

**EXHIBIT A**  
**Conditions of Approval**  
**Lower Lagoon Valley Development Project**  
**Planned Development, Vesting Tentative Map, and Addendum to EIR**  
**(File No. 04-213)**

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**I. Standard Conditions of Approval for Vesting Tentative Maps:**

1. The project shall comply with all the Standard Conditions of Approval for Vesting Tentative Maps, except as modified below by Conditions 1 through 166 of Section IV.

**II. Standard Conditions of Approval for Residential Developments:**

1. The project shall comply with the all the Standard Conditions of Approval for Residential Development, except as modified below by Conditions 1 through 166 of Section IV.

**III. Standard Conditions of Approval for Non-Residential Developments:**

1. The project shall comply with the all the Standard Conditions of Approval for Non-Residential Development, except as modified below by Conditions 1 through 166 of Section IV.

**IV. Project-Specific Conditions of Approval:**

**PLANNING**

1. Project approval and conditions of approval apply to the following plan set:
  - a. Planned Development Document dated January 26, 2005.
  - b. Vesting Tentative Map dated February 9, 2005.
  - c. Lower Lagoon Valley Policy Plan Implementation Project Addendum to the June 2004 Lower Lagoon Valley Specific Plan Final Environmental Impact Report dated January 25, 2005.
2. Plans submitted for Final Map and Improvement plan approval shall be in substantial compliance with the plans approved by this action, except as modified by these conditions of approval.
3. The Draft Tree Inventory Plan, dated January 21, 2005, and the Draft Resource Management Plan for Lower Lagoon Valley, dated January 27, 2005, are not approved with this action. These shall be finalized and approved by the City Planner prior to recording the Final Map.
4. The developer shall comply with all provisions contained in the Lower Lagoon Valley Policy Plan Implementation Project Mitigation Monitoring Plan, included in these conditions of approval as Exhibit 1.

5. Prior to and during any construction, the applicant shall show proof of any required permits, including those from the US Corps of Engineers, US Department of Fish and Wildlife, California Department of Fish and Game.
6. All provisions of the *Agreement to Settle Litigation Regarding Lower Lagoon Valley* shall be met, including Exhibit E, Obligations Agreement. Provisions of the Obligations Agreement include, but are not limited to,
  - a. Developer shall make a Community Benefit Contribution (total at buildout of project, based on per residential unit or per office/commercial square foot calculation) to fund fire station and park/open space improvements;
  - b. Developer shall annually pay to the City one million dollars (\$1,000,000), in year 2004 dollars, for fire protection services. Developer shall pay for the ongoing staffing and operational costs of a three (3)-person fire crew at the Fire Station;
  - c. The Public Safety District for the project shall include an annual assessment for police protection services equal to \$550,000 per year (in 2004 Dollars); and
  - d. The Public Safety District shall include an annual assessment for maintenance and operation of Lagoon Valley park equal to \$250,000 (in 2004 Dollars); and
  - e. The Golf Course shall be open for public use on all Mondays of each year, federal holidays excepted.

### **Planned Development**

7. Project approval and conditions of approval apply to the Planned Development application dated January 26, 2005. Plans submitted for Final Map and Improvement plan approval shall be in substantial compliance with the plans approved by this action, except as modified by these conditions of approval.
8. All development in the PD area shall comply with the Planned Development Land Use Program (please refer to attached Exhibit 2 of these conditions). This includes the allowable square footage in the Business Village and Town Center and the total number of residential units (1,025 units) allowed throughout the PD area.
9. Future City review and approval is required for the following elements of the PD project area:
  - a. Business Village, Town Center (including housing components), Fire Station site, Village Green neighborhood park, Golf Course, and Golf Course Maintenance Facility;
  - b. Senior-restricted townhomes in Village 3;
  - c. Custom home lots located in Village 3;

- d. Community Homes property (approx. 22.4-acres), designated as Subarea 4B in the PD; and
- e. Residential products in Villages 1, 2, and 3; and
- f. All parkways, landscape buffers, and parks throughout the PD area.

\* Future review will include land use consistency, design review, development standards, signage and lighting. All future development proposals for these areas must comply with the Lower Lagoon Valley Policy Plan and the Vesting Tentative Map, Planned Development, Lagoon Valley Design Guidelines, and the EIR Addendum approved by this action. All conditions of approval outlined below must also be met, including parking and landscaping standards.

- 10. The church site (17.5 acres) located south of the Ranchotel on the Vesting Tentative Map shall be subject to further review by the City prior to any development, including design review. Any future proposals on this parcel shall meet the provisions of the Policy Plan and the EIR and EIR Addendum.

***Development Standards***

*Business Village and Town Center*

- 11. The following site uses are clarifications to what is permitted under the Policy Plan (Chapter 3, Section E: Office-Business Park Standards) and are specified as part of this PD. Under the Policy Plan, the Planning Director may approve any other related use that he or she finds to be consistent with the purpose of the Policy Plan, which would not impair the present or potential uses of adjacent properties.

- a. The site uses listed below are permitted uses in the *Business Village*:

- 1. Churches, other religious institutions, and membership organization facilities; and
- 2. Colleges, universities and professional schools; business and technical schools; continuing education uses.

\* Please note that churches are permitted in all commercial districts throughout the City, per Ordinance No. 1726, Amending Various Sections of the Land Use and Development Code Related to Membership Organizations, adopted on October 12, 2004.

- b. The site uses listed below are permitted uses in the Town Center:

- 1. Neighborhood services such as restaurants, bookstores, galleries, fitness center;
- 2. An approximate 3,500 square foot Community Center; and

3. Residential uses are permitted on the upper floors of the retail buildings and/or within free-standing buildings.
  - c. The site uses listed below are conditional uses in the Business Village:
    1. Golf course clubhouse complex
  - d. The site uses listed below are conditional uses in the Town Center:
    1. Public utility buildings; and
    2. Park & ride lots.
12. Setbacks for the Business Village and Town Center must comply with the PD and Design Guidelines. This includes the individual building setbacks as well as the overall setbacks from Lagoon Valley Boulevard, Clubhouse Drive, and the residential and Village Green edges. Building setbacks shall also be established from the Village Green. All setbacks will be reviewed and approved by the City during subsequent applications for these areas.
13. Parking standards must comply with the ratios established in the Policy Plan and PD. Townhomes shall have two (2) parking spaces per unit provided in a garage. Residential flats (mixed use product) are required to have one (1) covered space per unit. Specific parking layout for the residential flats will be reviewed during the future design reviews for the Town Center. Parking shall also be provided for the Village Green area.
14. The Community Development Director may reduce the required number of parking spaces by up to 20% for a mixed-use development based on the proportion of office, retail, restaurant space and opportunities for shared parking and joint-use parking (the same findings stated in Chapter 3, Section E, 8(e) of the Policy Plan must be made if reduction is approved as part of future design reviews).
15. Parking lot design shall comply with the PD, Lagoon Valley Design Guidelines, Lagoon Valley Policy Plan and the City Municipal Code.
16. Per the City Municipal Code, 40% of parking spaces may be compact for lots with less than 100 stalls.
17. Future development proposals within the Business Village and Town Center submitted for review and approval shall meet the architectural integrity and style outlined in the PD, the Lagoon Valley Design Guidelines, and these conditions of approval.
18. A master signage program for the Business Village and Town Center shall be submitted for review and approval by the City Planner. This shall be done during subsequent design reviews.

### *Residential Villages*

19. The following site uses are clarifications to what is permitted under the Policy Plan (Chapter 3, Section G: Residential Standards) and are specified as part of this PD. Under the Policy Plan, the Planning Director may approve any other related use that he or she finds to be consistent with the purpose of the Policy Plan, which would not impair the present or potential uses of adjacent properties.
  - a. The site uses listed below are permitted uses in the residential areas:
    - (1) Townhouses, 2-4 units per building; and
    - (2) Private common open space and landscaping areas including greenbelts, trails, tot lots, pocket parks and other such amenities.
20. All lots and building setbacks for the residential villages must comply with the PD and Design Guidelines (Please refer to Tables 2.3 and 2.4 in the PD for residential lot and setback standards).
21. Residential buildings are limited to 35 feet in height, with the following exceptions:
  - a. Maximum height of townhouses – 50 feet; and
  - b. Maximum height for buildings on 120 ft. x 150 ft. and custom lots – 40 feet

Building height is measured from the foundation to the highest point of the roof line. For buildings in hillside areas, the height is measured from the average elevation of the first floor to the highest point of the roof line.
22. Parking standards for Villages 2 and 3 shall comply with Chapter 14.09.128, Off-Street Parking, of the Vacaville Municipal Code. The senior-restricted townhouses shall meet the following standards:
  - a. Two (2) enclosed spaces per unit; and
  - b. Guest parking spaces provided in parking bay areas at a ratio of one (1) space per ten (10) units.
23. Future development proposals within the residential areas submitted for review and approval shall meet the architectural integrity and style outlined in the PD, the Lagoon Valley Design Guidelines, and these conditions of approval.
24. Future design review for Village 3 senior-restricted townhomes shall include single-story option for a minimum of 10 percent (10%) of the lots.
25. All corner lots in the 50 ft. x100 ft. residential zones shall be plotted with a single-story product.

26. Variation of front yard setbacks (minimum of five feet) shall comply with the provisions established in the PD (Table 2.4) and Section 14 of the Lagoon Valley Design Guidelines.
27. All residences proposed on custom home lots in Village 3 are subject to individual Design Review and approval. All custom homes are subject to the following standards:
  - a. Roof lines shall be varied. Roof design shall include different heights and angles.
  - b. Roof materials shall be tile, concrete, or material of equivalent quality as may be allowed through Design Review approval.
  - c. Principal exterior materials shall be stucco, wood, brick, stone or material of equivalent quality as may be allowed through Design Review approval.
  - d. Exterior elevations shall include some combination of decorative features. Examples include but are not limited to: accent materials (stone, brick or masonry), architectural projections (porches, trellis, or bay windows), variations in wall planes, and trim around windows and doors.
  - e. Accessory structures, if any, shall be designed to match the architectural design and materials of the main structure.
  - f. Garage doors should not directly face the street. For lots where this is not practical, garage doors should be further from the street than the habitable portion of the house.

### ***Fences, Retaining Walls, and Grading***

28. All grading activity throughout the PD and VTM boundaries shall comply with Division 14.19 of the Vacaville Municipal Code, Chapter 14.20.290 of the Vacaville Municipal Code relating to "Development Standards for New Construction Adjacent to Open Space Lands Where Wildfire is a Threat", and Section 4.6 of the PD. This includes any grading in hillside areas.
29. Slopes steeper than 3:1 is acceptable in the PD project area where it will conform to the natural terrain, will not be highly visible, and will comply with engineering standards (Please also refer to Development Engineering conditions #77 and 88). All grading will be subject to review during the improvement plan/Final Map review by the City Engineer and City Planner. In the case of custom home lots located on/adjacent to steep slopes, buildings shall be built into the slope or on the slope utilizing techniques such as split pads or pole foundations.
30. Details of the proposed berm, including cross sections, shall be included with the first grading and improvement plans for the first phase of the project to ensure that it is consistent with the Policy Plan. The Developer shall work with the Community Development Director and the City Planner to ensure that the View Corridor is properly aligned towards the lake. Per the PD, the berm shall be contoured to create a natural appearance. The construction of this improvement shall be

inspected by the Public Works Department as part of the public improvements throughout the PD area.

31. No development shall break, either physically or visually, the profile of any ridgeline.
32. Low rip-rap walls or gravity and small vertical cuts shall be utilized where appropriate to preserve existing trees where grading would otherwise intrude into the drip line areas.
33. Per section 4.6, Grading, of the PD, the height of retaining walls throughout the PD project area is limited to five (5) feet in height, unless a greater height is approved by the City Engineer and City Planner, and the use of multiple terraced, lower retaining structures is required. Terraced, parallel retaining walls shall be separated by at least five (5) feet, unless approved by the City, and include appropriate landscaping. A minimum separation of 15-feet is required for a third wall. All retaining walls shall be decorative masonry subject to review and approval by the City Planner.
34. Fencing/walls along the perimeter of Villages 2 and 3 (adjacent to hillside open space) shall comply with the most recent standards of Chapter 14.20.290 of the Vacaville Municipal Code relating to "Development Standards for New Construction Adjacent to Open Space Lands Where Wildfire is a Threat".
35. All fencing throughout the PD project area must comply with the PD and Lower Lagoon Valley Guidelines, including height limitations in the required front yard and corner lot side yards.
36. Fencing adjoining the golf course, open space, hillside areas, and adjacent property to the south shall be provided by the Developer. The type/design of the fencing, such as standard open space range fencing or vinyl-clad chainlink fencing, will be reviewed and approved by the City Planner and City Engineer. Details of the fencing shall be submitted with the improvement plans for each project phase.

