: _____
ANTONIO A. ABLOG
Associate Planner

Approved by: _____
LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:

_____
GREGORY BITTER, AICP
Principal Planner

Attachments:

Attachment 1	Proposed Record of Decision
Exhibit 1	Overall Site Plan
Exhibit 2	Site Plan Detail

Attachment 1

Proposed Record of Decision
Iceland Restoration Project (P10-079)

Findings of Fact

A. Environmental Determination: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under **15302, replacement or reconstruction of existing structures and facilities** of the California Environmental Quality Act (CEQA) Guidelines as follows:

The proposed project is consistent with the reconstruction of an existing facility as it involves the reconstruction of a 13,500± square foot ice skating rink.

B. The Special Permit to establish an outdoor amusement center in the General Commercial Special Planning District (C-2-SPD) zone is approved based on the following findings of fact.

1. The special permit shall is granted upon sound principles of land use in that the facility will continue to operate as an ice skating rink. Since the structure was damaged by fire, the venue will operate as an outdoor rink until the facility can be fully rebuilt. The proposed use is compatible with the adjacent commercial uses.

2. Granting of the special permit will be not be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance in that the installation of the facility will be subject to City building permits and the establishment of an outdoor skating rink will activate an underutilized property.

3. The special permit complies with the objectives of the general or specific plan for the area in which it is to be located in that the proposed project is consistent with General Plan Policies promoting the preservation of the city's historic and cultural resources, and that encourage the development of private recreational facilities.

Conditions of Approval

B. The Special Permit to establish an outdoor amusement center in the General Commercial Special Planning District (C-2-SPD) zone is approved subject to the following conditions:

B1. The applicant must obtain all necessary building permits prior to occupancy.

B2. No amplified sound shall be allowed after 10:30 p.m.

B3. General operational hours, including maintenance, shall be between the hours of 5:00 a.m. and 12:00 a.m. Skating sessions open to the public or for private events shall end no later than 10:30 p.m.

B4. The applicant shall comply with all applicable City Noise Ordinances.

B5. The applicant shall comply with all applicable City Regulations related to solid waste and recycling.

B6. The applicant shall install shielding on all overhead lighting such that lighting shall reflect away from residential areas, neighboring properties, and public streets.

B7. Prior to the issuance of a building permit, the applicant shall propose and submit for review and approval by the Planning Director a "Good Neighbor Policy" including but not limited to the following:

a. Establish a process for neighbors to communicate directly with management staff of Iceland regarding any concerns related to hours of operation, general operations, and/or maintenance of the facility.

b. Provide an emergency contact person and phone number on-site, in a clearly identified place.

Advisory Notes

1. The roof provides out-of-plane structural support for the concrete walls. The applicant must employ a civil or structural engineer to prepare structural calculations and details confirming that the walls can resist current code forces without a structural diaphragm.

2. Any structural repairs may trigger accessibility upgrades per CBC Section 1134B.2.

3. The applicant must demonstrate that the building is equipped with proper drainage systems to convey the water from the building. They must also demonstrate that the interior equipment and materials are resistant to exterior exposure.

