

AGENDA

CITY OF RANCHO CORDOVA

CITY COUNCIL

Tuesday, February 22, 2005

4:30 p.m. – Special Meeting

5:30 p.m. – Regular Meeting

Council Chambers
3121 Gold Canal Drive, Rancho Cordova, California



Ken Cooley, Mayor
Robert J. McGarvey, Vice Mayor
Linda Budge, Council Member
David M. Sander, Council Member
Dan Skoglund, Council Member

MAKING YOUR POINT – MAKING IT COUNT

Government decision-making takes time—time for public input, time for analysis, and time for weighing both sides of the issue before making an informed decision.

People sometimes complain that the process takes too long, delay progress, costs extra money and is frustrating for discussion participants. Others say that the process doesn't give people enough time to comment and that decisions are made too quickly without enough consideration for all sides of the issue.

The foundation for democracy in America is our constitutional right to tell our elected leaders what we think about issues that affect us. This right is enjoyed by all citizens, regardless of education, background, or experience. Rancho Cordova leaders welcome you to public meetings and encourage you to participate in discussions that affect you.

The way you present your message at the podium can help or hurt your ability to persuade your audience. It can either facilitate or obstruct the public participation process. Whether you are an experienced public speaker or speaking at the podium for the first time, it may be helpful to remember these public meeting tips:

- Identify your main points. Writing them down will help you organize your thoughts and remember them when you're at the podium.
- Check your facts. Accuracy improves your credibility and helps you make a positive impression.
- Handouts summarizing your position may be distributed to policy makers and staff before or after your presentation. Busy leaders appreciate clear, concise information (one or two pages) that helps them identify your key points and remember your presentation.
- Don't be nervous. If you are, don't apologize for it. Public Officials see many citizens who are nervous when speaking in front of an audience. It may help to take a deep breath and exhale slowly just before you approach the podium.
- As you begin to speak, state your name and address clearly for the record. If you represent a group or organization, please state that information as well.



- Make your position known at the beginning, then present supporting information. You will sound organized, which helps people to understand your position.
- Keep your presentation short and simple. Attention spans are brief and people will remember a short presentation better than they will one that rambles and includes too much information.

- Don't repeat yourself. It uses valuable time and people tune out when they hear the same thing over and over. If a previous speaker has already made the point you planned to make, simply refer to that speaker and emphasize your support for that position.

- Be cautious about using humor which is very subjective. While some may laugh, others may be offended.

- Persuade, don't badger your audience. Compelling presentations can be very persuasive to both policy makers and public meeting

audiences; however, insulting or degrading language can make you appear belligerent, reducing your credibility as well as the power of your message.

- Close your comments with an action statement such as, "Adopt this resolution" or "I urge you to vote 'no' on this ordinance."

Rancho Cordova City leaders appreciate your interest in issues that affect the community. We hope these tips will help you prepare and present your remarks so they will be clear, concise, accurate and credible. If you follow these guidelines, your audience is likely to listen, pay attention, and maybe even agree with you!

Rancho Cordova City government is not the City Council, City staff or Rancho Cordova citizens – it's all of us working together to understand each others' opinions so we can make the best decisions for our community.

THANK YOU FOR PARTICIPATING!



CITY COUNCIL AGENDA
City Council Chambers
3121 Gold Canal Drive, Rancho Cordova

Tuesday, February 22, 2005

4:30 P.M. – Special City Council Meeting
5:30 P.M. – Regular City Council Meeting

Special Meeting

Call to Order

Roll Call: Councilmembers: Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Oral Communications

1. Public Comment

Citizens wishing to address the Council for any matter not on the agenda may do so at this time. If you wish to be heard on a listed agenda item other than a Consent Calendar item, please wait until that point on the agenda. Comments on Consent Calendar items will be heard prior to action on the Consent Calendar by providing a Speaker Card to the City Clerk before the Consent Calendar is discussed. **Please keep your comments to three minutes or less and provide a Speaker Cards to the City Clerk.** Please state your name and community of residence.

Adjourn to Closed Session for the Following Purpose:

- 2. Conference with Real Property Negotiators (pursuant to G.C. Section 54956.8):**
Property: Kilgore Business Park – 2897 Kilgore Road APN's: 072-0260-003-P, 072-0260-003, 072-0260-036, 072-0260-037, 072-0260-38, 072-0260-039, 072-0260-040-P, 072-0260-040, 072-0260-041, 072-0260-042 and *Hawaii Sheet Metal Workers Pension Fund* – 2729 Prospect Park Drive APN's: 072-0610-039; 072-0610-053 .
Agency Negotiators: Kilgore Business Park and Hawaii Sheet Metal Workers Pension Fund
Negotiating Parties: Ted Gaebler, Bill Thomas
Under Negotiation: Price and Terms of Payment.

Reports from Closed Session

Regular Meeting

Call to Order

Roll Call: Council Members: Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Metro Cable TV Telecast Announcement

Pledge of Allegiance

Invocation

1. Reverend David McFarland, Pastor of New Life Center

Presentation

2. Proclamation Recognizing February 23, 2005 as the Centennial Birthday of Rotary International.

Consent Calendar

3. **Subject:** Minutes of City Council Meetings
 - a. Special Meeting of January 31, 2005
 - b. Regular Meeting of February 7, 2005

Recommendation: Adopt Minutes.

4. **Subject:** Second Reading of Ordinance No. 03-2005 Tobacco Licensing Ordinance.
Recommendation: Waive second reading and adopt Ordinance No. 03-2005. **(Roll Call Vote)**

5. **Subject:** Second Reading of Ordinance No. 04-2005 Amending Rancho Cordova Municipal Code Chapter 4.54, Article 7, "Fireworks," Relating to the Permitting and Sale of Fireworks in the City
Recommendation: Waive second reading and adopt Ordinance No. 04-2005. **(Roll Call Vote)**

6. **Subject:** Sidewalk Maintenance Project #05-01
Recommendation: Award Contract to Do-Right Concrete, Inc. the lowest responsive bidder for the Sidewalk Maintenance Project.

Consent Public Hearings

None

Oral Communications

7. Public Comment

Citizens wishing to address the Council for any matter not on the agenda may do so at this time. If you wish to be heard on a listed agenda item other than a Consent Calendar item, please wait until that point on the agenda. Comments on Consent Calendar items will be heard prior to action on the Consent Calendar by providing a Speaker Card to the City

Clerk before the Consent Calendar is discussed. **Please keep your comments to three minutes or less and provide a Speaker Cards to the City Clerk.** Please state your name and community of residence.

Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

Public Hearings

8. **Subject:** Supplemental Law Enforcement Services Fund (SLESF) FY 2005 Allocation Citizen's Option for Public Safety Program
Recommendation: Adopt Resolution No. 29-2005 Authorizing the City to use annual State Supplemental Law Enforcement Services Fund (SLESF) appropriations for supplies and equipment for the Rancho Cordova Police Department.
9. **Subject:** Der Wienerschnitzel – RC-03-007 – Design Review. Applicant is requesting a Conditional Use Permit to allow a drive up window on a fast food restaurant within 300 feet of residential use and Design Review for a new Der Wienerschnitzel Restaurant on a vacant lot corner of Vehicle Drive and Coloma Road.
Recommendation: Adopt Resolution No. 25-2005 approving the Conditional Use Permit for the Der Wienerschnitzel restaurant subject to the Findings and Conditions of Approval.
10. **Subject:** Gold Flake Parcels 3, 5 & 14 – RC-04-090 – Design Review - Applicant is requesting Design Review for nine new industrial metal buildings located in Security Park on Gold Flake Court in the M-2 zone.
Recommendation: Adopt Resolution No. 26-2005 approving design review subject to the Findings and Conditions of Approval.
11. **Subject:** Urgency Ordinance Amending Rancho Cordova Zoning Code Section 325-51, and Making Findings and Establishing a Temporary Moratorium on the Establishment of New Sexually Oriented Businesses and the Expansion of Existing Sexually Oriented Businesses Pending the Review and Amendment of Zoning Regulations Applicable to Sexually Oriented Businesses, to Become Effective Immediately
Recommendation: Adopt Ordinance No. 05-2005 (**Roll Call Vote**)
12. **Subject:** Urgency Resolution Establishing an Interim Traffic Impact Mitigation Fee and Providing Notice that the City is Initiating Proceedings for the Study and Adoption of a Permanent Traffic Impact Mitigation Fee
Recommendation: Adopt Resolution No. 30-2005

Adjournment to the Rancho Cordova Financing Corporation Special Meeting

13. **Subject:** Resolutions Adopting Bylaws, Authorizing the Filing of Various State and Federal Forms and other Documents Relating to the Organization of the Corporation, and Approving the Corporation's Participation in the Lease Financing of the Acquisition and Improvement of Office Buildings and Other Municipal Facilities (including Authorizing the Delivery and Sale of Not to Exceed \$6,500,000 Principal Amount of Certificates of Participation).
Recommendation: Adopt Resolution Nos. 05-01, 05-02, and 05-03.

Reconvene Rancho Cordova City Council Meeting

Regular Calendar Items

14. **Subject:** Resolution to Authorize City Manager to Sign Purchase & Sale Agreement and Gifting Agreement for the Kilgore Business Park (Geremia) Property.
Recommendation: Adopt Resolution No. 31-2005.
15. **Subject:** Resolution to Authorize City Manager to Sign Purchase & Sale Agreement for the Prospect Park Property
Recommendation: Adopt Resolution No. 32-2005.
16. **Subject:** Park Facilities, Park Dedication Standards and Open Space Standards – Presentation by Cordova Park and Recreation District on proposed park and recreation facility standards and associated fees and presentation by City staff on proposed Open Space Standards. This presentation will include a proposal for implementing modified park and open space standards through adoption into the Interim General Plan (**Continued from January 18, 2005**)
Recommendation: Council adoption of the modified park and open space standards within the Interim General Plan in order to begin implementing the standards within pending and future development projects.
17. **Subject:** FY 2006 Legislative Program
Recommendation: Select three or four projects as FY06 Federal Appropriation Priorities.
18. **Subject:** Study Session Dates for 2005
Recommendation: Finalize Dates

Correspondence

Council Reports

Council Requests for Future Agenda Items

City Manager's Report

Adjournment

Upcoming Meeting Dates:

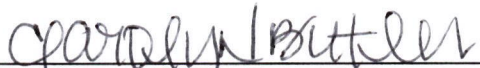
Tuesday, March 1, 2005 – Joint Special Study Session with Planning Commission – Design Guidelines
Monday, March 7, 2005 – Regular Meeting
Wednesday, March 16, 2005 – Joint Special Study Session with Planning Commission & General Plan Advisory Committee – Housing
Monday, March 21, 2005 – Regular Meeting
Wednesday, March 29, 2005 – Special Study Session – Total Community Pathway Connectivity System; & Rio del Oro

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 942-0255 or lhare@cityofranchocordova.org at least 48 hours prior to the meeting.

City Clerk's Certificate of Posting of Agenda

I, Carolyn Butler, Deputy City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the February 22, 2005 Special and Regular Meeting of the Rancho Cordova City Council was posted on February 17, 2005 at the office of the City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranchocordova.org.

Signed this 17th day of February 2005 at Rancho Cordova, California.



Carolyn Butler, Deputy City Clerk

**City of Rancho Cordova
Special Meeting of the City Council
Monday, January 31, 2005**

MINUTES

CALL TO ORDER

The meeting was called to order at 5:35 p.m. by Mayor Cooley.

ROLL CALL

Present: Council Members: Budge, McGarvey, Sander, Skoglund, and Mayor Cooley.

Staff Present: Gaebler, Lindgren, Hare, Junker, Abhar

ORAL COMMUNICATIONS

1. Public Comment

Sabrina Teller, representing Remy Thomas Moose & Manbey, addressed the Council on Item #2 and requested the Council authorize a letter of support for the petition review and a letter supporting the depublication request.

CONSENT ITEM

2. **Subject:** Support City of Sacramento in Pocket Protectors v. City of Sacramento
Recommendation: Authorize two letters: (a) supporting the depublication of this case, and (b) supporting the petition to the California Supreme Court to review this matter.

ACTION: Motion by Budge, second by Sander and unanimously carried to authorize City Manager to draft the requested letters for the Mayor's signature.

STUDY SESSION ITEM

3. **Subject:** Discussion Items for Special Meeting on Circulation Issues
Recommendation: Provide direction to staff regarding the Traffic Circulation Map and related policies for the Draft General Plan. Staff is also seeking Council's direction for updated road standards for new developments in the City

Staff presented an agenda consisting of the proposed Circulation Plan, including the goals of developing a system that has the capacity to support the City's vision and meets quality of life goals regarding mobility, efficiency, accessibility, livability, walkability, safety and emergency access. The objectives of the Plan discussed are to (1) reduce congestion and mitigate future congestion associated with new developments; (2) connect all parts of the City with an integrated transportation framework that connects to the Region; (3) expand and improve the City's bicycle and pedestrian routes; (4) protect and preserve neighborhood streets as community-oriented places; and (5) visually enhance the streetscapes.

Also discussed was how streets contribute to the livability of neighborhoods and villages. Staff indicated that next steps would include a transit discussion, stakeholder meetings on the pedestrian and bicycle circulation, GPAC work on the Circulation Element and the drafting of formal Street Design Guidelines/Road Standards.

AT THIS POINT in the meeting the Council recessed at 7:30 p.m. The full Council reconvened at 7:50 p.m. and continued discussion.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Lillian E. Hare, City Clerk

**City of Rancho Cordova
Regular Meeting of the City Council**

Monday, February 7, 2005

MINUTES

CALL TO ORDER

Mayor Cooley called the meeting to order at 5:37 p.m. and announced the cablecast playback schedule for the meeting.

ROLL CALL

Present: Council Members: Budge, McGarvey, Sander, Skoglund & Mayor Cooley
Staff Present: Gaebler, Lindgren, Hare, Olea-Moger, Thomas, Haven, Franklin, Junker, Dehaan

PLEDGE OF ALLEGIANCE

The Pledge was led by Indigo Alvarez, Boy Scout Troop 601.

INVOCATION

1. Reverend Ted Smith, Senior Pastor, First Covenant Church of Sacramento

PRESENTATION

2. Proclamation for Spay Day

Mayor Cooley presented a Proclamation in Recognition of Spay Day USA to Sacramento Area Animal Coalition spokesperson Claudia Schlachter.

CONSENT CALENDAR

ACTION: Motion by Budge second by Sander and unanimously carried by roll call vote, Council approved the Consent Calendar.

3. **Subject:** Minutes of City Council Meetings
 - a. Special Meeting of January 3, 2005
 - b. Special Meeting of January 18, 2005
 - c. Regular Meeting of January 18, 2005

Recommendation: Adopt Minutes.

4. **Subject:** Election Results of Mail Ballot Elections Regarding Special Taxes for Police Services for Police Tax Area Zone 24

Recommendation: Declare results.

5. **Subject:** Second Reading of Ordinance No. 01-2005 Establishing a Special Tax for Police Protection Services for the Anatolia II Lot 8 (Anatolia Commons) Project.

Recommendation: Waive second reading and adopt Ordinance No. 01-2005. **(Roll Call Vote)**

6. **Subject:** Supplemental Law Enforcement Services Fund FY 2005 Allocation
Recommendation: Receive and file report and set a public hearing on the appropriation of funds at the Council Meeting of February 22, 2005.
7. **Subject:** Quarterly Financial Report
Recommendation: Receive and file report.
8. **Subject:** Adoption of Resolutions to Memorialize the Employer Paid Member Contribution (EPMC) and Reporting the Value of Employer Paid Member Contributions to the California Employees Retirement System (CalPERS)
Recommendation: Adopt Resolution Nos. 20-2005 and 21-2005

CONSENT PUBLIC HEARINGS

By consensus, Item #9 was pulled as a Consent Public Hearing item in order to be heard as regular public hearing item.

9. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Chapter 4.54, Article 7, "Fireworks," Relating to the Permitting and Sale of Fireworks in the City
Recommendation: Waive first reading and introduce Ordinance No. 04-2005. **(Roll Call Vote)**

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Dennis Revell, lobbyist, recommended the following storage standards, required by Sacramento Metropolitan Fire District, be incorporated into requirements:

- Fireworks returned to warehouse
- Fireworks stored in stand with watchperson on site – no sleeping permitted in the stand or within 25 feet of the stand. Watchperson shall ensure all sales stop at 10 p.m. and shall secure the closure of the booth
- Reinforced, heavy metal, fully enclosed container – similar to "sawdoc" walk-in type drop box, property owner's permission required.

Tom Wentz, resident, Planning Commissioner, and member of local Kiwanis Club, to express concern about requirements that the organization must have at least twenty members and that the use of volunteers who are not relatives of members are too restrictive.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by Skoglund and unanimously carried by roll call vote, Council approved the amended Ordinance for adoption at the February 22, 2005 meeting. Amendments were outlined as follows:

- Section 4.54.350-2 License Restriction: Changing from the "boundaries" of the City of Rancho Cordova to the "planning area" of the City of Rancho Cordova.
- Section 4.54.360-6 Application – Changing the date from the second Tuesday in April to May 15.
- Section 4.54.380-e Operation of Stand – Deleting *entirely (...*~~no person other than the individuals who are members of the licensee organization or the wives,~~

~~husbands, parents or adult children of such members shall sell or otherwise participate in the sale of fireworks at such stand.~~

- Section 4.54.410-b Enforcement – Changing the inspection of the site by Metro Fire.

For the record, the recommended changes Mr. Revell outlined were already incorporated into Section 4.54.400 General Requirements.

ORAL COMMUNICATIONS

10. Public Comment

Mr. Dean Burke addressed the Council to convey that, in response to the recent article in local newspaper, *Grapevine*, he is not supportive of a parcel tax for Rancho Cordova residents.

PUBLIC HEARINGS

11. **Subject:** Ellenwood Estates – RC-04-125 – Design Review. Project was continued from the December 6, 2004 Council meeting to allow a sub-committee to meet with the applicant for project review.

Recommendation: Review and discuss comments from sub-committee and make one of the following determinations: a. Remand the project back to the Planning Commission for further consideration subject to the Council listed concerns; b. Review the submitted project and deny the proposed project; or c. Affirm the Planning Commission's approval. **(Continued from December 6, 2004 & January 18, 2005).**

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Marcus LaDuca, applicant's attorney on behalf of applicant, to report the desired changes the City requested for the project were made.

Mayor Cooley closed the public hearing.

ACTION: Motion by Skoglund second by McGarvey and unanimously carried, Council found the Negative Declaration for Ellenwood Estates Subdivision adequately addressed any environmental issues for the project and adopted Resolution No. 18-2005, approving Design Review subject to Findings and Conditions of Approval contained in the staff report and addition of the following conditions:

- Nine corner lots shall have house model with the extended, wrap-around porch.
- Internally illuminated address numbers shall be displayed on all residential units with the project site.
- Applicant to work with Public Works to ensure the street names are extensions of names of surrounding streets.

12. **Subject:** Zinfandel Square Shopping Center – RC-04-133 – Design Review. Remodel/Facelift of existing shopping center with some modification and enhancement to the existing landscape.

Recommendation: Adopt Resolution No. 19-2005 approving the design review for the remodel of 11009, 10947, and 10981 Olson Drive.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Mark Marvelli, Project Architect, to answer any questions.

David Solomon to express concern about lighting in conjunction with light rail use.

Matt Cummings to inquire about speed bumps, lighting, walkways, and fencing.

Mayor Cooley closed the public hearing.

ACTION: Motion by McGarvey second by Budge and unanimously carried, Council determined the project exempt under CEQA Guidelines and adopted Resolution No. 19-2005 approving Design Review, subject to Findings and Conditions of Approval contained in the staff report and addition of the following conditions:

- The applicant shall install a pedestrian walkway connecting Buildings 2 and 3 with decorative paving to the satisfaction of the Planning Director.
- Stop signs shall be installed at the northwest of the project adjacent to the corner of the Major A building. One stop sign shall face to the north for the traffic turning left and one stop sign shall face east for the traffic driving through from the west.

13. **Subject:** Tobacco Licensing Ordinance and AB 71.

Recommendation: Waive first reading and introduce Ordinance No. 03-2005. **(Roll Call Vote)**

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this issue:

Ann Knickelbein, member of Sacramento County Tobacco Control Coalition, in support of the proposed ordinance.

Alexander Chong, volunteer with American Cancer Society, in support of the proposed ordinance.

Laurie Comstock, member of Sacramento County Tobacco Control Coalition, in support of the proposed ordinance.

Carolyn Martin, Chairperson of the Sacramento County Tobacco Control Coalition and Tobacco Retail Licensing Task Force, in support of the proposed ordinance.

Matt Cervantes, American Cancer Society, in support of the proposed ordinance.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried by roll call vote, Council introduced the Tobacco Retail License Ordinance No. 03-2005 to allow the City to enforce laws prohibiting the sale of tobacco to minors, as well as other local, state and federal laws related to tobacco.

AT THIS POINT, the Council adjourned for a recess at 7:40 p.m. The full Council reconvened at 8:10 p.m.

REGULAR CALENDAR ITEMS

14. **Subject:** Property Maintenance Ordinance Presentation

Recommendation: Provide direction to staff on the nature and scope of a Property Maintenance Ordinance **(continued from December 20, 2004 & January 18, 2005).**

ACTION: By consensus, this item will be discussed again at the March 29th study session. Staff will report on how other agencies solved property maintenance issues, investigate feasibility of incorporating changes into existing zoning code to address some of the problems, and present ideas on a public education program.

15. **Subject:** Consider Appointment of a Director and an Alternate to the Sacramento Metropolitan Air Quality Management District Board.

Recommendation: Adopt Resolution No. 15-2005 **(continued from January 18, 2005).**

ACTION: Motion by Sander second by Budge and unanimously carried, Council appointed Vice Mayor Robert McGarvey as the Director and Council Member Dan Skoglund as the alternate when an alternate is allowed.

16. **Subject:** Resolution for Formation of Rancho Cordova Financing Corporation

Recommendation: Adopt Resolution No. 22-2005

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council adopted Resolution No. 22-2005.

17. **Subject:** Resolution for the Issuance of Bonds

Recommendation: Adopt Resolution No. 23-2005

ACTION: Motion by Budge second by Sander and unanimously carried by a roll call vote, Council adopted Resolution No. 23-2005.

18. **Subject:** Fiscal Year 2006 City of Rancho Cordova Legislative Program

Recommendation: Review Projects for the FY 2006 Appropriations Cycle and Set Legislative Priorities

OUTCOME: Council reviewed and discussed the list. The City Manager was directed to clarify certain points with the Legislative Advocate and the City's Public Works Director.

19. **Subject:** Authorize City Manager to Execute Contract with Hansen for Integrated Software Package.

Recommendation: Consider and direct staff accordingly.

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council adopted Resolution No 24-2005 authorizing the City Manager to enter into agreement, not to exceed \$775,000, with Hansen Information Technologies to provide an integrated management software system.

CORRESPONDENCE

None

COUNCIL REPORTS

The Council reported on various meetings, invitations, and events since the last Council meeting.

Council Member Skoglund requested a letter be sent to the citizen who warned of the sewage spill into the American River.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Dan Skoglund requested State and Federal legislators representing Rancho Cordova be invited to a Council meeting.

CITY MANAGER'S REPORT

The City Manager reported on his attendance to recent League of California Cities City Managers' Conference held in Monterey, California.

ADJOURNMENT

The meeting adjourned at 11:20 p.m.

Respectfully submitted,

Anna Olea-Moger, Assistant City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE No. 03-2005

**AN ORDINANCE FOR THE CITY OF RANCHO CORDOVA
ESTABLISHING A LICENSING PROGRAM FOR TOBACCO RETAILERS**

Section 1. Recitals

WHEREAS, the City of Rancho Cordova has a substantial interest in promoting compliance with federal, state, and local laws intended to regulate tobacco sales and use; in discouraging the illegal purchase of tobacco products by minors; in promoting compliance with laws prohibiting sales of cigarettes and tobacco products to minors; and in protecting children from being lured into illegal activity through the misconduct of adults;

WHEREAS, for the reasons set forth in Section 2 of this ordinance the City Council finds and determines that it is in the public interest and necessary to protect the public health safety and welfare for this tobacco retailer license program to be adopted;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

Title 4, Chapter 4.07 is hereby added to the Rancho Cordova Municipal Code as follows:

Section 2. Ordinance Establishing the Tobacco Retailer License Program

Title 4 BUSINESS LICENSES AND REGULATIONS

Chapter 4.07 Tobacco Retailer License

4.07.010 Legislative Findings

4.07.020 Purpose

4.07.030 Definitions

4.07.040 Requirement for Tobacco Retailer License

4.07.050 Application Procedure

4.07.060 Issuance and Renewal of License

4.07.070 Display of License

4.07.080 License Fee

4.07.090 License Nontransferable

4.07.100 License Violation

- 4.07.110 Administrative Fine
- 4.07.120 Suspension or Revocation of License
- 4.07.130 Denial, Suspension and Revocation-Appeals
- 4.07.140 Hearings – Generally
- 4.07.150 Conduct of Hearing
- 4.07.160 Form and Contents of Decision-Finality of Decision
- 4.07.170 Enforcement
- 4.07.180 Severability
- 4.07.190 Effective Date and Publication

4.07.010 Legislative Findings.

The City Council of the City of Rancho Cordova finds and determines that:

- A. The United States Surgeon General has declared nicotine, a key ingredient of cigarettes and tobacco products, as addictive as cocaine or heroin; yet no other addictive product or drug is as accessible to minors or as heavily advertised and promoted to minors as tobacco products. Once addicted, minors necessarily have great difficulty in complying with laws regulating access by minors to tobacco.
- B. Since 1971, federal law has banned the advertising of tobacco products on radio and television, in part, because of substantial evidence showing that the most persuasive advertising was being conducted on radio and television, and these broadcasts were particularly effective in reaching a large audience of young people.
- C. Studies show an association between tobacco use and use of alcohol and illicit drugs. The National Institute on Drug Abuse found that teenagers who smoke are 14 times more likely to abuse alcohol, 100 times more likely to smoke marijuana and 32 times more likely to use cocaine, than their nonsmoking peers.
- D. Eighty-eight percent (88%) of adults who have ever smoked, tried their first cigarette by the age of eighteen (18), and the average age at which smokers try their first cigarette is fourteen and a half (14½).
- E. Although the tobacco industry insists the sole purpose of advertising is to convince current smokers to switch brands, it spends over \$5 billion a year in advertising and promotion costs, to aggressively recruit new smokers. To replace smokers who quit or die

prematurely (some 3,000 smokers a day) the tobacco industry must attract approximately two million new smokers each year. Most new smokers are children and adolescents. The tobacco industry sells \$1.26 billion in tobacco products (over 947 million packs of cigarettes and twenty-six million containers of smokeless tobacco) each year to children under 18. Thus, the tobacco industry earns \$1.5 billion annually from the illegal sale of tobacco to children.