### ***Landscaping***

37. The developer shall provide landscaping in accordance with the City's Water Efficient Landscaping Regulations and the Water Conservation Ordinance. Use of drought-tolerant, native species shall be used whenever possible.
38. The Draft Tree Inventory Plan, dated January 21, 2005, is not approved with this action. This shall be finalized and approved by the City Planner prior to recording the Final Map. The Final Tree Inventory Plan shall also include protective measures, such as orange construction fencing around the drip lines, for preserved trees throughout the construction of the project.
39. Landscaping shall comply with the PD, Lagoon Valley Design Guidelines, and the following Policy Plan requirements:
  - a. The minimum tree size shall be 15 gallons;

- b. Approximately one-third of all tree plantings on site shall be specimen size located at major focal points;
  - c. A minimum of 30% of any parcel shall be landscaped; and
  - d. Tree replacement ratios shall adhere to Policies 4.5.1-P-10 through 4.5.1-P-10.6 of the PD. This includes replacing oaks at a ratio of 5:1 (smaller ratio if salvaged from the site or grown from a locally collected source) and replacing all other native tree species or specimen ornamental trees at a ratio of 3:1.
40. Landscaping maintenance responsibilities shall be shown on the Site Maintenance Plan submitted as part of improvement plans for review and approval by the City Engineer and City Planner. This plan will establish which areas will be maintained by the Community Facilities District or the various Community Associations.

*Residential Villages*

41. Landscaping shall comply with the PD, Lagoon Valley Design Guidelines, and the following Policy Plan requirements:
- a. A reasonable effort shall be made to insure that common areas and lot areas outside building envelopes are planted with indigenous drought-tolerant plants;
  - b. Yards of lots adjacent to the golf course shall be designed to blend with the golf course rough;
  - c. The use of drought-tolerant plant species shall be maximized; and
  - d. Drip irrigation systems shall be employed where possible.
42. Landscaping along alleys shall be small scale columnar trees (as shown in the Residential Landscape Typologies figure in the Lagoon Valley Design Guidelines). This landscaping shall be maintained as to not encroach or overhang into the 20-foot wide alley area (including tree canopies) for emergency vehicle access.
43. Landscaping for residential lots in Villages 2 and 3 adjacent to open space must meet the requirements of the Fire Department, including Chapter 14.20.290 of the Vacaville Municipal Code relating to "Development Standards for New Construction Adjacent to Open Space Lands Where Wildfire is a Threat". Designated areas of fire resistant plant material within individual lots shall be maintained in accordance with Fire Department requirements.

***PD/Design Guidelines Document Clarifications***

44. A final copy of the PD/Design Guidelines shall be produced within sixty (60) days of the City Council taking an action. A total of 35 color copies shall be provided, along with a reproducible master, and an electronic copy.

45. The following changes shall be reflected in the Final PD/Design Guidelines document:
- a. Table 2.4, Residential Development Standards shall reflect the following setback changes:
    - (1) Front Yard Setback for 85x120 lots: 25 feet;
    - (2) Front Yard Setback for 120x150 and Custom lots: 30 feet;
    - (3) Front Yard Porch Setbacks for 120x150 and Custom lots: 20 feet
- \* These changes shall be made throughout the PD and Design Guidelines*
- b. All references to Lagoon Valley Road shall be changed to Lagoon Valley Boulevard;
  - c. The word Regional shall be removed from Lagoon Valley Park throughout the document. Figures 1.2 in the PD and the Vicinity Map, Illustrative Master Plan;
  - d. When referencing the Fire Protection Plan, include a reference that it is located within the Vesting Tentative Map;
  - e. Figure 2.5, Residential Site Plan – The legend for Village 3 shall include the 85 ft. x 120 ft. lot size;
  - f. Page 2-16, 2.3.1.2 Conditional Uses – Include the following conditional uses for residential areas (listed in the Policy Plan):
    - (1) Day care centers in accordance with Chapter 14.02.016 of the Vacaville Municipal Code; and
    - (2) Community care facilities, in accordance with Chapter 14.02.016 of the Vacaville Municipal Code.
  - g. Page 2-28, 2.4.4 Parking Standards – the parking standards for the townhomes and mixed-use residential units in the Town Center shall comply with condition #13 above;
  - h. Page 3-18, Multi-Use Trail – please remove the following sentence: ~~The link to Ranchotel is the former Rivera Road; Nelson and Rivera Roads were part of the vehicular network proposed by the Policy Plan;~~
  - i. Page 4-9, Policies 4.1.3-P-2.1 and 4.1.3-P-2.2 – Language regarding land exchange between Developer and the City shall match what is outlined in the Settlement Agreement.
  - j. Page 4-20, 4.4.14 Golf Course Not Constructed – add the following language: (d) If the proposed golf course is not constructed, fire protection measures

shall be required in relation to open lands adjacent to commercial and residential property. These measures shall be reviewed and approved by the Fire Marshal;

- k. Section 5.7, Fire Emergency Access – All language in this section shall match what is on the Vesting Tentative Map and the conditions of approval from the Fire Department (listed below).
- l. Lagoon Valley Design Guidelines – provide page numbers throughout the Design Guidelines;
- m. Lagoon Valley Design Guidelines, Design Criteria for all Villages – the information on these sheets (setbacks, density, parking, etc) shall be consistent with the PD and these conditions of approval;
- n. Lagoon Valley Design Guidelines, Site Summary – Update to accurately reflect PD and Vesting Tentative Map. Example: Village 1 has 50 ft. x 100 ft. (not alley loaded) product listed;
- o. Lagoon Valley Design Guidelines, Residential Site Plan 1.1a – 40 ft. x 100 ft. alley loaded product is not listed for Village 1;
- p. Lagoon Valley Design Guidelines, Village Product Profiles, Architectural Themes, and Landscape Design – throughout the Guidelines, ensure that the correct product types are listed in each Village. Examples of inconsistencies include:
  - (1) Village Product Profile and Architectural Theme 1.2b – 50x100 standards are listed rather than 50 ft. x 100 ft. alley loaded standards;
  - (2) Landscape Design 1.3c – 50 ft. x 100 ft. standards are listed rather than 50x100 alley loaded standards; and
  - (3) Village Street Section 2.4a – 50 ft. x 100 ft. street cross section is shown rather than 50x100 alley loaded cross section.
- q. Lagoon Valley Design Guidelines, Village Street Section 1.4c – Add statement about alley landscaping not encroaching into the alley (including tree canopies) for emergency access;
- r. Lagoon Valley Design Guidelines, Village Street Section 3.4c – Add statement to refer to Vesting Tentative Map for locations of parking and trash pullouts near residential driveways;
- s. Lagoon Valley Design Guidelines, Architectural Styles (Section 13) – Ensure that building materials listed meet the standards and requirements of the Fire Department.

### Tentative Map

46. Future tentative map approvals are required for the following:
  - a. Business Village and Town Square (including housing components);
  - b. Senior-restricted townhomes in Village 3;
  - c. Community Homes property (approx. 22.4-acres), designated as Subarea 4B in the PD.
47. A parcel map approval is required for the Village Green in Village 1 (Parcel I on the Tentative Map). This parcel map will establish two parcels within the Village Green; one (1) to contain the community gardens that will be maintained by the Homeowners Association and one (1) for the remainder of the park.
48. Phasing of the project shall be in compliance with the Master Phasing Plan, January 11, 2005. As illustrated, the phasing includes:
  - a. Phase I – Village 1 and Golf Course;
  - b. Phase II – Western portion of Village 3;
  - c. Phase III – Village 2; and
  - d. Phase IV – Eastern portion of Village 3
49. Phased improvement plans and Final Maps submitted for review and approval by the City shall show the following information:
  - a. Streets in Village 3 shall show areas near residential driveways for guest parking and trash/recycling pickup;
  - b. All street names are subject to review and approval by the City Planner, Fire Marshall, and Police Department;
  - c. All lots must meet the minimum lot size, width, depth, and street frontage as outlined in Table 2.3 of the PD;
  - d. Complete landscape plans showing what will be installed by the developers and either maintained by the HOA or through an approved Lighting and Landscaping District;
  - e. Land that will be dedicated to the City as permanent open space;
  - f. Location and number of bus turnouts for Regional Transit and school bus service (the location/number of turnouts shall be coordinated between the City and the Developer); and

- g. Signage that will be used throughout the project area, including entryways, street name signs and any directional signage. Details and locations of street furniture shall also be shown.
50. The following changes shall be reflected on the phased improvement plans and Final Maps:
- a. Village 1 corner lots – revise to comply with corner lot square footage and width/depth standards in the PD. Several appear to fall short of these requirements, including lots 1, 12, 24, 25, 48, 68, 77, 78, 87, 88, 97, 98, 107, 108, 120, 143, 153, 154, and 165;
  - b. Village 2 – lots 350 and 355 have the same lot dimensions but are different square footages;
  - c. Village 2 - revise to comply with lot square footage and width/depth standards in the PD. A few appear to fall short of these requirements, including lots 440, 557, and 562;
  - d. Village 3 – lots 625, 653, 660, 664, 617, 668, 701, 702, 708, 711, 716, 727, 747, 748, 758, 759, 760, 834, 835, and 849 appear to fall short of the minimum square footage and width standards;
  - e. Village 3 - the southern property lines of lots 847 and 848 shall be redesigned to be similar with adjacent lots;
  - f. Village 3 – Lot 817 shall require a 30 ft. minimum street frontage (flag lot);
  - g. Sheet 38 (Fire Protection Plan) – the following changes shall be made to the legend:
    - (1) Diagonal hatched text shall read: Residential units shall be constructed with non-combustible siding material. Combustible trim and detailing will be allowed with approval of Fire Marshall. Provided enclosed boxed eaves. Provide approved fire protection sprinkler system. All attic and underfloor openings shall be protected with 1/8 inch wire screens.
    - (2) Number 1 under NOTES shall read: ~~Wood single roofs are prohibited in this development.~~ Class A Roof Fire Retardant Materials are required on all structures.
  - h. That the tentative map can be revised to include a separate parcel located between Parcel A and the Ranchotel property to the north. The parcel will be created as a result of moving Parcel A up to 100 feet to the south provided that the relocation of Parcel A avoids any new or more severe impacts to jurisdictional wetland areas, unless any such impacts are mitigated to the satisfaction of the Army Corps of Engineers as part of the Corps permitting process for the overall

project. As part of that process, plans for grading or construction on the church parcel shall be included in submittals to the Corps.

51. The CC&R's (Conditions, Covenants and Restrictions) shall be submitted for review and approval by the City Planner and the City Attorney prior to recording the final map. The CC&R's shall include information on:
  - a. Community Facilities District's responsibilities including the Village Green and sedimentation basins;
  - b. Community Associations responsibilities regarding maintenance and upkeep (including the fire buffer zones located on individual lots in Villages 1 and 2);
  - c. On-street parking;
  - d. Garages shall not be converted to any other uses other than parking, such as a recreation use or a bedroom;
  - e. Prohibiting parking of recreational vehicles or boats on the street or the front yard;
  - f. Exterior modifications to homes, garages, etc. including the review process of the Lower Lagoon Valley Design Review Board;
  - g. Landscaping along alleys shall be maintained as to not encroach or overhang into the 20-foot wide alley area (including tree canopies) for emergency vehicle access;
  - h. Type of accessory structures that will be permitted in residential areas; and
  - i. Disclosure of assumption of risk for properties adjacent to the Golf Course (see condition #52 below).
  
52. Prior to occupancy of the first residential unit in Village 1, the Developer shall diligently pursue the adjustment of the boundary line between Vacaville Unified School District and the Fairfield-Suisun Unified School District. Documentation of this correspondence shall be submitted to the City Planner.
  
53. The Developer shall provide the original buyer of each lot within the subdivision with the following statement in a form approved by the City Planner:

"The local school may be near or at student capacity. Vacaville Unified School District/ Fairfield-Suisun Unified School District policy may result in the transportation of students from this subdivision to other school facilities with adequate capacity to handle additional students. For additional information, contact the Vacaville Unified School district at (707) 453-6100 or the Fairfield-Suisun Unified School District at (707) 399-5000."
  
54. The Developer shall provide the original buyer of each lot adjacent to the golf course with the following statement in a form approved by the City Planner:

"Assumption of Risk" - The undersigned purchaser(s) hereby acknowledge that they are purchasing (address) ("subject property" herein) with full knowledge that subject property is adjacent to a golf course and that a hazard exists because of such location in that golf balls may enter upon subject property and potentially cause personal injuries and property damage on subject property. The

undersigned hereby expressly assumes the risk of such injury and property damage.

55. All 100 townhouse units in Village 3 shall be permanently deed restricted for the life of the project to Senior Citizens. Senior Citizens shall be defined to mean that at least one of the residents of the dwelling unit shall be at least 55 years of age. A deed restriction shall be recorded concurrently with the final map. A copy of the deed restriction shall be submitted for review and approval by the City Planner prior to recordation.
56. A total of 75 units (in Village 1 and Town Center) shall be deed restricted as affordable to moderate income households (earning 80 percent to 120 percent of the median household income for the Vallejo-Fairfield, California Metropolitan Statistical Area), as required by applicable law for a period of not less than 30 years. A deed restriction shall be recorded concurrently with the final map. A copy of the deed restriction shall be submitted for review and approval by the City Planner prior to recordation.
57. Either the City, or an entity approved by the City, shall implement and monitor the program for the affordable units. If another entity is chosen, appropriate documentation and reporting shall be submitted to the City regarding the ongoing monitoring of the units. This shall be coordinated with the City's Department of Housing and Redevelopment.
58. The following statement shall be recorded on the Final Map for the project:

“No portion of the surface of the property lying within the boundaries of the Final Map (and no portion of said property lying within five hundred feet of the surface of the land) may be utilized for the extraction of oil, gas, hydrocarbons or any other mineral, metal or substance, or any activities associated with or ancillary to any such activities”.