Exhibit 1 – Overall Site Plan

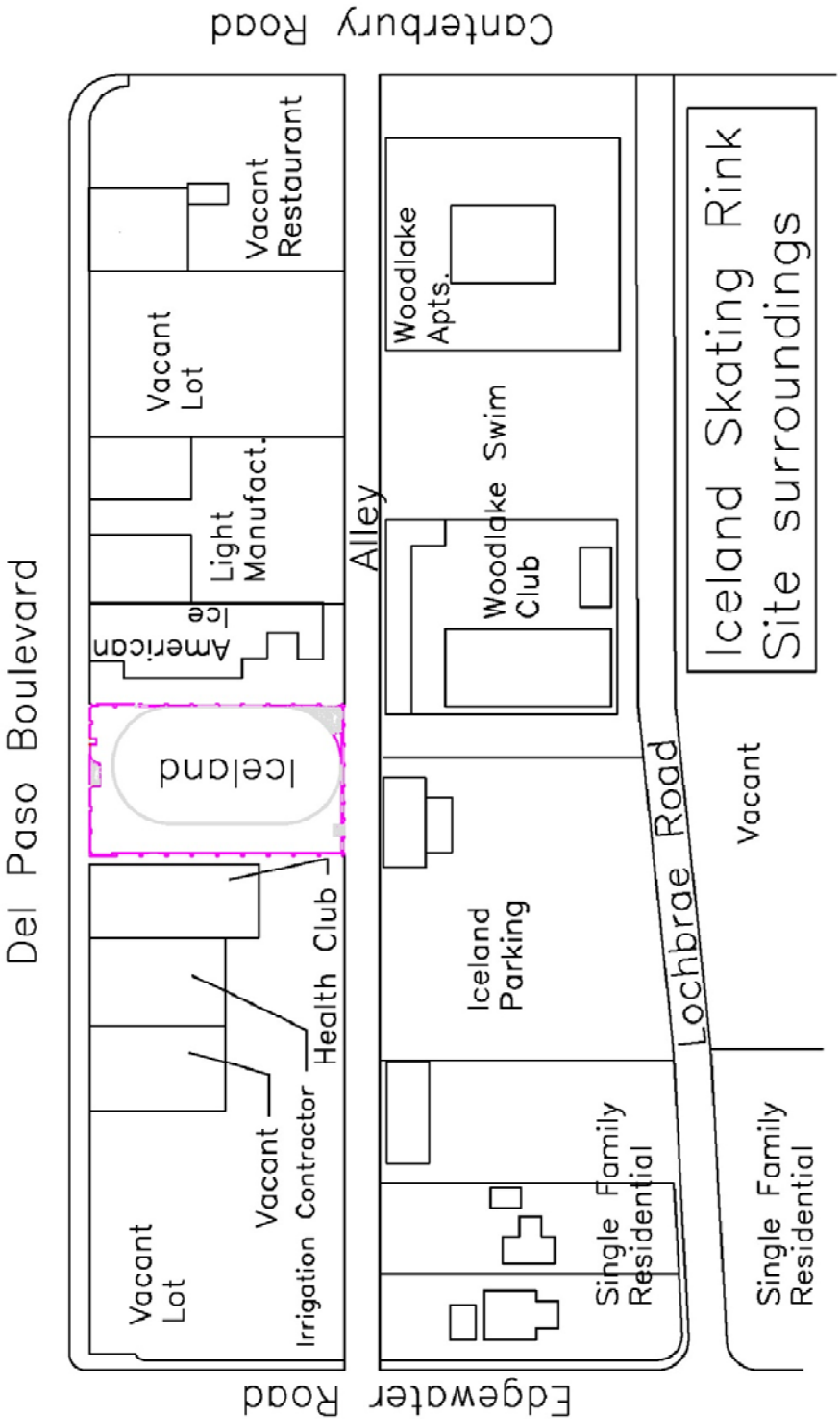
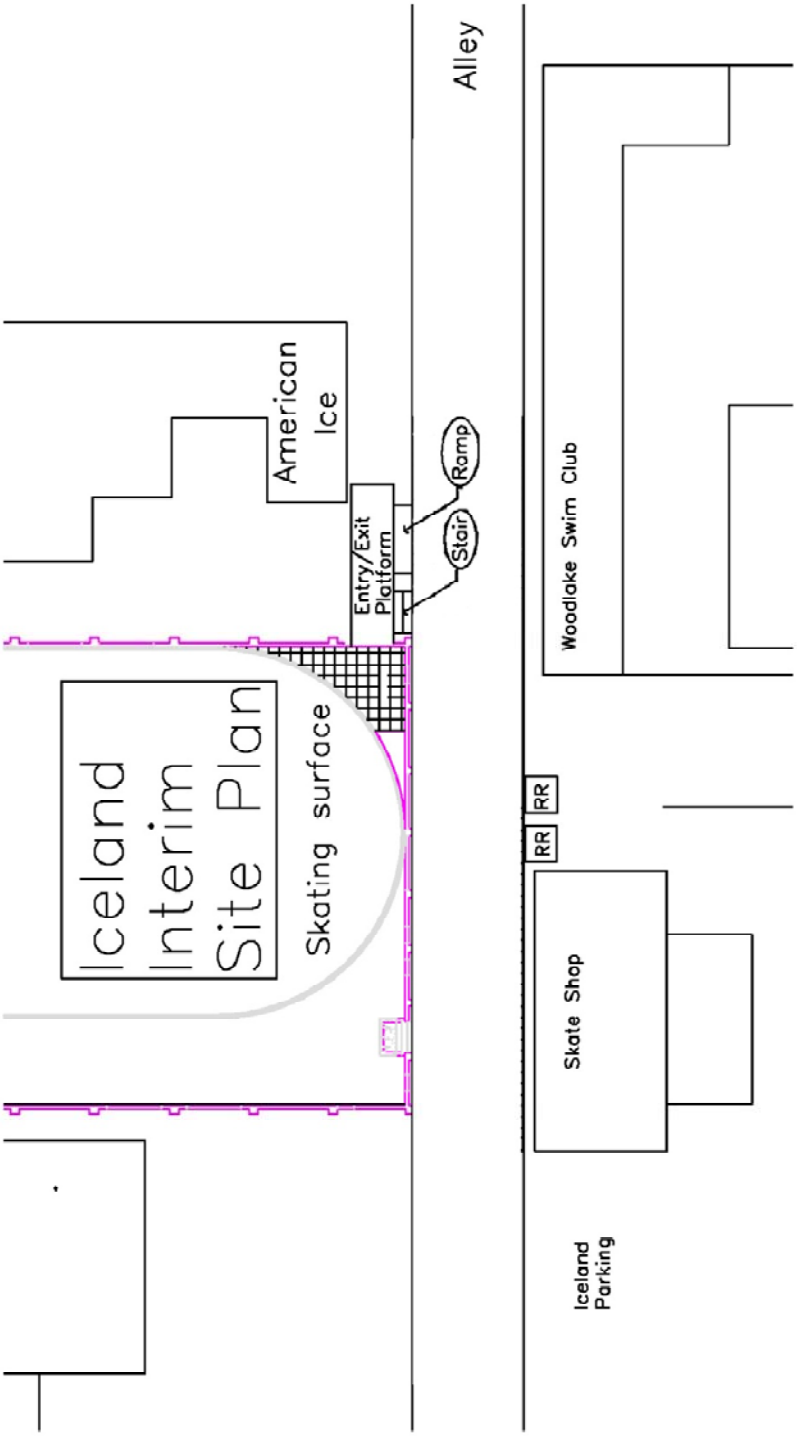