- F. Based upon the foregoing facts and findings, the City has a substantial interest in promoting compliance with state laws prohibiting sales of cigarettes and tobacco products to minors, in promoting compliance with federal, state and local laws intended to discourage the purchase of tobacco products by minors, and in protecting children from being lured into illegal activity through the misconduct or illegal acts of adults.
- G. State law prohibits the sale or furnishing of cigarettes, tobacco products and smoking paraphernalia to minors, as well as the purchase, receipt, or possession of tobacco products by minors. (Penal Code § 308).
- H. State law requires that tobacco retailers check the identification of tobacco purchasers who reasonably appear to be under eighteen (18) years of age (Business & Professions Code § 22956) and provides procedures for using persons under eighteen (18) years of age to conduct onsite compliance checks of tobacco retailers. (Business & Professions Code § 22952).
- I. State law requires that tobacco retailers post a conspicuous notice at each point of sale stating that selling tobacco products to anyone under eighteen (18) years of age is illegal. (Business & Professions Code § 22952, Penal Code §308).
- J. State law prohibits the sale or display of cigarettes through a self-service display and prohibits public access to cigarettes without the assistance of a clerk. (Business & Professions Code § 22962).
- K. State law prohibits the sale of "bidis" (hand-rolled filterless cigarettes imported primarily from India and Southeast Asian countries) except at those businesses that prohibit the presence of minors. (Penal Code § 308.1).
- L. State law prohibits the manufacture, distribution, or sale of cigarettes in packages of less than twenty (20) and prohibits the manufacture, distribution, or sale of "roll-your-own" tobacco in packages containing less than six tenths of an ounce of tobacco. (Penal Code § 308.3).
- M. State law prohibits public school students from smoking or using tobacco products while on campus, while attending school-sponsored activities, or while under the supervision or control of school district employees. (Education Code § 48901(a)).
- N. Section 4.61.040 of the City's Municipal Code prohibits the sale or distribution of tobacco

products from vending machines.

- O. Despite these restrictions, minors continue to be exposed to and influenced by tobacco advertising, and to purchase or steal or otherwise obtain cigarettes and other tobacco products at alarming rates. Studies show that nearly one-quarter of all teenagers in this country are smokers.
- P. California courts in *Cohen v. Board of Supervisors*, 40 Cal. 3d 277 (1985), and *Bravo Vending v. City of Rancho Mirage*, 16 Cal. App. 4th 383 (1993), have affirmed the power of local jurisdictions to regulate business activity in order to discourage violations of law.
- Q. State law authorizes local tobacco retailer licensing laws to provide for the suspension or revocation of the local tobacco retailer license for any violation of a state tobacco control law. (Business & Professions Code § 22971.3).
- R. A requirement for a tobacco retailer license will not unduly burden legitimate business activities of retailers who sell or distribute cigarettes or other tobacco products to adults. It will, however, allow the City to regulate the operation of lawful businesses to discourage violations of federal, state, and local tobacco laws. (Ord. __-2005)

4.07.020 Purpose. The purpose of this Chapter is to encourage responsible tobacco retailing and to discourage violations of tobacco-related laws, especially those that prohibit or discourage the sale or distribution of tobacco products to minors, but not to expand or reduce the degree to which the acts regulated by federal or state law are criminally proscribed or to alter the penalty provided for violations. (Ord. __-2005)

4.07.030 Definitions. As used in this chapter, the following words and phrases shall have the meaning given them in this Section, unless the context clearly requires otherwise:

"City" means the City of Rancho Cordova.

"City Manager" means the City Manager of the City of Rancho Cordova or his or her designee.

"Itinerant tobacco retailing" means engaging in tobacco retailing at other than a fixed location.

"License" means a tobacco retailer license issued by the City pursuant to this Chapter.

"Licensee" means any proprietor holding a license issued by the City pursuant to this Chapter.

"Person" means any individual, firm, partnership, joint venture, limited liability company, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

"Proprietor" means a person with an ownership or managerial interest in a business. An ownership interest shall be deemed to exist when a person has a ten (10) percent or

greater interest in the stock, assets, or income of a business other than the sole interest of security for debt. A managerial interest shall be deemed to exist when a person has, or can have, sole or shared control over the day-to-day operations of a business.

"Tobacco product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis or any other preparation of tobacco.

"Tobacco paraphernalia" means cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines and any other item designed or used for the smoking or ingestion of tobacco products.

"Tobacco retailer" means any person who sells, offers for sale, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, offered for sale, exchanged, or offered for exchange.

"Tobacco retailing" means selling, offering for sale, exchanging, or offering to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, offered for sale, exchanged, or offered for exchange. (Ord. __-2005)

4.07.040 Requirement for Tobacco Retailer License.

- A. It shall be unlawful for any person to act as a tobacco retailer without first obtaining a license for each location at which tobacco retailing is to occur. No license will be issued to authorize tobacco retailing at other than a fixed location. No license will be issued for itinerant tobacco retailing or tobacco retailing from vehicles.
- B. Nothing in this Chapter shall be construed to grant any person obtaining a license any status or right other than the right to act as a tobacco retailer at the location in the City identified on the face of the license, subject to compliance with all other applicable laws, regulations, and ordinances. Nothing in this Chapter shall be construed to render inapplicable, supersede, or apply in lieu of any other provision of applicable law, including, without limitation, any condition or limitation on indoor smoking made applicable to business establishments by Labor Code § 6404.5. (Ord. __-2005).

4.07.050 Application Procedure. All applications for a license shall be submitted to the City Manager in the name of each proprietor proposing to conduct tobacco retailing and shall be signed by each proprietor or an authorized agent thereof. A proprietor proposing to conduct tobacco retailing at more than one location shall submit a separate application for each location. Every application shall be submitted on a form supplied by the City Manager and shall contain the following information:

- A. The name, address, and telephone number of each proprietor; and
- B. The business name, address, and telephone number of the fixed location for which a license is sought; and

- C. Whether or not any proprietor has previously been issued a license pursuant to this Chapter that is, or was at any time, suspended or revoked and, if so, the dates of the suspension period or the date of revocation; and
- D. Such other information as the City Manager deems necessary for the administration or enforcement of this Chapter. (Ord. __-2005).

4.07.060 Issuance and Renewal of License.

- A. Upon the receipt of an application for a license and the applicable license fee, the City Manager shall issue a license unless:
 - 1. The application is incomplete or inaccurate;
 - 2. The application seeks authorization for tobacco retailing at an address that appears on a license that is suspended, has been revoked, or is subject to suspension or revocation proceedings for violation of any of the provisions of this Chapter; provided, however, this subparagraph shall not constitute a basis for denial of a license if either or both of the following apply:
 - a. The applicant provides the City with documentation demonstrating that the applicant has acquired or is acquiring the premises or business in an arm's length transaction. For the purposes of this subparagraph, an "arm's length transaction" is defined as a sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for the primary purpose of avoiding the effect of the violations of this Chapter that occurred at the location, is presumed not to be an "arm's length transaction";
 - b. It has been more than five years since the most recent license for that location was revoked;
 - c. The application seeks authorization for tobacco retailing that is unlawful pursuant to this Code, or that is unlawful pursuant to any other local, state, or federal law;
 - d. The City Manager has information that the applicant or his or her agents or employees has violated any local, state or federal tobacco control law at the location for which the license or renewal of the license is sought within the preceding thirty-day (30) period;
 - e. There are grounds for denial pursuant to Chapter 4.06 of this Code; or,

3. No General Business License has been granted for the enterprise pursuant to Chapter 4.06 of this Code.
- B. A license shall be valid for one (1) year and an application for renewal must be filed not later than thirty (30) days prior to the expiration of the license, but no earlier than sixty (60) days prior to the expiration of the license. Unless revoked on an earlier date, all licenses shall expire one (1) year after the date of issuance. A license may be renewed for additional periods of one (1) year by submitting an application to the Tax and License Collector and payment of the applicable license fee; provided, however, a license that is suspended, has been revoked, or is subject to suspension or revocation proceedings shall not be renewed. The application and license fee shall be submitted at least thirty (30) days, but not more than sixty (60) days, prior to the expiration of the current valid license. The applicant shall follow all of the procedures and provide all of the information required by Section 4.07.050, the Tax and License Collector shall process the application according to the provisions of this Section. Provided that an application is made within the time period required by this subdivision, a licensee may continue the sale of tobacco products pending a determination of the Tax and License Collector to renew or disapprove the license.
 - C. Where the City Manager does not approve a license or renewal of a license, the procedures for denial, including appeals therefrom, of Section 4.07.120 of this Code shall apply. (Ord. __-2005)

4.07.070 Display of License. Each license shall be prominently displayed in a publicly visible location at the licensed premises. (Ord. __-2005).

4.07.080 License Fee. The fee for issuance or renewal of a license shall be established by resolution of the City Council and shall be in addition to the City's business operation tax and any other license or permit fee imposed by this Code upon the applicant. The license fee shall be paid to the City at the time the license application is submitted. The amount of the fee shall be determined on the basis of the costs incurred in the enforcement of tobacco retailing laws together with the costs, including the costs of counsel, incurred in the administration of this Chapter. (Ord. __-2005).

4.07.090 License Nontransferable. A license is nontransferable. If a licensee changes business location, that licensee must obtain a new license prior to acting as a tobacco retailer at the new location. If a business licensed to conduct tobacco retailing is sold, the new owner must obtain a license for that location before acting as a tobacco retailer. (Ord. __-2005).

4.07.100 License Violation. It shall be a violation of a license for a licensee or his or her agents or employees to violate any local, state, or federal tobacco-related law. (Ord. __-2005).

4.07.110 Administrative Fine

- A. If the City finds, based on substantial evidence, that any unlicensed Person, including a Person named on a revoked or suspended license, has engaged in Tobacco Retailing in violation of Section 4.07.040, the City shall fine that person as follows:
 1. a fine not exceeding one hundred dollars (\$100) for a first violation in any twelve--month (12) period; or

2. a fine not exceeding two hundred dollars (\$200) for a second violation in any twelve-month (12) period; or
3. a fine not exceeding five hundred dollars (\$500) for a third or subsequent violation in any twelve-month (12) period.

Each day that such a Person engages in Tobacco Retailing shall constitute a separate violation.

- B. A notice of violation and of intent to impose a fine shall be personally served on, or sent by certified mail to, the Person or Persons subject to the fine. The notice shall state the basis of the City's determinations and include an advisement of the right to request a hearing to contest the fine. Any request for a hearing must be in writing and must be received by the City within ten (10) calendar days of personal service of the notice on the Person or Persons subject to a fine or within fifteen (15) calendar days if the Person or Persons subject to a fine are served by mail.
- C. If no request for a hearing is timely received, the City's determination on the violation and the imposition of a fine shall be final and payment shall be made within thirty (30) calendar days of written demand made in the manner specified above for a notice of violation. If the fine is not paid within that time, the fine may be collected, along with interest at the legal rate, in any manner provided by law. In the event that a judicial action is necessary to compel payment of the fine and accumulated interest, the Person or Persons subject to the fine shall also be liable for the costs of the suit and attorney's fees incurred by the City in collecting the fine.
- D. If a hearing is requested pursuant to subsection (B) of this section, the City shall provide written notice, within forty-five (45) calendar days of its receipt of the hearing request, to the Person or Persons subject to a fine of the date, time, and place of the hearing in the manner specified above for a notice of violation.
- E. The hearing shall be conducted in accordance with the procedures set forth in Sections 4.07.140-4.07.160 of this Chapter.
- F. If no timely notice of appeal to the superior court is filed, or the City is not timely served with a copy of a notice of appeal, the hearing officer's decision and findings shall be deemed confirmed and the fine shall be collected pursuant to subsection (C) of this Section.

4.07.120 Suspension or Revocation of License.

- A. In addition to any other remedy authorized by law, a license shall be suspended or revoked as provided in this section, if the City Manager finds that the licensee or his or her agents or employees has or have violated any of the provisions of this Chapter; provided, however, violations by a licensee at one location may not be accumulated against other locations of that same licensee, nor may violations accumulated against a prior licensee at a licensed location be accumulated against a new licensee at the same licensed location.
 1. Upon a finding by the City Manager of a first license violation within any five-year period, the license shall be suspended for thirty (30) days.

2. Upon a finding by the City Manager of a second license violation within any five-year period, the license shall be suspended for ninety (90) days.
 3. Upon a finding by the City Manager of a third license violation within any five-year period, the license shall be suspended for one year.
 4. Upon a finding by the City Manager of a fourth license violation within any five (5) year period, the license shall be revoked.
- B. Notwithstanding Section 4.07.110(A), a license shall be revoked if the City Manager finds that either one or both of the following conditions exist:
1. One or more of the bases for denial of a license under Section 4.07.060(A) existed at the time application was made or at anytime before the license issued.
 2. The information contained in the license application, including supplemental information, if any, is found to be false in any material respect.
- C. In the event the City Manager suspends or revokes a license, written notice of the suspension or revocation shall be served upon the licensee within five (5) days of the suspension or revocation. The notice shall contain:
1. A brief statement of the specific grounds for such suspension or revocation;
 2. A statement that the licensee may appeal the suspension or revocation by submitting an appeal, in writing, in accordance with the provisions of Section 4.07.130, to the City Manager, within ten (10) calendar days of the date of service of the notice; and
 3. A statement that the failure to appeal the notice of suspension or revocation will constitute a waiver of all right to an administrative appeal hearing, and the suspension or revocation will be final.
- D. A licensee for whom a license suspension is in effect must remove all tobacco products and tobacco paraphernalia from public view at the address that appears on the suspended license. (Ord. __-2005).

4.07.130 Denial, Suspension and Revocation-Appeals.

- A. Any applicant or licensee aggrieved by the decision of the City Manager in denying, suspending, or revoking a license, may appeal the decision by submitting a written appeal to the City Manager within ten (10) calendar days from the date of service of the notice of denial, suspension, or revocation. The written appeal shall contain:
1. A brief statement in ordinary and concise language of the specific action

protested, together with any material facts claimed to support the contentions of the appellant;

2. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed or otherwise set aside;
 3. The signatures of all parties named as appellants and their official mailing addresses; and
 4. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- B. The appeal hearing shall be conducted in accordance with Sections 4.07.140-4.07.160 of this Municipal Code.
- C. Upon receipt of any appeal filed pursuant to this Section, the City Manager shall transmit said appeal to the secretary of the hearing examiner who shall calendar the matter for hearing within forty-five (45) days.
- D. Written notice of the time and place of the hearing shall be given at least ten (10) calendar days prior to the date of the hearing to each appellant by the secretary of the hearing examiner either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- E. Failure of any person to file a timely appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the notice and order, or any portion thereof.
- F. Only those matters or issues specifically raised by the appellant in the appeal notice shall be considered in the hearing of the appeal.
- G. Any suspension or revocation of a license shall be stayed during the pendency of an appeal which is properly and timely filed pursuant to this section. (Ord. __-2005).

4.07.140 Hearings-Generally.

- A. The City Manager shall appoint a hearing examiner to hear appeals brought pursuant to this Chapter.
- B. The City Manager shall promulgate rules and procedures as necessary for the use of the hearing examiner.
- C. At the time set for hearing, the hearing examiner shall proceed to hear the testimony of the City Manager, the appellant, and other competent persons, including members of the public, respecting those matters or issues specifically listed by the appellant in the notice of appeal.

- D. The proceedings at the hearing shall be electronically recorded. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the party's own expense.
- E. The hearing examiner may, upon request of the appellant or upon request of the City Manager, grant continuances from time to time for good cause shown, or upon his or her own motion.
- F. In any proceedings under this Chapter, the hearing examiner has the power to administer oaths and affirmations and to certify to official acts. (Ord. __-2005).

4.07.150 Conduct of Hearing.

- A. Hearings need not be conducted according to the technical rules relating to evidence and witnesses. Government Code § 11513, subsections (a), (b) and (c) as presently written or hereinafter amended shall apply to hearings under this Chapter.
- B. Oral evidence shall be taken only upon oath or affirmation.
- C. Irrelevant and unduly repetitious evidence shall be excluded.
- D. Each party shall have these rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called the witness to testify;
 - 5. To rebut the evidence presented against the party; and
 - 6. To represent himself, herself, or itself or to be represented by anyone of his, her, or its choice who is lawfully permitted to do so.
- E. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact that may be judicially noticed by the courts of this state or that may appear in any of the official records of the City or any of its departments. (Ord. __-2005)

4.07.160 Form and Contents of Decision-Finality of Decision.

- A. If it is shown, by a preponderance of the evidence, that one or more bases exist to deny, suspend, or revoke the license, the hearing examiner shall affirm the City Manager's decision to deny, suspend, or revoke the license. The decision of the hearing examiner shall be in writing and shall contain findings of fact and a determination of the issues presented.

- B. The decision shall inform the appellant that the decision is a final decision and that the time for judicial review is governed by California Code of Civil Procedure § 1094.6. Copies of the decision shall be delivered to the parties personally or sent by certified mail to the address shown on the appeal. The decision shall be final when signed by the hearing examiner and served as provided in this section. (Ord. __-2005).

4.07.170 Enforcement.

- A. The remedies provided by this Chapter 4.07 are cumulative and in addition to any other remedies available at law or in equity.
- B. Any violation of this chapter may be remedied by a civil action brought by the City Attorney, including, for example, administrative or judicial nuisance abatement proceedings, civil or criminal enforcement proceedings, and suits for injunctive relief. The City may recover reasonable attorneys' fees and costs of suit in any civil action brought by the City Attorney to remedy any violation of this Chapter.
- C. Violations of this Chapter are hereby declared to be public nuisances subject to abatement by the City. (Ord. __-2005).

4.07.180 Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, that decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrase hereof be declared invalid or unenforceable.

4.07.190 Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Rancho Cordova City and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

* * * * *

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 22nd day of February, 2005.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 04-2005

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RANCHO CORDOVA AMENDING RANCHO CORDOVA
MUNICIPAL CODE CHAPTER 4.54, ARTICLE 7, "FIREWORKS," RELATING
TO THE PERMITTING AND SALE OF FIREWORKS IN THE CITY**

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO
CORDOVA DOES ORDAIN AS FOLLOWS:**

SECTION 1. Title 4, Chapter 4.54, Article 7, "Fireworks," of the Rancho
Cordova Municipal Code is hereby amended to read as follows:

"Article 7 Fireworks

- 4.54.300 General Prohibition Against Possession, Sale or Use of Fireworks.
- 4.54.310 Exception--Certain Public Displays.
- 4.54.320 Exception--Safe and Sane Fireworks.
- 4.54.330 License to Sell Fireworks Required.
- 4.54.340 Wholesale Storage of Fireworks.
- 4.54.350 License Restricted.
- 4.54.360 Application.
- 4.54.370 Denial of License.
- 4.54.375 General Provisions.
- 4.54.380 Operation of Stand.
- 4.54.390 Temporary Fireworks Stand.
- 4.54.400 General Requirements for Licensees.
- 4.54.410 Enforcement.
- 4.54.405 Public Education.
- 4.54.420 Revocation of License--Appeal.
- 4.54.430 Penalty; Infraction.
- 4.54.440 Seizure of Fireworks.
- 4.54.450 Concurrent Authorities.

**4.54.300 General Prohibition Against Possession, Sale or Use of
Fireworks.**

Except as otherwise provided in this Article, no person shall possess, sell, use, display or explode any rocket, firecracker, roman candle, squib, torpedo, torpedo cane, fire balloon, wire core sparkler, wooden core sparkler, black cartridge or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, within the City.

4.54.310 Exception--Certain Public Displays.

Public displays of fireworks may be given with a written permit issued by the fire chief so long as such display takes place under the supervision and direction of a State of California licensed operator. For purposes of this Article, "fire chief" shall mean the Fire Chief of the Sacramento Metropolitan Fire District, or his or her designee.

4.54.320 Exception--Safe and Sane Fireworks.

It shall not be unlawful to possess, sell, use, display or discharge within the City those fireworks as are defined and classified as "safe and sane fireworks" in Part 2 (commencing with Section 12500) of Division 11 of the California Health and Safety Code during that time period beginning at 12:00 noon on June 28 and ending at 10.00 p.m. on July 4 of the same year.

4.54.330 License to Sell Fireworks Required.

It shall be unlawful for any person to sell "safe and sane fireworks" within the City without a valid City business license authorizing such sales.

4.54.340 Wholesale Storage of Fireworks.

The wholesale storage of fireworks shall be unlawful in the City without valid permits for such storage from the fire district and the City's building department. Any such storage is limited to the period from June 1st through July 15th of each year.

4.54.350 License Restricted.

a. No City business license authorizing the sale of "safe and sane fireworks" shall be issued to any person, firm, corporation, organization or group other than:

1. A non-profit organization or group organized primarily for civic betterment and/or charitable purposes having status as a Section 501 (c) organization under the Internal Revenue Code and as a Section 23701 (d) organization under the Revenue and Taxation Code of the State of California, provided that the organization or group satisfies the following criteria:

- i. It has its principal and permanent meeting place in the City of Rancho Cordova or its adopted Planning Area;
- ii. It has been organized and established in the City of Rancho Cordova or its adopted planning area for a continuous period of at

least one year immediately proceeding the application for a permit;
and

iii. It has a bona fide membership of at least twenty (20) members.

The City reserves the right to require the applicant to submit a roster based on complaints or allegation of non-compliance with City policy; or

2. An organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district and/or school district that services in whole or in part the residents of Rancho Cordova or a religious non-profit elementary, junior high and/or high school located within the planning area of Rancho Cordova.

b. No organization shall submit more than two applications for licenses to sell fireworks within the City. Submittal of more than two such applications shall be grounds for denial of all applications.

c. City business licenses authorizing the sale of "safe and sane fireworks" shall not be transferable to another organization.

d. Transfer of temporary stands from the location for which the license was initially issued may be made provided that the application is made to the City's Director of Finance ("Finance Director") on or before the first day of June, provided further that any such location change has been approved in writing by the fire chief, the chief of police, and the City's Chief Building Inspector, and otherwise complies with all provisions of this Article regulating the location of temporary fireworks stands.

4.54.360 Application.

a. All applications for a City business license to sell fireworks shall be in writing to the Finance Director on forms supplied by the City. Applications shall be received and filed with the Finance Director no earlier than March 1st, nor later than the second Tuesday in April of each year. Applications shall:

1. Specify the proposed location of the fireworks stand, and be accompanied by a copy of a plot plan showing the location of the fireworks stand in relation to the public right-of-way; curb cuts and/or driveways and identifying the nearest available fire hydrants;

2. Specify the name, address and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period fireworks are sold, displayed or stored;

3. Be accompanied by a declaration certifying the applicant's status as a Section 501 (c) organization under the Internal Revenue Code and as a Section 27301 (d) organization under the Revenue and Taxation Code;

4. Be accompanied, in accordance with the provisions of Section 4.54.375, by an accounting of the funds derived from the sale of fireworks for the previous year if the organization operated a stand(s) in the City during the previous year. The permittee shall fully expend the net proceeds derived from its operations under such license or demonstrate the dedicated purpose of the funds. This requirement shall not go into effect until July 5, 2005;

5. Be accompanied by a written statement of the applicant's intended use for any funds realized from the sale by such organization;

6. Be accompanied by the name and address of the owner of the designated location of the fireworks stand. The applicant shall supply a copy of a recorded deed evidencing its ownership of the designated location, or an executed lease, rental or license agreement evidencing that the applicant has the legal authority to locate and operate a fireworks stand at the designated location. The information required by this subsection (6) may be submitted separately from the other information required under Section 4.54.360, but in no case shall the information required by this subsection (6) be submitted to the City later than May 15th of each year;

7. Be accompanied by such other information as may be required by the Finance Director;

8. Be accompanied by an application fee in the amount of \$40.00; and

b. The application shall be made in triplicate. The original of the application shall be retained by the Finance Director, one copy shall be transmitted to the fire chief, and one copy shall be sent to the City building department. The fire chief shall review the location of the proposed fireworks stand for compliance with fire safety regulations and shall have authority to disapprove the location if, in the fire chief's opinion, the location would pose a fire hazard. Notice of the application and a description of the proposed location of the stand shall be forwarded to the chief of police who has the authority to disapprove the location if, in the chief's opinion, a traffic hazard will be created thereby. For applications received on or before the second Tuesday of April of each year, determinations regarding the adequacy of the proposed location shall be made no later than May 15 of each year.

c. Applicants for a license shall be notified by the Finance Director of the tentative approval or denial of the application for a City business license by the first Monday in May of each calendar year. Within two weeks of the notification of the tentative approval of the City business license, the applicant shall furnish to

the Finance Director evidence of insurance providing comprehensive general liability coverage written on an occurrence basis, including but not limited to premises/operations, personal injury, contractual liability, independent contractors, and products/completed operations, with a \$1 million combined single limits for bodily injury and property damage. The insurance policy shall designate the City, its officers, agents, employees and volunteers as additional insureds as to products, premises/operations of the named insured. The insurance policy shall further be endorsed to provide that any insurance and/or self insurance maintained by the City of Rancho Cordova shall apply in excess of, and not contribute with, insurance provided by the applicant. The City Risk Manager shall be the certificate holder. In the event of non-renewal or cancellation of the insurance policy, thirty (30) days advance notice shall be provided to the Finance Director. The insurance policy shall be limited to the specific location for which the City business license is issued. The Finance Director shall issue the license to the applicant upon the presentation of required proof of insurance.

d. A copy of the City business license shall be transmitted to the fire district.

e. The continued validity of any City business license issued pursuant to this Article shall be subject to the requirement that at least one of the responsible adults listed in the licensee's application shall attend a fireworks stand operator seminar conducted by the fireworks industry and approved by the fire district. The failure of a licensee to have such a responsible individual attend such safety seminar shall subject the City business license to revocation.

4.54.370 Denial of License.

a. The Finance Director shall issue the City business license to sell fireworks unless:

1. The Finance Director finds in writing that the applicant has failed to provide sufficient or adequate plans, information or other data necessary to permit a determination respecting compliance with the requirements of this Article;

2. The Finance Director finds in writing that the applicant is not in compliance with any of the requirements of this Article;

3. The Finance Director finds in writing that the applicant falls within the provisions of subdivision (c) of Section 4.54.420 of this Article; or

4. Either the fire chief, the chief of police or the City building department fails to approve the application.

b. Any denial of a license pursuant to this section may be appealed pursuant to the procedures set forth in subdivision (b) of Section 4.54.420 of this Article.

4.54.375 General Provisions.

a. The licensee shall use the net proceeds derived from its operations under such license only for non-profit, charitable purposes.

b. Each organization granted a permit must submit a verified financial statement to the City showing the total gross receipts, all expenses incurred and paid in connection with the purchase of fireworks and the sale thereof, and to whom and for what purpose the net proceeds were distributed. The financial statements shall be made on forms furnished by the City or photocopied directly from the organization's financial report. Statements must be filed with the City no later than March 1 of the year after the year in which the permit was issued. The filing of a verified financial statement is a condition precedent to the granting of any subsequent permit to any such organization.

c. Beginning in 2006, no organization shall receive a license for a fireworks stand if such organization received a permit for the previous year and has failed to file the report required in subsection (b) or otherwise violated any provisions of the Rancho Cordova Municipal Code relating to such prior year's license or to the licensee's operations thereunder.

d. Licensees shall not place signs on retail fireworks stands or at locations on public property, except as permitted or required by the City. Signs on private property shall be as permitted by the property owner and shall comply with all applicable City sign regulations.

4.54.380 Operation of Stand.

a. All organizations must obtain a fireworks retail license issued by the State Fire Marshal under Section 12574 of the Health and Safety Code of the State of California.

b. No person shall sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization demanded, was shown and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this Article shall be a defense for any proceedings for suspension or revocation of its permit or any criminal proceedings for violations of this Article. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government that contains a photograph of the purchaser including, but not limited to, a valid California Driver's License or Identification Card issued to a member of the Armed Forces.

c. Sale of fireworks shall begin no earlier than 12:00 noon on June 28th and shall not continue after 10:00 p.m. on July 4th of the same year. Sale of fireworks shall be permitted only from 9:00 a.m. to 10:00 p.m. daily.

d. No person other than the licensee organization shall operate the stand for which the license is issued.

e. No person under the age of eighteen shall sell or participate in the sale of fireworks.

f. Merchandise shall be displayed in such a manner that it cannot be handled by patrons reaching over the selling counter or through other openings in the stand. A suitable shelf or counter may be required in order to comply with this requirement so that patrons will not be able to reach merchandise over the top of the counter.

g. The business license to sell fireworks issued by the City and the retail license issued by the State Fire Marshall must be prominently displayed inside the booth at all times.

h. No person shall be paid any consideration by the licensee or any wholesale distributor of "safe and sane" fireworks for selling or otherwise participating in the sale of fireworks at such stand, provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing location of the stand on its property.

i. Fireworks stands shall be removed from the temporary locations by noon on July 18th, and all accompanying litter shall be cleared from such locations by that date and time.