### **DEVELOPMENT ENGINEERING**

59. **Standard Conditions of Approval.** Developer shall comply with all applicable City of Vacaville Standard Conditions of Approval (Attachment A) for Tentative Maps. In the event of a conflict between the Standard Conditions of Approval and these conditions, these conditions shall prevail.
60. **Vesting Tentative Map.** Approval of the Final Map and approval the improvement plans are conditioned upon the requirement that the development is consistent with the City approved Vesting Tentative Map prepared by BKF dated 2/9/05 and Planned Development (PD), including the Land Use and Zoning for which this project was approved by the Planning Commission. Each residential lot, streets, all other dedication and proposed improvements shown on the City approved Vesting Tentative Map or other acceptable layout approved by the Planning Commission must be complied with, and improvement plans and final map consistent with the detailed layout shown. Unless otherwise stated in these conditions, utilities, grading and site improvements must generally be in conformance to the said Vesting Tentative Map. Any changes of individual residential lots and streets, grading and utilities must be first reviewed approved

by the Director of Community Development, the City Engineer and the Director of Public Works prior to approval of Final Maps and improvement plans and construction.

61. **Master Phasing Plan.** The Developer shall phase the construction of improvements according to the sequence and configuration shown on the Master Phasing Plan dated 1/11/05 prepared by BKF and these conditions of approval. Any conflict between the two documents these conditions of approval shall prevail. The Developer shall submit for approval a final Master Phasing Plan showing what infrastructure improvements will be constructed when and the construction schedule of when each improvements will be completed and what lots will be sold when prior to issuance of the first grading permits. Any and all changes to the master plan shall be reviewed and approved by the City Engineer and Director of Public Works.

### **Mapping, Easements and Dedications**

62. **Final Map.** The Developer shall prepare a Master Final Map subdividing the existing property into phases where each residential Village subdivision shall be one large parcel to be further subdivided into smaller residential parcels by a separate phased Final Maps. Each of these village subdivision maps shall subdivide these said large parcels into the configuration, size and number of lots shown on the said Vesting Tentative Map, in accordance with the requirements of the Subdivision Map Act and Vacaville Development Policies and Standards. Each large (Village subdivision) parcel shall be shown on the Master Final Map along with the Golf Course parcels, Open Space parcels, Town Center parcel, Public Park, Fire Station parcel, Business Village parcel, Landscape Buffer Area Parcels, Church Site Parcel, Lagoon Valley Blvd., Rivera Road and Nelson Road public streets, and private streets: Club House Drive, JJ, KK, LL, and MM as shown on the said submitted said Vesting Tentative Map, in accordance with the requirements of the Subdivision Map Act and Vacaville Development Policies and standards. Residential Villages 1, 2 and 3 shall be phased on separate Final Maps that shall be reviewed and approved by the City Engineer and signed by Public Works Director at various phases of development without the need to for additional tentative maps filed. All land area not designated on the City approved Vesting Tentative Map to be within the project and not designated with a future use shall be designated as "remainder" on the Master Final Map. The Developer shall process separately tentative and final maps of parcel J the Business Village and Parcel C-1, the residential Condominium that is shown on the Vesting Tentative Map.
63. **Abandonment of Easements and Right of Ways.** The Developer shall obtain abandonment from the City and from all applicable public agencies or utility companies all existing easements and right of ways (ROW) not to be continued in use prior to recording of the final map. The Developer shall show on the Phase 1 Master Final Map the abandonment of existing Lagoon Valley Road, Lagoon Valley Parkway, Saddleback Parkway, portions of Rivera Road and Nelson Road as shown on the approved Vesting Tentative Map. The Developer shall also secure the transfer of 49.2 acres of City land into the project prior to the submittal of the first final map. The Developer shall provide safe, drivable and continual temporary access roads to all existing properties that currently use the

access from the existing City streets that are being abandoned and removed during construction of the project. Developer shall notice to existing residences of changes of access and construction activities during construction.

64. **Topography and Boundary Survey Map.** The Developer shall furnish the City a copy of the current title report and a copy of a Topography/Boundary Survey of the project property prepared by Land Surveyor or Civil Engineer, authorized to practice land surveying, licensed in the State of California showing the recorded project boundary lines, all recorded easements, existing contours and drainage lines, and structures, which shall be submitted to the City prior to the first plan review. The Developer shall also show on the drawing the location of all existing driveways on all public streets within a maximum 200 feet from the project property.
65. **Recorded Deeds and Dedications.** The Developer shall provide the City a copy of current title report and copies of all recorded deeds of all parties having any recorded title interest in the property upon first submittal of the map for plan review of all Final Maps of adjoining properties, if applicable and relevant, easement documents shall be submitted to the City for review as deemed necessary by City Engineer. Unless otherwise approved by the City Engineer, all dedications within each phased residential or business park subdivision shall be completed as part of each applicable phased Final Map, and improvements must be secured by bonds prior that applicable Final Map approval, and improvements must be constructed prior to initial occupancy of any lots or parcels of within that applicable final map. All offsite dedications shall be made and offsite improvements shall be bonded for with the approval of the appropriate Final Map.
66. **Public Dedications.** The Developer shall dedicate to the City on the appropriate Final Map the all public streets and parcels that are shown on the approved Vesting Tentative Map including but not limited to the following:
  - a. A 88 to 100 feet wide right of way for new alignment of Lagoon Valley Blvd. from Interstate 80 (I-80) right of way at the off ramp to the southern entrance to the Lagoon Valley park as approved by the City Engineer and Director of Public Works to the City in the first phase or master map,
  - b. A 60 feet wide right of way of the realigned portion of Rivera Road starting from Lagoon Valley Blvd north to the existing Rivera Road as shown on the approved Tentative Map to the City on the master map for a new road in phase 1.
  - c. A 38 ft. wide right of way with 28 feet wide curb to curb pavement of a realigned portion of Nelson Road from Lagoon Valley Blvd. south to the new public parking area on the Master Final Map in Phase I to the configuration shown on the tentative map. The parking area shall also be dedicated to the City with 10 parking stalls (9 ft. x 19 ft., 28 foot wide street pavement street, a fire truck turn around, all surrounded by 5 landscape buffer between the curb and right of way similar as shown on the City approved Vesting Tentative Map. From the parking area the Nelson Road right of way shall narrow to 30 ft. with a 20 ft. wide pavement and shall start from the public parking to the existing road as shown on the approved Vesting Tentative Map.

- d. Dedicate Parcels B, C, D, E, and O to the City as Public Open Space in master map,
  - e. Dedicate Parcel I to the City for a Public Park, which does not include a certain area within the park parcel as the Community Garden Area. The garden area shall be separate and dedicated to the community home owners association on a separate parcel map for the park when the park develops,
  - f. Dedicate Parcel H to the City on the master map for a new City Fire Station in Phase I,
  - g. If required by the Caltrans approved Project Study Report, the Developer shall obtain fee title to the property between Rivera Road and I-80 currently owned by Todd Davidson (APN #128-010-030 & 050), Charles Metzger (APN #128-010-040) and Richard Perry (APN #128-010-070) per the terms of the City agreement "Exhibit E" titled "Agreement Regarding Further Obligations of Developer and City for Implementation of Revised Project (Exhibit E, Obligation Agreement) for widening and improving the off and onramps per the Tentative Map of the of the I-80 on and off ramps at Lagoon Valley Road.
  - h. All dedications for parcels P and Q to the City for pump station sites, Parcels R and S to the City for Water tanks, Parcel T as Booster Pump station site and dedications for needed offsite sanitary sewer lines, domestic water lines and non-potable water lines, storm drain outfall structures of Lagoon Valley Lake, the by-pass channel and other drainage facilities described and shown on the approved Vesting Tentative Map shall be completed and dedicated with each appropriate final map in the proper phase as specified in these Conditions of Approval to the satisfaction of the City Engineer or Director of Public Works.
67. **Public Easements.** The Developer shall dedicate to the City on an appropriate Final Map the all public easements as shown on the approved Vesting Tentative Map including but not limited to the following:
- a. A 825 ft. wide View Corridor Easement from the Interstate 80 (I-80) right of way to Lagoon Valley Lake to the City as shown on the Vesting Tentative Map on the Master Final Map,
  - b. A minimum 24 ft. wide Emergency Vehicle Access Easement (EVAE) and Public Utility Easement (PUE) behind Lots 703 through 707, a 24 ft. wide EVAE within lots 821 through 830, and Parcels L17 and L18 all in Village 3 an EVAE with an all weather access road, a PA to the park, and an EVAE and PUE over all private streets, alley ways and common areas.
  - c. A minimum 15 ft. wide easement over all water and sanitary sewer lines that are not in public right way and shall be dedicated to the City on the appropriate final map and prior to construction,

- d. A minimum 15 ft. wide easement over all proposed non-potable water lines as shown the Tentative map on the appropriate Final Map and dedicate to the Solano Irrigation District by separate instrument prior to construction,
  - e. A minimum 12 ft. wide (recommended 24 ft.) street reservation along the east right of way of Rivera Road over Parcels A and B for future widening of I-80 and/or relocation of Rivera Road shall be provided on the master final map,
  - f. A minimum 50 ft. to 75 ft. landscape buffer to the appropriate Home Owner's Association over parcel "J" Business Village frontage,
  - g. A 20 ft. wide Public Access Easement over all 8 ft. wide or wider public access trails as shown on the approved Vesting Tentative Map,
  - h. Parcels U2 through U5 as a 20 feet wide public access (PA), public utilities easement (PUE), Storm Drain easement (SDE) and Emergency Vehicle Access Easement (EVAE) to the City to the satisfaction of the City Engineer. The parcels shall be dedicated in the appropriate Final Map or by separate instrument recorded prior to the recordation of the Final Map,
  - i. A drainage easement through golf course Parcels L, M, N, L series, U series and all private roads.
68. **Private Dedications and Easements.** The Developer shall show all the private easements on the appropriate Final Map and dedicate by separate instrument to the appropriate property owner or Owner's Association as shown on the approved Vesting Tentative Map including but not limited to the following:
- a. All private streets are private access parcels and common areas, within the approved Vesting Tentative Map, shall be dedicated to the appropriate subdivision Home Owner's Association as shown in the approved Vesting Tentative Map,
  - b. Parcel K and G as a private landscape Buffer area to the appropriate Home Owner's Association for maintenance,
  - c. Dedicate all Parcels (L series) to the appropriate HOA on the final map as Landscape Buffers between homes and roads,
  - d. Private 75 to 150 feet wide landscape buffer in Parcel F, the Town Center, and Private 50 to 75 feet wide landscape Parcel J, Business Village, to the appropriate Owner's Association for maintenance,
  - e. A 30 ft. wide access easement and 20 ft. wide road to Community Homes from N Street to Community Homes property,
  - f. Provide access a minimum 30 ft. wide easement to Community Homes over private streets and a minimum 30 ft. wide easement over common area Parcel U2 to the Community Homes property,

- g. Provide an access easement to Community Homes over private streets and a 58 ft. wide access easement over common area Parcels U3 and L9 to the Community Homes property,
  - h. The Developers shall work with adjacent property owner for the design and construction of the permanent fire buffer through this area. The Developer shall dedicate to the City Parcels U6 and U1 as open space for the construction of a sedimentation basin including access from the closest private street for maintenance,
  - i. A 30 ft. wide access easement to Truman Dykes from C Street through Parcel L9 to the Truman Dykes property,
  - j. A 20 ft. minimum width access and drainage easement to the City of Fairfield, by separate instrument prior to recordation of the Final Map, as shown on the approved Vesting Tentative Map. These easements shall be in private streets and private common areas from the Fairfield Reservoir site for discharge through various storm drain lines to the downstream connection point,
  - k. The Community Garden Area in fee to appropriate Home Owner's Association for maintenance,
  - l. A 30 to 35 wide Public Utilities easements to the City over Parcel L-4 between streets J & T, K & Q, L & R, M&V,
  - m. All Alleys shown on the approved Vesting Tentative Map are to be dedicated as common Access, EVAE and PUE as shown on the Tentative Map.
  - n. All Parcels U-1 to U-6 are dedicated to the City for Sediment Basins and vaults, and maintained by the CFD.
69. **Public Utility Easement Dedications.** Developer shall dedicate a minimum 10-foot wide Public Utility Easement (PUE) behind each side of the right of way of every street and over any joint utility trench lines in the event it cannot be placed within City right of way. The Developer shall also provide Public Utility Easements per the requirements of the City and/or public utility companies as necessary to serve the project with utility services and to allow for vehicular and utility service access prior to Final Map approval. The Developer shall dedicate a PUE over the private streets for the construction and maintenance of the public water and sanitary sewer system, and an emergency access easement to the City with the recordation of each Final Map. The Developer shall dedicate to the City a 20 ft. minimum width PUE over the common areas as shown on the approved Vesting Tentative Map with the recordation of the Final Map.
70. **Water Booster Pump Station, Sewer Lift Station and Reservoir Sites.** The Developer shall dedicate to the City with the recordation of the master Final Map a parcel for the Zone 2 water tank and 15 ft. wide access drive at the location approved by the Director of Public Works from the Village 3 private streets to the tank site that is separate from the City open space. If the preferred alternative location is located on or partially on property owned by another landowner, the

Developer shall through its best efforts purchase the property and then dedicate to the City. If the Developer cannot purchase the property, the City shall consider an alternate location or obtain the property through condemnation, and the Developer shall reimburse the City as required by Exhibit E. The Developer may receive credit from water connection fees as approved by the Director of Public Works. The Developer shall create a separate parcel from the City Park, for the Zone 2 water booster pump station as shown the approved Vesting Tentative Map at the location approved by the City Engineer and Director of Public Works. The Developer shall prepare a plat and property legal description of all water pump stations, sewer lift stations and reservoirs located within City owned property, and submit to the City for approval by the City Engineer and Director of Public Works for the creation of a separate parcel. The Developer shall also dedicate to the City on the appropriate Final Map or by separate instrument, a 15 ft. wide access to Zone 3 reservoir and Zone 3 booster station, the Zone 3 water tank site and Zone 3 sewer booster pump station, at all locations approved by City Engineer and Director of Public Works.