Exhibit 2 – Site Plan Detail



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REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
November 18, 2010

To: Members of the Planning Commission

Subject: Update on Public Notice Procedures (LR10-008)

Location/Council District: Citywide

Recommendation: Staff requests the Commission review and comment on the proposed improvements to the public notice procedures.

Contact: Thomas Pace, Principal Planner, Community Development Department (916) 808-6848

Summary: Staff is preparing recommendations for improvements to the public noticing procedures. This report is an update on the status of this effort.

Background Information: On August 26, 2010, the Commission held its semi-annual policies and procedures discussion. At that time, the Commission requested a report back on improvements to the public notice procedures used by the Planning Division. At that meeting, the Commission expressed the following ideas for improving public notice:

1. Find out what other jurisdictions do.
2. Consider notification to tenants as well as land owners.
3. Improve signage used for posting notices on-site, including larger notice signs, more signs for very large sites (like the Railyards, for example), posting a sign at the time application is submitted, scaling the size of signs to the size of the site/project.
4. Ensure notice language is in "plain English" to eliminate jargon from notices (example was of reference to "wayfinding" which simply means signs).
5. Consider increased radius for mailing of notices.
6. Engage DOC in this discussion to ensure developer's perspective and to help DOC reach out to the community.
7. Include a list of who was noticed as an attachment to each staff report.
8. Create an e-mail notice subscription service and/or website with notices on-line.
9. Involve Neighborhood Services in getting the word out about projects and hearings.
10. Ensure consistency across all planning processes (Staff-level, Zoning Administrator, CPC, other commissions, etc.).