4.54.390 Temporary Fireworks Stand.

All retail sales of "safe and sane" fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

a. No fireworks stand shall be located within twenty-five feet of any other building or within one hundred feet of any gasoline pump or distribution point.

b. Fireworks stands need not comply with the provisions of the Building Code of the City; provided, however, that stands that need any electrical installations shall apply for all necessary permits and comply with all applicable codes and shall be subject to inspection and approval by the Chief Building Inspector, or his or her designee.

- c. No stand shall have a floor area in excess of seven hundred and fifty square feet.
- d. Each stand shall have at least two exits. Each stand in excess of forty feet in length shall have at least three exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty feet. Exit doors shall be not less than twenty-four inches wide and six feet and two inches in height and shall swing in the direction of exit travel. No supplies or other materials shall be stored in front of exit doors. All exit doors shall remain unlocked whenever the stand is occupied.
- e. The aisle or passageway in the fireworks stand must be kept clear and unobstructed so as not to impede anyone leaving the stand in an emergency.
- f. Each stand shall be provided with two (2) two and one-half gallon "water-type" (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire.
- g. Fireworks stands shall be located on property zoned SC, LC, GC, AC, TC, M-1 or M-2, or in any other zoning classification if the Fire Chief certifies in writing to the Finance Director that the operation of a fireworks location in such other zoning classification will not endanger the health and safety of the community or create a fire hazard to surrounding properties.

4.54.400 General Requirements for Licensees.

- a. Stands shall not be located closer than six hundred feet apart, unless separated by a principal arterial roadway.
- b. All weeds and combustible material shall be cleared from the location of the stand to a distance of at least twenty-five feet surrounding the stand.
- c. "NO SMOKING" signs shall be prominently displayed on and in the fireworks stand.
- d. Each stand must have an adult watchman in attendance and in charge thereof when the stand is being used for sale, dispensing or storage of fireworks. At the close of sale each night, fireworks may be either:
 - 1. Returned to the wholesaler's warehouse, or approved wholesaler's storage sites;
 - 2. Stored on site with an adult watchperson on-site; or
 - 3. Stored in a locked, heavy metal, fully- enclosed container, similar to a walk in drop container approved by the Fire Department.

- e. All unsold stock of fireworks in the hands of the retailer after 10:00 p.m. on the 4th day of July shall be returned to the distributor or wholesaler and removed from the City within ten days. On closing of stands, all litter shall be removed from the premises.
- f. No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of a fireworks stand.
- g. No vehicles shall be parked within 25 feet of the fireworks stand unless loading or unloading fireworks.
- h. No flammable liquids are permitted within 50 feet of the fireworks stand.
- i. Signs shall be posted that 1) illustrate that illegal fireworks are prohibited in Rancho Cordova, that violators will be cited, what the citation fines are and that this will be strictly enforced and 2) list (to the public) places within Rancho Cordova where fireworks are allowed to be used, as well as places where fireworks are *not* allowed to be used, if any.
- j. Handout material shall be issued with each sale that describes proper use of Safe & Sane fireworks and general safety practices to be followed when handling fireworks. Failure to issue the education material may result in the revocation of the permit and immediate closure of the stand.

4.54.405 Public Education.

- a. The City of Rancho Cordova has determined that public education is critical to the safe use of fireworks within the City and that those fireworks suppliers and distributors who profit from the sale of fireworks in the City should be required to assist the City in educating the public about the safe use of fireworks.
- b. Suppliers and distributors shall work with the City Manager, or his or her designee, and the Fire District to provide education materials to every school within Rancho Cordova. The materials shall describe and illustrate the proper use of State-approved fireworks, the prohibition of illegal fireworks, the consequences of violating fireworks laws and regulations and general safety practices to be followed when handling fireworks. Each fireworks supplier or distributor shall meet and confer with the City Manager by March 1 of each year to determine whether a Public Education Plan shall be required.
- c. If requested by the City Manager, each fireworks supplier or distributor shall annually submit a Public Education Plan to the City by May 20 of each year. The plan should illustrate how the public will be educated about the City's no tolerance policy for illegal fireworks and the proper use of State-approved fireworks. At the City Manager's discretion, the plan may:

1. Include samples of all signs, messages, graphics, text, etc. that will be displayed in the City;

2. Graphically identify all locations throughout the City where public education messages are to be displayed and/or posted;

3. Include an accounting and samples of education materials distributed to every school in Rancho Cordova. These materials shall describe and illustrate the proper use of State-approved fireworks, the prohibition of illegal fireworks, and the consequences of violating fireworks laws and regulations and general safety practices to be followed when handling state-approved fireworks. Suppliers and distributors shall request that schools hand out these materials out to every child a minimum of one month prior to the end of the school year;

4. Establish that all retail fireworks stands will have warning signs posted that illustrate that illegal fireworks are prohibited in Rancho Cordova, that violators will be cited, what the citation fines are and that this will be strictly enforced. The signs shall also include a listing of areas within the City where NO FIREWORKS of any kind are permitted to be used, if any;

5. Establish that City approved signs will be posted on public property at central entrances to the City. These signs shall illustrate the City's "No Tolerance" position on illegal fireworks, that violators will be cited, what the citation fees are and that this will be strictly enforced. The signs shall also include a listing of all areas within the City where NO FIREWORKS of any kind are permitted to be used, if any; and/or

6. State that signs and messages shall be posted and displayed no earlier than June 1, no later than June 15 and removed from said locations no later than July 7.

4.54.410 Enforcement.

a. The City Manager, or his or her designated representatives shall have authority to enforce this Article and issue citations for violations.

b. All fireworks stands shall be erected in a manner approved by the fire district in order to reasonably ensure the safety of attendants and patrons. A site inspection is required after the structure has been erected. The license will be subject to revocation if there are inconsistencies, omissions or changes from the approved plot plan or fire/life safety hazards are observed.

In the event that electrical systems are installed, the City's building department shall inspect the electrical systems prior to the stocking and commencement of sales. A fireworks stand shall not be permitted to open until the electrical system have been approved by the City's building department.

c. Each fireworks stand shall be subject to inspection(s) by the fire district at any time during each day of sales. If, in the opinion of the fire chief (or designee) the construction or the location of a stand, or the conduct of operations therein do not conform to these provisions, the fire chief (or designee), may order the stand immediately closed until such time as the stand does conform to the provisions herein.

4.54.420 Revocation of License--Appeal.

a. The Finance Director may revoke, immediately and without notice or hearing, the license of any licensee who violates the provisions of subsection (e) of Section 4.54.360, subsections (a), (b), (c) or (f) of Section 4.54.380, or subsection (d) of Section 4.54.400. If the revocation occurs between June 22nd and July 5th, the Finance Director shall inform the licensee that the licensee may seek review of the Finance Director's decision by the City Manager, or the City Manager's designee, on the next business day. At the earliest opportunity on the next business day after the revocation, the Finance Director shall provide the City Manager with written notice that a fireworks business license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. If requested by the licensee, the City Manager, or the City Manager's designee, shall meet with the licensee and the Finance Director on that day to review the Finance Director's decision. The decision of the City Manager or his designee shall be final. If the revocation occurs before or after the specified period, the appeal procedures of subsection (b) shall apply.

b. The Finance Director, or the Finance Director's designee, may revoke the license of any licensee who violates any provision of this Article not specified in subsection (a). Such revocation shall not take effect for five days, during which time the licensee may seek review of the Finance Director's decision by submitting a written request for review to the City Manager. The Finance Director shall provide the City Manager with written notice that a fireworks license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. The City Manager, or the City Manager's designee, shall meet with the licensee and the Finance Director to review the Finance Director's decision. The decision of the City Manager or his designee shall be final.

c. Any licensee whose permit has been revoked pursuant to subsections (a) or (b) hereof shall be barred from receiving a license under this Article for five (5) years from the date of revocation.

4.54.430 Penalty; Infraction.

a. Notwithstanding the provisions of any other section of this Code, and with the exception of the fourth and subsequent violation of this Article within one year as provided in subdivision (c) of this section, the violation of any of the provisions of this Article is an infraction.

b. Every violation of any provision of this Article constituting an infraction is punishable as follows:

1. a fine not exceeding one hundred (\$100) dollars for a first violation;
2. a fine not exceeding two hundred (\$200) dollars for a second violation of this Article within one year; and
3. A fine not exceeding five hundred (\$500) dollars for a third or subsequent violation of this Article within one year.

c. The fourth and/or any subsequent violation of this Article within one year may, within the discretion of the charging officer, be charged as a misdemeanor punishable by a fine not exceeding one thousand dollars (\$1,000) or imprisonment in the County Jail for not more than six (6) months, or both.

4.54.440 Seizure of Fireworks.

The Fire Chief, or the Fire Chief's designee, may seize, take, remove or cause to be removed, at the expense of the licensee, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Article when such violation creates an imminent threat to public health or safety.

4.54.450 Concurrent Authorities.

This Article is not the exclusive regulation for fireworks within the City. It shall supplement and be in addition to the other regulatory codes, statutes, and ordinances heretofore and hereafter enacted by the City, the State, or any other legal entity or agency having jurisdiction."

SECTION 2: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and

intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 3: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Rancho Cordova City and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption. Provided, however, that section 4.54.350(a)(1)(i), which requires the applicant to have its principal and permanent meeting place in the City of Rancho Cordova or its adopted Planning Area, shall not be operative until January 1, 2006.

PASSED AND ADOPTED this 22nd day of February, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

Memorandum



Agenda date: February 22, 2005

TO: Honorable City Council
FROM: Cyrus Abhar, Public Works Director
SUBJECT: Sidewalk Maintenance Project #05-01

RECOMMENDATION:

It is recommended that the subject contract be awarded to the lowest responsive bidder, **Do-Right Concrete, Inc.** in the amount of **\$129,000**. Contract Agreement between the City of Rancho Cordova and Do-Right Concrete, Inc. is provided in Attachment C.

BACKGROUND:

The work to be done under this contract consists, in general, of furnishing all labor, materials, tools, equipment, incidentals, and for doing all work necessary for removing and replacing concrete curb, gutter, and sidewalk at various locations in the City of Rancho Cordova. The location list is provided in Attachment A.

Bids were solicited on the City of Rancho Cordova's web site as well as with the Sacramento Builders Exchange beginning January 7, 2005. The bids were publicly opened on February 4, 2005 at approximately 4:10 p.m. at 3121 Gold Canal Dr., Rancho Cordova 95670.

BID INFORMATION:

Seven (7) contractors bid on the project. The Engineer's estimate was \$130,000. The low bid was \$129,000, the average bid was \$149,574, the high bid was \$185,083. The Bid Summary Sheet is provided in Attachment B. The low bid is less than 1.0% lower than the Engineer's estimate. This project is funded through Measure A funds.

Enclosure:

Attachment A- Locations for Sidewalk Maintenance Project #05-01
Attachment B - Bid Summary Sheet
Attachment C - Agreement between Do-Right Concrete and the City of Rancho Cordova

ATTACHMENT A

Locations for Sidewalk Maintenance Project #05-01

**LOCATIONS FOR
SIDEWALK MAINTENANCE PROJECT 04/05
CITY OF RANCHO CORDOVA**

Contract No. 05-01

No.	Street Number	Street Name	Thom Bros	Curb/Gutter Length (ft)	SW Length (ft)	SW Area(sf)	Tree Root Trim
1	2909	HUNT DR	299G2	30	30	120	
2	10423	RIVER WOOD WAY	279F7	32	32	128	
3	10436	RIVER WOOD WAY	279F7	30	30	120	
4	10432	RIVER WOOD WAY	279F7	25	25	100	
5	10420	RIVER WOOD WAY	279F7	0	4	16	
6	10424	RIVER WOOD WAY	279F7	32	32	128	
7	10356	MILLS TOWER DR	299F3	20	20	80	
8	10518	MILLS TOWER DR	299F3	30	30	120	1
9	10531	MILLS TOWER DR	299F3	0	20	80	
10	2904	WESTON WY	299G3	60	60	240	1
11	2905	WESTON WY	299G3	40	40	160	
12	10325	WHITE ROCK RD	299F3	20	57	228	1
13	10375	WHITE ROCK RD	299F3	2	20	80	
14	10389-10401	WHITE ROCK RD	299F3	110	110	440	
15	10419	WHITE ROCK RD	299F3	77	77	308	
16	10403	WHITE ROCK RD*	299F3		17.5	70	
17	10409	WHITE ROCK RD	299F3	5	5	20	
18	10411	WHITE ROCK RD	299F3	77	77	308	
19	10413	WHITE ROCK RD	299F3		11	44	
20	3098	LAURELHURST	299F4	26	26	104	
21	2344	SONATA	279H7	64	30	120	
22	2348	SONATA	279H7		16	64	
23	10204	LA PRESA WAY	299E2	40	8	32	
24	10465	AMBASSADOR DR	279H6	40	40	160	1
25	10467	AMBASSADOR DR	279H6	20	20	80	
26	10494	AMBASSADOR DR	279H6	25	25	100	1
27	10637	AMBASSADOR DR	279H6	12	12	48	
28	10459-10461	AMBASSADOR DR	279H6	85	85	340	
29	10393-10395	AMBASSADOR DR	279H6		56	224	
30		AMBASSADOR DR JNO RIVER VISTA	279H6	20	60	240	
31	10396	AMBASSADOR DR	279H6		9	36	
32	10394	AMBASSADOR DR	279H6	44	44	176	
33	10395	AMBASSADOR DR	279H6		25	100	
34	1049	COLOMA to DATTIER	299G1		135	540	
35	3289	GOULD WAY - NE CORNER INTERSECTION	299E5	44	44	176	
36	10140	ROCKINGHAM	299E5	15	15	60	1
37	10134	ROCKINGHAM	299E5	60	69	276	1
38		COLOMA/CHARDONAY-NW ramp	299G1				
39		COLOMA/CHARDONAY-SW ada ramp	299G1				

ATTACHMENT B

Bid Summary Sheet Sidewalk Maintenance Project #05-01

City of Rancho Cordova

Bid Opening for: Sidewalk Maintenance Project #05-01

Time: 2:00 p.m. for receipt of bids.

[illegible]

Staff Present: Lillian Hare, Kathy Garcia

ATTACHMENT C

**Agreement Between Do-Right Concrete, Inc. and the City of Rancho Cordova
for the Sidewalk Maintenance Project #05-01**

**CONSTRUCTION SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND
DO-RIGHT CONCRETE, INC.**

THIS AGREEMENT made and entered into this day of _____, between the City of Rancho Cordova ("City") and Do-Right Concrete, Inc. ("Contractor") as of _____, 2005.

WITNESSETH:

WHEREAS, the City Council for the City heretofore caused plans and specifications for the work hereinafter mentioned to be prepared, and therefore did approve and adopt said plans and specifications; and

WHEREAS, the City Council for the City did cause to be published for the time and in the manner required by law, a Notice inviting sealed bids for the performance of said work; and

WHEREAS, the Contractor, in response to such Notice, submitted to the City Council for the City within the time specified in said Notice, and in the manner provided for therein, a sealed bid for the performance of the work specified in said plans and specifications, which said bid and proposal, and other bids and proposals submitted in response to said Notice, the City Council of public opened and canvassed in the manner provided by law; and

WHEREAS, the Contractor was the lowest responsible bidder for the performance of said work, and said City Council for the City as a result of the canvass of said bids, did determine and declare Contractor to be the lowest responsible bidder for said work and award to a contract therefore.

NOW THEREFORE, in consideration of the promises herein, it is mutually agreed between the parties hereto as follows:

Section 1. CONTRACT DOCUMENTS. The following documents are by this reference incorporated in and made a part of this Agreement: The County of Sacramento, Standard Construction Specifications dated March 2004.; the Special Provisions; the contract drawings, all addenda; the Notice to Contractors; the Proposal; all required bonds; and all supplemental Agreements covering alterations, amendments, or extensions to the contract. The documents which describe the work to be performed are sometimes collectively referred to herein as the Plans and Specifications.

Section 2. SCOPE OF WORK. That the Contractor will furnish all labor, materials, services, transportation, appliances, and mechanical workmanship required for Contract No. _____, as provided for and set forth in said plans and specifications, or in either of them, which said plans and specifications are hereby referred and by such reference incorporated herein and made a part of this Agreement. All of the said work done under this Agreement shall be under the supervision of and performed to the satisfaction of the Public Works Director of the City of Rancho Cordova who shall have the right to reject any and all materials and supplies furnished by the Contractor which do not comply with said plans and specifications, together with the right to require the Contractor to replace any and all work furnished by the Contractor which shall not either in workmanship or material be in strict accordance with said plans and specifications.

Section 3. COMPLETION. Said work shall be completed and ready for acceptance.

Section 4. PAYMENT. Attached hereto as Exhibit "A" and by reference made a part hereof, is the bid and proposal of Contractor. Said bid and proposal will contain, as required by the terms of said specifications, the full and complete schedule of the different items with the lump sums or unit prices as so specified. The City agrees in consideration of the work to be performed herein and subject to the terms and conditions thereof, to pay Contractor all sums of money which may become due to Contractor in accordance with the terms of the aforesaid bid and proposal, and this Agreement, to wit: (\$129,000). Said sum shall be paid in accordance with Section 8 of the Standard Specifications. With respect to that portion of the above sum as is based upon the estimated quantities specified for the general scope of the work to be performed herein, actual payment will be based upon the quantities as measured upon completion. No payment made under this Agreement shall be construed to be an acceptance of defective work or improper materials.

Section 5. PREVAILING WAGES. Pursuant to the provisions of Articles 1 and 2 of Chapter 1, Part 7, Division II, of the Labor Code of the State of California, not less than the general prevailing rate of per diem wages, and not less than the general prevailing rate of per diem wages for holidays and overtime work, for each craft, classification or type of worker needed to execute the work contemplated under this Agreement shall be paid to all workers, laborers and mechanics employed in the execution of said work by Contractor, or by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at 3121 Gold Canal Drive, Rancho Cordova CA 95670, the office of the Clerk of the City. Contractor shall post, at each job site, a copy of such prevailing rate of per diem wages as determined by the Director for the California Department of Industrial Relations.

Section 6. INSURANCE. The Contractor shall carry and maintain during the life of this Agreement, such public liability, property damage and contractual liability, auto, worker's compensation and builders' risk insurance as required by the specifications.

Section 7. WORKERS' COMPENSATION CERTIFICATION. By execution of this Agreement, the Contractor certifies as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

Section 8. PERFORMANCE AND PAYMENT BONDS. The Contractor shall, before beginning said work, file two bonds with the City, each made payable to the City. These bonds shall be issued by a surety company authorized to do business in the State of California, and shall be maintained during the entire life of the Agreement at the expense of the Contractor. One bond shall be in the amount of one hundred percent (100%) of the Agreement and shall guarantee the faithful performance of the Agreement. The second bond shall be the payment bond required by California Civil Code Division 3, Part 4, Title 15, Chapter 7, and shall be in the amount of one hundred percent (100%) of the Agreement. Any alterations made in the specifications which are a part of this Agreement or in any provision of this Agreement shall not operate to release any surety from liability on any bond required hereunder and the consent to make such alterations is hereby given, and any surety on said bonds hereby waives the provisions of California Civil Code Sections 2819 and 2845.

Section 9. INDEMNIFICATION. The Contractor shall defend, indemnify the City and save harmless the (including their officers, agents, members, employees, affiliates, and representatives) as set forth in Section 6-2 of the Standard Specifications.

Section 10. MISCELLANEOUS PROVISIONS. This Agreement shall bind and inure to the heirs, devisees, assignees, and successors in interest of Contractor and to the successors in interest of in the same manner as if such parties had been expressly named herein. All times

states herein or in the contract documents are of the essence hereof. As used in this instrument the singular includes the plural, and the masculine includes the feminine and the neuter. This Agreement may create a possessory interest subject to property taxation, and Contractor may be subject to the payment of property taxes levied on such interest.

IN WITNESS WHEREOF, the City Council and Contractor have caused this Agreement to be executed as of the day and year first above written.

CITY OF RANCHO CORDOVA

CONTRACTOR

Ted Gaebler, City Manager

**Robert Davidson,
Do-Right Concrete**

Attest:

Lillian Hare, City Clerk

Approved as to Form:

Steve Meyers, City Attorney

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Memorandum

Date: February 15, 2005

To: Mayor and Council Members

From: William J. Thomas, Finance Director



Subject: SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND FY 2005 ALLOCATION

RECOMMENDATION:

Adopt Resolution No. 29-2005 authorizing the City to use annual State Supplemental Law Enforcement Services Fund (SLESF) appropriations for supplies and equipment for the Rancho Cordova Police Department.

BACKGROUND AND DISCUSSION

The State of California budget for FY 2005 includes significant appropriations for the State Supplemental Services Fund for distribution to cities and counties to support jails, criminal prosecution and front-line law enforcement operations and services. These funds are limited as follows:

- In the cases of cities, these funds must be used exclusively to fund front-line police operations and services in accordance with a written request from the Police Chief.
- For both county and cities, these funds must supplement existing services and cannot be used to supplant existing funding for current law enforcement services.

Government Code Section 30061 mandates that cities develop a plan for the expenditures of SLESF funds and that the City Council approve such expenditures as a separate matter (apart from the normal budget process). The funding for the City is \$100,000. The Police Department has requested that these funds be used for "one-time" purchases which are provided, as follows:

Digital Cameras	\$	4,292
Flash Drives		2,700
LCD Monitors		2,661
Motorola VRMs		24,090
Hand held citation system		52,200
Computers		11,350
EDGE cards		2,707
	\$	<u>100,000</u>

The City's plan and resolution must be submitted to the Supplemental Law Enforcement Oversight Committee (SLEOC), which was established under the provisions of Senate Bill 736 to ensure compliance with program requirements.

FINANCIAL IMPACT

This year C.O.P.S allocation for Rancho Cordova is \$100,000. This amount is determined by the relative population of the cities within Sacramento County as well as the unincorporated area of the County. By law,

AGENDA ITEM #

8

the relative population of each city is based on the most recent January estimate conducted by the Department of Finance, and is adjusted to provide a grant of at least \$100,000 to each law enforcement agency. There is no general fund impact.

SUMMARY

This program allows municipalities to support front-line law enforcement operations by using State C.O.P.S. funding to purchase supplies and equipment. If it becomes necessary to use SLESF funds for anything other than Federal matching funds, we will bring a detailed proposal for such expenditures to Council.

Attachments: Resolution No. 29-2005
2004/2005 C.O.P.S. Safety Program Allocations
Memo from Police Chief McMahon

RESOLUTION NO. 29-2005

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO
UTILIZE THE STATE CITIZEN'S OPTION FOR PUBLIC SAFETY PROGRAM FUNDS
(C.O.P.S.)**

WHEREAS, under the State Supplemental Law Enforcement Services Fund (SLESF), the State appropriated funding for local law enforcement operations and services for Fiscal Year 2004 – 2005; and

WHEREAS, Rancho Cordova's portion of the SLESF funding is \$100,000; and

WHEREAS, under the condition of the program, the City of Rancho Cordova shall use SLESF funds exclusively to support front-line police operations and services; and

WHEREAS, the City Council, at a public hearing held on February 22, 2005 considered these written requests separate and apart from the process applicable to propose allocations of the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova hereby accepts the grant for the State Citizen's Option for Public Safety Funding and increases the Fiscal Year 2004 – 2005 Police Grants Fund revenue and expense budget to \$100,000.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rancho Cordova, held on the 22nd day of February 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian Hare, City Clerk

**SACRAMENTO
SHERIFF'S**



**COUNTY
DEPARTMENT**

**Lou Blanas
Sheriff**

December 15, 2004

Mr. Bill Thomas
City of Rancho Cordova
Finance Director
3121 Gold Canal Drive
Rancho Cordova, CA 95670

**RE: DISBURSEMENT OF FISCAL YEAR 2004/05 CITIZEN'S OPTION FOR PUBLIC
SAFETY PROGRAM FUNDING**

Dear Mr. Thomas

With the adoption this year of Senate Bill (SB) 823 the requirements relating to the annual disbursement of *Citizen's Option for Public Safety Program (COPS)* funding to recipient agencies has changed. Government Code Section 30061 now requires that the County Auditor "not transfer those moneys to a recipient agency until the *Supplemental Law Enforcement Oversight Committee (SLEOC)* certifies receipt of an approved expenditure plan from the governing board of that agency."

The amount each city receives is determined by the relative population of the cities within the County and the unincorporated area of the County. By law, the relative population of each city is based on the most recent January estimate by the population research unit of the State Department of Finance, and as adjusted to provide a grant of at least \$100,000 to each law enforcement jurisdiction. It is anticipated that the amounts received by each city will be very similar to those received during Fiscal Year 2004/05 as detailed below:

Citrus Heights	\$129,896
Elk Grove	\$160,583
Folsom	\$100,000
Galt	\$100,000
Isleton	\$100,000
Rancho Cordova	\$100,000
Sacramento	\$640,000

In order to expedite the receipt of your 2004/05 funding, please forward a copy of your expenditure plan as approved by your city council as soon as possible to Nancy Gust, Administrative Services Officer, at the address below

Very truly yours,

LOU BLANAS, SHERIFF
Member, SLEOC

Gene Webb
Chief of Departmental Administrative Services
Administrative Division



RANCHO CORDOVA POLICE DEPARTMENT

Memorandum

January 6, 2005

To : LIISA BEHREND
Senior Accountant, City of Rancho Cordova

From : LIEUTENANT GARY ILG 
Assistant Chief of Police, Rancho Cordova Police Department

Subject : **CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) PROGRAM**

The Rancho Cordova Police Department is recommending the following expenditures for the COPS funding:

Digital Cameras	\$ 4,292.00
Flash Drives	\$ 2,700.00
LCD monitors	\$ 2,661.00
Motorola VRM's	\$24,090.00
Hand-held citation system	\$52,200.00
Computers	\$11,350.00
EDGE Cards	\$ 2,707.00

cc: Tom McMahon, Chief of Police
Bill Thomas, Finance Director ✓
File

MEMORANDUM

DATE: February 22, 2005
TO: Mayor and Council Members
FROM: Kathleen Franklin, Assistant Planner
SUBJECT: DER WIENERSCHNITZEL RESTAURANT CONDITIONAL USE PERMIT
AND DESIGN REVIEW



<u>OWNER / APPLICANT:</u>	<u>REPRESENTATIVE:</u>
Dr. B.P. Lathi 3021 Scenic Height Way Carmichael, CA 95608	Luis Sanchez, AIA 4913 Brookglen Way Carmichael, CA 95608

PROJECT:	Der Wienerschnitzel Restaurant Conditional Use Permit and Design Review
FILE:	RC-03-007
LOCATION:	11076 Coloma Road
APN:	058-0261-044
PLANNER:	Kathleen Franklin, Assistant Planner

REQUEST

- A Conditional Use Permit to allow drive-thru service lanes within 300 feet of a residential zone and Design Review for a new Der Wienerschnitzel Restaurant.