71. **Facilities Maintenance.** The Developer shall create various Home Owners organizations for the maintenance of private utilities, private streets, landscape parkways, landscape buffer areas, private parks, emergency access roads, common areas, pedestrian trails, the project drainage systems, Golf Course and private parking lots or any other non public facilities except the project water and sewer systems shall be maintained by the City. Dry utilities, namely electric, gas, telephone and cable TV, shall be maintained by PG&E and SBC. The Home Owner's organization shall be the primary manager and administrator for the collection and assessment of the maintenance fees for these private facilities from the individual residents and property owners. Funding for maintenance of water pump station and reservoirs, sewer lift station systems, and storm detention basins and vaults will be from the project Community Facilities District. The list of Home Owner's organizations and areas of responsibility are shown on the "Site Maintenance" plan prepared by BKF Engineers dated February 9, 2005 consisting of 2 sheets.
72. **Conditions, Covenants and Restrictions (CC&Rs) documents.** The Developer shall submit the CC&Rs for review and approval by the City Engineer as part of the Final Map submittal. These Owners Associations shall be established and the CC&Rs filed with the County Recorder prior to the sale of the first home, condominium unit or final occupancy approvals for the Business Village units. The Developer shall comply with the "Site Maintenance" plan prepared by BKF Engineers dated February 9, 2005 consisting of 2 sheets.
73. **Internal Street Names.** The Developer shall prepare a street sign/naming plan for all internal streets, and this plan shall be submitted for review by the City Fire and Community Development Departments, and then this street name plan shall be approved by the City Manager prior to appropriate Final Map approval.
74. **Condominium Maps.** The Developer shall prepare and process separate Tentative Maps for Parcels C1 and F for the creation of condominium or town homes for further subdividing the parcels in accordance with the requirements of the Subdivision Map Act and Vacaville Development Policies and Standards. The condominium or townhome final maps shall be first reviewed and approved

by the City Engineer and signed by Public Works Director and then sent to the Department of Real Estate for Processing.

75. **Dam Failure Inundation Study.** Prior to Master Final Map approval, the results of a dam failure inundation study shall be used to identify measures to protect locations that could be affected in the event of failure of the earthen dam at Lagoon Valley Lake. The finish floor elevation of buildings within the approved Vesting Tentative Map boundary shall be above the 100-year water surface elevation in Lagoon Valley Lake. Additional measures could include, but would not be limited to, periodic inspections; ensuring structures that could be affected are flood proofed, and an emergency notification/response plan. These mitigation measures shall be approved by the City Engineer.
76. **Site Specific Geotechnical Study.** Prior to Master Final Map approval, the results of a site specific geotechnical study using an appropriate and industry accepted model shall be used to identify the extent to which the project site could be affected by seiche hazard from Lagoon Valley Lake. If overtopping could occur, the study shall identify the extent of flooding and depth of flood water. The recommendations for flood proofing potentially affected structures or increasing the freeboard and/or or storage capacity of Lagoon Valley Lake in the study shall be reviewed and approved by the City Engineer prior to approval of the Master Final Map.

### **Construction Plans**

77. **Project Improvement Plans and Grading Plans.** Concurrent with appropriate Final Map, the Developer shall submit and obtain approval from the City Engineer, Improvement Plans and Grading Plans for the project. The development plans for this Vesting Tentative Map (including Improvement Plans, Grading Plans, and Final Maps) shall be prepared, designed, and signed by a Civil Engineer licensed in the state of California to the satisfaction of the City Engineer and Director of Public Works in accordance with the Ordinances, standards, specifications, policies, and requirements of the City of Vacaville. Any proposed grading on hillside slopes greater than 25% require special remediation measures and permission by the City Engineer. The Developer shall show on the grading plan these special remediation measures to the satisfaction of the City Engineer.

The Developer shall prepare plans for and shall construct the all public street improvements with the appropriate Final Map as shown on the approved Vesting Tentative Map for review and approval by the City Engineer including but not limited to the following:

- a. Realignment of Rivera Road north from Lagoon Valley Blvd. to a point on existing Rivera Road approximately 1,200 ft. north of Lagoon Valley Blvd.,
- b. Realignment of Nelson Road southwesterly from Lagoon Valley Blvd. to a point on existing Nelson Road,
- c. Reconstruction of existing Lagoon Valley Parkway northbound off-ramp intersection,

- d. Reconstruction of Rivera Road consisting of curb, gutter and 10 ft. wide sidewalk on one side from realigned section to the north end of the proposed church property and overlay to the intersection of Pena Adobe Road,
- e. Installation of overlay pavement over all existing roads and trails where sewer and water lines are installed by the Developer including but not limited to Pena Adobe Road and Butcher Trail.
- f. Gate off existing Nelson Road and installation of a vehicle turn-around point, trail head parking for a minimum of 10 vehicles, for vertical and horizontal alignment of the street,
- g. Nelson Road is proposed as a limited use driveway from Lagoon Valley Blvd. to the trail head parking area and will be designed as a new street section with a 28 ft. wide pavement section within a 38 ft. ROW. The parking area shall have a minimum of 10 standard parking spaces, and a fire truck hammerhead turn around in accordance with City criteria. From the trail head south, Nelson Road shall be reduced to 20 ft. wide pavement width to be used primarily as a bike path to the end of the street and as an access driveway for the existing parcels located along the road.
- h. Design and construct the public section of Lagoon Valley Blvd. and Rivera Road for a 40 mph Design Speed, and provide 100 ft. minimum left turn storage with 90 ft. bay tapers at relocated Rivera Road/Lagoon Valley Blvd. side street stop intersection,
- i. Construct a suitable turn around (u-turn or 3 point turn) for a SU-30 design vehicle at the Clubhouse Drive and Lagoon Valley Blvd. gatehouse for vehicles not wishing to enter the residential developments,
- j. The Developer shall design the transition of Lagoon Valley Blvd. and Clubhouse Drive from four to two lanes with a minimum transition length of 250 ft. as defined by the City Engineer and Director of Public Works,
- k. A privately maintained traffic signal may be warranted to be constructed at Clubhouse Drive and "KK" Street intersection and street geometry shall be modified from the dimensions shown on the approved Vesting Tentative Map should a signal be warranted when the Business Village Traffic Study is completed in the development of the Business Village.
- l. The following intersections shall be "all way" stops with stop signs and striping:
  - (1) Streets MM and KK,
  - (2) Street A and Lagoon Valley Blvd.,
  - (3) Streets A and GG,
  - (4) Streets B and GG.
- m. The following intersections shall be "two way" stops with stop signs and striping:

- (1) Rivera Road and Lagoon Valley Blvd.,
  - (2) Streets MM and OO,
  - (3) Streets JJ and MM,
  - (4) Streets L and A,
  - (5) Streets J and A,
  - (6) Streets Q and A,
  - (7) Streets R and A,
  - (8) Streets D and B,
  - (9) Streets C and B.
- n. The design and construction of the private section of Lagoon Valley Blvd. at the east end shall take into consideration the preservation of as many of the existing trees as possible within the proposed alignment using the design speed of 35 miles per hour for both vertical and horizontal curves.
- o. The transition of Clubhouse Drive from four to two lanes across the Business Village frontage shall be determined by the type of proposed users and a revised traffic study of the Business Village. If proposed users of the Business Village are not known at the time of Phase 1 improvements, the traffic study completed by the EIR amendment shall control. Future proposed projects in the Business Village will be required to complete update to the traffic study and revisions to the street geometrics when they process their approvals through the City.
- p. Construct all crosswalks at intersections of streets unless approved by the City Engineer or Director of Public Works,
- q. Construct the multi-use trails as shown on the approved Vesting Tentative Map,
- r. Construction of B Street and GG Street within the limits of the golf course shall be reduced to 28 ft. curb to curb width to consider the preservation of as many of existing trees as possible. Sidewalks shall be constructed to a minimum width of 5 ft. are required on both sides of B Street and GG Street (within the limits of the golf course),
- s. Rough grade all access roads from private streets and provide an all weather surface from six access locations to Community Homes property as shown on the approved Vesting Tentative Map. The Developer may propose alternate points of access to the Community Homes property for review and approval by the Community Development Director and City Engineer.
- t. Construct an all weather temporary access road to the Truman Dykes property with Phase I and throughout the remaining phases,
- u. The Developer shall install a paved 8 ft. by 30 ft. vehicle turn out at every residential driveway for all lots with front yard swales on C Street, Court DD and Court EE (Lots 821 through 864 excluding lots 847, 848 and 849).

- v. The Developer shall install additional pavement for a u-turn or three point turn for a SU-30 design vehicle shall be provided if a private gate is constructed at the entrances to Village 2 and 3.
- 78. **Site Development Plans.** The Developer shall prepare site development plans for the Town Center, Business Village and Condominium sites in accordance with the City of Vacaville requirements for on-site developments, and submit to the City for approval by the Planning Department. These plans shall include a preliminary and final grading plan, utility plans (water, sanitary sewer, storm drain, gas, electric, and telephone, fiber optics and cable television), landscape plans and irrigation plans.
- 79. **Lagoon Valley Blvd. Design.** The Developer shall prepare a design of Lagoon Valley Blvd. preserving as many of the existing trees as practical using a design speed of 40 MPH for both horizontal and vertical alignments to the satisfaction of the City Engineer. The Developer shall obtain the services of a certified arborist satisfactory to the City for design recommendations.
- 80. **New ADA Requirements/Handicap Ramps.** The Developer shall install handicap ramps at all public sidewalks within the site and for all offsite street improvements to be constructed in accordance with all current State ADA requirements and City of Vacaville Standards to the satisfaction of the Director of Public Works and Building Official Works prior to occupancy.
- 81. **Location of Improvements/Configuration of Right of Way.** All public sidewalks, handicap ramps, or other street improvements in the curb return area shall be located within the public right of way and constructed to the latest State and Federal standards per City requirements. The location of all public improvements and configuration of rights of way shall be approved by the City Engineer prior to recording of the Final Map and start of construction.
- 82. **Private Streets.** As shown on the Vesting Tentative Map, all private streets shall be designed and constructed in accordance with City standards and shall be inspected by the Director of Public Works. The layout and geometrics of the private streets shall be as shown on the approved Vesting Tentative Map. The private streets, cul-de-sacs and knuckles shall meet the City geometric public improvement standards including a recommended minimum centerline of 300 ft. radii, 200 ft. street offset, 600 ft. maximum cul-de-sac length, etc. All private streets shown on the improvement plans shall be labeled as such. Exceptions for the 200-foot street offset may be granted by the City Engineer and Director of Public Works for the following "offset" streets:
  - a. NN street / Clubhouse drive
  - b. FF Street / Lagoon Valley Blvd.
  - c. W street / GG street
  - d. G street / GG street

Exceptions for the 600 ft. maximum cul-de-sac length will be allowed if the cul-de-sacs have an approved Emergency Vehicle Access Easement and Public

Utility Easement connection to adjacent streets to the satisfaction of the City Engineer.