On October 13, 2010, a committee comprised of Planning Commission Chair Mike Notestine, Development Oversight Commission Chair Darryl Chinn, Community Development Director Max Fernandez, Planning Director David Kwong, Principal Planner Joy Patterson and Principal Planner Tom Pace met to discuss the Commission's ideas and staff's research. Staff had conducted some preliminary research and recommended reviewing Seattle's public notice signs and website as a good example. The committee agreed that staff should proceed with developing the following procedures.

- First, staff will investigate requiring larger public notice signs. See attachment 2 on page 5.
- Second, staff will investigate making more information available on the department's website and via electronic mail. See attachment 1 on page 4.
- Third, staff will update procedures for phrasing public notices in plain English.
- Fourth, staff will prepare a procedure for attaching the public notice list to staff reports, so that there will be no doubt as to who was sent notices.

The committee felt that these initiatives would address many of the suggestions made by the Commission. For example, placing a more readable public notice sign on a project site earlier in the project review process will ensure that occupants and tenants and the surrounding community will be better informed about pending development proposals. Other changes, such as considering a different mailing radius, would require a code amendment, and it was agreed that the improvements listed above should be tried first to see if they adequately improve public notice.

Public/Neighborhood Outreach and Comments: The committee agreed that a plan of public outreach to the four major Neighborhood Services Area Leadership Groups and to the business and professional community is needed to explain how the Commission and staff are working to improve public participation in the planning process. It was suggested that the Chair and/or Vice-Chair attend these meetings with staff.

Environmental Considerations: This update does not constitute a project, and is therefore not subject to environmental review under the California Environmental Quality Act.

Policy Considerations: Improving public participation in the planning process is consistent with Administration Implementation Program 9 on Table 4-1 of the Sacramento 2030 General Plan.

Respectfully submitted by: _____
THOMAS S. PACE
Principal Planner

Recommendation Approved:

_____
DAVID KWONG
Planning Director

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Attachment 1

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Department of Planning and Development

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Shaping and protecting Seattle's built and natural environment

Diane Sugimura, Director

Planning | Permits | Compliance | Online Tools | Resource Center

Overview

- Land Use Information Bulletin
- Land Use Signs & Notices
- Public Comment
- Code Interpretations
- Appealing Decisions
- Key Contacts

DPD Public Notices

Overview

The City of Seattle's Land Use Code has specific requirements for notifying the public of opportunities to comment on proposed land use activities. The type and extent of this notice generally depends on the type of project in question. Our primary notice methods include land use signs we post on properties within Seattle and our twice-weekly Land Use Information Bulletin.

Land Use Information Bulletin

Our twice-weekly notice, called the Land Use Information Bulletin, is posted on our website and mailed to over 200 neighborhood organizations and individuals citywide.

- View current and past bulletins
- Search bulletins
- Subscribe to the bulletin
- About the Land Use Information Bulletin

Land Use Signs

White and yellow land use signs are posted when a project requires a specific type of review by DPD, particularly for environmental concerns, design review, variances, conditional uses, short subdivision projects, and most shoreline projects.

Other Notices

In certain cases we also mail a notice to property owners and tenants located near sites where development activity is proposed.

Commenting on Land Use Activity

When you see a DPD land use sign posted on a property or read our Land Use Information Bulletin, consider it an invitation to become involved in the development of the community, as you are welcome to comment on the development proposals. Browse this website to learn:

- How to make effective public comments
- How to appeal a land use decision
- How to request a code interpretation

Questions?

If you have a question about DPD public notices, land use signs, and the public comment process, see key contacts.

Comment & Appeals

- How to comment on proposed applications
- Tips for making effective comments
- Appeal a decision
- Request a code interpretation

Subscribe Today!

Enter your email address to receive a twice-weekly email alert when the latest bulletin is posted.

Submit

You may also sign up for a subscription by mail ($65 annually), by contacting prc@seattle.gov or visiting our Public Resource Center.

RSS Feeds | What is this?