RECOMMENDATION

The Planning Commission recommends the City Council find the project Categorically Exempt under Section 15332, In-Fill Development Projects of the California Environmental Quality Act (CEQA) Guidelines and adopt Resolution No. 25-2005 approving the Conditional Use Permit and Design Review for the Der Wienerschnitzel restaurant, Project No. RC-03-007, subject to the findings, attached Design Package (Exhibit A), and Conditions of Approval (Exhibit B).

ANALYSIS

The applicant is proposing to construct a Der Wienerschnitzel restaurant on the southeast corner of Coloma Road and Vehicle Drive. The City's Zoning Code requires a Conditional Use Permit when the ordering station loudspeaker is proposed with the use. The project also requires Design Review; therefore the analysis within the staff report will incorporate discussion for each

Conditional Use Permit

Development standards for drive-through facilities are contained in Sections 315-20 through 315-22 of the City Zoning Code as follows:

- One hundred eighty feet (180') of stacking space shall be provided between the service window and the entry point into the drive-through lane;
- The entrance and exit of the drive-through lane shall be at least 25 feet from driveways entering a public street;
- The drive-through lane shall not substitute for required parking; and,
- A Conditional Use Permit is required for approval of a drive-through lane when the drive-up window or ordering station is within 300 feet of a residential zone.

Land use compatibility issues associated with fast food restaurants can include nuisance impacts on adjoining land uses relating to noise from vehicles in the drive-up lanes and the ordering station loudspeaker system. As proposed on the site plan, the ordering station and drive-up window are approximately 125 feet south, across Coloma Road, from the sound wall on the rear property line of the nearest residential units.

The City's criterion for acceptable noise exposure is as follows:

Zoning Districts	Time Period	Exterior Noise Standard
RD-1 through RD-40	7 a.m. – 10 p.m.	55 dBA
RD-1 through RD-40	10 p.m. – 7 a.m.	50 dBA

The ordering station loudspeaker will face the East to Coloma Road and the interior of the existing center. As the residential units are north of the project site the ordering station is facing away and to the east, from the nearest residential units. At the speaker source, the decibel level is 70 dBA. Given the direction of the loudspeaker station, facing to the east away from the residential use and the distance of approximately 125 feet to the sound wall, is staff's opinion the ambient traffic noise levels from Coloma Road are greater than the decibel levels created by the loudspeaker at the residential property boundary lines. Further, the incremental added increase to Coloma Road's ambient noise environment does not exceed thresholds allowed by the City's noise standards.

Consistent with the Zoning Code regulations for drive-through lanes, approximately 180 feet of stacking space is provided between the service window and the entrance to the drive-through lane. The entrance to the drive-thru lane is located more than 25 feet from Coloma Road. The drive-thru exit emerges into the existing parking lot and is also located more than 25 feet from the two existing driveways that serve the shopping center from Coloma Road and Vehicle Drive. The drive-thru land also meets the Zoning Code requirement as it does not substitute for any required parking. The applicant has a reciprocal parking agreement with the existing shopping center and is proposing additional parking adjacent to the restaurant building; therefore there is adequate parking for the new use.

Design Review

The original submittal presented a restaurant building which demonstrated the usual Der Wienerschnitzel corporate design. Staff has worked with the applicant to create a design and color scheme that would integrate into the existing center and still meet the need of the Der Wienerschnitzel Corporation for identification.

The proposed restaurant building will be constructed using the same materials used in the surrounding shopping center buildings. The applicant is proposing a Type 5 construction with a stucco exterior and a light weight concrete tile roof. The proposed colors are those which currently exist; brown/blue tone for the tile roof, a neutral beige ("Whole Grain" or "Equal") for the walls, and the corporate colors of "Southern Phoenix" (yellow) and "Bright Red" (red) on the cornice of the parapet

The architectural style of the building is appropriate for the area in which it will be constructed. The applicant has designed the building to integrate into the architecture of the existing shopping center. The materials, colors and architectural features will be compatible with the buildings adjacent to the new restaurant. The only deviation will be the corporate colors used on the parapet of the building and the corporate logo.

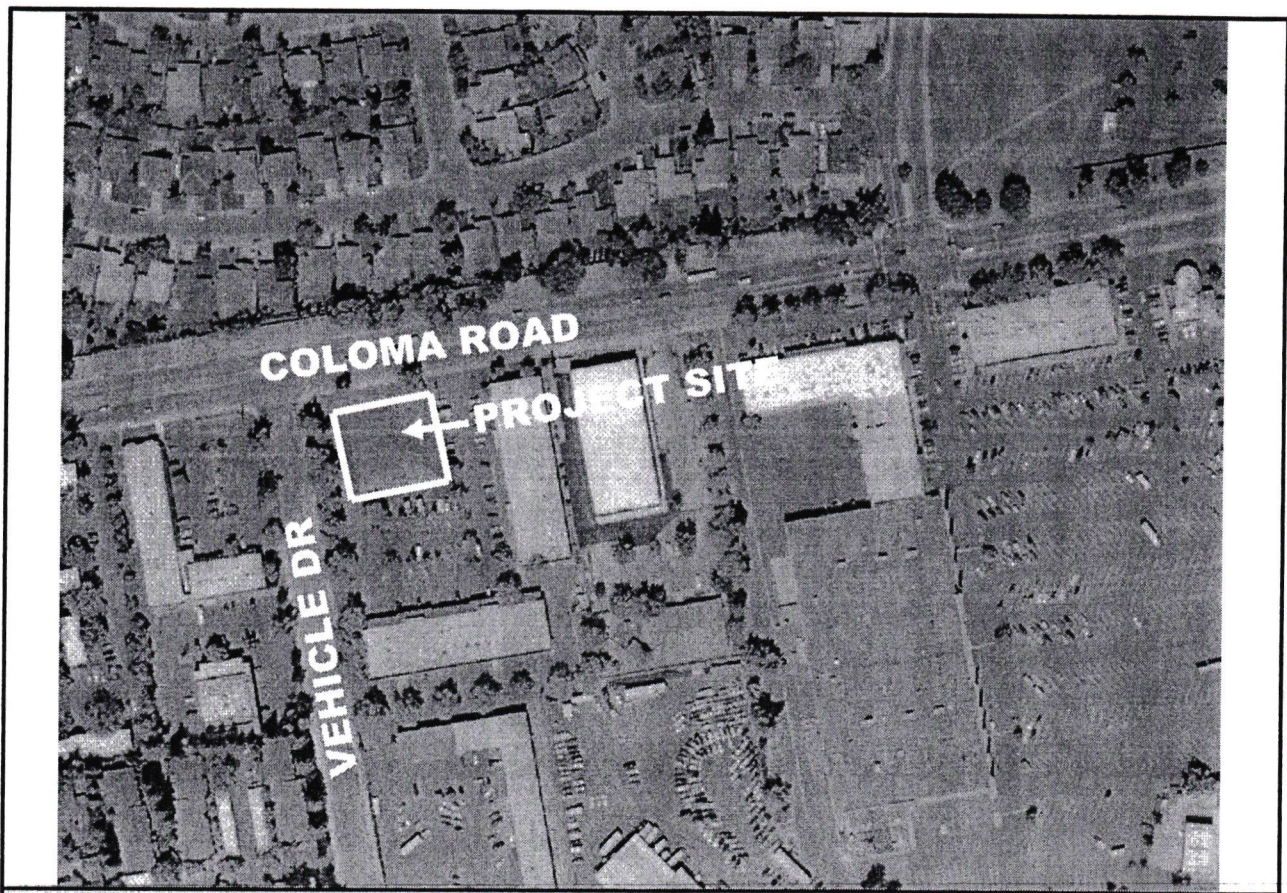


FIGURE 1 – SITE LOCATION

Land Use Relationships with Adjacent Properties:

	General Plan Land Use Designation	Zoning and Community Plan Designations	Existing Land Use
Subject Property	Commercial/Office	SC	Commercial
North	Low Density Residential	RD-5	Residential
East	Commercial/Office	SC	Commercial
South	Commercial/Office	AC	Commercial
West	Commercial/Office	SC	Commercial

PLANNING COMMISSION HEARING:

The Planning Commission reviewed the project at its January 27, 2005 meeting. Commissioner Burke asked that the Public Works Department review the possibility of stripping the intersection at the corner of Vehicle Drive and Coloma Road to ensure that this intersection was not blocked during high traffic times. The Public Works Director has discussed this issue with Commissioner Burke. The Planning Commission did not have any further concerns with the project and recommended approval to the City Council by a 6-0 vote (**Attachment 2**).

CONCLUSION:

It is staff's opinion that the project meets the Zoning Code standards for the Conditional Use Permit and Design Review. The noise from the loudspeaker station, which faces to the east away from the nearest residential use, is not greater than the Noise Ordinance allowance of 55 dBA. In addition, ambient traffic noise levels from Coloma Road are greater than the decibel levels created by the loudspeaker at the residential property boundary lines. The remaining standards for the drive-thru, length and location, are also met by the project. The applicant has designed the building to integrate into the shopping center using both the style and color of the existing buildings with minimal use of the company's corporate colors. The Planning Commission reviewed the project and has forwarded a recommendation of approval of the project to the City Council.

ENVIRONMENTAL ANALYSIS:

The project is Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act

FINANCIAL IMPLICATIONS TO CITY:

There are no significant cost implications to the City for this development.

RECOMMENDED MOTIONS:

1. "I move the City Council find the project is Categorically Exempt under Section 15332, In-Fill Development Projects of the California Environmental Quality Act (CEQA) Guidelines."
2. "I move the City Council adopt Resolution No. 25-2005 approving the Conditional Use Permit and Design Review for the Der Wienerschnitzel restaurant, project No. RC-03-007 subject to the Findings, Design Package and Conditions of Approval."

ATTACHMENTS:

1. Resolution 25-2005 with attached Project Plans (Exhibit A) and Conditions of Approval (Exhibit B)
2. Planning Commission minutes dated January 27, 2005
3. Agency Comment letters
4. 500' Radius Map and Owner Labels
5. Design Review Package

RESOLUTION 25-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A DRIVE UP WINDOW WITHIN
300 FEET OF A RESIDENTIAL USE AND DESIGN REVIEW FOR A
DER WIENERSCHNITZEL RESTAURANT
PROJECT # RC-03-007**

WHEREAS, DR. B.P. LATHI (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for a Conditional Use Permit to allow a drive up window within 300 feet of a residential use and Design Review for a new Der Wienerschnitzel restaurant to be located at 11076 Coloma Road (Assessor's Parcel Number 058-0550-011); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the project the project is Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act Guidelines (CEQA).

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code section 65090 and has duly considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approve the Conditional Use Permit and Design Review subject to the Project Plans (Exhibit A) and Conditions of Approval (Exhibit B, with attachments), based on the following findings

1. That the project site was adequately analyzed according to the Guidelines of the California Environmental Quality Act.

Finding:

The project is an in-fill project is Categorically Exempt under Section 15332 of the California Environmental Quality Act (CEQA) Guidelines.

Evidence:

The project meets the Class 32 conditions of CEQA which consists of projects characterized as in-fill development. The project meets the conditions of this section as follows: 1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as the applicable zoning designations and regulations; 2. The proposed development occurs within city limits and is on a project site of 1.3 +/- acres; 3. The project site has been use previously to store dismantled vehicles and has no value as habitat for endangered, rare or threatened species; 4. No significant issues with traffic, noise, air or water quality are identified with this project; and 5. The site is served by all required utilities and public services.

Finding: The project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Evidence: The City finds that, as a result of its Initial Study conducted to evaluate the potential for adverse environmental impacts, the proposed project involves no potential for any adverse effect, either individually or cumulatively on wildlife resources.

2. General Plan and Zoning Code.

Finding: The proposed project is consistent with the goals and policies of the City of Rancho Cordova General Plan and Zoning Code.

Evidence: The project conforms to the goals and policies of the Rancho Cordova General Plan and development standards in the Zoning Code. In addition, the project has been conditioned to ensure development occurs in compliance with all applicable requirements.

3. Approve the Conditional Use Permit subject to the Site Plan (see Exhibit A) and the Conditions of Approval (see Exhibit B) and the following Findings:

Finding: The establishment, maintenance and operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. (Zoning Code §110-30)

Evidence: The proposed use will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the surrounding neighborhood. The ordering station loudspeaker will face the East to Coloma Road and the interior of the existing center. As the residential units are north of the project site the ordering station is facing away and to the east, from the nearest residential units. At the speaker source, the decibel level is 70 dBA. Given the direction of the loudspeaker station, facing to the east away from the residential use and the distance of approximately 125 feet to the sound wall, in staff's opinion the ambient traffic noise levels from Coloma Road are greater than the decibel levels created by the loudspeaker at the residential property boundary lines. Further, the incremental added increase to Coloma Road's ambient noise environment does not exceed thresholds allowed by the City's noise standards.

Consistent with the Zoning Code regulations for drive-through lanes, approximately 180 feet of stacking space is provided between the service window and the entrance to the drive-through lane. The entrance to the drive-thru lane is located more than 25 feet from Coloma Road. The drive-thru exit emerges into the existing parking lot and is also located more than 25 feet from the two existing driveways that serve the shopping center from Coloma Road and Vehicle Drive. The drive-thru lane also meets the Zoning Code requirement as it does not substitute for any required parking. The applicant has a reciprocal parking agreement with the existing shopping center and is proposing additional parking adjacent to the restaurant building; therefore there is adequate parking for the new use.

4. Design Review

Findings

- a) High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
- b) Building designs that maintain human scale and interest.
- c) Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
- d) Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
- e) Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
- f) Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence

- a) The proposed restaurant building will be constructed using the same materials used in the surrounding shopping center buildings. The applicant is proposing a Type 5 construction with a stucco exterior and a light weight concrete tile roof. The proposed colors are those which currently exist; brown/blue tone for the tile roof, a neutral beige ("Whole Grain" or "Equal") for the walls, and the corporate colors of "Southern Phoenix" (yellow) and "Bright Red" (red) on the cornice of the parapet
- b) The restaurant building provides extensive attention to human scale and interest. Windows are provided on the entire length of the south and west elevations where the restaurant seating area is located. These windows create openness to the building. The one entrance to the restaurant will be from the newly constructed parking lot. The second entrance will be from the Vehicle Drive side of the building. The applicant is proposing an outside seating area on the south side of the building.
- c) The architectural style of the building is appropriate for the area in which it will be constructed. The applicant has designed the building to integrate into the architecture of the existing shopping center. The materials, colors and architectural features will be compatible with the buildings adjacent to the new restaurant. The only deviation will be the corporate colors used on the parapet of the building and the corporate logo.
- d) (See "3" above.)
- e) The design includes the use of parapets, shed roofs, and Aluminum "store front" with clear windows is used extensively to offer varied relief to the south and west elevations of the building. Pilasters approximately 2 feet in width are used to help break the large expansive of the west and north walls. Additional depth is added by a 1 inch "pop out" at the base of the proposed pilasters. There is a shed roof over the drive-up window to offer additional relief to the north wall and also provide some shelter for this window. The proposed colors for the restaurant are the same as those currently is used within the shopping center. The only difference in colors is those required for corporate identification and are being used only on the parapets and signage.
- f) The proposed landscape follows the County's drought tolerant landscape requirements. The existing landscape corridor, including all trees will be left intact. New trees, shrubbery and lawn area will be planted adjacent to the building and within the new parking lot.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of February, 2005.

AYES:

NOES:

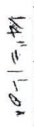
ABSENT:

ABSTAIN:

KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

LILLIAN HARE
CITY CLERK

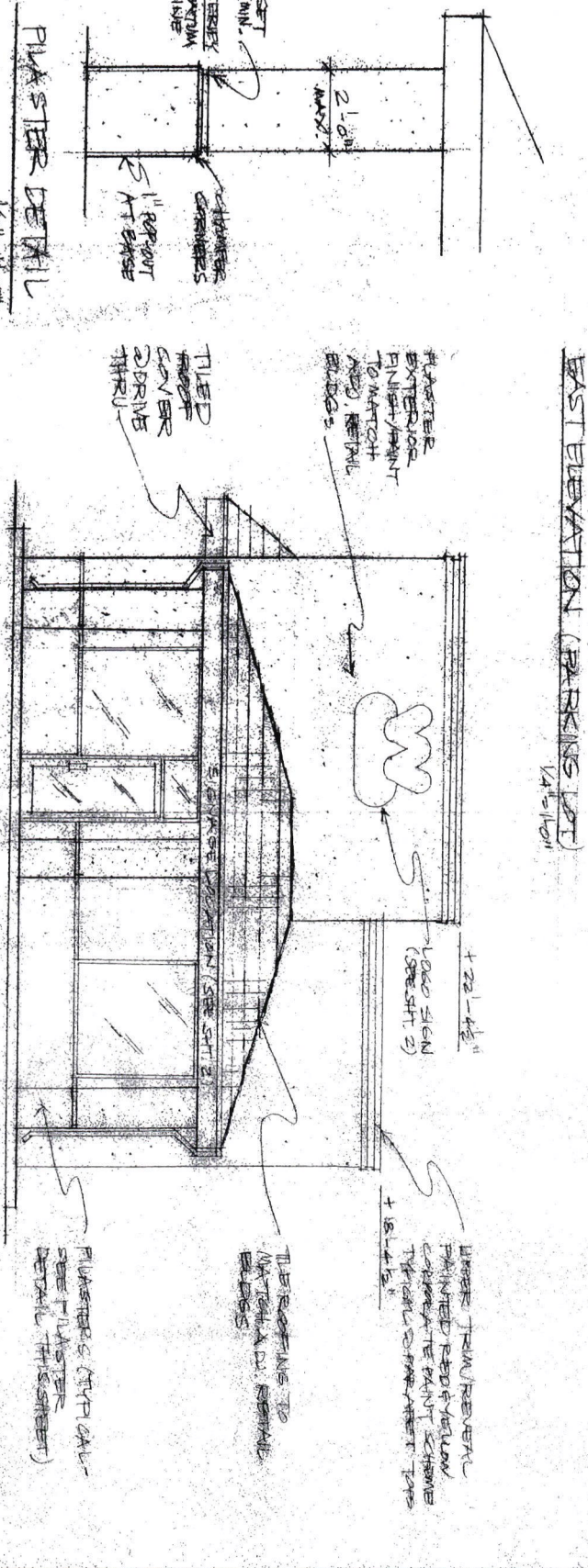


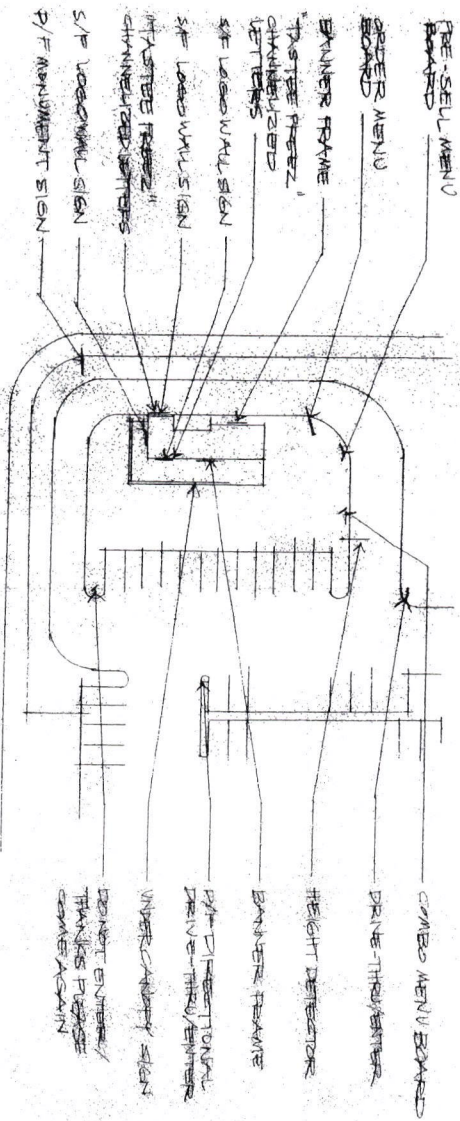
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Sheet	4
Of 4 Sheets	

PLANNING
AND
DESIGN REVIEW
SUBMITTAL

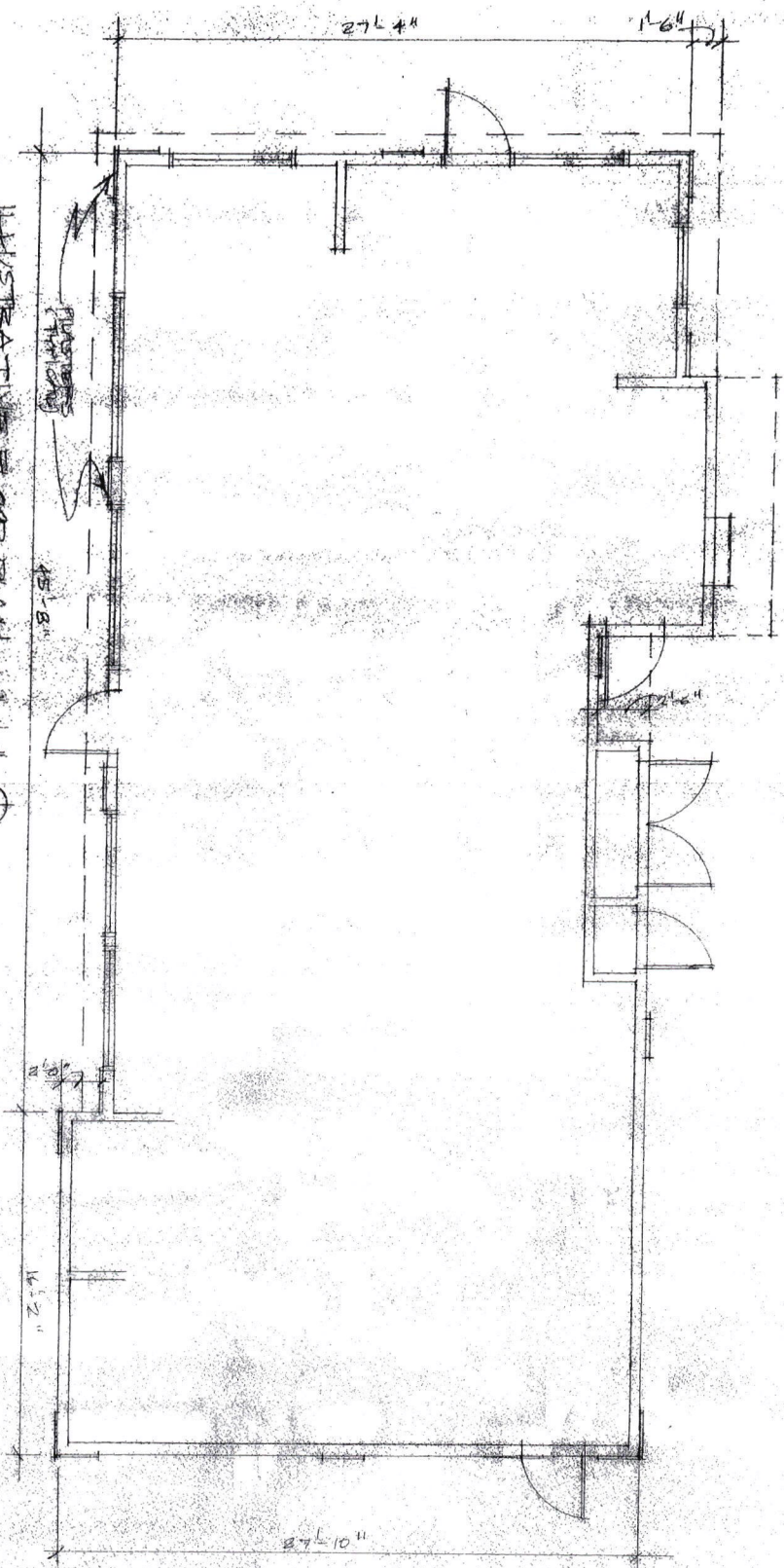
PROPOSED DRIVE-THRU RESTAURANT
11076 COLUMA DRIVE, RANCHO CORDOVA, CA
WIENER SCHNITZER STORE NO. 722

Date	4/5/04
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Sheet	1
Of 4 Sheets	





SIGNAGE DIAGRAM PLAN
NO SCALE



ILLUSTRATIVE FLOOR PLAN 1/8" = 1'-0"

REVISIONS	BY

PLANNING
AND
DESIGN REVIEW
SUBMITTAL

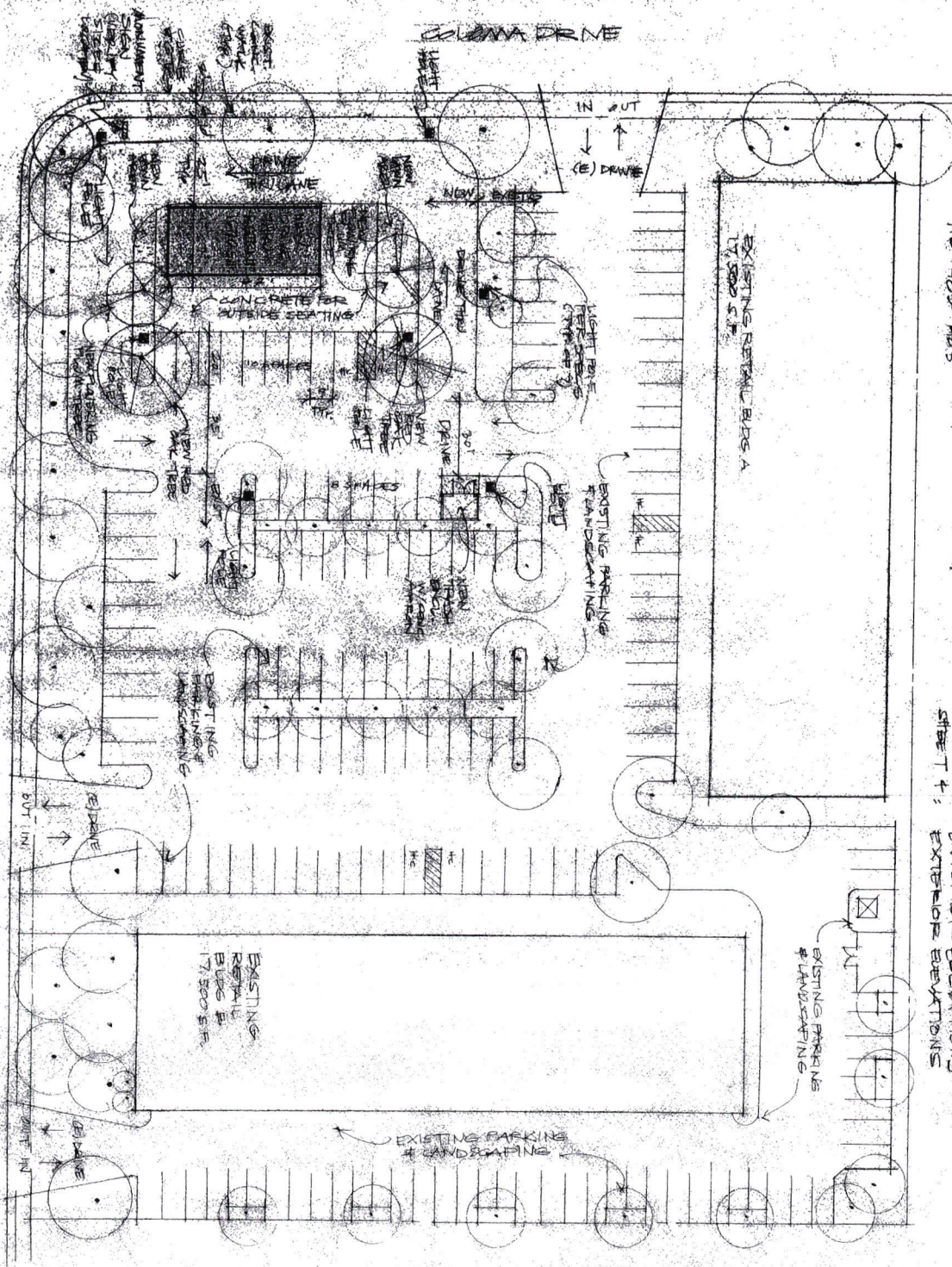
PROPOSED DRIVE-THRU RESTAURANT
11076 COLOMA DR, RANCHO CERRA, CA
WIENER SCHNITZEL STORE NO. 722

Date	11/27/04
Scale	NOTED
Drawn	T.R.S.
Job	11076
Sheet	1 of 4

ARCHITECT:
WILFRED SANDHOLZ, 711A
4713 E. EUREKA ST., WYOMING
CARMICHAEL, CA 95688
916-864-4239

SHEET INDEX

SHEET 1:	SITE/LANDSCAPING PLAN
SHEET 2:	FLOOR PLAN, SIGN PLAN
SHEET 3:	EXTERIOR ELEVATIONS
SHEET 4:	EXTERIOR ELEVATIONS



SITE PLAN / LANDSCAPING PLAN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-21-2008 BY 60322
UCBAW/BJA

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115300

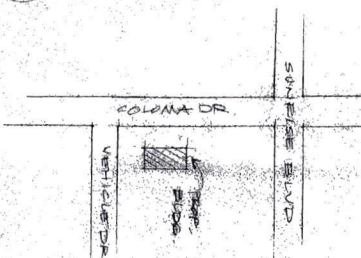


NOTE: THIS SUBMITTANT'S PLAN FOR DESIGN REVIEW AND PLANNING REVIEW ONLY. OWNER SHALL COORDINATE ALL CONSTRUCTION DOCUMENTS WITH THE LOCAL AERIAL TRUST.