83. **Transitioning Existing Improvements.** The Developer shall be responsible for adequately transitioning all proposed improvements to match existing improvements in line and grade to current City requirements to the satisfaction of the City Engineer and Director of Public Works.
84. **Damage/Repairs.** The Developer shall repair all damaged existing pavement, existing curb and gutter along the frontage of the project to the satisfaction of the Director of Public Works prior to occupancy. The Developer shall replace or repair any damage to existing landscaping or street improvements caused by the installation and construction of the project site and utility services to the satisfaction of the Director of Community Development and Public Works.
85. **Retaining Walls.** Where finished grade of a property is in excess of 12 inches higher or lower than the abutting property or adjacent grade, and an appropriate slope is not feasible, a concrete or masonry block retaining wall or other suitable solution acceptable to the Director of Community Development shall be required to be constructed. All retaining walls over 12 inches high shall be shown on the project grading plans for review and approval by the City Engineer prior to starting grading operations. Maximum height for a single retaining wall shall be 5 ft unless approved by the Community Development Director and the City Engineer.
86. **Maximum Slopes of Driveways.** The Developer shall show the location of all driveways on the improvement plans and show the slope of the driveway and drainage of each residential lot on final grading plans for each lot. All driveway slopes shall not to exceed a 14% slope unless otherwise approved by the City Engineer or Building Official. For any driveways steeper than 10%, the Developer's engineer shall show a profile of the driveway for City Engineer or Building Official for approval prior to construction.
87. **Encroachment Permit.** The Developer shall obtain an encroachment permit for all and any work to be constructed in the public right of way. The Developer shall pay all City Fees and meet bonding requirements for obtaining such a permit.
88. **Geotechnical Investigation Report.** The Developer shall prepare and submit to the City Engineer a Geotechnical Investigation Report (Report) prepared by a Civil Engineer or Geotechnical Engineer licensed in the State of California to be used in the preparation of the grading plan. The Geotechnical Investigation Report shall address the areas of potential and existing landslides, and recommend remediation and stabilization of the landslide areas. This report shall also address recommended design and mitigation measures for grading in hillsides with slopes steeper than 25%, and controlling debris and sediment flows. The Developer shall remediate all landslides in the influence of the residential areas in accordance with the recommendations of the Report.
89. **Graded Slopes/Erosion Control.** All landscaped and graded slopes shall be hydro-seeded and treated with erosion control measures immediately upon

completion of grading to prevent soil erosion. The hydro-seed mix shall be subject to approval by the Director of Public Works.

90. **Removal of Obstructions.** The Developer shall remove all existing trees including major root systems and other obstructions that are necessary for public improvements and/or for public safety as directed by the Directors of Community Development and Public Works. Before any construction starts developer shall prepare a tree removal and demolition plan over the grading plan showing which existing trees and other existing improvements shall be removed and which existing trees or existing improvements shall remain.
91. **Street Intersections.** Intersections of all streets shall have a maximum 5-degree variance between 90-degree tangents and demonstrate that corner is designed in accordance with City Criteria to the satisfaction of the City Engineer and the Director of Public Works. City Standard Expanded Corners shall have a minimum 5-degree variance between 90-degree angle in accordance with City criteria to the satisfaction of the City Engineer and the Director of Public Works. The Developer's engineer shall adequately diagram that a passenger car and Caltrans type H-20 truck can turn the corner and two cars can pass each other while making the turn with parked vehicles on each of the expanded corner to the satisfaction of the City Engineer and Director of Public Works. The developer shall install City standard striping (50 feet of Caltrans Detail 23) ahead of each leg of the expanded corner intersection.
92. **Hazardous and Toxic Materials.** The Developer shall prepare a Phase II Environmental Site Assessment (ESA) for the areas identified in the previous two Phase I ESAs prepared for the proposed project and submit to the City for review. The Developer shall address the recommendations of the Phase II ESA and submit a proposal on how the project will implement the recommended mitigations.
93. **Traffic signals.** The Developer shall design and install traffic signals at the intersection of Lagoon Valley Blvd. and I-80 EB ramps and if necessary I-80 WB ramps and Lagoon Valley Blvd. as required by the traffic report. Traffic signals shall be installed at 50 percent build out or upon initiation of Business Village which ever comes first. Traffic Signals may be required at Lagoon Valley Blvd and Club House Drive, Club House Drive and KK Street, and at the intersection of Lagoon Valley Blvd and realigned Nelson Road/Rivera Road, based on future traffic studies of the development.
94. **Lagoon Valley Off-Ramp Improvements.** The Developer shall design and construct the I-80 ramp improvements as shown the approved Vesting Tentative Map.

The Developer shall prepare a Caltrans project study report and project report, design and construction needed improve the northbound and southbound I-80 ramp and intersection improvements based on the City and Caltrans approved traffic report, based on needed improvements from the project on the I-80 / Lagoon Valley Intersections.

Design and construction of both I-80 on and off ramp signalized intersections on Lagoon Valley Blvd. shall be required at the time 50% of the residential homes are occupied or upon initiation of the Business Village construction, whichever comes first. Caltrans may also require or advise a construction timeline upon acceptance of the criteria in the Project Report (PR) or other approval document. A Project Study Report (PSR) or PR for the ramp signals will be initiated with Caltrans, when the City Council approves the project. The Developer shall pay for the PSR and PR but will be reimbursed through the Traffic Impact Fees.

The Developer shall design and construct the intersection of Lagoon Valley Blvd. and the northbound I-80 on ramp with one dedicated right turn and one through lane in the east bound direction, and with one dedicated left turn and one through lane in the west bound direction as determined in the PSR.

95. **Construction Traffic and Phasing.** The Developer shall prepare a traffic-handling plan for construction of existing street improvements in the City right of way to show that the street can remain open to traffic during construction for review and approval by the City Engineer and Director of Public Works prior to receiving any encroachment permit. In the event that the Developer proposes to close a public street, the Developer shall prepare a separate application to the Public Works Department for review and approval separate from the encroachment permit process. The Developer shall also prepare a construction phasing and construction traffic plan within the subdivision showing how newly occupied residents and construction traffic are kept separate, and have separate entrances and exits prior to the first building permit. The Developer shall post adequate construction signs and fencing in all areas under current construction to notify local residents that they are not to enter construction areas, and that construction traffic does not need to travel on streets occupied by newly occupied residents.
96. **Signage and Striping Plans.** The Developer shall prepare and submit a signing and striping plan using Caltrans striping and signage format for the widening of existing offsite streets and all interior streets in the project for review and approval by the Director of Public Works and City Engineer prior to construction of any streets.
97. **Access to Dyke Property.** The Developer shall grant 30 ft. wide access easement and construct a minimum 20 ft. wide paved access road with a new entrance gates for access to the "Dyke" family ranch as shown on the tentative map. This entrance shall be of proper grade and size that their existing farming operations can use it to their satisfaction. The Developer shall coordinate with the Dyke family members on the construction of their gate and driveway access and for proper transition of the grading, fire buffer and other improvements needed to be constructed in the vicinity. Any part of the topography, fencing, vegetation, or drainage that is disturbed or damage during construction shall be corrected or compensated for to the satisfaction of the City Engineer. Drivable Temporary Access to the Dyke entrance gate shall be maintained continuously during construction of the project. The Dyke family shall be notified of any changes to their access at least 2 days in advance and shall not be inhibited from leaving or entering their property at any time during construction of the project.

98. **Access to the City of Fairfield, SID and Green Property.** The Developer shall grant a 30 ft. wide access easement and construct a minimum 20 ft. wide gravel access road with a new entrance gates for access to the “Green” family ranch and to the SID Tank and City of Fairfield property as shown on the tentative map. The Developer shall coordinate with the Green family members on the construction of the access gate and access and for proper transition of the grading, fire buffer and other improvements needed to be constructed in the vicinity. Any part of the existing topography, fencing, vegetation, or drainage that is disturbed or damaged during construction shall be immediately corrected or compensated for to the satisfaction of the City Engineer.
99. **Nelson Road Access to Solano Land Trust property.** The Developer shall provide a minimum of 20 foot wide all weather access to all other property owners that need access off Nelson Road during construction.
100. **Access and Communication with Existing Property Owners.** The Developer shall prepare a specific phasing and construction plans showing how specific access for all existing residences, business, and parks will be maintained during the course of construction of development for review and approval by the City Engineer. After this plan and improvement plans are approved by the City, the Developer shall discuss the phasing plan, construction plans and construction schedule of the project and impacts of development with each existing resident landowner before construction of the project. It may be necessary for the Developer to hold multiple neighborhood meetings with adjacent landowners to communicate the construction impacts of the project on their property. The Developer shall document each meeting and shall give each existing property owner the name and phone number of the responsible construction person that they can call in the event there are questions, complaints or concerns of the development construction impacting their respective property.

### **Storm Drain**

101. **Storm Drain Improvements.** The Developer shall design and construct all offsite and onsite storm drain lines, structures, detention basins and channel improvements within the Golf Course needed to serve the subdivision to the satisfaction of the City Engineer and Director of Public Works. The Developer shall prepare all improvement and grading plans, and shall construct the needed improvements needed for each phase of construction and each subdivision prior to occupancy of the first residential building of each respective subdivision unless alternative phasing is approved by the City Engineer. Unless the City Engineer approves project phasing and the drainage study, no building permits will be issued in the project until the storm drain drainage improvements necessary for that phase or subdivision are installed.
102. The Developer shall prepare plans and construct onsite storm drain improvements as shown on the approved Vesting Tentative Map or listed below for review and approval by the City Engineer:
  - a. Installation of all sediment basins in open spaces and on every outlet to existing swales as shown on the Vesting Tentative Map.

- b. Installation of concrete drainage swales on the uphill side of all residential homes per City requirements to intercept drainage from open space runoff. This may require permission from the adjacent property owner for constructing swales and ditches to the satisfaction of the City Engineer,
- c. Clean out and better define the existing road side ditches on the north side of proposed Lagoon Valley Blvd.,
- d. Installation of a wider or separate pedestrian bridge over existing creek and channels located along Lagoon Valley Blvd. These paths shall serve the existing pedestrian park trail looping Lagoon Valley Lake,
- e. Installation of an arch culvert or bridge in B Street, two culverts or bridges in C Street, and all storm drain pipes shown in the approved Vesting Tentative Map and project drainage study. Sizes of all arch culverts or bridges shall be determined prior to the appropriate Final Map and improvement plan approval.
- f. The Developer shall design and construct decorative headwalls on both the upstream and downstream side of each culvert to the satisfaction of the City Engineer and the Director of Community Development,
- g. Installation of all storm drain lines connecting each detention basin to regulate storm water flow through the project, and a management system to monitor and study the effectiveness of the system,
- h. The Developer shall prepare a system map of hydraulic flows, hydraulic grade lines, and water surface elevation of detention ponds and lakes in the entire project showing all pipes and elevations of weirs in order to monitor the system,
- i. During Phase I construction, the Developer shall construct a temporary roadside ditch on the uphill side of the temporary access road to intercept runoff from the Hines Nursery.
- j. Installation of an approximately 8 acre-ft detention basin off Nelson Road and I-80 and storm drain pipes of 30 inches and 42 inches to underground the flow being handled by the existing ditches along the south side of Nelson Road,
- k. Installation of a minimum of 8 acre-ft of dry detention basins total in the golf course, and 8 wet detention basins for a total of 70 acre-ft. of detention basins in the golf course,
- l. Installation of 54 inch and 60 inch storm drain lines in Lagoon Valley Blvd. from the I-80 off ramp/on ramp to the Town Center and a 54 inch or equivalent box culvert crossing of Lagoon Valley Blvd. at the Town Center, and appropriate outfall to the storm drain bypass channel,
- m. Replacement of existing CMP culverts in the existing riparian creek with new RCP or concrete box culverts with approved inlet and outfall structures,

- n. Installation of a 60 inch outfall structure with erosion control protection from Village 2 drainage to Lagoon Valley Lake,
  - o. Installation of a twin 72 inch outfall structure west of existing Lagoon intake structure along Lagoon Valley Boulevard,
  - p. Coordinate the volume of flows for the design and construction of a storm drain line to handle the discharge of water from the City of Fairfield water storage tank located south of the site, which shall drain through the open space and golf course to Lagoon Valley Lake,
  - q. If required, install a weir or other flood control device on the southwest corner of the proposed church site to control the proposed drainage to not worsen the flooding conditions at the Ranchotel site, and the depressed area between Pena Adobe Road and the park entrance road,
  - r. If required by the drainage study, construction of an additional detention basin in the open space on the north side of Lagoon Valley Blvd. and the proposed church site,
  - s. The Developer shall survey all existing private structures in the area of the bypass channel and then document the design flows of the new drainage system so to determine the impacts of the drainage of the project to existing structures in the area.
103. **Storm Drain System Study and Criteria.** The Developer shall design and install all needed storm drain lines and structures in order to handle the drainage of the entire parcel per the latest City or County drainage design criteria and specifications to the satisfaction of the City Engineer. Submitted with the storm design is a final storm drain study consisting of project hydrology and hydraulic calculations of a 10-year event prepared by a Civil Engineer licensed in the State of California showing that the hydraulic grade line of a 10-year storm event is below the top of the curb criteria and that the 100 year event can adequately drain into nearby City streets with out disturbing the building pads and surrounding properties. The Open Space drainage must not surface drain directly into the streets with out being piped and connected directly into the siltation basin or swale unless approved by the City Engineer and Director of Public Works. Included in the hydraulic and hydrology study, the Developer shall prepare a preliminary study of the ultimate needed storm drain lines to the nearest City acceptable storm drain line connection points, and demonstrate that the additional drainage flows from the Lower Lagoon Valley project will be 10% less than the existing drainage flows from Lower Lagoon Valley.
104. **Lot Drainage.** The Developer shall provide adequate drainage for each lot and construct storm drainage swales, pipes and inlet connection points to the street drainage system so each lot drainage and storm drain system can tie into the project storm drain system without surface flow over the public sidewalk or proposed private lots. Only natural existing drainage will be allowed to cross property lines but all new lot improvements shall be tied to a drainage system to properly dispose of the lot drainage within the lot boundary unless drainage

easements are obtained. Existing drainage across property lines will be allowed provided that all man made improvements on the uphill lot that causes additional or concentrated drainage to flow to an acceptable drainage system before it reaches the down hill lot. If this occurs, the uphill property must collect the drainage and dispose into a storm drain system or other method as approved by the City Engineer.