- RSS All Areas
- RSS Northeast
- RSS North/Northwest
- RSS Magonolia/Queen Anne
- RSS Downtown/Central
- RSS South
- RSS West Seattle

Related Resources

- Seattle Land Use Code
- What DPD Land Use Signs & Notices Mean
- Environmental Sign Installation Notification
- Public Resource Center
- Key Contacts

LUIB Archives

Attachment 2

DPD Director's Rule 29-2006

Applicant:	Page	Supersedes:
City of Seattle Department of Planning and Development	1 of 7	14-97, Draft 12-2000
	Publication:	Effective:
	9/29/06	12/1/06
Subject:	Code and Section Reference:	
	SMC 23.76.012, 23.76.042, and 23.84.036	
Environmental Review Sign	Type of Rule:	
	Code Interpretation	
	Ordinance Authority:	
	SMC 3.06.040	
Index:	Approved	Date
Land Use Code	Diane M. Sugimura, Director, DPD	

Background

Title 23, *Land Use Code*, of the Seattle Municipal Code includes provisions for public notice of project applications in Sections 23.76.012 and 23.76.042 of the Master Use Permit Chapter, including detailed information about the "types of notice required" and "contents of notice." For applications subject to environmental review, an applicant must post an environmental review sign. The purpose of these signs is to provide notice to the general public about key elements of the application under consideration, and invite public comment about the project.

This rule sets forth standards and procedures to assure that the environmental review sign provides an effective form of public notice.

Rule

An application that requires an environmental review sign is not considered complete until the sign is installed. The required environmental review sign shall be installed by the applicant at the direction of the Department of Planning and Development.

When DPD is informed by the applicant that the environmental review sign is installed, public notice will be given by DPD staff.

After sixty days from the application date, an application requiring posting of an environmental review sign may be canceled if DPD has not received the required notification that the sign has been installed.

Sign Size and Text Specifications

The environmental review sign shall be four (4) feet by eight (8) feet in size and constructed to the specifications described in Attachment A and below. The sign shall display the information shown in Attachment A.

Lettering Style:	**Helvetica or similar standard typeface.**
Lettering Style:	**3-inch capital letters for the title (NOTICE OF PROPOSED LAND USE ACTION)** **2-inch capital letters for the proposal description. Department staff may authorize variation in lettering size to accommodate text.** **All other letters shall be 1.5-inch upper and lower case.**
Lettering and Plot Plan Color:	**Black (Permanent Ink or Overlay)**
Background Color:	**White**
Plot Plan:	**3 feet by 3 feet**

- Professionally prepared plastic sign overlays permanently affixed to the board are permitted.
- Sign boards may be reused but they must be clean and show no evidence of former working or drawings.
- The specific text to be put on the sign shall be determined by DPD staff and will be reviewed by the applicant during the application intake appointment.
- The date lines after "End of comment period:" and "Comment period may be extended by written request until:" shall be left blank. DPD staff will post the comment period information when performing their field inspection of the sign.

Specifications for Plot Plan Illustrating Project or Proposal Location

Applications with Proposed Structures

For applications with proposed structures, a plot plan of the property and project shall be included on the sign in the space indicated on Attachment A. The copy of the plot plan proposed to be printed on the environmental sign must be submitted at the application intake appointment. The plot plan shall be outlined in bold line so that its location is clearly identified in relation to the property lines. The plot plan shall provide the following information:

- Names of all adjacent streets and bodies of water;
- Location of any alleys;
- Footprint of the total building (with new construction cross-hatched). The footprint shall be outlined in a bold line so that its location is clearly identified in relation to the property lines;
- Vehicular access, circulation, and surface parking;
- North arrow;
- Drawing scaled to fill the space available and oriented to viewer's perspective; and
- Property lines.

Applications without Proposed Structures (e.g., rezones, subdivisions)

For applications without proposed structures, a site location map shall be included on the sign in the space indicated on Attachment A. The copy of the site location map proposed to be printed on the environmental sign must be submitted at the application intake appointment. The site location map shall provide the following information:

- Names of all adjacent streets and bodies of water;
- Location of any alleys;
- The site area outlined in bold line or cross-hatched to clearly identify the boundaries of the proposal;
- North arrow;
- Drawing scaled to fill the space provided;
- Property lines; and
- Location of existing structures.