TRAINING
NEW: 2 HANDICAP
10 PERULANE
EXIST: 4 HANDICAP
147 PERULANE
TOTAL SPACERS: 169

LOT AREA
146,202 S.F.
EXIST'G BLDG S.F.
357,000 S.F.
NEW BLDG S.F.
1670 S.F.

ADJUNCT MATR

[illegible]

PLANNING AND DESIGN REVIEW SUBMITTAL

PROPOSED DRIVE-THRU RESTAURANT
11076 COLOMA ROAD, RANCHO CALONA, CA
WIENER SCHNITZEL STORE NO. 722

Date 11/15/04

Scale: ~~NOT~~

Drawn by: DRS

Job 1104

Sheet

Sheer 4 01

CONDITIONS OF APPROVAL

EXHIBIT B

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1. The entitlement approved by this action is for a Conditional Use Permit to allow the use of drive-thru lanes within 300 feet of residential use and Design Review for a Wienerschnitzel restaurant located at 11076 Coloma Road as described in the City Council staff report and attached Design Review Package, dated February 22, 2005.	On-Going	Planning Department	
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Department	
3. The Applicant shall hold harmless the City, its Council members, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning Department	
4. Comply with the building occupancy requirements of the Uniform Building Code to the satisfaction of the Sacramento County Fire Protection District.	On-Going	Sacramento Metropolitan Fire District	

CONDITIONS OF APPROVAL

EXHIBIT B

5.	Connection to the public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction. Design of all public sewers shall be coordinated with and approved by CSD-1	On Improvement Plans	CSD-1	
6.	Visibility easements at the driveway locations shall be dedicated pursuant to the Improvement Standards and to the satisfaction of the Department of Public Works.	On Improvement Plans	Department of Public Works	
7.	On-site circulation shall be to the satisfaction of the Department of Public Works.	On Improvement Plans	Department of Public Works	
8.	All pedestrian access ramps contiguous to this project must be installed/upgraded pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Public Works.	On Improvement Plans	Department of Public Works	
9.	The applicant shall submit complete landscape planting and irrigation plans that are consistent with the requirements of the Water Conservation Ordinance and Zoning Code requirements for landscaping/parking lot shade.	Prior to Issuance of Building Permit	Planning Department	

CONDITIONS OF APPROVAL

EXHIBIT B

ADVISORY COMMENTS

Sacramento County Sheriff's Department

- Parking lot lighting shall be 2 foot-candle minimum sustained lighting. This is the standard County of Sacramento lighting specification. This lighting specification shall be maintained during all business hours regardless of drive through or lobby.

CSD-1

- CSD-1 maps indicate three are two existing service connections along Coloma Road near the project site. The applicant is encouraged to contact Fred R. Wingfield of CSD-1 at 876-6073 to determine if there is a valid sewer service tap available.
- Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

There being 6 Ayes, 0 Noes, 0 Abstains and 1 Absentees, the motions are hereby declared to be passed.

E. Consideration of the Conditional Use Permit and Design Review for DER WIENERSCHNITZEL – Project No. RC-03-007

Request: Applicant is requesting Conditional Use Permit to allow a drive-up window on a fast food restaurant within 300 feet of residential use and Design review for a new Der Wienerschnitzel Restaurant on a vacant lot located on the southeast corner of Vehicle Drive and Coloma Road in the SC (Shopping Center) zone.

Project Applicant: Infinity Engineering & Technology, 5704 Moon Creek Way, Elk Grove, CA 95758

Project Location: APN: 058-0261-044, 11076 Coloma Road

Assistant Planner Kathleen Franklin presented the staff report and recommended the Planning Commission adopt Resolution No. 28-2005 approving the Conditional Use Permit and forward a recommendation to the City Council to find the project Categorically Exempt under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines and adopt a resolution approving the Design Review for Der Wienerschnitzel, Project No. RC-03-007, subject to the findings, evidence, Design Package, and Conditions of Approval. Chair Smith opened the public hearing and took testimony from , project applicant.

The Commissioners had the following concerns and comments:

- Will the street on Coloma have a painted sign to read “Do Not Block” so traffic will not be blocked turning in or out of the driveway.
- The Commissioners would like the concern of having a “Do Not Block” sign painted on Coloma forwarded to the Public Works Department.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion 1: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission adopt Resolution No. 28-2005 approving the Conditional Use Permit.

Motion 2: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission forward a recommendation to the City Council to find the project Categorically Exempt under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines.

Motion 3: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission forward a recommendation to the City Council to adopt a resolution approving the Design Review for Der Wienerschnitzel, Project No. RC-03-007, subject to the findings, evidence, Design Package, and Conditions of Approval.

Vote on the Motions:

AYES: Burke, Konarski, Moe, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: Savorn

There being 6 Ayes, 0 Noes, 0 Abstains and 1 Absentees, the motions are hereby declared to be passed.

4. REGULAR CALENDAR

- A. **Planning Commission Training** – There was no Planning Commission Training scheduled for this meeting.
- B. **Discussion regarding the January 31, 2005 City Council Study Session** – Study session regarding traffic circulation of General Plan.
- C. **Discussion regarding the March 1, 2005 City Council Study Session** – joint study session between the City Council and Planning Commission Members to discuss Design Guidelines and other topics.
- D. **Discussion regarding the Planners Institute and tour of Pasadena in April.**

5. ACTION ITEMS – There were no action items scheduled for this meeting.

6. STAFF/COMMISSION COMMENTS

- There were no staff/commission comments.

7. FUTURE AGENDA ITEMS

- There were no Future Agenda Items scheduled at this meeting.

8. ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 7:30 p.m., January 27, 2005, to the next scheduled meeting.

Art Smith, Planning Commission Chair

Paul Junker, Planning Director



August 21, 2003
E225.000

10545 Armstrong Avenue

Mather

California

95655

Tele: [916] 876-6000

Fax: [916] 876-6160

Website: www.csd-1.com

Kathleen Franklin
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

RECEIVED

AUG 25 2003

RANCHO CORDOVA
PLANNING

Dear Ms Franklin:

Subject: Project Name: Der Wienershnitzel Conditional UP
APN: 058-0261-044
Control No. RC 03-007

Board of Directors

County of Sacramento

Roger Dickinson

Illa Collin

Muriel P. Johnson

Roger Niello

Don Nottoli

City of Citrus Heights

Jeannie Bruins

City of Elk Grove

Sophia Scherman

City of Folsom

Kerri Howell

City of Rancho Cordova

Dave Roberts

City of Sacramento

Heather Fargo

County Sanitation District 1 (CSD-1) has reviewed the subject documents and has the following comments.

CSD-1 Conditions:

Connection to the public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction. Design of all public sewers shall be coordinated with and approved by CSD-1.

CSD-1 Advisories:

CSD-1 maps indicate there are two existing service connections along Coloma Road near the project site. The applicant is encouraged to contact Fred R. Wingfield of CSD-1 at 876-6073 to determine if there is a valid sewer service tap available.

Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

If you have any questions regarding these comments, please call Joyce Ferguson at 876-6098 or myself at 876-6094.

Very truly yours,

Jeff Atteberry, P.E.
Local Sewer Engineering

Cheryl Creson
Agency Administrator

Robert F. Shanks
District Engineer

Marcia Maurer
Chief Financial Officer

Wendell H. Kido
District Manager

Mary K. Snyder
Collection Systems Manager

JA/JF: cf

cc: Christoph Dobson
B. P. Lathi
3131 Fruitridge Road
Sacramento, CA 95820

franklin082103.ltr

September 3, 2003

City Council

David Roberts
Mayor

Linda Budge
Mayor Pro-Temore

Robert McGarvey
Councilmember

Kenneth Cooley
Councilmember

David Sande
Councilmember

Kathleen Franklin
City of Rancho Cordova
Planning Department
3121 Gold Canal Drive
Rancho Cordova, CA 95670

RE: APPLICATION #RC 03-007, Der Wienershnitzel

Dear Ms. Franklin:

The Sacramento County Sheriff's Department requests that the following conditions be appended to the subject application:

LOCATION/STREET LAYOUT:

- There shall be a secondary entrance/exit driveway allowing vehicle access from Vehicle Drive. A single driveway will cause unnecessary vehicle backlogs, and create a tactical problem for responding law enforcement personnel in the event of an emergency response.

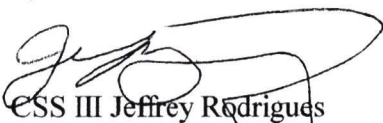
Specifically, the current layout will make a tactical response to the property, or the pursuing of a fleeing suspect, difficult at best. With no direct exit to Vehicle Drive, officers will not be able to effectively pursue a subject, or surround the facility should that need arise.

LIGHTING

- Parking lot lighting shall be 2 foot-candle minimum sustained lighting. This is the standard County of Sacramento lighting specification. This lighting specification shall be maintained during all business hours regardless of drive through or lobby.

The Sheriff's Department reserves the right to to make additional security and safety conditions, if necessary, upon receipt of detailed/revised elevation plan .

Respectfully Submitted,



CSS III Jeffrey Rodriguez
Crime Prevention Specialist
Sacramento County Sheriff's Department
East Division

3121 Gold Canal D
Rancho Cordova
CA 95670

Phone 916.942.0222
Fax 916.853.1697

www.cityofranchocordova.org

City of Rancho Cordova

Inter-Correspondence

August 19, 2003

To: Kathleen Franklin
Planning Department

From: Tony Santiago
Public Works 

Subject: **Application Number:** **RC 03-007**
 Application Title: **Der Wienershnitzel**
 APN: **Conditional Use Permit**
 058-0261-044
 11076 Coloma Road

We have reviewed the subject application and recommend the following condition:

Number, size and location of driveways are subject to the approval by City Public Works (C174a).

The proposed driveway at the southwest corner of the subject parcel does not comply with the City Improvement Standards, Standard Drawing 4-16. The on-site circulation should be redesign to utilize the existing driveways. If you have any comments or questions, please call me at (916) 874-7093.

CITY OF RANCHO CORDOVA

Inter-Agency Correspondence

August 19, 2003

To: Kathleen Franklin, Planning Department
3121 Gold Canal Drive
Rancho Cordova, CA 95670

From: Tammy Urquhart, Associate Civil Engineer
Transportation Section
Department of Public Works

Subject: **DER WIENERSHNITZEL**
Conditional Use Permit
Control No.: RC 03-007
APN: 058-0261-044
Thomas Bros.: 279-J6
Location: Southeast corner of Coloma Road and Vehicle Drive

The Department of Public Works has reviewed the above referenced project and recommends the following conditions of approval relating to right-of-way, access, and improvement requirements:

Prior to approval of the final map, grant the City of Rancho Cordova right-of-way on Coloma Road based on an 84-foot standard arterial pursuant to the Improvement Standards and to the satisfaction of the Department of Public Works.

Prior to occupancy, install/upgrade existing public street improvements on Coloma Road pursuant to the Improvement Standards and to the satisfaction of the Department of Public Works.

Eliminate the proposed driveway on Coloma Road located at the intersection curb return with Vehicle Drive pursuant to the Improvement Standards and to the satisfaction of the Department of Public Works. Access to this project shall be through the existing driveways for this parcel. Note: All driveways on Coloma Road shall be 45' wide, have a minimum clear spacing of 150 feet between existing driveways and shall be no closer than 150 feet from the intersection curb return.

Dedicate the landscaped lots to the City of Rancho Cordova and provide a maintenance entity with an ongoing funding source. The maintenance entity shall be approved and found acceptable by City representatives. Annexation to a current Lighting and Landscape District or a Mello Roos

Community Finance District may be possible and is the preferred course of action.

Visibility easements at the driveway locations shall be dedicated pursuant to the Improvement Standards and to the satisfaction of the Department of Public Works.

On-site circulation shall be to the satisfaction of the Department of Public Works.

All pedestrian access ramps contiguous to this project must be installed/upgraded pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Public Works.

Traffic control devices shall be installed where needed to the satisfaction of the Department of Public Works. Traffic control locations will be determined at time of improvement plan submittal.

Please contact LD&SIR for additional improvement requirements.

If you have any questions, please call me at 874-5677.

TLU

c: Jeff Clark

2003 AUG 18 AM 10:02

CITY OF RANCHO CORDOVA

3121 Gold Canal Drive • RANCHO CORDOVA, California 95670

Tel: 916.942.0222 • Fax: 916.853.1691 •

www.cityofranchocordova.org

Planning

(916) 942-0279

Routing / Comment Sheet

Date: August 14, 2003

To:

City Departments

- ☒ Building Insp. – Tom Trimberger
- ☐ City Attorney – Adam Lindgren
- ☐ Public Works – Cyrus Abhar
- ☒ Public Works – Marilyn Phelps*
- ☒ Sanitation District – Jeff Atteberry*
- ☒ Drainage – Mark Rains*
- ☒ Transportation – Jeff Clark*
- ☒ Landscape Design/Trees – Jim Schubert*
- ☒ Water Supply – Bob Gardner
- ☒ Infrastructure Finance – Richard Blackmarr
- ☐ Finance – Gene Albaugh
- ☐ Comm. Enhance – Yvonne DeHaan
- ☒ Police Dept. – Jeff Rodriques*

Cordova Recreation and Parks Dist.

- ☐ Parks – Jerry Steinke*
- ☐ Metro Fire
- ☒ Fire – Brian Clark*

Sacramento County

- ☒ Env. Health – Steve Kalvelage
- ☒ Env. Haz Mat – Anthony Chu
- ☐ Ag. Commission – Frank Carl

State Agencies

- ☐ CRWQCB
- ☐ CALTRANS
- ☐ Dept. of Conservation
- ☐ Dept. of Fish & Game
- ☐ Other

Other Agencies

- ☐ CA American Water Co.
- ☐ Southern CA Water Co.
- ☐ FCUSD – Geri Wickham
- ☐ EGUSD – Marnie Rosenstein
- ☐ SCUSD – Jim Dobson
- ☐ Regional Transit – Azadeh Doherty
- ☐ SACOG – Ken Hough
- ☒ PG&E – Steven Jones
- ☐ Pacific Bell – Cheryl Summers
- ☒ SMAQMD – Art Smith
- ☒ SMUD – Ernie Taeys*
- ☐ Postmaster

*requests full size maps

Project Description

The following application has been submitted to the Planning Department:

Application Number: RC 03-007
Application Title: Der Wienershnitzel Conditional Use Permit
Assessor's Parcel Number: 058-0261-044
Property Address/Location: 11076 Coloma Road
Project Description: The applicant is requesting a Conditional Use Permit for a 1,670 sq. ft. Der Wienershnitzel restaurant at the corner of Coloma Road and Vehicle Drive.

Application Completeness / Project Conditions

If there is any additional information required to evaluate and prepare conditions for the project, please send me a list of these items within two weeks.

This Project: ☒ Will not be discussed at a Project Coordination Meeting
☐ Will be discussed at the Project Coordination Meeting on (date to be determined)

Please send your comments to me by September 11, 2003. (Please e-mail a copy of your comments to the Project Planner) If we do not receive a response by this date, we will presume that your agency has "no comment." If you require additional time for review, please contact me.

Sincerely,

Kathleen Franklin (kfranklin@cityofranchocordova.org)
Rancho Cordova Planning

Comments are: ☐ Attached ☐ No comment

Water Resources – Water Supply Section
has reviewed the following application
and submits **NO COMMENTS**. Contact
Bob Gardner if you have any questions.
874-8433
gardnerb@saccounty.net

Signature, date

Print Name and Title

kfranklin

From: Clark, Bryan [clark.bryan@smfd.ca.gov]
Sent: Tuesday, August 26, 2003 9:44 AM
To: Kathleen Franklin (E-mail)
Subject: Comments 11076 Coloma, Der Wienershnitzel

Kathleen, Metro Fire does not have any concerns for this project.

Thanks!!

Bryan

kfranklin

From: Chu. Anthony [ChuA@saccounty.net]
Sent: Tuesday, August 19, 2003 9:12 AM
To: kfranklin@cityofranchocordova.org
Subject: Application # RC 03-007, Der Wienershnitzel Conditional Use Permit

Kathleen,

Sacramento County Hazardous Materials Division does not have any comments on the above referenced proposed project. Please contact me if you have any questions at chua@saccounty.net.

Anthony Chu
Supervising Environmental Specialist
Environmental Management Department
County of Sacramento

8/19/2003

kfranklin

From: ttrimberger@cityofranchocordova.org
Sent: Friday, August 15, 2003 9:43 AM
To: Kfranklin@cityofranchocordova.org
Subject: RC 03-007

The Building and Safety Department has no comments or conditions on the Der
Wienerschnitzel Conditional Use Permit at Coloma and Vehicle Drive.

Tom Trimberger



056 0383 005 0000
Steve & Michelle Guzman
11076 Cilker River Way
Rancho Cordova, CA 95670

056 0383 006 0000
Kelly Carwin
11080 Cilker River Way
Rancho Cordova, CA 95670

056 0383 007 0000
Fred Richards
11100 Cilker River Way
Rancho Cordova, CA 95670

056 0383 008 0000
Robert Williams Jr.
4413 N Texas Ave #22
Bryan, TX 77803

056 0383 009 0000
Stan & Renee Malinky
5646 Shadle Way
Fair Oaks, CA 95628

056 0383 010 0000
Laura Whipple Getman
11112 Cilker River Way
Rancho Cordova, CA 95670

056 0383 011 0000
Armando & Josefina Medes
11116 Cilker River Way
Rancho Cordova, CA 95670

056 0383 012 0000
Chris & Leah Matthews
11120 Cilker River Way
Rancho Cordova, CA 95670

056 0383 013 0000
Timmons-hanna
1448 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 014 0000
Robert O'donnell & Dalton Trustors Ja
25 Jerome Ave
Piedmont, CA 94611

056 0383 015 0000
Iquo Odufuwa
1456 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 016 0000
Calvin & Lisa Worsham
1460 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 017 0000
Randy & Sharon Utz
1500 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 018 0000
David Wombold & F Martinez-wom Ro
1506 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 019 0000
James Clyde & Diane Patricia Hill
1510 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 020 0000
Angelito & Sylvia Ding
1514 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 021 0000
Catherine & Steven Harrison
Christina
1518 Klamath River Dr
Rancho Cordova, CA 95670

056 0383 022 0000
Robert Louis Ayotte
1522 Klamath River Dr
Rancho Cordova, CA 95670

056 0384 001 0000
Baisden
11057 New River Cir
Rancho Cordova, CA 95670

056 0384 002 0000
Rolando & Alba Lopez
2725 Arguello Dr
Burlingame, CA 94010

056 0385 001 0000
Alan Russell Beck
1449 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 002 0000
Brigitte Harper & J Hayes John
1453 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 003 0000
Martin & Darian Jean Neuhard
1457 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 004 0000
Willie & Nelgene Thompson
1461 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 005 0000
Alvearl & Jochele Skelton
11125 Nile River Ct
Rancho Cordova, CA 95670

056 0385 006 0000
Gordon Helm
705 E Bidwell St #5-285
Folsom, CA 95630

056 0385 007 0000
Vet Cal
1511 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 008 0000
Samuel & Charro Lilly
1515 Klamath River Dr
Rancho Cordova, CA 95670

056 0385 009 0000
John & Monica Riley
11056 New River Cir
Rancho Cordova, CA 95670

056 0385 010 0000
Alfred Liverett
11052 New River Cir
Rancho Cordova, CA 95670



EVERY®

Address Labels

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Laser

5960™

056 0400 025 0000
Ester J Donald
2173 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 028 0000
Debra Farm
2185 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 031 0000
Joecy & Edgardo Ferrer
2216 Athens River Ct
Rancho Cordova, CA 95670

056 0400 034 0000
Sergey Aldoukhov
2204 Athens River Ct
Rancho Cordova, CA 95670

056 0400 037 0000
Mark & Cindy Martinez
2205 Athens River Ct
Rancho Cordova, CA 95670

056 0400 040 0000
Irene Tachera
2217 Athens River Ct
Rancho Cordova, CA 95670

056 0400 043 0000
Arnulfo & Maria Antonia Solis
1404 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 046 0000
Scott Malloy & Marie Walcott Kelly
1405 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 049 0000
John & Betty Dinubilo Jr.
1417 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 052 0000
Laurie Cohen
1429 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 026 0000
John Charles & Linda Lou Bryan
2177 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 029 0000
Randolph Taylor
2189 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 032 0000
Jason & Michelle Tenley
2212 Athens River Ct
Rancho Cordova, CA 95670

056 0400 035 0000
Linda Cantwell
2207 Newcastle Gap Dr
Gold River, CA 95670

056 0400 038 0000
Linda Cantwell
2209 Athens River Ct
Rancho Cordova, CA 95670

056 0400 041 0000
Tom Tran
1412 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 044 0000
George & Mary Ann Serio
1400 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 047 0000
Anthony & Shirley Tillman Jr.
1409 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 050 0000
Rebecca & Charles Evans
1421 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 053 0000
Mexicano Dave & Elaine
855 Whispering Pines Dr
Scotts Valley, CA 95066

056 0400 027 0000
Michael & E Margaret O'halloran
2181 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 030 0000
Steve Eugene & Melodie Corey
2193 Tiber River Dr
Rancho Cordova, CA 95670

056 0400 033 0000
Suzanne Tollefson
2208 Athens River Ct
Rancho Cordova, CA 95670

056 0400 036 0000
Eileen Vernon
2201 Athens River Ct
Rancho Cordova, CA 95670

056 0400 039 0000
Derrick & Lesley Anne Terrell
2213 Athens River Ct
Rancho Cordova, CA 95670

056 0400 042 0000
Charles Eden
1408 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 045 0000
Anna Marie Kovacevich
1401 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 048 0000
Andrew & Michelle Irving
5394 High Rocks Ct
Oroville, CA 95966

056 0400 051 0000
Patricia Boettcher
2821 Harbour View Ln
Elk Grove, CA 95758

056 0400 054 0000
Rose Mary Phillips
1437 Klamath River Dr
Rancho Cordova, CA 95670



AVERY®

Address Labels

Laser

5960™

007 2/4

056 0385 011 0000
L Maxcine Meredith
11048 New River Cir
Rancho Cordova, CA 95670

056 0385 012 0000
Paul James Paganelli
11044 New River Cir
Rancho Cordova, CA 95670

058 0410 005 0000
Joseph & Joellen Mickelson
2316 Filmore Ln
Rancho Cordova, CA 95670

058 0410 006 0000
Brian Bailey
2320 Filmore Ln
Rancho Cordova, CA 95670

058 0410 007 0000
Matthew Kramer
2324 Filmore Ln
Rancho Cordova, CA 95670

058 0410 008 0000
Maxine Z Wilson Separate Property T
2328 Filmore Ln
Rancho Cordova, CA 95670

058 0410 009 0000
Mary A Jones
2332 Filmore Ln
Rancho Cordova, CA 95670

058 0410 010 0000
Billie & Sam Olivas
2336 Filmore Ln
Rancho Cordova, CA 95670

058 0410 011 0000
Karen & Linda Mccready
2340 Filmore Ln
Rancho Cordova, CA 95670

058 0261 044 0000
Lathi Family Partnership
PO Box 1003
Citrus Heights, CA 95611



Avery®

Address Labels

007 ~~11/11~~ 4/4

Laser

5960™

056 0400 055 0000
Stan & Renee Malinky
5646 Shadle Way
Fair Oaks, CA 95628

056 0400 056 0000
Joseph & Cynthia Cates
1445 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 057 0000
Albert & Jeraldine Minning
1444 Klamath River Dr
Rancho Cordova, CA 95670

056 0400 058 0000
Irene Disch
11124 Cilker River Way
Rancho Cordova, CA 95670

056 0400 059 0000
Annette Hinkley
2176 Tiber River Dr
Rancho Cordova, CA 95670

058 0261 002 0000
U S Housing Partners III Lp
2950 Buskirk Ave #312
Walnut Creek, CA 94597

058 0261 017 0000
Freedom
PO Box 2332
Granite Bay, CA 95746

058 0261 023 0000
Phelps Schow Manwah Enterprises
PO Box 591270
San Francisco, CA 94159

058 0261 026 0000
Ej Plesko & Associates Inc
6515 Grand Teton Plz
Madison, WI 53719

058 0261 027 0000
E J Plesko & Associates Inc K-mart Co
PO Box 22799
Houston, TX 77227

058 0261 030 0000
Blairmore-252 Llc
4800 M St
Sacramento, CA 95819

058 0261 037 0000
Banks & Banks Livi
9220 Placer Canyon Pkwy
Loomis, CA 95650

058 0261 047 0000
Bernadette Day
1033 Front St
Sacramento, CA 95814

058 0261 048 0000
Kinder-care Learning Ctrs Lodestar Gr
PO Box 6760
Portland, OR 97228

058 0261 049 0000
University Of California Berkeley F
2440 Bancroft Ext #301
Berkeley, CA 94720

058 0261 050 0000
Vashti Powell Key
573 Park Point Dr
Golden, CO 80401

058 0410 005 0000
Joseph & Joellen Mickelson
2316 Filmore Ln
Rancho Cordova, CA 95670

058 0410 006 0000
Brian Bailey
2320 Filmore Ln
Rancho Cordova, CA 95670

058 0410 007 0000
Matthew Kramer
2324 Filmore Ln
Rancho Cordova, CA 95670

058 0410 008 0000
Maxine Z Wilson Separate Property Tr
2328 Filmore Ln
Rancho Cordova, CA 95670

058 0410 009 0000
Mary A Jones
2332 Filmore Ln
Rancho Cordova, CA 95670

The exhibit (s) or attachment (s) for this item is (are) on file in the City Clerk's Office for review by the public.