105. **Federal Emergency Management Agency (FEMA).** The Developer shall process with FEMA a conditional letter of map revision (CLOMAR) since the development will change the flood elevations and flooding areas in Lower Lagoon Valley as a result of improvements from the project. The CLOMAR shall be obtained prior to the sale of the first residential unit. The Developer shall complete the process by obtaining a final letter of map revision (LOMAR) in a timely manner satisfactory to the City Engineer.
106. **Overland Release.** The Developer shall design the subdivision so that in the event that the storm drain pipe and inlet becomes clogged or flows are above the capacity of the drainage system, the site will be able to release drainage overland to the next available drainage inlet or street, golf course or drainage system with out impacting any building finished floors or existing buildings.
107. **State Regional Water Quality Control Board.** Prior to issuance of a building permit, the developer shall demonstrate to the City Engineer and Director of Public Works, that the proposed development meets the requirements of the City of Vacaville MS4/Phase II storm water general permit and corresponding design standards as issued by the State Regional Water Quality Control Board. The Developer shall install and demonstrate to the City Engineer and Director of Public Works that the project development meets the requirements of the State Regional Water Quality Control Board's "Best Management Practices" to mitigate storm water pollution and erosion at anytime during construction, and any City of Vacaville ordinances in effect at the time of improvement plan approval. The Developer shall submit to the City engineer for approval a comprehensive storm water management plan, prepared by a Civil Engineer licensed by the State of California, prior submittal of subdivision improvement plans and storm drain system calculations. This management plan shall include comprehensive hazardous materials spill prevention and response plan to reduce the potential for impacts upon aquatic habitats. The Developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for this project prior to start of construction.
108. **Storm Drain Water Quality.** The Developer shall install "Drains to Bay" decals on all catch basins and install water quality structures such as "storm cepter", grass swales and detention ponds or equivalent to remove potential surface runoff impurities of the drainage from subdivision of the subdivision to the satisfaction of the City Engineer and Director of Public Works prior to occupancy of the any residential unit.
109. **Storm Drain Detention Basin and Sedimentation Basins.** The Developer shall prepare detailed design calculations and plans for the construction for all detention basins and sedimentation basins as shown on the approved Vesting Tentative Map for construction. All sediment basins from the open space shall be maintained by City and funded by the Community Facilities District.

## Sanitary Sewer

110. **Updated Sewer Capacity.** The sewer capacity allocation (per City Resolution 2002-143) that is available for this project is based on the proposed land use and City approved sewer study., The Developer shall revise the sewer study per City staff comments and the finalize the sewer study prior to submittal of improvement plans for City approval. The development shall not exceed the allocated capacity, and the Developer shall pay all sewer fees per the Exhibit E "Agreement regarding further obligation of Developer and City for Implementation of the revised project".
111. **On site Sewer Lines.** The Developer shall construct all sewer lines needed to serve the project as shown on the project Vesting Tentative Map and project phasing plan, shall be designed per City Standards, and shall be constructed to the satisfaction of the Director of Public Works prior to occupancy of any unit within the subdivision. All new sewer main lines shall be constructed in accordance with City specifications for connecting to existing main sewer lines. This connection shall be completed before the occupancy of any proposed residential buildings.

The Developer shall update the January 7, 2005 sewer study and prepare a preliminary design of all major utility infrastructure improvements to the satisfaction of the City Engineer and Director of Public Works. All needed improvements and mitigations outlined in this final sewer study shall be incorporate in these conditions of approval and constructed.

The Developer shall construct the following public sewer improvements as preliminarily shown on the approved Vesting Tentative Map or as shown in the approved Sewer Study for review and approval by the City Engineer and Director of Public Works:

- a. Installation of 12 inch, 18 inch and 21 inch sewer lines in Lagoon Valley Blvd., and installation of 8 inch sewer lines in all private streets,
  - b. Installation of 10 inch and 12 inch sewer lines in KK and LL Streets from the golf course to Lagoon Valley Blvd.
112. **Offsite Sewer Line.** The Developer shall design and construct 15 inch, 18 inch and 21 inch sewer lines in Rivera Road from Lagoon Valley Blvd. north to Adobe Pena Road until it reaches the junction point for the three options for the final connection to the existing 18 inch main on the north side of Laguna Creek.

The approved Vesting Tentative Map indicates that there are three options for the sewer alignment from Lagoon Valley Park to the existing sewer connection point on the north site of Laguna Creek. The City shall consider all three options as described in the final sewer study and outlined in the Technical Appendices of the Environmental Impact Report which consists of two crossings of I-80 before connecting to the existing 18 inch main. The option chosen shall be to the satisfaction of the Director of Public Works and the City Engineer. The Option 1 sewer force main shall be a 10 inch sewer line with pump station aerators to

control odor. The Option 2 sewer force main shall be dual 10 inch sewer pipes enclosed in directional drilled steel casings unless otherwise approved by the Director of Public Works and City Engineer. The Developer shall prepare a preliminary design and alignment plan for all the options of the sewer alignments and include a detailed cost estimate for approval by the City Engineer and Director of Public Works.

Based on the option approved by the City, the Developer shall prepare the appropriate plat and legals for all land to be acquired for the force main pump and lift stations if options 1 or 2 are chosen, and the necessary easements for the pipelines for all options. If easements on adjacent private land are required, Developer shall attempt to obtain the easement from the property owner. If the easement cannot be reasonably obtained, the City will allow one of the other sewer options, or condemn the land necessary for the easement. The Developer shall deposit sufficient funds with the City for the siting, environmental review, pre-design and construction of the sewer pump station, if required. The Developer has the option to construct the pump station instead of the City with an improvement agreement for construction.

Provide sewer service connection points in the street right of way next to existing parcels within 100 ft. of the proposed sewer lines including the Lagoon Valley Park, Ranchotel and future connections to the Community Homes parcels.

113. **Exhibit E.** The Developer shall comply with the conditions stated in the “Exhibit E, Agreement Regarding Further Obligation of Developer and City for Implementation of the Revised Project”.

### Water

114. **Water Supply Fee.** If the proposed project land use density is over that was proposed for the project in the water master plan, the Developer shall pay any additional water supply fees for increase density over the current land use. Contact Public Works Utilities for determination of water supply fees.
115. **Water System.** The pad elevations shown on the Vesting Tentative Map place the project within the City’s Zone 2 and Zone 3 service areas. Zone 2 and Zone 3 facilities are not currently available in the area of the proposed project. The Developer shall create a Zone 2 and Zone 3 service area to serve the project. Zone 2 improvements consist of the installation of a booster pump station located near the existing Butcher Reservoirs and approximate 2.9 million gallon partially buried concrete water storage reservoir with the location approved by the Director of Public Works and City Engineer.

The Zone 2 reservoir shall be located within the City limits on the Open Space land owned by the City. The Developer shall prepare a description and plat for the reservoir site and access road to the reservoir for recordation to the satisfaction of the City Engineer and Director of Public Works with the first Final Map approval.

The Zone 3 improvements consist of the installation of a booster pump station located on C Street in Parcel N or Parcel O, and approximate 250,000 gallon

reservoir located in an area south of the project approved by the Director of Public Works and the City Engineer. The Zone 3 booster pump station shall be located on the south side of C Street in the open space between close to Lot 721 and Lot 849 of Village 3 or as defined by the water service master plan that is approved by the Director of Public Works. The Developer may propose alternate locations subject to the approval of the Community Development Director, City Engineer and the Director of Public Works. The Developer shall relocate the Zone 3 water line shown in a 20 ft. wide easement between Lots 692, 693, 648 and 649 on the said Tentative Map to X Street right of way to the satisfaction of the City Engineer and Director of Public Works.

Per the said "Exhibit E, Obligations Agreement," the Developer shall deposit sufficient funds with the City for the siting, environmental review, pre-design, design and construction of the necessary Zone 2 facilities as part of Phase I and Zone 3 facilities when needed for the remaining phases. The Developer has the option to request to construct each booster pump station and reservoir instead of the City, provided he enters into an improvement agreement with the City for construction. Water modeling shall be done for each phase of development, cumulative development and build out to determine compliance with the Water System Master Plan. All sizes of water lines and water tanks shall be completed with the approval of the Water Service Area Master Plan.

116. **Water Improvements.** The Developer shall design and construct the all water improvements as shown on the approved Vesting Tentative Map and phased in accordance with the said project phasing plan and as listed below to the satisfaction of the Director of Public Works and the City Engineer:
- a. Installation of a 1 inch water service line to Parcel O and existing City Open Space parcel (APN # 167-020-050), for the purpose of providing water to a cattle water trough at a location satisfactory to the City Engineer or Director of Public Works. Service from a SID line is acceptable.
  - b. Installation of the following in-tract water lines as shown on tentative map:
    - (1) 18 inch water lines in Lagoon Valley Blvd. in Rivera Road and Clubhouse Drive, continuing through Streets B, 24 ft. wide Fire access trail, to the proposed Zone 2 reservoir is considered a water transmission line and shall not have any domestic water meter or fire services, except fire hydrants, connected to the line. The Developer shall either construct a parallel 8 inch line to service the adjacent parcels with connections or design all service connections to be from 8 inch and 12 inch water lines on other streets.
    - (2) All water lines in the streets not designated on the approved Vesting Tentative Map or water service master plan study shall be 8 inches in diameter,
    - (3) Provide water service connection points in the street right of way next to existing parcels within 100 ft. of the proposed domestic water lines including the Lagoon Valley Park and Ranchotel from the proposed 18 inch line, and future connections to the Community Homes parcels.
    - (4) Dead end water mains shall not exceed 600 feet in length,

- (5) Maintain service to existing customers while proposed improvements are under construction.

117. **Solano Irrigation District.** The Developer shall design and construct SID improvements as shown on the approved Vesting Tentative Map and comply with the requirements of the Solano Irrigation District (SID) as listed below or as modified by SID:

- a. The project area is subject to the SID 1995 Master Water Agreement between Vacaville and the SID. Per the Agreement, use of non-potable water for irrigation will further the mutual goal of the City and the SID to allocate and use water resources to maximize community benefits, ensure the long-term stability of agricultural production beyond the City's urban boundaries, and help to provide an economic base for the SID to continue supplying water to lands within the common boundaries of the City and SID. The proposed use of raw water to irrigate the golf course, school and landscaping is in keeping with the purposes of the Agreement.
- b. The portion of the subject property to be serviced by the SID for landscape and golf course irrigation these lands must remain in the SID or, must obtain Board approval to annex into the SID and pay the Inclusion Fees as calculated by the SID.
- c. The SID's UHL Lateral and UHL Lateral 7 and the Lateral 37 agricultural irrigation pipelines and easements are located within the project boundaries. Some of these pipelines are proposed to be abandoned with the development and others will be utilized (see attached map).
  - (1) All abandoned pipelines and easements will be quitclaimed back to the landowner at the developer's expense. These easements will be sold back to the 50% of the current land value (no improvements).
  - (2) The plans show a connection to the existing UHL line on the east side of the project. This connection will be unnecessary since the project will not be served from the UHL system. The existing UHL system will need to be terminated on north side of its I-80 crossing.
  - (3) The Tooby Sump and the SID's Pumping Plant that used to serve the Lower Lagoon Valley Area is held in Fee Title by the SID and surrounded by the River City Bank Parcel (APN 128-040-210) to be dedicated to the City of Vacaville for open space. This pumping plant and parcel will no longer be utilized to service the Lagoon Valley Area and can be abandoned by the SID and sold to the developer or City if desired.
  - (4) The District has an existing surge tank located on the City of Vacaville property (APN 128-040-02) which will no longer be required when development occurs and will be abandoned with pipelines and easements being abandoned with the proposed development and access will not be required to this tank.
- d. The Non-potable Water Plans and Utility Plans proposed new non-potable pipelines in the streets of the development.