Standards for Locating and Installing the Environmental Review Sign

Environmental review signs shall be installed by the applicant according to the specifications shown in Attachment B. These signs shall be located:

- At the midpoint on the street frontage from which the site is addressed or as otherwise directed by DPD staff;
- On the property, ten (10) feet back from the property line; signs structurally attached to an existing building shall be exempt from the setback requirement, provided that no sign is located further than ten (10) feet from the property line without approval from DPD staff;

- So that the top of the sign is between seven (7) to nine (9) feet above grade;
- So that it can be easily read from the adjacent street and/or sidewalk; and
- So that it is easily accessible for posting of comment period dates by DPD staff.

Installation Notification

To notify DPD that the environmental review sign has been installed, the applicant shall complete the Environmental Review Sign Installation Notification (Attachment C) and return it to DPD. The notification can be sent via mail or fax (206-233-7901) or delivered in person. Notification also may be submitted electronically through the online form at www.seattle.gov/dpd/ERsign.

When the notification has been received by DPD, notice of application will be published in the Land Use Information Bulletin.

The date of publication begins the required 14-day comment period. On or before the date of publication, DPD staff will post the date of the end of the comment period, and its extension date, in the space provided on the sign (see Attachment A).

If, upon field inspection, it is determined that the sign does not meet the requirements of this Director's Rule, the application will need to be renoticed once the corrections are made, resulting in possible delays to the review process. Renotice fees will be charged to the application per the fee ordinance.

Maintenance and Removal of the Environmental Review Sign

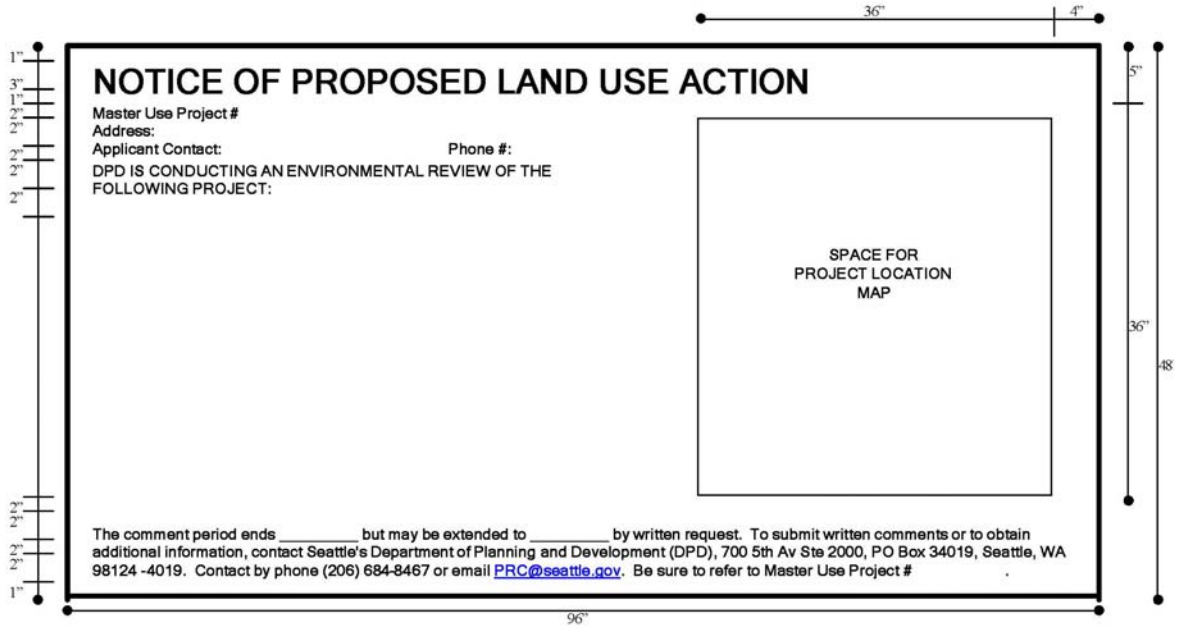
Maintenance

The applicant shall maintain the environmental review sign in good condition until the final decision on the application. If the environmental review sign is removed or defaced before the final decision, DPD review of the project or proposal may be discontinued until the sign is replaced and has remained in place for a reasonable period of time. DPD also may give additional published notice and require an additional comment period. If a sign is defaced or removed, it shall be replaced by the applicant. Renotice fees will be charged to the applicant.