Attachment 5 - Design Review Package

Council Members, please find above item(s) attached to your agenda packet.

Agenda Item: 9

MEMORANDUM



DATE: February 22, 2005
TO: Mayor and Council Members
FROM: Kathleen Franklin, Assistant Planner
SUBJECT: GOLD FLAKE PARCELS 3, 5 & 14 INDUSTRIAL BUILDINGS
DESIGN REVIEW

<u>OWNER / APPLICANT:</u>	<u>REPRESENTATIVE:</u>
Darin Moore Enterprises Darin Moore 3450 Recycle Road Rancho Cordova, CA 95742	GBDH Design Group, Inc. Roy Hunt 9806 Old Winery Place #1 Sacramento, CA 95827
PROJECT: Gold Flake Parcels 3, 5 & 14 Industrial Buildings Design Review FILE: RC-04-090 LOCATION: Gold Flake Court within the Security Park Industrial area APN: 072-0440-005, 003, and 014 PLANNER: Kathleen Franklin, Assistant Planner	

REQUEST

- Design Review for nine new industrial metal buildings located in Security Park on Gold Flake Court in the M-2 zone.

RECOMMENDATION

The Planning Commission recommends the City Council determine the Mitigated Negative Declaration prepared for the Gold Flake Tentative Parcel Map adequately addresses the environmental impacts for the project and the City Council adopt Resolution No. 26-2005 approving Design Review for Project No. RC-04-090, subject to the findings, Design Package (Exhibit A), and the Conditions of Approval (Exhibit B).

ANALYSIS

The applicant is proposing to construct nine metal industrial buildings within close proximity to each other on Gold Flake Court in the Security Park Industrial area. Six of the proposed buildings will be 5,000 sq ft in size and the remaining three will be 10,000 sq ft in size. Although the buildings are identical in style, the applicant has proposed four different color schemes to

add some variety to the buildings. The four color schemes will each provide a different color for the doors, walls and metal canopy. The trims and gutters for all four color schemes will all be in

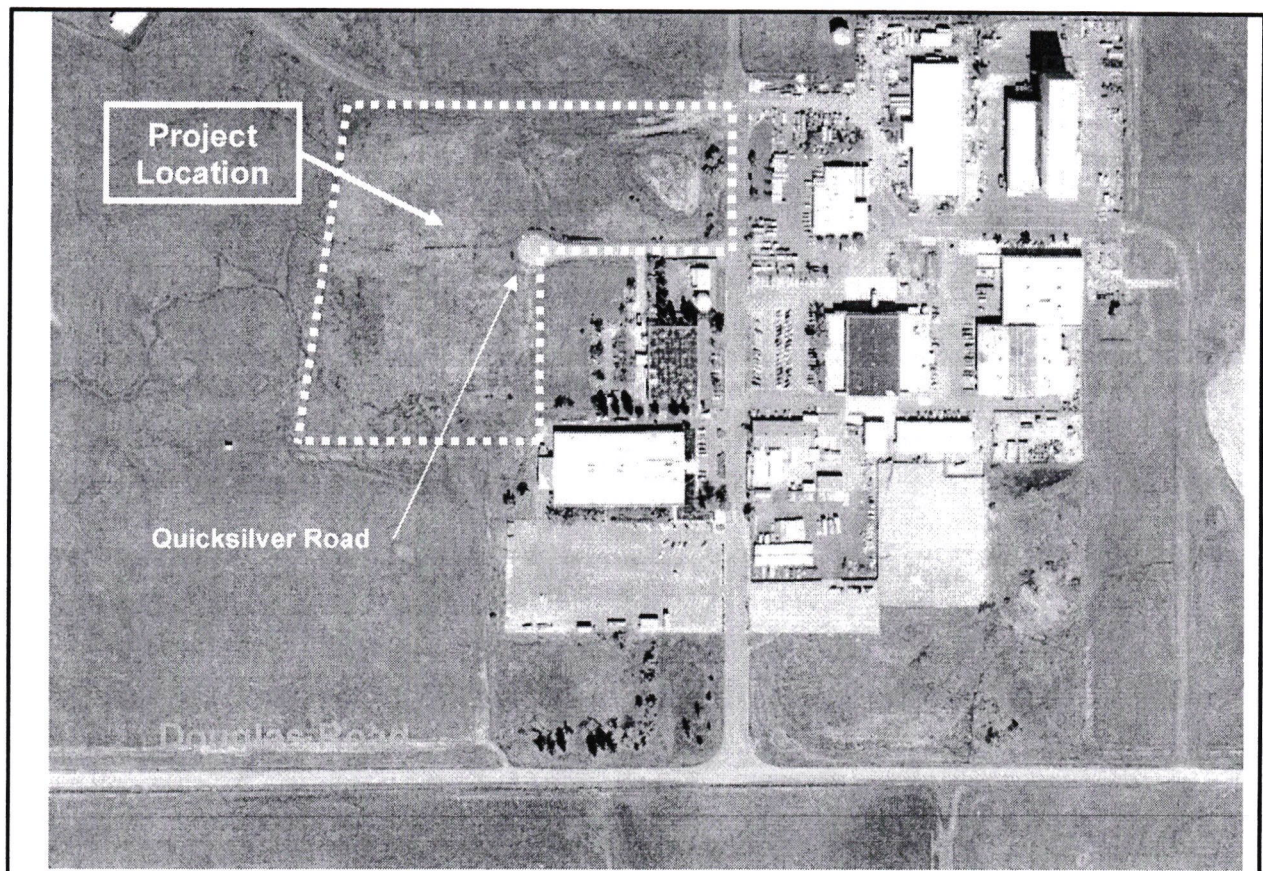


FIGURE 1 – SITE LOCATION

Land Use Relationships with Adjacent Properties:

	General Plan Land Use Designation	Zoning and Community Plan Designations	Existing Land Use
Subject Property	Intensive Industrial	M-2	Vacant
North	Intensive Industrial	M-2	Vacant
East	Intensive Industrial	M-2	Industrial
South	Intensive Industrial	M-2	Industrial
West	Intensive Industrial	M-2	Wetland Preserve

a Burnish Slate color. The color schemes are attached to this staff report (**Attachment 2**) for the Council's review. The industrial buildings will maintain human scale and interest through use of awnings, well placed windows and color. In addition, extensive landscaping surrounding the buildings is proposed. The City Council recently approved the same type of metal building on Recycle Road, when the same applicant presented those buildings for City review.

PLANNING COMMISSION HEARING:

The Planning Commission reviewed the project at its January 27, 2005 meeting. The Planning Commission asked several questions concerning the use of the buildings, landscaping, type of fencing and amount of potential traffic that would be generated by the proposed uses in the buildings. The applicant explained that the uses would most likely be light industrial/warehouse uses that would not generate substantial traffic. The Planning Commission felt the questions were adequately addressed and did not have any concerns with the project. The Commission recommended approval of the project to the City Council by a 6-0 vote (**Attachment 3**).

CONCLUSION:

The proposed buildings will provide an upgrade to the current buildings in the Security Park Industrial area. The applicant has provided four color schemes that will provide some variety in the look of the proposed buildings; therefore the Planning Commission has recommended approval of the project as presented.

ENVIRONMENTAL ANALYSIS:

It is staff's opinion that the Mitigated Negative Declaration prepared for the Gold Flake Parcel Map and adopted by the City of Rancho Cordova Planning Commission, adequately addressed the environmental impacts for the project.

FINANCIAL IMPLICATIONS TO CITY:

There are no significant cost implications to the City for this development.

RECOMMENDED MOTIONS:

1. "I move the City Council determine the Mitigated Negative Declaration prepared for the Gold Flake Tentative Parcel Map adequately addresses the environmental impacts for the project."
2. "I move the City Council adopt Resolution No. 25-2005 approving the Design Review for Gold Flake Parcels 3, 5 & 14, project No. RC-04-090, subject to the findings and evidence, Design Package (Exhibit A) and Conditions of Approval (Exhibit B)."

ATTACHMENTS:

1. Resolution 26-2005 with attached Design Review Plans (Exhibit A) and Conditions of Approval (Exhibit B)
2. Planning Commission minutes dated January 27, 2005
3. 500' Radius Map and Owner Labels
4. Color Exhibits
5. Design Review Package

RESOLUTION NO. 26-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING DESIGN REVIEW FOR GOLD FLAKE COURT INDUSTRIAL BUILDINGS
PROJECT # RC-04-090**

WHEREAS, Darin Moore, (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Design Review for construction of nine metal buildings to be located on Gold Flake Court (Assessor's Parcel Numbers 072-0440-005, 072-0440-003 and 072-0440-014); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the a Mitigated Negative Declaration was adopted by the Rancho Cordova Planning Commission for the parcels referenced above which adequately addressed the environmental impacts for the project according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approve the Design Review subject to the Design Package (see Exhibit A) and the Conditions of Approval (see Exhibit B) based on the following findings:

Findings

1. CEQA

Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

2. General Plan and Zoning Code

Finding: The proposed project is consistent with the goals and policies of the City of Rancho Cordova General Plan and Zoning Code.

Evidence: The project conforms to the goals and policies of the Rancho Cordova General Plan and development standards in the Zoning Code. In addition, the project has been conditioned to ensure development occurs in compliance with all applicable requirements.

3. DESIGN REVIEW

Finding:

- a. High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
- b. Building designs that maintain human scale and interest.
- c. Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
- d. Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
- e. Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
- f. Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence

- a) The buildings are high quality metal buildings which will provide an upgrade to the existing industrial buildings in the surrounding area. The proposed buildings will consist of durable and maintainable materials. The buildings are all similar in style; however the applicant has agreed to create some diversity through use of color, and landscaping.
- b) The industrial buildings will maintain human scale and interest through use of awnings, well placed windows, color and landscaping.
- c, d, e, f) As previously stated, the applicant is offering 4 color schemes to create varied relief of the façade and create interest between the nine proposed buildings. Landscaping will be used to create variety and help soften the look of the buildings.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of February, 2005.

AYES:

NOES:

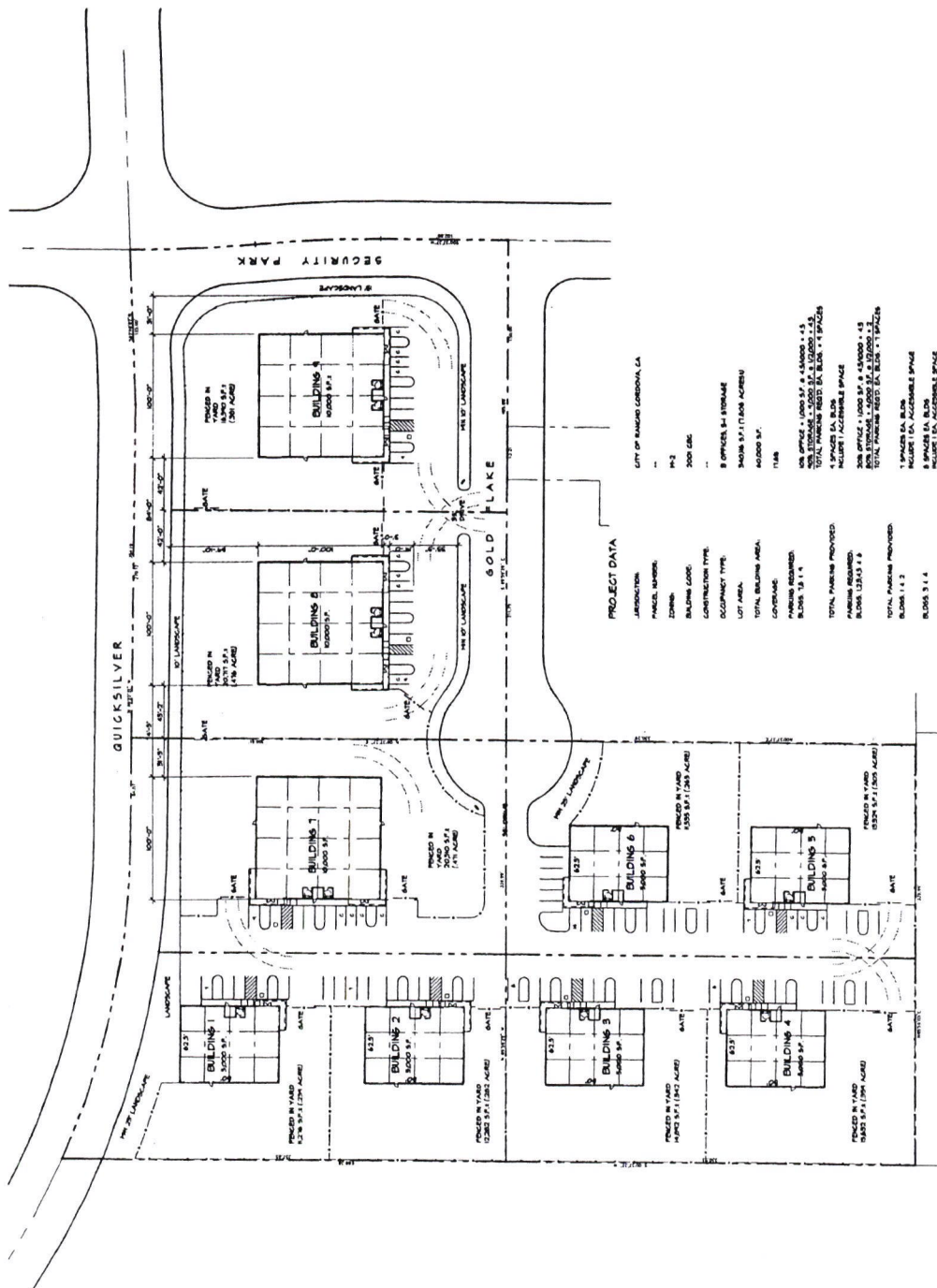
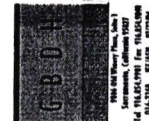
ABSENT:

ABSTAIN:

KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

LILLIAN HARE
CITY CLERK



PROJECT DATA

APPROXIMATE	CITY OF RANCHO CORDOVA, CA
PARCEL NUMBER	14
ZONING	M-2
BUILDING CODE	2000 USE
CONSTRUCTION TYPE	8 OFFICE, 8-1 STORAGE
OCCUPANCY TYPE	8 OFFICE, 8-1 STORAGE
LOT AREA	34,000 S.F. (1.00 ACRES)
TOTAL BUILDING AREA	17,000 S.F.
COVERAGE	17.00%
PERMITS REQUIRED	1.00 OFFICE, 1.00 STORAGE, 1.00
BLDG. 1, 1.1	1.00 OFFICE, 1.00 STORAGE, 1.00
TOTAL PERMITS PROVIDED	1.00 OFFICE, 1.00 STORAGE, 1.00
PERMITS REQUIRED	1.00 OFFICE, 1.00 STORAGE, 1.00
BLDG. 1, 1.1	1.00 OFFICE, 1.00 STORAGE, 1.00
TOTAL PERMITS PROVIDED	1.00 OFFICE, 1.00 STORAGE, 1.00
PERMITS REQUIRED	1.00 OFFICE, 1.00 STORAGE, 1.00
BLDG. 1, 1.1	1.00 OFFICE, 1.00 STORAGE, 1.00
TOTAL PERMITS PROVIDED	1.00 OFFICE, 1.00 STORAGE, 1.00
PERMITS REQUIRED	1.00 OFFICE, 1.00 STORAGE, 1.00
BLDG. 1, 1.1	1.00 OFFICE, 1.00 STORAGE, 1.00
TOTAL PERMITS PROVIDED	1.00 OFFICE, 1.00 STORAGE, 1.00



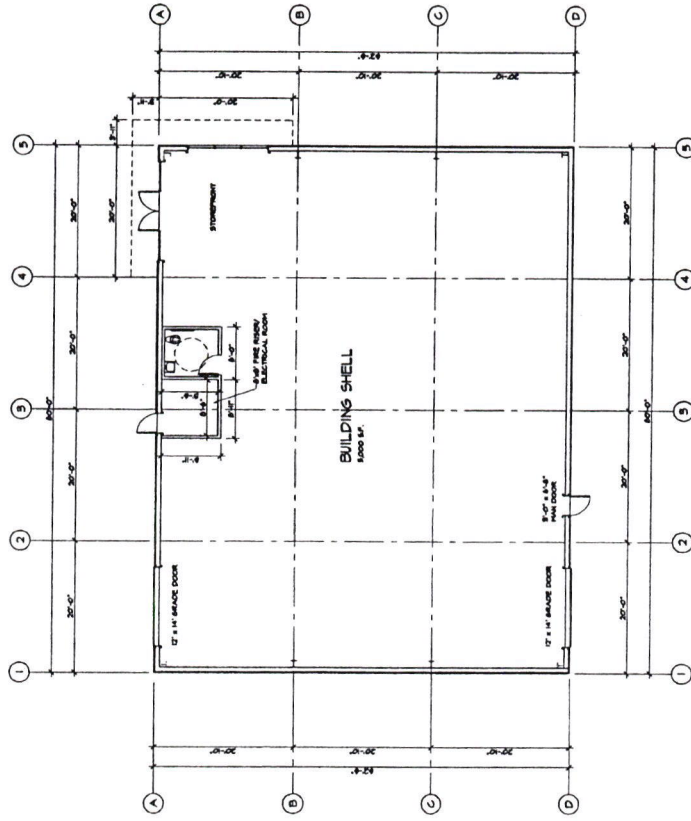
PRELIMINARY SITE PLAN
SCALE: 1" = 40'-0"
NOTE: SITE PLAN NOT DRAWN FROM A LEGAL OCCUPATION AND IS
CONSIDERED CONCEPTUAL

GOLD FLAKE PARCELS 3, 5 & 14

DARIN MOORE ENTERPRISES

RANCHO CORDOVA, CA

RANCHO CORDOVA, CALIFORNIA
14 PARCELS



PRELIMINARY FLOOR PLAN BUILDINGS 1 & 2

SCALE 1/8" = 1'-0"



DARIN MOORE ENTERPRISES

RANCHO CORDOVA, CALIFORNIA
P.O. BOX 437488

GOLD FLAKE PARCELS 3, 5 & 8

RANCHO CORDOVA, CA



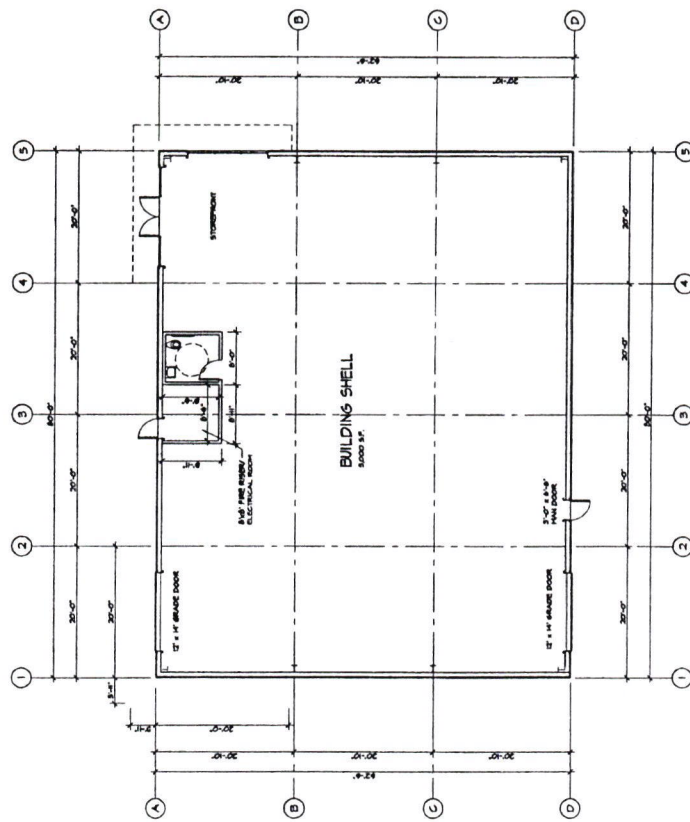
DARIN MOORE
Professional Engineer
State of California
License No. 457488
Exp. 12/31/2024



DARIN MOORE ENTERPRISES

9186 Old Winery Place, Suite 1
Sacramento, California 95827
Tel 916.854.9981 Fax 916.854.0940
814-2760 MS/ASB 02/01/04

BRANCHO CONDOVA, CALIFORNIA
PX 906 635 6400



PRELIMINARY FLOOR PLAN BUILDINGS 5 & 6



SCALE: 1/8" = 1'-0"

DARIN MOORE ENTERPRISES

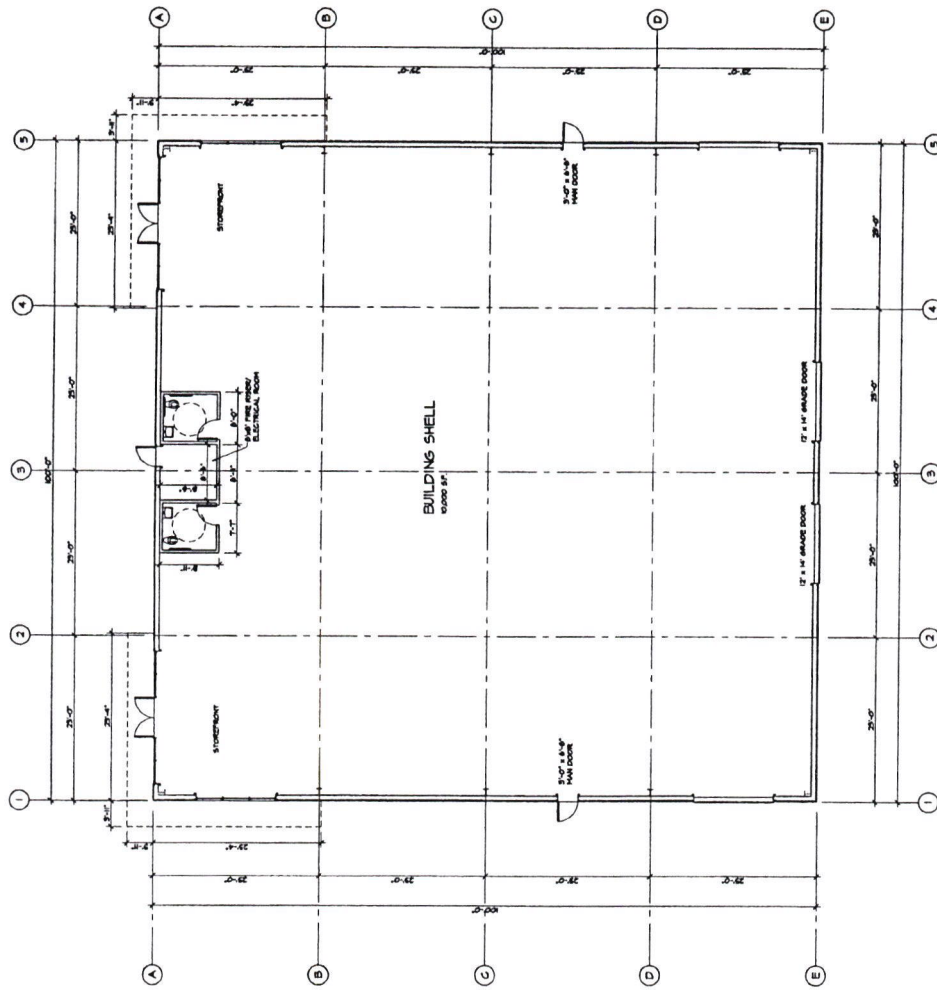
RANCHO CORDOVA, CALIFORNIA
171 WEST 10TH

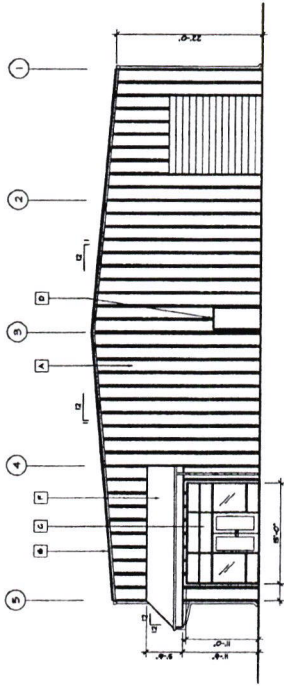
GOLD FLAKE PARCELS 3, 5 & 8

RANCHO CORDOVA, CA



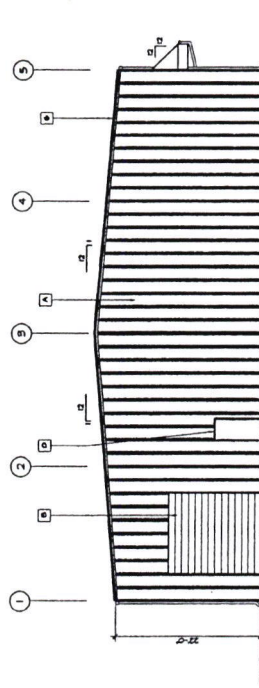
RANCHO CORDOVA, CA





EAST ELEVATION - BUILDINGS 1 & 2

SCALE: 1/8" = 1'-0"

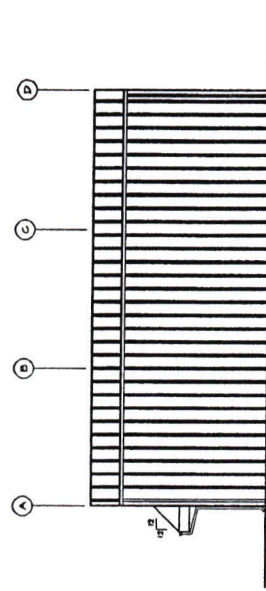


WEST ELEVATION - BUILDINGS 1 & 2

SCALE: 1/8" = 1'-0"

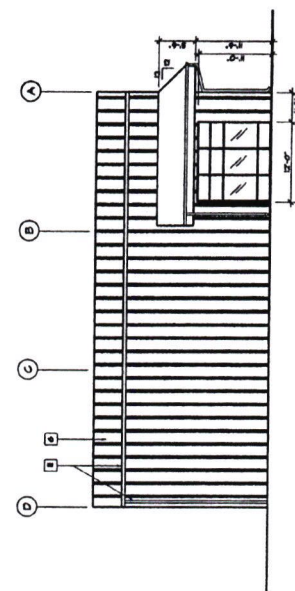
KEY NOTES

- A. METAL WALL PANEL SYSTEM
- B. 12" x 16" OVERHEAD ROLL-UP DOOR
- C. STORMDOOR
- D. 5'-0" x 8'-0" WALK DOOR
- E. ENTRY AND DOORPORT
- F. METAL CANOPY
- G. STANDING SEAM METAL ROOFING



NORTH ELEVATION - BUILDINGS 1 & 2

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - BUILDINGS 1 & 2

SCALE: 1/8" = 1'-0"