- (1) The SID will not be responsible for any cost to install or relocated these facilities the exact size and location of the proposed pipelines will have to be reviewed and approved by the SID. The SID will require sufficient clearances from other utilities in order to adequately maintain these proposed facilities.
  - (2) The Non-potable Water System Master Plan only stubs an 8 inch non-potable waterline to relocated Rivera Drive. If the open space lands, to be dedicated to the City, and/or the church property to the north require non-potable water service from the SID, the City or Developer will be required to install facilities at there cost to service these properties.
- e. The Developer will be required to sign a Development Work Order and place a deposit with the SID to cover the cost of SID coordination on connections to the existing system as well as inspection services to ensure the non-potable water pipeline to be dedicated to the SID are installed to the SID Standards. In addition to the annexation and detachment fees mentioned above. This work order has been provided to the developer in March of 2004 and SID has not received the signed document or deposit at this time.
  - f. The Developer shall obtain approval from SID all non-portable improvements and shall dedicate all easements and/or land by separate instrument prior to recordation of the Master Final Map or appropriate Final Map.
  - g. The SID's Plan Review Fee applies, and is due and payable to the SID upon submittal of maps/plans for review.
  - h. Removal of existing SID lines within the project limits shall be those only those lines impacted by the site grading,
  - i. Installation of 12 inch SID water lines in Clubhouse Drive, B Street and D Street connecting the existing SID line in the proposed golf course to the existing SID line at the south property line as part of the Phase I construction,
  - j. Installation of 12 inch SID water lines in Lagoon Valley Blvd., A Street, B Street and GG Street as part of Phase III (Village 2) construction,
  - k. Installation of 8 inch lines in MM Street and KK Street to serve the Village Green Park and Business Village,
  - l. Installation of stub outs at all golf course, open space and landscape buffer parcels, and at the intersection Rivera Road and Nelson Road with Lagoon Valley Blvd.,
  - m. Installation of a service connection point with water meter for the Town Center, Business Village, Fire Station, Village Green Park, Open Space areas and median landscaped areas.
118. **Water Quality Sampling Station.** The Developer shall install a water quality sampling station behind the sidewalk within the PUE at location designated by

the Public Works Department per City Standard Details. Public Works will provide the sample station equipment to be installed by the Developer.

### **Public Utilities**

119. **Underground Utilities.** All utilities within the project and to each lot shall be underground in accordance with the City policies and existing ordinances. All utilities shall be located and provided within public utility easements and constructed in accordance to utility company and City standards. The Developer shall relocate the large (PMH 9) boxes shown on the approved Vesting Tentative Map at the intersection of A Street and GG Street either behind the neighborhood fences, or relocate the large (PMH) boxes to other approved locations or screen with landscaping to the satisfaction of the City Engineer or the Director of Community Development.
120. **Offsite Underground Utilities.** The Developer shall underground the existing overhead utilities on Nelson Road within the project boundary including the realigned portion. The Developer shall underground the existing overhead utilities on Rivera Road from Lagoon Valley Blvd. to north of the proposed church site.
121. **Utility Installation.** All water, gas, sewer, underground electric power, cable television or telephone lines, irrigation sleeves and storm drain lines shall be properly constructed and/or sleeved appropriately before construction of any paving, curb, gutter, or sidewalk unless otherwise approved by the Director of Public Works. Prior to construction of residential units, the developer shall install all utility laterals and services from the main to a temporary stub to each lot property line and staked for future connection into residential lot unless waived by the Director of Public Works in writing.
122. **Joint Utility Trenches / Under Grounding / Utility Plans.** The Developer shall construct all joint utility trenches (such as electric, telephone, cable TV) electrical vaults and underground transformers behind the sidewalk and the plans shall be reviewed and approved by the City Engineer prior to construction. Location of these items shall be shown on the final Landscaping and Irrigation Plans and shall be screened as much as possible to the satisfaction of the City Engineer. The Developer shall place two additional conduits in all joint trenches for future communication needs. The conduits shall be owned by the Developer.
123. **Joint Trench Concept Plan.** The Developer shall prepare a joint trench concept plan of the location of the joint trench and shall show the locations of large boxes (larger than 2x3), switches, transformers and other joint trench (electric, telephone, cable TV, gas, etc.) utility improvements at locations approved by the City Engineer and Director of Community Development prior to submittal to utility companies for approval. Developer shall grant public service easements at all approved proposed locations that are not in the PUE or public right of way. If needed to hold back more than 1 ft. of earth, the developer shall construct all retaining walls out of masonry or concrete prior to acceptance of tract improvements.

## Landscaping and Parks

124. **Landscape Maintenance.** The Developer shall maintain landscaping in public landscape areas or open space after installation until the City accepts the improvements and appropriate maintenance or landscape the lighting district is established and assumes the maintenance responsibilities. This maintenance shall include weeding and the application of pre-emergent chemicals. Landscape maintenance easements shall be granted for all landscaped areas occurring on private individual homeowner lots, which are to be maintained by an Assessment or landscaping special district.
125. **Landscaping.** Final landscape plans shall show location of all pedestrian lighting, plants, above ground utilities, trees, bushes, and shrubs and shall show cone of vision at all curb returns have a clear line of site over the landscaping. The developer shall add note to plans addressing planting trees within the public service easements and avoiding conflict with utilities to the satisfaction of the Director of Public Works. Except for trees, landscaping shall not be higher than 30 inches above the curbs in these areas.

The Developer shall install landscaping along the Rivera Road right of way to the satisfaction of the Community Development Director.

126. **Dissemination of Information on Landscape and Lighting District.** The Developer waives any right to protest the inclusion of the property or any portion of it in the formation of a Community Facilities District (CFD) or Landscape and Lighting Maintenance Assessment District (LLD) or similar assessment district. The Developer shall prepare a plan for dissemination of information relating to the possible formation of a CFD or LLD to prospective homebuyers. Said information shall be included in model homes sales literature and as part of required Department of Real Estate disclosure documents. The Director of Community Development and City Attorney shall approve the plan for dissemination of information prior to final formation of the Districts.
127. **Formation of Community Facilities District.** Per the said "Exhibit E, Obligations Agreement", the Developer shall establish a Community Facilities District (CFD) for the payment of Police and Fire services, maintenance of public landscaping areas, parkways and open spaces that is shown on the approved Vesting Tentative Map. This District will also include paying off existing bonds or assessments currently imposed on the property. The District may also include but not limited to funding various capital improvement projects such as I-80/Lagoon Valley Blvd. off ramp improvements, Lagoon Valley Road, Rivera Road, all water, sewer over 8 inches in diameter, water storage tanks and booster pump stations, sewer lift stations, storm drain lines over 48 inches and any portion of the project receiving overall community benefit prior to issuance of the first building permit. The Developer shall pay all the costs for formation of the CFD, which can be reimbursed through the district. The Developer shall deposit a lump sum amount predetermined by the City to adequately fund the hiring of various financial consultants, appraisers and engineers, and City staff in order prepare the necessary documents to create and fund the District prior to the first building permit.

128. **Lighting and Landscaping Maintenance District.** If not covered in the above stated CFD, The Developer shall establish a Lighting and Landscaping Maintenance District for payment of street lights in City right-of-way and the maintenance of landscaping in public landscaping areas and open spaces shown on the approved Vesting Tentative Map prior to the occupancy of any residential house. The Developer shall pay all the costs for formation of the District can include the maintenance of the streetlights on the private streets and City review and payment of City fees for formation.
129. **Benefit District.** The developer can form a benefit district over all parcels adjacent to this project except over all owned City parcels, for the purpose of receiving funds from existing property owners or future developments in the area that will benefit from installation of the infrastructure improvements that this project is constructing for their benefit when they develop or desire to connect into and use the infrastructure. This benefit district shall be based on fair share analysis of the direct costs and benefit received to each parcel prepared by the Developer in accordance with City requirements and criteria and shall be reviewed by the City Engineer and approved by City Council. The Developer shall pay all the costs for formation of the District can include the preparation of the report and City review and payment of City fees for formation. The benefit district shall be formed a maximum of 1 year after all backbone infrastructure improvements are completed and before any surrounding property owners connect.
130. **Community Homes Access.** The Developer rough grade (Grade to the nearest foot) all proposed access points to the Community Homes parcel and grant access easements, utility easements, and construct future utility points of connection to 5 feet out side of paved areas that are adjacent to the access points to the satisfaction of the City Engineer and Director of Public Works. The Developer shall widen Parcel U3 to 58 feet for the future extension of Street Q into the Community Homes parcel. The Developer shall grant the Community homes parcel drainage easements to drain future storm drainage from community home development, and grant extension of public utilities from the project to the future proposed Community Homes development by separate instrument prior to Village 2 final map. The Developer will be required to install all temporary and/or all weather fire access roads and maintenance access to open space areas, sediment basins and drainage facilities constructed along the boarder of the two developments. The City Engineer will determine what improvements will be considered temporary and which will be determined to be constructed by each developer within a two year time frame from construction of Village 2. Currently Community Homes has access rights along southerly edge of their property along existing Lagoon Valley Road. The Developer shall either move the proposed C street over against their property to preserve their access rights or come to an agreement with Community Homes on providing another private street point or providing homes fronting C street to the satisfaction of the City Engineer and Community Homes.
131. **Community Homes Fire Buffer.** The Developer shall work out an agreement with Community Homes for the ultimate installation of a fire buffer landscaping for the mutual benefit of both developments in accordance with City fire buffer requirements for hill side development. In the event that an agreement can not

be reached between the two developers, the City Engineer shall determine the fair share cost of improvement based on standard costs of frontage of fire buffer along potential developed parcels or other equitable measure to spread the cost construction and require each property owners place the determined amount of money in an escrow account for construction of the ultimate fire buffer when it is needed. The Developer shall either construct the ultimate fire buffer landscaping on all or portions of adjacent open space parcels, or to the satisfaction of the City Fire Marshal, at such time the ultimate fire buffer landscaping is to be constructed.

132. **Side-yard landscaping and fencing.** On the corner lots the Developer shall install a maximum 5 ft. high City approved fence on the side yard of the residence that is a minimum of 10 feet back from the face of curb and install trees and landscaping from the back of walk to the fence line to the satisfaction of the Community Development Director prior to occupancy. The homeowner of each lot shall maintain this area from the back of walk to the fence.
133. **Fencing.** The Developer shall prepare a master fencing plan for the entire project showing the locations of all fences and walls, and the type of fence material to the satisfaction of the City Engineer and Community Development Director. The “good neighbor” wood fences shall not be used to enclose a property where the fence is visible from the valley floor, especially if the said property is on a hillside.

The Developer shall install perimeter fencing along the east and south boundary of Village 3 to keep cattle in and people out of private property to the satisfaction of the City Engineer.

134. **Trails.** The Developer shall install a 10 ft. wide path on the north side of Lagoon Valley Blvd. from Rivera Road, to the park trail system on east side of Lagoon Valley Lake as shown on the approved Vesting Tentative Map to the satisfaction of the City Engineer and Community Development Director.

#### **Miscellaneous**

135. **Project Utility Phasing.** With the submittal of the Final Map, improvement drawings or first project phase of improvement plans (which ever comes first) the Developer shall prepare a plan showing the phasing of the project with the ultimate infrastructure (utilities and paved access) needed to be constructed for review and approval by the Director of Public Works and City Engineer. Part of the phasing of construction of improvements is the review of all mitigations and needed improvements as outlined in the project EIR, traffic reports, and utility studies for the project and other specific infrastructure environment documents. The Developer shall identify each of the mitigation improvements and when each improvement will be constructed within each phase of development and then reflect this sequencing of improvements on the phasing plan. Each phase of new development and adjacent existing development shall have sufficient water, sewer, drainage and paved access in accordance with City requirements. The phasing plan shall also address how the overall project area will be mapped showing the location of all temporary and permanent utility lines, easements and paved access easements to existing City roads and utilities prior to improvement

plan approval. In the event that certain phased improvements will benefit or impact the project development plan, the plan shall also show the area of impact and what are the possible alternatives if subsequent phased improvements are not constructed with project.

136. **Phased Occupancy Plan.** If occupancy of each development area is requested to occur in phases, then all access and drainage improvements to each phase may be required to be fully completed prior to occupancy of any buildings within that phase except for items specifically excluded in an approved Phased Occupancy Plan, or minor hand work items, as approved by the Department of Community Development and Public Works. The Phased Occupancy Plan shall be submitted to the Director of Community Development and Public Works for review and approval prior to building permit issuance for any building within the project. Any phasing shall provide for adequate vehicular access and circulation to all parcels in each phase, and shall substantially conform to the intent and purpose of the approved project circulation plan. No individual building shall be approved for occupancy until the public access is finished, safe, accessible, and all reasonably expected services and amenities are completed, and general public areas area fenced and separated from remaining additional construction activity. Subject to approval of the Director of Community Development, the completion of landscaping may be deferred due to inclement weather with the posting of a bond for the value of the deferred landscaping and associated improvements. With the development of first phase of development, the Developer shall prepare an overall internal pedestrian circulation plan of the entire project that will show the proposed sidewalks and access-ways to other phases of the development as shown on the development project site plan to the satisfaction of the City Engineer and Director of Public Works.
137. **Master Utility Plan.** The Developer shall submit an overall utility plan and an AutoCAD drawing file to City specifications which shows all proposed utilities and utility services within the public streets and utility easements to the City to be used as part of the public records system.
138. **Relocation of Existing Improvements.** Any relocation of existing improvements or public utilities shall be accomplished under the direction of the governing agency, at no expense to the City.
139. **Septic Tanks.** The Developer shall remove any existing septic tanks and leach fields in accordance with the requirements of the Solano County Department of Environmental Management. Sewer Service connections shall be required on all properties within a 100 feet of the water line per Section 13.08.040 of the Vacaville Municipal Code unless otherwise agreed in writing between the owner and the City.
140. **Wells.** Any water wells, cathodic protection wells or exploratory borings that are known to exist, are proposed or are located during field operations without a documented intent of future use filed with County, are to be destroyed prior to any demolition or construction activity in accordance with a well destruction permit obtained from Solano County Department of Environmental Management or are to be maintained in accordance with applicable groundwater protection

ordinances. Other wells encountered prior to or during construction are to be treated similarly.