Removal

It is the applicant's responsibility to remove the environmental sign at the following times, as applicable:

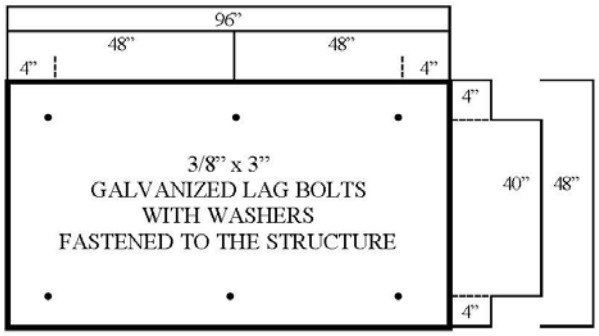
- Fourteen (14) days after the Director's decision has been issued (twenty-one (21) days after receipt of the shoreline packet by DOE) and no appeal has been filed or the project is withdrawn or canceled;
- If the Director's decision has been appealed, the day after the appeal is resolved by either the Hearing Examiner or City Council; or
- If the decision is made by the City Council, the day after final City Council action on the proposal.



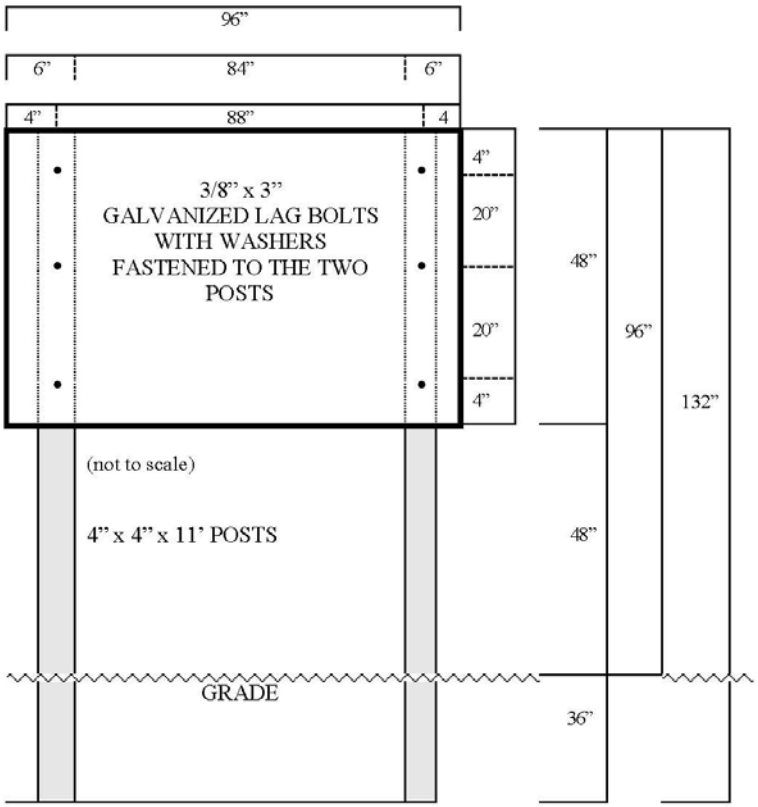
TITLE = 3" CAPITAL LETTERS
OTHER = 1.5" CAPITAL/LOWER CASE LETTERS
PROPOSAL DESCRIPTION = 2" CAPITAL LETTERS
NOTE: All lettering to be standard typeface (Helvetica or similar).