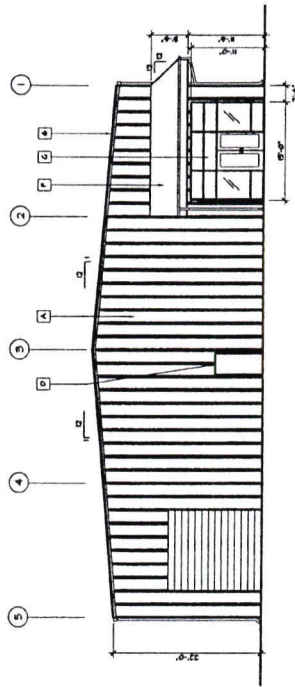
DARIN MOORE ENTERPRISES

RANCHO CORDOVA, CALIFORNIA
P.O. BOX 407

GOLD FLAKE PARCELS 3, 5 & 8

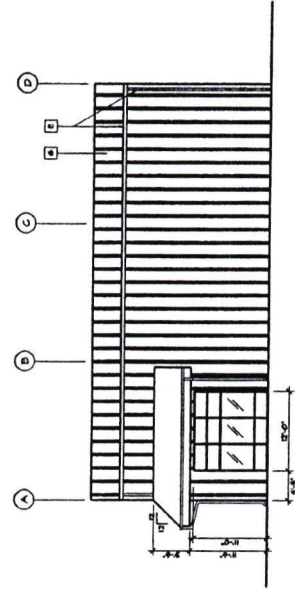
RANCHO CORDOVA, CA





EAST ELEVATION - BUILDINGS 3 & 4

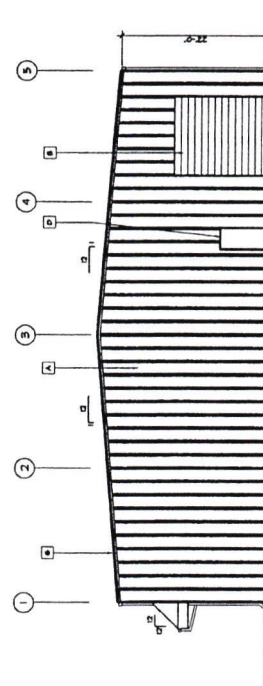
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NORTH ELEVATION - BUILDINGS 3 & 4

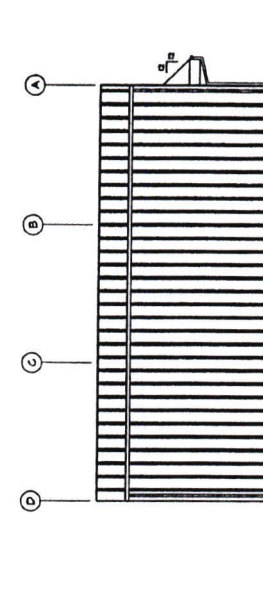
SCALE: 1/8" = 1'-0"

- KEY NOTES
- A. METAL PANEL SYSTEM
 - B. 12" x 14" OVERHEAD ROLL-UP DOOR
 - C. STAIRWELL
 - D. 3'-0" x 8'-0" HALL DOOR
 - E. ENTRY AND CORRIDOR
 - F. METAL LANDSCAPE
 - G. STAINLESS STEEL METAL SCISSOR



WEST ELEVATION - BUILDINGS 3 & 4

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - BUILDINGS 3 & 4

SCALE: 1/8" = 1'-0"

DARIN MOORE ENTERPRISES

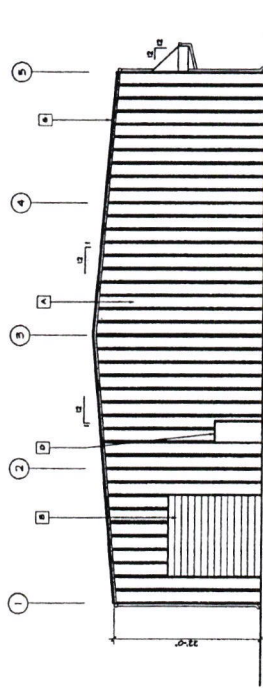
10000 CORDOVA, CALIFORNIA
TEL: 916.431.1000

GOLD FLAKE PARCELS 3, 5 & 8

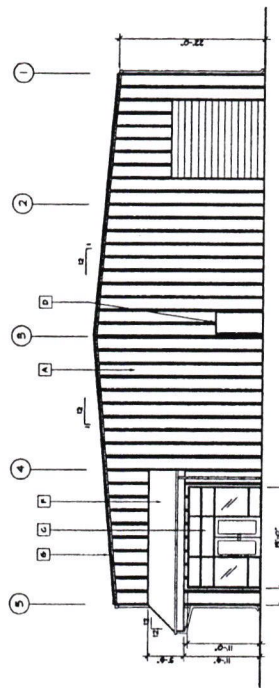
RANCHO CORDOVA, CA



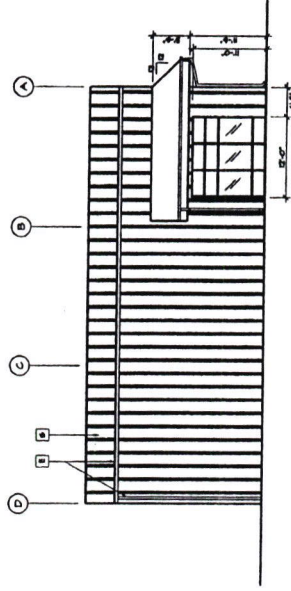
10000 CORDOVA, CALIFORNIA
TEL: 916.431.1000



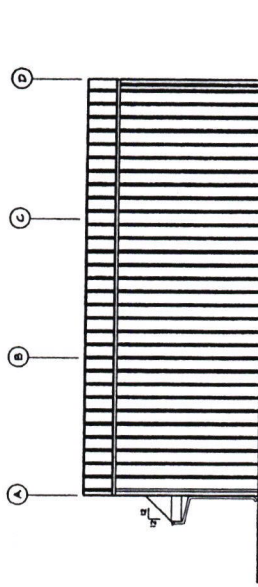
EAST ELEVATION - BUILDINGS 5 & 6
SCALE: 1/8" = 1'-0"



WEST ELEVATION - BUILDINGS 5 & 6
SCALE: 1/8" = 1'-0"



NORTH ELEVATION - BUILDINGS 5 & 6
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - BUILDINGS 5 & 6
SCALE: 1/8" = 1'-0"

KEY NOTES

- A. METAL PANEL SYSTEM
- B. 12" x 16" OVERHEAD ROLL-UP DOOR
- C. STAIRWELL
- D. 3'-0" x 8'-0" WALK DOOR
- E. ENTRY AND CORRIDOR
- F. METAL CANOPY
- G. STANDING SEAM METAL ROOFING

DARIN MOORE ENTERPRISES

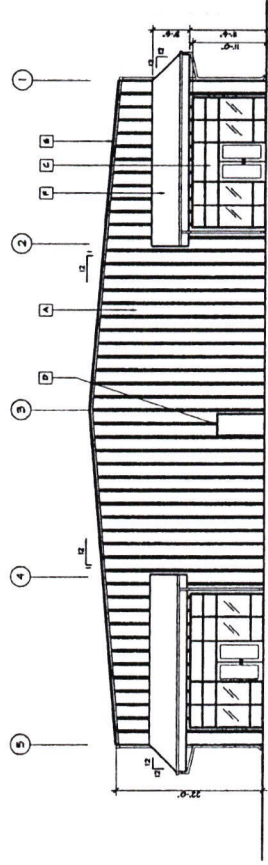
RANCHO CORDOVA, CALIFORNIA
P.O. BOX 651 AND

GOLD FLAKE PARCELS 3, 5 & 8

RANCHO CORDOVA, CA

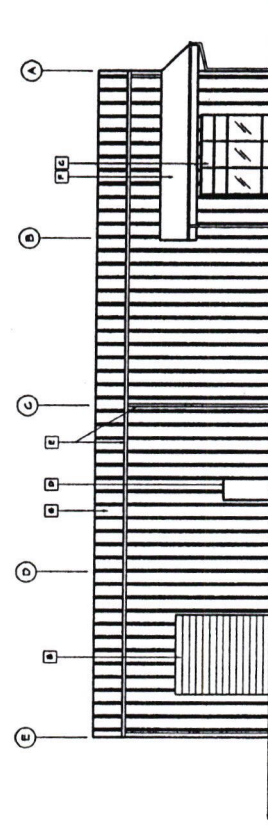


1000 Hill Street, Suite 1
Sacramento, California 95827
Tel: (916) 441-1111 Fax: (916) 441-1112
WWW.TBD.COM



SOUTH ELEVATION - BUILDINGS 3, 5 & 8
WEST ELEVATION - BUILDING 7

SCALE: 1/8" = 1'-0"

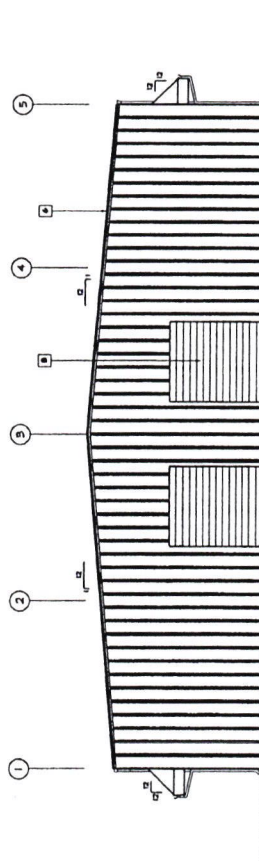


WEST ELEVATION - BUILDINGS 3, 5 & 8
NORTH ELEVATION - BUILDING 7

SCALE: 1/8" = 1'-0"

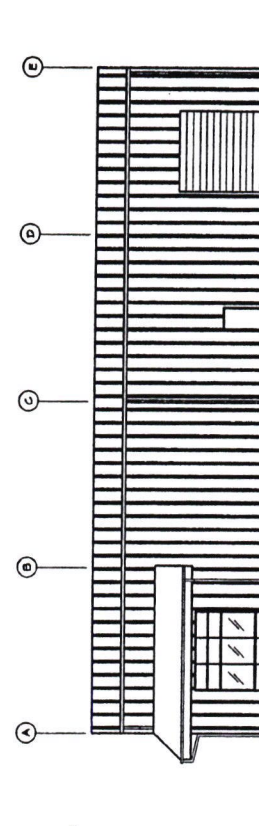
KEY NOTES

- A. METAL WALL PANEL SYSTEM
- B. 12" x 14" OVERHEAD ROLL-UP DOOR
- C. STAIRWELL
- D. 5'-0" x 6'-0" WOOD DOOR
- E. BUTTER AND CORNERPOST
- F. METAL CANTY
- G. STAIRWELL WITH METAL ROOFING



NORTH ELEVATION - BUILDINGS 3, 5 & 8
EAST ELEVATION - BUILDING 7

SCALE: 1/8" = 1'-0"



EAST ELEVATION - BUILDINGS 3, 5 & 8
SOUTH ELEVATION - BUILDING 7

SCALE: 1/8" = 1'-0"

DARIN MOORE ENTERPRISES

INDUSTRYVILLE, CALIFORNIA
94545

GOLD FLAKE PARCELS 3, 5 & 8

RANCHO CORDOVA, CA



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FAX: (916) 481-1112

[illegible][illegible]

MANUEL GONZALEZ, CALIFORNIA

RANCHO CORDOVA, CA

9806 Old Winery Place, Suite 1
Sacramento, California 95827
Tel 916.854.9981 Fax 916.854.9940
016-2718 JEFF/ASB \$3,772/3M

North Redliner Landscapes Architect (908) 787-6578
4127 Douglas Blvd., Suite 200, Aliso Viejo, CA 92656-0209
Fax: 787-2517
Calif. Lic. #C2007

Conditions of Approval

Exhibit B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The project shall be constructed in substantial compliance with the approved design review package (Exhibit A) as presented in the City Council staff report dated February 22, 2005.	On-Going	Planning	
2.	The applicant shall adhere to the Conditions of Approval/MMRP adopted for the subject parcels, 072-0440-003, 005, and 014 and approved in conjunction with the Gold Flake Tentative Parcel Map, RC-04-087.	On-Going	Planning	
3.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
	Prior to Issuance of Building Permits			
4.	The buildings shall be reviewed for architectural consistency with the approved plans by the Planning Director.	Prior to Building Permit	Planning	
5.	On site fire protection devices, hydrants, and adequate water supply shall be installed and approved by the Metro Fire, prior to combustible materials stored on site.	Prior to Building Permits	Metro Fire District	
6.	The building colors shall be as depicted in the Color Palette submitted with the application. The same building color shall not be used on adjacent buildings.	At Building Permit	Planning	
	Prior to Occupancy Permit			
7.	All landscaping shall be planted according to the approved landscape plans.	Prior to Occupancy	Planning	

Vote on the Motions:

AYES: Burke, Konarski, Moe, Smith, Vance, Wentz
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: Savorn

There being 6 Ayes, 0 Noes, 0 Abstains and 1 Absentees, the motions are hereby declared to be passed.

C. Consideration of the Design Review for SECURITY PARK PARCEL 19 (THIS PORTION OF THE PROJECT HAS BEEN WITHDRAWN) AND GOLD FLAKE PARCELS 3, 5, & 14 – Project No. RC-04-090

Request: Applicant is requesting Design Review to construct nine new industrial metal buildings located in Security Park on Gold Flake Court in the M2 (Heavy Industrial) zone.

Project Applicant: GBDH Design Group, Inc., 9806 Old Winery Place #1, Sacramento, CA 95827

Project Location: APN: 072-0440-003, 005, and 014, Gold Flake Court

Assistant Planner Kathleen Franklin presented the staff report and recommended the Planning Commission forward a recommendation to the City Council to determine the Mitigated Negative Declaration prepared for the Gold Flake Tentative Parcel Map adequately addresses the environmental impacts for the project and adopt Resolution No. 26-2005 approving Design Review for Project No. RC-04-090, subject to the findings, evidence, Design Package, and Conditions of Approval. Chair Smith opened the public hearing and took testimony from Roy Hunt, project applicant.

The Commissioners had the following concerns and comments:

- Are there prospective tenants for this project? No.
- What type of fences will be proposed? 6 foot high chain link fence with additional landscaping.
- Will the yards be fenced with gates? Yes.
- Will there be razor wire on the chain link fence? No.
- Will there be customer traffic through the site area? No, not a significant amount.
- Will there be residential areas close to this project? Yes.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion 1: Commissioner Burke moved, seconded by Commissioner Moe, to recommend the Planning Commission forward a recommendation to the City Council to determine the Mitigated Negative Declaration prepared for the Gold Flake Tentative Parcel Map adequately addresses the environmental impacts for the project.

Motion 2: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission adopt Resolution No. 26-2005 approving Design Review for Project No. RC-04-090, subject to the findings, evidence, Design Package, and Conditions of Approval.

Vote on the Motions:

AYES: Burke, Konarski, Moe, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: Savorn

There being 6 Ayes, 0 Noes, 0 Abstains and 1 Absentees, the motions are hereby declared to be passed.

D. **Consideration of the Design Review for NORTHWEST EXTERIORS – Project No. RC-04-137 (THIS ITEM HAS BEEN CONTINUED TO THE FEBRUARY 24, 2005 PLANNING COMMISSION MEETING)**

Reason for Continuance: Due to a condition found within the title report, a restriction for access to Sunrise Blvd., the project may need to be redesigned. The applicant and staff require additional time for this to be accomplished.

Request: Applicant is requesting Design Review for the construction of two concrete tilt-up office buildings on a 1.65 acre site in the MP (Industrial Office Park) zone.

Project Applicant: GBDH Design Group, Inc., 9806 Old Winery Place #1, Sacramento, CA 95827

Project Location: APN: 072-0490-022, Sun Center Drive at Gold Pan Court.

Assistant Planner Kathleen Franklin recommended the Planning Commission continue this item to the February 24, 2005 Regular Planning Commission Meeting.

The Commissioners had the following concerns and comments:

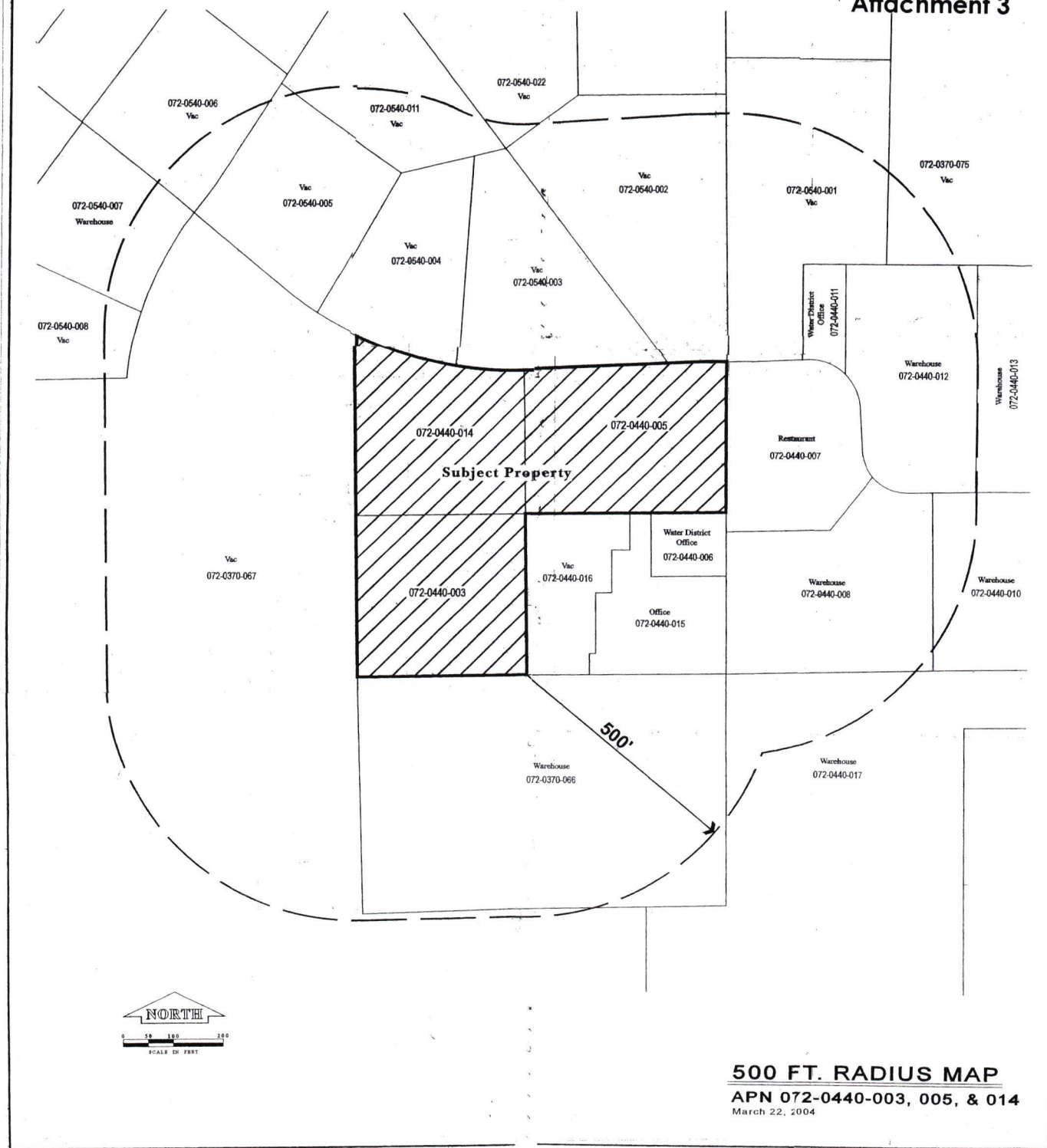
- There were no comments from the Planning Commissioners.

Action:

Motion: Commissioner Wentz moved, seconded by Vice Chair Vance to recommend the Planning Commission continue this item to the February 24, 2005 Regular Planning Commission Meeting.

Vote on the Motions:

AYES: Burke, Konarski, Moe, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: Savorn



072-0440-003
JONES LOUIS E III/REBECCA S/M/M
DEVELOPMENT
1601 RESPONSE RD 150
SACRAMENTO CA 95815

072-0440-005
JONES LOUIS E III/REBECCA S/M/M
DEVELOPMENT
1601 RESPONSE RD 150
SACRAMENTO CA 95815

072-0440-014
JONES LOUIS E III/REBECCA S/M/M
DEVELOPMENT
1601 RESPONSE RD 150
SACRAMENTO CA 95815

072-0370-066
SEABOURNE ENTERPRISES L
P/ETAL
7637 VASOS WY
FAIR OAKS CA 95628

072-0370-067
PSL ENTERPRISES LLC
3920 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0440-006
CALIFORNIA-AMERICAN WATER
COMPANY
303 H ST 250
CHULA VISTA CA 91910

072-0440-007
MARTIN FAMILY TRUST
3871 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0440-008
PSL ENTERPRISES LLC
3920 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0440-015
SEABOURNE FIELD INVESTMENTS
3920 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0440-016
SEABOURNE FIELD INVESTMENTS
3920 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0540-001
INTERSTATE PROPS LLC
3915 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0540-002
TRI-TOOLS INC
3806 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0540-003
TRI-TOOLS INC
3806 SECURITY PARK DR
RANCHO CORDOVA CA 95742

072-0540-004
AEROJET GENERAL CORP
P O BOX 13222
SACRAMENTO CA 95813

GBDH DESIGN GROUP INC
9806 OLD WINERY PLACE 1
SACRAMENTO CA 95827

072-0540-019
JONES LOUIS E III/REBECCA S/M/M
DEVELOPMENT
1601 RESPONSE RD 150
SACRAMENTO CA 95815

072-0540-015
AEROJET GENERAL CORPORTATION
P O BOX 13222
SACRAMENTO CA 95813

072-0540-016
AEROJET GENERAL CORPORTATION
P O BOX 13222
SACRAMENTO CA 95813

072-0540-017
AEROJET GENERAL
CORPORTATION
P O BOX 13222
SACRAMENTO CA 95813

072-0540-018
TRI-CO INVESTORS
P O BOX 80
EMIGRANT MT 59027

072-0540-020
HODGE TIMOTHY L/STACEY L
8651 HODGE PL
ORANGEVALE CA 95662

072-0540-021
AEROJET GENERAL
CORPORTATION
P O BOX 13222
SACRAMENTO CA 95813

GBDH DESIGN GROUP INC
9806 OLD WINERY PLACE 1
SACRAMENTO CA 95827

**The exhibit (s) or
attachment (s) for this item
is (are) on file in the City
Clerk's Office for review by
the public.**

Attachment 4 - Color Exhibits

Attachment 5 - Design Review Package

**Council Members, please
find above item(s) attached
to your agenda packet.**

Agenda Item: 10

Staff Report



Date: February 22, 2005

To: Honorable City Council

From: Steven R. Meyers, City Attorney

Subject: Urgency Ordinance Amending Rancho Cordova Zoning Code Section 325-51, and Making Findings and Establishing a Temporary Moratorium on the Establishment of New Sexually Oriented Businesses and the Expansion of Existing Sexually Oriented Businesses Pending the Review and Amendment of Zoning Regulations Applicable to Sexually Oriented Businesses

RECOMMENDATION

Approve the attached ordinance.

BACKGROUND

On December 15, 2003, the City Council adopted an urgency ordinance imposing a 45-day moratorium on the establishment and expansion of sexually oriented businesses in the City. The purpose of the moratorium was to allow staff to undertake a review of the City's current laws regulating sexually oriented businesses. A moratorium was necessary in order protect the public health, safety and welfare pending completion of the review. The moratorium was extended on January 20, 2004, again on July 6, 2004, and will expire on March 6, 2005.

As a result of staff's review, an ordinance that proposes changes to the City's Municipal and Zoning Codes was introduced at the Planning Commission on December 22, 2004. The ordinance is still being reviewed by the Commission. Thus far, the Commission has held two public hearings on the matter and a third is scheduled for February 24.

Since the ordinance's introduction, both the Commission and City staff have been approached by representatives of the sexually oriented businesses located in and around Rancho Cordova. These individuals have asked to have more input on the proposed ordinance and have indicated that they are compiling additional studies and other information for the City to consider. Dialogue on this matter between City staff and local sexually oriented businesses is still ongoing.

Finally, since the City adopted the current moratorium, it has begun the process of creating and adopting a General Plan. In accordance with state guidelines, the General Plan process is expected to be completed by the end of 2005. It is possible

that the ongoing General Plan process, which will involve the rezoning of land within the City, may impact how the City chooses to zone for and regulate sexually oriented businesses. It is staff's opinion that having additional time to consider further changes in the General Plan process will benefit both the Planning Commission and the City Council in addressing how best to zone for and regulate sexually oriented businesses.

New Moratorium

The current moratorium will end on March 6. As indicated above, the City's General Plan process will continue throughout the remainder of the calendar year. Likewise, staff expects that its receipt and consideration of the materials and other information to be submitted by local businesses will not reach a conclusion until sometime after the current moratorium ends.

In order to allow staff to continue its review of this matter, City staff recommends that the Council place a new moratorium on the approval or issuance of use permits, variances, building permits, or any other applicable entitlement for use, including but not limited to the issuance of business licenses, for the operation of a new sexually oriented business or the expansion of an existing sexually oriented business. This moratorium would not apply to the renewal of a business license for an existing sexually oriented business in the City.

Pursuant to Government Code Section 65858, the City may establish a 45-day moratorium on the establishment prohibiting any uses that may be in conflict with a contemplated zoning proposal that the legislative body or the planning department is considering or studying or intends to study within a reasonable time. Moratoriums may be extended for up to 22 additional months provided that a current and immediate threat to the public safety, health and welfare still exists.

Finally, pursuant to the authority granted the City in Government Code Section 36937, staff recommends that the City Council modify the provisions of Zoning Code Section 325-51 to temporarily prohibit the permitting of sexually oriented businesses in the City. Inclusion of this modification will mirror the moratorium provisions and will provide the City with a second line of legal authority allowing for the City's temporary restriction on the establishment of new sexually oriented businesses.

Finally, the City has received letters from representatives of the three local sexually oriented businesses in the Rancho Cordova area stating that they do not oppose the adoption of a new moratorium by the City.

REQUESTED MOTION

"I move that the City Council adopt an urgency ordinance amending Zoning Code Section 325-51, and making findings and establishing a temporary moratorium on the establishment of new sexually oriented businesses and the expansion of existing sexually oriented businesses pending the review and amendment of zoning regulations applicable to sexually oriented businesses."

ATTACHMENTS

1. Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. 05-2005

AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA ZONING CODE SECTION 325-51, AND MAKING FINDINGS AND ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW SEXUALLY ORIENTED BUSINESSES AND THE EXPANSION OF EXISTING SEXUALLY ORIENTED BUSINESSES PENDING THE REVIEW AND AMENDMENT OF ZONING REGULATIONS APPLICABLE TO SEXUALLY ORIENTED BUSINESSES, TO BECOME EFFECTIVE IMMEDIATELY

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

Section 1. Findings

A. On December 15, 2003, the City Council of the City of Rancho Cordova adopted Ordinance No. 29-2003 as an urgency ordinance imposing a 45-day moratorium on the establishment of new sexually oriented businesses and the expansion of existing sexually oriented businesses. The Council subsequently extended the moratorium on January 20, 2004, and again on July 6, 2004. The moratorium will expire on March 6, 2005.

B. The Council's adoption of the moratorium was based upon the following facts:

i. The findings of the County of Sacramento, set forth in Zoning Code Section 325-50, and the cases, studies and authorities involving other municipalities around the country clearly establishing that the existence of sexually oriented businesses in a community results in the creation of harmful secondary effects, such as increased crime and decreasing property values, which are a threat to the public safety, health and welfare;

ii. The existence of confusion as to the interpretation and application of numerical standards in the Rancho Cordova Zoning Code related to the location, operation and concentration of sexually oriented businesses within the City;

iii. The fact that, absent the adoption of a moratorium, the existence of such confusion could cause the City to approve the establishment of sexually oriented businesses not intended by Zoning Code Sections 325-50 and 325-51,

which in turn would result in an increase in the harmful secondary effects identified above;

iv. The failure to properly apply zoning regulations affecting sexually oriented businesses might result in an illegal infringement upon constitutionally protected rights associated with sexually oriented activities; and

v. The zoning standards in question were drafted by the County of Sacramento and adopted by reference by the City following its incorporation. The City's recent transition from unincorporated area of the County of Sacramento to incorporated city dictated that the City review its zoning provisions regulating sexually oriented businesses in order to ensure that such regulations meet the needs of the City by minimizing the harmful secondary effects associated with sexually oriented business, while at the same time ensuring that such regulations do not unreasonably limit alternative avenues of communication, and are based upon narrow, objective and definite land use standards.