141. **Construction Coordination.** The Developer shall construct all infrastructure improvements in a timely manner in accordance with overall project infrastructure improvement schedule approved by the City and coordinated with all parties affected. If in the event that certain infrastructure improvements are needed to be constructed for the protection of the existing land owners, residences or the general public, the Developer shall install all such improvements as defined by the City Engineer, shall cooperatively work with all parties involved and shall have certain house keeping measures in place in a timely manner for the benefit all affected. At the start of the project the Developer shall inform the City inspectors when each of the infrastructure improvements will be installed and what housekeeping measures will be in place during construction and coordinated with surrounding developments and residences. The Developer shall also construct temporary improvements during construction for the convenience and coordination of those existing residences or businesses. In the event that needed improvements or temporary improvements are not constructed or not properly maintained, the City has the right to hold back building permits, inspections, occupancy approvals or stop construction until such needed improvements are constructed or housekeeping conditions are improved to the satisfaction of the City Engineer, Building official or Director of Public Works.
142. **Required Environmental Permits.** If required, the Developer shall obtain all necessary environmental permits required by other agencies (California Department of Fish and Game, Army Corps of Engineers wetland delineation, etc.) and shall submit copies of the permits to the Department of Community Development prior to obtaining any site grading permits.

#### **FIRE DEPARTMENT**

143. Please insert and incorporate into draft PD section 4.4.14 Golf Course Not Constructed:
- (d) If the proposed golf course is not constructed, fire protection measures shall be required in relation to open lands adjacent to commercial and residential property. These measures shall be reviewed and approved by the Fire Marshal.

#### **Water Supply Requirements:**

144. Fire flow water supply shall comply with the adopted City Water Master Plan.
145. An approved water supply capable of supplying the required fire flow for on-site fire protection shall be provided to all premises upon which buildings are constructed. When any portion of buildings protected is in excess of 150 feet from a public water supply on a street, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Marshal.

145. **Required fire hydrant flow requirements based on specific occupancy uses and development densities:**

- a. 1,500 (GPM) @ 20 p.s.i. residual for single family 'low density' residential units which do not exceed 5.1 units per acre.
- b. 3,000 (GPM) @ 20 p.s.i. residual for 'medium density' residential units 5.1-8.0 units per acre, and all schools.
- c. 4,500 (GPM) @ 20 p.s.i. residual for 'high density' residential units exceed 8.0 units per acre, all commercial and industrial occupancies.

146. **Required spacing for fire hydrants shall be as follows:**

- a. Provide fire hydrants that meet City standards. Public fire hydrants located along the street frontage shall be spaced no greater than 300 Ft. between hydrants. (Hillside, High Density and Commercial).
- b. Provide fire hydrants that meet City standards. Public fire hydrants located along the street frontage shall be spaced no greater than 400 Ft. between hydrants. (Ordinary Residential).
- c. Provide fire hydrants that meet City standards. Public fire hydrants located along the street frontage shall be spaced no greater than 500 Ft. street travel distance. (Collector streets and roads with no buildings fronting)

147. Public fire hydrants located along the alleys shall be spaced no greater than 600-foot street travel distance. Hydrants shall be located at the entrance to the alleys.

If alley is greater than 600-foot long, hydrants will be stubbed into the alley to cover the 600-foot spacing requirements.

148. All fire hydrants shall be "Rich 960" or equal with two 2-1/2 inch and one 4-1/2 inch connections. Each hydrant shall have its own separate shut off valve located on the lateral adjacent to the hydrant. Curbs shall be painted red for a length of twelve (12) feet in front of each hydrant. Each hydrant shall have a blue reflective "Fire Light" hydrant spotter located in the street or driveway just off of centerline towards the hydrant.

149. Fire hydrants are to be installed by the developer and made serviceable prior to and during the time of construction. Temporary alternative fire protection measures during construction may be allowed if approved by the Fire Marshal.

**Access Requirements:**

150. Every building shall be accessible to Fire Department apparatus by way of access roadways during the time of construction. The developer shall provide the Fire Marshal with a site plan drawing showing proposed access roads **during construction** and a detail drawing of the roadway cross section. This plan must be approved by the Fire Marshal before any permit is issued. **No Exceptions.**

151. Emergency Vehicle Access Roads shall be those roads off of a public or private road/street which are intended to be utilized by the Fire Department to combat Wildland/Vegetation fires. These roads are typically located around the perimeter of subdivisions which abut open lands, hillsides, and vegetation. These roads can also be strategically located at subdivisions for emergency evacuation routes due to limited ingress and egress. The access points to these roads are typically located at the end of cul-de-sacs and emergency vehicle access and utility easements and are kept locked.
152. Emergency Vehicle Access Road shall be required around the perimeter of sites where wildfire is a threat. Emergency Vehicle Access roads shall have average grades of not more than 20% with no section greater than 25%. The minimum width of such roads shall be 20 feet. The cross slopes for the EVA roads shall not exceed 4%. These roads shall be engineered to withstand the imposed load of a fully equipped fire apparatus which is typically 12 tons. At a minimum, the all-weather road shall be graded and compacted, and shall be kept clear of all flammable vegetation at all times. The Fire Chief may require the road to be surfaced with decomposed granite or similar materials.
153. **Emergency vehicle access roads shall be provided at the following locations:**
  - a. Around the southern boundaries of Villages 3 facing the openland
  - b. Around the eastern boundaries of Village 3 facing the open lands.
  - c. Intermediate access points in Village 3 from D Street to the emergency vehicle access road shall occur in two evenly spaced locations as determined by the Fire Marshal.
154. Metal emergency vehicle access grates may be required in specific locations over V-ditches as determined by the Fire Chief. These grates shall be required for emergency fire apparatus to cross V-ditches in the event of a fire or emergency. These grates shall be designed and engineered to accommodate the imposed load of a fully staffed and equipped fire apparatus (typically 12 tons). Where these grates are installed, they shall have a minimum width of 10 feet. It shall be the Fire Chief's final decision as to the number and location of these grates.
155. ***NO PARKING - FIRE LANE*** areas must be provided in accordance with the approved building permit plans.
156. The public access points to Villages 1 and 2 which are specified on pages 9 and 14 of the PD Map shall comply with the following requirement:
  - a. One entrance lane to Villages 1 and 2 shall have a clear unobstructed width of not less than 18 ft.

## **Fire Protection System Requirements:**

### **Residential Fire Protection:**

157. An automatic fire sprinkler system shall be installed in all residences as outlined on sheet 38 of the Vesting Tentative Map, (Fire Protection Plan). These systems shall conform with, and be designed in accordance with, N.F.P.A. 13D. Exception: All garages shall be fully protected with fire sprinklers regardless of their location.
158. Any residences located immediately adjacent to open-lands where wildfire is a threat, which cannot meet the required 80 ft. setbacks (70-foot is the minimum allowed) to the open land, shall be equipped with a modified automatic fire sprinkler system which exceeds the minimum standards as established by N.F.P.A. 13D. The additional areas which shall require fire protection are as follows:
  - a. Full attic fire protection required
  - b. All combustible concealed spaces shall require fire protection.

### **Commercial Fire Protection:**

159. All commercial occupancies in excess of 5,000 square feet shall be protected throughout with an automatic fire sprinkler system which is designed and installed in accordance with N.F.P.A. 13.
160. Fire sprinkler plans and specifications shall be submitted to the Fire Department for review and approval prior to installation.
161. It may be determined at a later date that additional fire protection and or detection is required for a specific commercial use. The Fire Marshal shall have the authority to require additional installations of these appliances per the California Fire Code and local ordinances.
162. All fire protection systems including, but not necessarily limited to, fire sprinkler systems, fire alarm systems, and fixed fire extinguishing systems, must comply with the ***latest standards*** published by the National Fire Protection Association, (NFPA), except where specifically modified by local Fire Department policy and ordinance.
163. **Development Standards for New Construction Located Adjacent to Open Lands Where Wildfire is a Threat**  
The purpose of this standard is to increase the protection of life and property from wildfire occurring on open lands. This standard shall apply to new residential development located on parcels adjoining or adjacent to permanent open lands where wildfire is a threat.

All development within Villages 2 and 3 which are directly located adjacent to hillsides and open lands shall comply with the following requirements.

a. **Fire Buffer Zone**

There shall be a total of 50 feet of non-combustible defensible space located between residential yards that are adjacent to open lands where wildfire is a threat. This space may be located within the parcel, outside the parcel, or a combination of both. The 50-foot fire buffer zone may include one or a combination of the following components depending on the development site. The Fire Chief shall determine which component/s shall apply:

b. **Fire Protection Greenbelt**

When required, a greenbelt of fire resistive, irrigated low-growth vegetation shall be installed. The greenbelt shall be maintained to its fire resistive properties. To the extent practical, non-potable water shall be used for the irrigation.

c. **Fire Break**

A non-combustible fire break that is maintained may be used in areas that are not practical to apply either a greenbelt or fire access road. Firebreaks shall have grades not greater than 25%.

d. **Single Loaded Streets**

When required, streets or roads that is directly adjacent to permanent open lands, where wildfire is a severe threat, shall only have housing located on one side of the street to provide additional protection from wildfires. This requirement is typically utilized when there are steep slopes adjacent to the development.

e. **Drainage Ditches**

When a concrete v-ditch is installed between the fire access road and the greenbelt or non-combustible surface, the greenbelt or non-combustible surface can be reduced by the width of the v-ditch. The fire access road must remain a minimum of 20 feet to allow the passing of emergency vehicles. For example: 20-foot fire access road, 4-foot v-ditch, and 26-foot greenbelt or fire break.

f. **Non-Combustible Fencing.**

All fencing adjacent to open space lands where wildfire is a threat shall be of non-combustible material. Subject to the review and approval of the Fire Chief in each case, the fencing may be:

(1) Open, such as wrought iron or similar material;

(2) Solid, such as masonry walls; or

(3) A combination of open and solid, such as a low masonry wall with open wrought-iron fencing above.

g. **Rear Yard Setback**

A minimum of 30 feet rear yard setback from the 50-foot fire buffer zone is required for the main structure. Main structures may encroach 10-feet into the 30-foot setback if equipped with modified sprinkler systems.

**h. Side Yard Setback**

A minimum 10 foot side yard setback is required for those lots adjacent to the open lands where wildfire is a threat. Note: Parcels that border open lands on the side shall have a 30 foot side yard set back. For example, the last parcel in a row of houses may have open lands on the rear and side. The intent is to protect the main structure from a direct wildfire approaching from the open lands.

**Note: It appears that lots 582-589, 492, and lot 831 are impacted by this requirement.**

**i. Residential Construction Standards.**

The following requirements shall apply to all newly constructed residential units as outlined on sheet 38 of Vesting Tentative Map.

- (1) Class A Roof Fire Retardant Materials are required on all structures.
- (2) All structures shall be constructed with non-combustible siding.
- (3) All structures with eaves shall be enclosed, wrapped, or “boxed-in” with non-combustible materials to the satisfaction of the Building Official.
- (4) All attic and under floor openings shall be protected with 1/8 inch wire screens.

**j. Accessory Structures**

All accessory structures, including but not limited to decks, awnings, patio covers, and sheds, shall be at least 10 feet from the property lines adjoining open lands. In no case shall accessory structures be allowed within the 50 ft. fire buffer zone. An exception may be granted for non-combustible patio covers or awnings, subject to the approval of the Fire Marshall.

Patio decks or elevated porches shall be screened underneath or box in below the deck or porch with wire mesh no larger than 1/8 of an inch.

**Note:** In those cases where any required improvements are constructed, installed, or otherwise located on public property, a Lighting and Landscape Maintenance District, Home Owners Association, or similar instrument shall be formed for purposes of providing funds for the on-going maintenance of the improvements at no cost to the City. A Disclosure Statement shall be included in all Grant Deeds precluding any buyer or subsequent owner from protesting the formation of such a financial mechanism and shall agree to pay all reasonable fees, charges, and assessments for the permanent and perpetual maintenance of the required improvements.

164. **Knox Boxes** An acceptable emergency access key box (Knox Model 1300) shall be located to the right side of the main entrance of all commercial structures, no higher than 6 ft. from the ground. ***This key box shall be easily visible and accessible to the Fire Department. A Knox sticker shall be affixed on the door adjacent to the Knox Box.***

Obtain a Knox application from the Fire Administrative offices.

165. **Permits** Obtain permits from the Fire Prevention Bureau for appropriate items on the City's current Fee Schedule. ***A special permit for use of fire hydrants for construction water shall be obtained from the Public Works Department.***
  
166. **Premises Identification** Approved numbers or ADDRESSES shall be placed on all new residential and commercial buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Address numbers may also be required on the rear doors of commercial structures.