ATTACHMENT A

ATTACHMENT B



(not to scale)



Department of Planning and Development (DPD)
Public Resource Center
700 5th Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-3019

Phone: 206-684-8467
Fax: 206-233-7901

ENVIRONMENTAL SIGN INSTALLATION NOTIFICATION

DPD Project Number: _____

Site Address: _____

Date of Sign Installation: _____

_____ The Environmental Sign is installed at the location determined at the intake appointment with DPD.

_____ The Environmental Sign is installed at an alternate location on the site. (In the event that this alternate location is not acceptable to the Department, the Department may require the sign to be moved and the application re-noticed. The applicant will be charged for re-noticing the application.)

The alternative location is: _____

Upon receipt of this notification, the application will be considered "complete," DPD will schedule the application for notice, and the comment period will begin. Failure to install the environmental sign and return this form to DPD within 60 days of application submittal may result in a notice of intent to cancel.

This notification must be returned to DPD either: in person, by fax, by mail, or electronically (by going to the Land Use forms on the DPD website).

ATTACHMENT C

Attachment 3

PUBLIC PARTICIPATION POLICY 1997-1998

It is the policy of the Planning Commission and Planning, Inspections, and Permitting Department staff to encourage early review on planning and development issues proposed in and affecting development of the City of Folsom.

Planning, Inspections, & Permitting staff will implement the following measures:

1) After a project planner has been assigned to a new discretionary project and it has been deemed complete for processing, staff will contact any appropriate homeowner association or registered organization to let them know that a file has been created and that the respective association or organization can review the project description and plans at the front counter in the Planning, Inspections, & Permitting Department at 50 Natoma Street, Folsom.

2) Mail to each member of the Planning Commission, a copy of the Planning, Inspections, & Permitting Department 'Tentative Meeting Schedule' on a weekly basis. This schedule establishes the forthcoming meetings for various committees and commissions and City Council and tentatively schedules various entitlement requests for the next 90 days.

3) Encourage more citizen participation in all public meetings, including but not limited to, the Architectural Review Commission, Planning Commission and City Council.

4) Post agendas for the Architectural Review Commission and Planning Commission at City Hall and the library and other locations as deemed appropriate by the Planning, Inspections, & Permitting Director.

5) Notify property owners within 300 feet of the exterior boundary of the subject property for all public hearing items. If the 300 foot radius does not include more than twenty-five residents, this radius will be expanded to include a number of residents to the satisfaction of the Planning, Inspections, & Permitting Director, at the expense of the City.

Although not required by ordinance of the City of Folsom, the applicant for a development project will be asked by staff to:

6) Schedule neighborhood meetings with local residents for feedback on the proposed project. Planning, Inspections, & Permitting staff will make reasonable efforts to provide a facility for the meetings and will attend these meetings at the direction of the Planning, Inspections, & Permitting Director. Staff's attendance at the neighborhood meeting is not to be in a participatory capacity with the applicant, but as an observer and future point of contact for the residents.

7) Post the project site with a sign identifying the proposed use of the site, if the proposed use is:

   1) A non-residential use within a Planned Development (PD) overlay zone;
   2) A residential use of 5 lots or more requiring a Tentative Subdivision Map approval; or
   3) Any use as determined by the Planning, Inspections, & Permitting Director.

   The project sign shall be 4 feet x 8 feet with a white background. Minimum lettering copy size shall be 4" in a contrasting color, and shall identify the proposed and application number, the project proponent, with address and contact telephone number, and the telephone number of the Planning, Inspections, & Permitting Department. This sign shall be posted in an on-site location to be determined by the Planning, Inspections, & Permitting Director and shall be erected after the project has been deemed complete for processing by the assigned project planner. The sign shall be posted at least 30 days prior to any hearing before the Planning Commission or City Council.

   (See attached for signage example.)

White Background

PROPOSED PROJECT
ABCD CORPORATION (916) 987- xxxx
1325 E. AGENDA STREET
FOLSOM, CA

APPLICATION 97-1027: CONTACT CITY OF FOLSOM, PLANNING, INSPECTIONS, & PERMITTING DEPARTMENT (916) 355-7222

4' x 8'

Project proponent (Address + telephone #)
Proposed Use, Application #
4" lettering minimum size
PIP Department telephone #

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