C. During the time period the moratorium has been in place, the City's staff has conducted a review of the City's laws regulating sexually oriented business and on December 22, 2004, an ordinance proposing to amend both the Rancho Cordova Zoning Code and Rancho Cordova Municipal Code was introduced before the Rancho Cordova Planning Commission. The Planning Commission held public hearings on the ordinance on December 22, 2004, and January 25, 2005, and is continuing to review the ordinance.

D. Since the introduction of the proposed ordinance on December 22, 2004, individuals representing sexually oriented businesses located in the City and in the City's sphere of influence have approached members of the City's staff and the Planning Commission to request an opportunity to submit additional information, including new studies on the effects of sexually oriented business, for the City's consideration. Interaction between the City's staff and local businesses on this matter is ongoing and the City's review of the new materials will not conclude before the current moratorium ends.

E. Since the adoption of the current moratorium, the City has also begun the process of creating and adopting a new General Plan. In accordance with state guidelines, the City expects to adopt a new General Plan by the end of 2005. The City Council finds that the General Plan adoption process, which will, among other things, result in zoning changes throughout the City, may create additional factors for the City to consider as it reviews how best to regulate the location, operation and concentration of sexually oriented businesses within the City.

F. The City Council declares that the additional information to be submitted by local businesses concerning the effects of sexually oriented businesses and the

General Plan adoption process are important new factors to consider in determining how best to regulate the location, operation and concentration of sexually oriented businesses within the City.

G. The City Council finds that until the City has had sufficient opportunity to review and consider the new information supplied by local businesses and the effect of the General Plan update on local zoning, questions about the adequacy of the City's sexually oriented business standards to protect the public health, safety and welfare will remain, as will confusion about how to interpret and apply the numerical standards in the Rancho Cordova Zoning Code related to the location, operation and concentration of sexually oriented businesses within the City;

H. Absent the adoption of this urgency ordinance, the existence of such confusion could cause the City to approve the establishment of sexually oriented businesses not intended by Zoning Code Sections 325-50 and 325-51, which in turn would result in an increase in the harmful secondary effects the City Council has previously found are associated with sexually oriented businesses.

I. Government Code Section 65858 authorizes the adoption of an urgency ordinance to prohibit uses of land which may conflict with a contemplated general plan, specific plan or zoning proposal which the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable period of time.

J. During the course of the current moratorium, City staff has undertaken a study to review the City's Zoning Code regulations pertaining to the regulation of sexually oriented businesses, to identify appropriate locations within the City where sexually oriented businesses should be permitted, and to amend or develop, as necessary, regulations applicable to such businesses. The City Council finds that it is necessary for City staff to continue its review of this matter, taking into consideration studies and other materials submitted by local sexually oriented businesses and the potential impacts of the General Plan adoption process.

K. The City Council finds that the current and immediate threat to the public health, safety and welfare, as discussed above and described in the findings adopted pursuant to Ordinance No. 29-2003, and readopted pursuant to Ordinances No. 4-2004 and 36-2004 still exist, and that a new temporary moratorium on the issuance of permits, business licenses or other applicable entitlements providing for the establishment of new sexually oriented businesses or for the expansion of existing sexually oriented businesses is necessary pending completion of the City's review.

L. The City Council also finds that, based upon the above findings, the continued temporary modification to Zoning Code Section 325-51 to temporarily prohibit the issuance of permits, business licenses or other applicable entitlements providing for the establishment of new sexually oriented businesses or for the expansion of existing

sexually oriented businesses prior to the completion of the City's review is necessary for the immediate preservation of the public health, safety and welfare.

Section 2. Temporary Modification of Zoning Code Section 325-51 and Imposition of Moratorium

A. Rancho Cordova Zoning Code Section 325-51 is hereby amended to read as following.

“325-51. Conditions

A. The zoning conditions set forth in subsection (B) for sexually oriented businesses were drafted and adopted by the County of Sacramento and were adopted by reference by the City of Rancho Cordova. The City, however, has determined that confusion exists over the application of numerical standards in this section and that the existence of such confusion could cause the City to approve sexually oriented businesses not intended by this section. Therefore, notwithstanding the zoning conditions set forth in subsection (B), for a period of 45 days beginning February 22, 2005, no new sexually oriented businesses shall be permitted within the City, nor shall any permits or other entitlements be granted for the expansion of any existing sexually oriented business. This temporary modification shall not prohibit the renewal of a business license for an existing sexually oriented business in the City.

B. Sexually oriented businesses are permitted subject to compliance with all of the following conditions:

- (a) Such use is more than one thousand (1,000) feet from any property zoned for a land use zone listed in Section 201.01, or regulated by Title V of this Code.
- (b) Such use is situated more than one thousand (1,000) feet from any other sexually oriented business.
- (c) Such use is located more than one thousand (1,000) feet from any of the following uses:
 - (1) Single family, duplex or multi-family residences;
 - (2) Clinic, child-family guidance;
 - (3) Library;
 - (4) Public park;

- (5) Church;
- (6) Citizens improvement club-community center;
- (7) Public or private K-12 school;
- (8) Indoor or outdoor recreation facilities that are primarily designed to serve persons under the age of 18.

(d) The one thousand (1,000) foot separation shall be measured as a radius from the primary entrance of the sexually oriented business to the property lines of the property so zoned or used.

(e) No more than three (3) such uses shall be permitted within the boundary of a planning area for a community planning advisory council established by the Board of Supervisors pursuant to Chapter 2.36 of the Sacramento County Code.

(f) Such use is situated in either a M-1 or M-2 land use zone."

B. In accordance with the authority granted the City of Rancho Cordova under Government Code Section 36937, Rancho Cordova Zoning Code Section 325-51 is being temporarily modified to prohibit the approval or issuance of any use permit, variance, building permit, or any other applicable entitlement for use, including but not limited to the issuance of a business license, for the operation of a new sexually oriented business or the expansion of an existing sexually oriented business for a period of 45 days. This temporary modification shall not prohibit the renewal of a business license for an existing sexually oriented business in the City.

C. In accordance with the authority granted the City of Rancho Cordova under Government Code Section 65858, from and after the date of this ordinance, no use permit, variance, building permit, or any other applicable entitlement for use, including but not limited to the issuance of a business license, shall be approved or issued for the operation of a new sexually oriented business or the expansion of an existing sexually oriented business for a period of 45 days. This moratorium shall not apply to the renewal of a business license for an existing sexually oriented business in the City.

D. This ordinance is an interim ordinance adopted as an urgency measure pursuant to the authority granted the City of Rancho Cordova under Government Code Sections 36937 and 65858 and is for the immediate preservation of the public safety, health and welfare. The facts constituting the urgency are: The findings of the County of Sacramento, set forth in Zoning Code Section 325-50, and the cases, studies and authorities involving other municipalities around the country clearly establish that the existence of sexually oriented businesses in a community results in the creation of harmful secondary effects, such as increased crime and decreasing property values, which are a threat to the public safety, health and welfare. Confusion exists over the

interpretation and application of numerical standards in the Rancho Cordova Zoning Code related to the location, operation and concentration of sexually oriented businesses within the City. The existence of such confusion could cause the City to approve the establishment of sexually oriented businesses not intended by Zoning Code Sections 325-50 and 325-51, which in turn would result in an increase in the harmful secondary effects identified above. The zoning standards in question were drafted by the County of Sacramento and adopted by reference by the City following its incorporation. The City's transition from unincorporated area of the County of Sacramento to incorporated city dictate that the City review its zoning provisions regulating sexually oriented businesses in order to ensure that such regulations meet the needs of the City by minimizing the harmful secondary effects associated with sexually oriented business, while at the same time ensuring that such regulations do not unreasonably limit alternative avenues of communication, and are based upon narrow, objective and definite land use standards. The failure to properly apply zoning regulations affecting sexually oriented businesses might also result in an illegal infringement upon constitutionally protected rights associated with sexually oriented activities. Since 2003, a moratorium on the establishment and expansion of sexually oriented businesses has been in place while the City considers the review of its zoning and regulatory provisions. The current moratorium will end on March 6, 2005. On December 22, 2004, an ordinance proposing the amendment of zoning and regulatory provisions applicable to sexually oriented businesses was introduced before the Rancho Cordova Planning Commission. Following the introduction of the ordinance, local sexually oriented businesses approached the City and requested that the City consider additional information and studies concerning the negative secondary effects of sexually oriented businesses. The City is also in the process of creating and adopting a new General Plan that may impact how sexually oriented businesses are zoned and regulated. The timeframe for consideration of these new factors by the City will extend beyond the expiration of the current moratorium. In light of these facts, and as a result of the harmful secondary effects associated with sexually oriented business and the current and immediate threat such secondary effects pose to the public health, safety and welfare, it is necessary to, in accordance with Government Code Sections 36937 and 65858, temporarily modify Zoning Code Section 325-51 and establish a new 45-day moratorium on the establishment of new sexually oriented businesses or the expansion of existing sexually oriented businesses in the City pending the completion of the City's review of its zoning provisions regulating sexually oriented businesses.

Section 3. Compliance with California Environmental Quality Act

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it

prevents changes in the environment pending the completion of the contemplated Zoning Code review.

Section 4. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date

This ordinance shall become effective immediately upon adoption if adopted by at least four-fifths vote of the City Council and shall be in effect for forty-five days from the date of adoption unless extended by the City Council as provided for in the Government Code.

ADOPTED, THIS 22nd day of February 22, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

MAYOR

ATTEST:

CITY CLERK

Memorandum



Agenda date: February 22, 2005

TO: Honorable City Council

FROM: Cyrus Abhar, Public Works Director

SUBJECT: Interim Traffic Impact Mitigation Fee
Public Hearing

BACKGROUND:

The City has adopted Ordinances that continued in effect the Roadway and Transit Development Fees of Sacramento County as a component of the Rancho Cordova Development Impact Fees. Included in those various fees that are collected at building permit issuance is a Roadway and Transit Development Impact Fee as shown in Table 1. Neither the Capital Improvement Program (CIP) nor the associated fees have been updated since September 1993. Based on the expected magnitude of new development in the City of Rancho Cordova, the CIP on which the Roadway Development Impact Fee was based does not reflect the construction of new and reconstruction of existing critical roadway, bicycle and pedestrian improvements needed to maintain effective circulation throughout the City. Additionally, the CIP does not meet the current requirements of the Americans with Disabilities Act of 1973.

DISCUSSION:

Citywide CIP and Nexus Study

The City has retained PSOMAS and Revenue & Cost Specialists to initiate the development of a Citywide Capital Improvement Program (CIP) and a corresponding Nexus Study to identify and evaluate the City's overall infrastructure needs for roadway and pedestrian improvements which will be used to establish a permanent Traffic Impact Mitigation Fee. The process used to determine the permanent fee will identify projects that are either currently underfunded or which have no funding source identified. The evaluation may also investigate the benefits of integration of any CIP currently implemented under an existing Specific Plan Areas into the Citywide CIP.

Interim Traffic Impact Mitigation Fee

The urgency for proposing an interim fee is based on the following factors:

- The existing CIP does not include critical roadway, bicycle, and pedestrian infrastructure improvements that will be necessary to meet the demands of new development in the City and to maintain effective circulation throughout the City;
- The cost estimates in the existing CIP are grossly underestimated to adequately provide for the construction of the projects currently included in the CIP;
- The existing Roadway Development Impact Fee is insufficient to support existing projects nor provide for additional projects;
- Infill projects outside of an existing Specific Plan Area for which a CIP has been developed are only required to pay the existing Roadway Development Impact Fee. With

the proposed rate and impact of new development in the City and the potential for hundreds of permits to be issued before a permanent fee can be established, an interim fee necessary is to allow the City to collect an increased traffic impact mitigation fee until a permanent fee is established

Fee Increase Justification

In the absence of a fully developed Citywide CIP, a streamlined approach was taken by evaluating two projects in the Roadway Element CIP of the 1993 Transportation Development Fee Update. Those projects are located on Grant Line Road and Sunrise Boulevard. When comparing the cost estimates in the CIP for Grant Line Road to cost estimates developed in 2004, the difference was approximately 350% to deliver a complete project. A similar comparison of a Project on Sunrise Boulevard with cost estimates developed in 2003 yielded a difference of 361% .

Another approach taken was to compare the existing fee for single family dwellings (SFD) in infill areas to those charged by other jurisdictions. An infill area is identified as a geographic areas which does not already have an existing Specific Plan Area CIP associated with it. As such, without a specific plan CIP and associated roadway development impact fee, the only roadway fee for traffic mitigation the City of Rancho Cordova can currently collect is the District fee which is \$1,231 based on a SFD. As previously mentioned, neither the fee nor the CIP has been updated since 1993. The survey yielded the following results for fees charged to single family residences:

<u>Agency</u>	<u>Traffic Impact Fee per SFD</u>
<i>City of Elk Grove</i>	<i>\$ 9,289</i>
<i>City of West Sacramento</i>	<i>\$ 4,123</i>
<i>City of Folsom</i>	<i>\$ 3,781</i>
<i>City of Roseville</i>	<i>\$4,387</i>
<i>City of Sacramento</i>	<i>\$1,000</i>
<i>City of Rancho Cordova</i>	<i>\$1,231</i>

The roadway fees other jurisdictions charge to new development for a single family residential dwelling range from \$3,781 in the City of Folsom to \$9,289 in the City of Elk Grove, or from 307% to 755% higher in terms of percent difference when compared to the fee charged in Rancho Cordova. It should be noted that although the fees have been inflated, the CIP for the City of Folsom has not been updated since 1997 and the City of Folsom is currently planning to update the fee. In addition to the citywide major street fee that the City of Sacramento charges, it also charges specific plan fees and did not have a true infill fee for basis of comparison.

The proposed interim fee of \$4,400 for a single family residence is established based on the underestimation of project costs in the existing CIP and the necessity of providing transportation system improvements not identified in the existing CIP. The interim fees will be proportionately increased for all other land use types as shown in Table 2. The Transit Fees remain unchanged. The appropriateness of the interim fee is substantiated by fees charged by surrounding jurisdictions with similar levels of service and improvement standards.

Interim Fee Implementation

The Interim Traffic Mitigation Fee will be effective immediately upon approval by the City Council at the rates proposed in Table 2 and will continue in effect for 30 days after which time it may be extended for a maximum of two 30-day periods . The rates shown in the Table 2 were established at a rate 357% higher than the existing rates for District 3 for each land use type. Portions of the City fall into Districts with differing rates. Staff recommends that all the Districts in the City be consolidated into a single district with the interim fees based on the fees established for District 3. These fees will be collected at the issuance of building permits.

RECOMMENDATION:

Staff recommends the City Council adopt the Urgency Resolution to implement the interim Traffic Impact Mitigation Fee at the rates established in the attached Table 2. These fees will supersede and replace the existing Roadway Development Impact Fees being collected.

Prior to the issuance of building permits, applicants shall be required to enter into an interim fee agreement that will contain provisions to collect additional Traffic Impact Mitigation Fees should the permanent Traffic Impact Mitigation Fee be higher than the interim rate. Of course, under the terms of the agreement, fees will be refunded should the permanent fee be lower than the interim rate.

Attachments:

1. Table 1 – Existing Traffic Impact Fees
2. Table 2 – Proposed Interim Traffic Impact Mitigation Fees
3. Resolution for Establishing an Interim Traffic Impact Mitigation Fee

TABLE 2

CITY OF RANCHO CORDOVA																
INTERIM TRAFFIC IMPACT MITIGATION FEE																
		L A N D U S E T Y P E														
	SFR Unit	MFR Unit	COMM'L SF	BP-Office SF	Industrial SF	IND-OFF SF	Churches SF	Private Schools Student	Mini Storage SF	Gas Stations Pump	Convalesc. Hospitals Bed	Child Care Centers SF	Care Facilities Suite/Room	Stadiums Seat	Utility Buildings SF	Golf Courses Hole
Roadway	\$4,400.00	\$3,328.00	\$12.83	\$10.26	\$3.50	\$7.43	\$4.40	\$772.00	\$3.50	\$20,077.00	\$1,097.00	\$2.22	\$1,666.00	\$142.00	\$0.36	\$26,675.00
Transit	\$175.00	\$356.00	\$0.77	\$0.70	\$0.16	\$0.45	\$0.18	\$33.00	\$0.16	\$0.00	\$117.00	\$0.09	\$178.00	\$6.59	\$0.02	\$1,318.00
Adm.(2%)	\$91.50	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Interim fees based on the rates established for District 3 and shall apply to all new development in the City of Rancho Cordova.																
*** 2% of Roadway and Transit Fee																

CITY OF RANCHO CORDOVA

RESOLUTION NO. 30-2005

**AN URGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RANCHO CORDOVA ESTABLISHING AN INTERIM TRAFFIC IMPACT
MITIGATION FEE AND PROVIDING NOTICE THAT THE CITY IS INITIATING
PROCEEDINGS FOR THE STUDY AND ADOPTION OF A PERMANENT
TRAFFIC IMPACT MITIGATION FEE**

WHEREAS, upon its incorporation the City of Rancho Cordova ("City") adopted the Sacramento County General Plan as the City's interim general plan ("General Plan");

WHEREAS, the General Plan includes a general description of the location, capacity, and types of capital improvements needed to serve new development in the City;

WHEREAS, the City has adopted Ordinances, which continued in effect the Roadway and Transit Development Fees of Sacramento County (Sacramento County Code Chapter 16.87) as a component of the Rancho Cordova Development Impact Fees;

WHEREAS, the data on which the Roadway and Transit Development Fee was developed has not been updated since September 22, 1993;

WHEREAS, in the future, a citywide Traffic Impact Mitigation Fee is intended to replace the Roadway Development Impact Fee currently being collected;

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate roadway, bicycle and pedestrian facilities compliant with the American with Disabilities Act are provided for the residents of the City of Rancho Cordova, establishment of an interim Traffic Mitigation Fee is necessary;

WHEREAS, using information gathered from other jurisdictions relating to Citywide Roadway Capital Improvement Plans (CIPs) and associated impact fees collected therewith for infill areas, and preliminary evaluation of the facilities listed and cost estimates used therefore, the City has determined that the existing roadway development impact fee is insufficient to achieve required roadway, bicycle, and pedestrian improvements designed to meet the demand generated by new development in the City;

WHEREAS, the City plans to initiate and complete a traffic analysis and nexus study within the next 90 days to identify and establish a permanent Traffic Impact Mitigation Fee consistent with Government Code Section 66000 *et. seq.*;

WHEREAS, a permanent Traffic Impact Mitigation Fee Ordinance will replace the interim Traffic Impact Mitigation Fee established in Section 2 of this Resolution;

WHEREAS, notice of this resolution was provided in accordance with Gov. Code Section 65090(a);

NOW, THEREFORE, the City Council of the City of Rancho Cordova does hereby adopt the findings in Section 1 below, establish an interim Traffic Impact Mitigation Fee on certain new commercial and residential development built in the City as described in Section 2 below, and notifies the public that it is initiating proceedings to study and adopt a permanent Traffic Impact Mitigation Fee as described in Section 3 below.

Section 1. Findings

1. Collection of a Roadway and Transit Development Fee , which is based on cost estimates that are more than a decade old, has resulted in a critical shortfall of funding for roadway, bicycle and pedestrian improvements required to mitigate traffic impacts throughout the City. A preliminary analysis of the data used to establish the existing roadway development impact fee identifies extensive deficiencies in the City's roadway system, including a lack of funding for critical roadway, bicycle and pedestrian improvements to maintain effective circulation throughout the City.
2. The City of Rancho Cordova faces a current and immediate threat due to the number of new commercial and residential developments now planned for, or under review, in the City. If development is allowed to occur without increasing the fee intended to fund infrastructure needs to mitigate citywide traffic impacts from new development, the City's circulation system will further degrade without a source of critical funding to implement those improvements.
3. The interim authorization of a citywide Traffic Impact Mitigation Fee is necessary to immediately protect the public's health, welfare and safety. As the City continues to grow, demand on roads will increase. Based on this expected increase, the City will need to construct new, reconstruct and expand existing roads to ease traffic congestion and improve public safety. The Institute of Traffic Engineers (ITE) has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. It is necessary for and in the interests of the public's health, welfare and safety that the interim fee proposed by this

resolution be effective immediately upon adoption in order to provide the roadway, bicycle and pedestrian improvements needed as a result of significant new development in the planning process that will be constructed in the near future, as well as to achieve a degree of certainty to allow for safe and orderly development in the City. Any delays in the implementation of the interim fees will result in further deterioration of the existing transportation system which is already underfunded and in some areas does not have adequate level of traffic safety.

4. A failure to apply a Traffic Impact Mitigation Fee to new development while a permanent Traffic Impact Mitigation Fee is being studied will place the residents of new commercial projects and residential subdivisions or the immediate community, or both, in a condition dangerous to their health or safety. The interim Traffic Impact Mitigation Fee is necessary to restructure and raise the fees necessary to obtain the funding to provide the public infrastructure needed as a result of new development.

5. The purpose of the interim Traffic Impact Mitigation Fee is to address the significant shortage of roadway improvements required to serve the residents of the City. Collection of the interim Traffic Impact Mitigation Fee will provide funding for the roadway improvements required to meet the demands of new development in the City.

6. There is a reasonable relationship between the use of the interim Traffic Impact Mitigation Fee and the type of development projects subject to the fee because commercial and residential development projects generate or contribute to the need for the roadway improvements identified in 5 above.

7. There is a reasonable relationship between the amount of the interim Traffic Impact Mitigation Fee and the potential cost of the facilities attributable to the commercial and residential development projects subject to the fee. The interim fee is estimated based on the underestimation of project costs in the existing CIP and the necessity of providing transportation system improvements not identified in the existing CIP. The appropriateness of the interim fee is substantiated by fees charged by surrounding jurisdictions with similar levels of service and improvement standards. The permanent fee will ultimately be calculated based on the number of building permits generated by residential and commercial development, the anticipated demand for and total cost of roadway improvements within the City based on traffic impacts, and the percentage by which development within the City contributes to the need for the improvements.

8. The method of allocation of the interim Traffic Impact Mitigation Fee to a particular residential development bears a fair relationship, and is roughly proportional, to the development's burden on, and benefits from, roadway improvements to be funded by the interim Traffic Impact Mitigation Fee.

9. The adoption of a citywide Traffic Impact Mitigation Fee is statutorily exempt from the California Environmental Quality Act under Section 15273 of the CEQA Guidelines.

Section 2. Action

1. An Interim Traffic Impact Mitigation Fee as identified in the attached Table is hereby established.

2. Payment of the fee shall occur at the issuance of building permits and will be collected with an Interim Fee Agreement.

3. This urgency resolution and associated Interim Traffic Impact Mitigation Fee will go into effect immediately after passage, and remain in effect for 30 days, pursuant to Government Code Section 36937 and 66107(b), at which time it may be extended after notice and public hearing for a maximum of two, 30-day periods.

4. **Should the amount of the interim Traffic Impact Mitigation Fee exceed the amount of the permanent Traffic Impact Mitigation Fee subsequently adopted pursuant to Section 3, the City shall provide a timely refund of the excess to the project applicant pursuant to the terms of the Interim Fee Agreement.** Should the amount of the interim Traffic Impact Mitigation Fee be less than the amount of the permanent Traffic Impact Mitigation Fee subsequently adopted pursuant to Section 3, the applicant shall pay the difference between the interim and the permanent fee to the City in a timely manner pursuant to the terms of the Interim Fee Agreement. Any claim that a violation of state or federal law has occurred as a result of the imposition of the interim Traffic Impact Mitigation Fee shall be subject to an administrative hearing; such hearing shall be held concurrently with the City's review of any request by the claimant for a refund.

Section 3. Notice of Initiation of Proceedings For Permanent Traffic Impact Mitigation Fee

1. This urgency resolution also serves as notice under Government Code Section 66474.2(b)(2) that the City is initiating proceedings to adopt a permanent Traffic Impact Mitigation Fee applicable to new commercial development and residential subdivisions in the City.

2. The City is initiating a study to determine the amount of the permanent Traffic Impact Mitigation Fee, consistent with the requirements of the Mitigation Fee Act, Govt. Code Section 66000, *et. seq.*

3. As soon as a permanent Traffic Impact Mitigation Fee is enacted and takes effect, the City Council plans to apply such fee to all pending and new commercial and residential development projects subject to the fee, including tentative and vesting tentative map applications now deemed complete, because such application of the fee is necessary to avoid placing residents of new residential subdivisions or the immediate community, or both, in a condition dangerous to their health or safety.

Section 4. Severability

1. All portions of this Resolution are severable. Should any individual component or any portion of this Resolution be found invalid and unenforceable by a court of competent jurisdiction, it is the City Council's intent and desire that the remaining portions of the Resolution continue in full force and effect.

PASSED AND ADOPTED this 22nd day of February, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

CITY OF RANCHO CORDOVA

INTERIM TRAFFIC IMPACT MITIGATION FEE

L A N D U S E T Y P E																
	SFR Unit	MFR Unit	COMM'L SF	BP-Office SF	Industrial SF	IND-OFF SF	Churches SF	Private Schools Student	Mini Storage SF	Gas Stations Pump	Convalesc. Hospitals Bed	Child Care Centers SF	Care Facilities Suite/Room	Stadiums Seat	Utility Buildings SF	Golf Courses Hole
Roadway	\$4,400.00	\$3,328.00	\$12.83	\$10.26	\$3.50	\$7.43	\$4.40	\$772.00	\$3.50	\$20,077.00	\$1,097.00	\$2.22	\$1,666.00	\$142.00	\$0.36	\$26,675.00
Transit	\$175.00	\$356.00	\$0.77	\$0.70	\$0.16	\$0.45	\$0.18	\$33.00	\$0.16	\$0.00	\$117.00	\$0.09	\$178.00	\$6.59	\$0.02	\$1,318.00
Adm.(2%)	\$91.50	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

Interim fees based on the rates established for District 3 and shall apply to all new development in the City of Rancho Cordova.

*** 2% of Roadway and Transit Fee

Memorandum

Date: February 16, 2005
To: RCFC Board of Directors
From: William J. Thomas, Finance Director
Subject: **RANCHO CORDOVA FINANCING CORPORATION (RCFC)**



RECOMMENDATION

Approve the three resolutions that provide for the following:

- Approval of by-laws for the corporation
- Approve authorizing the "incorporator" to file the federal and state forms
- Authorize the execution and delivery of Certificates of Participation

BACKGROUND

On February 7, 2005, the City Council authorized the formation of the Rancho Cordova Financing Corporation with the passage of Resolution No. 22-2005. This non-profit corporation, that you are meeting as the board of directors for the first time today, was formed for municipal purposes including the assisting the City in financing municipal facilities. The two acquisitions that are currently planned are the acquisition of the Kilgore Office Park site (Kilgore Cemetery and other properties) and the City Hall site (Prospect Park).

As part of the resolution, you appointed the City Attorney to act at the "incorporator". The incorporator filed with the California Secretary of State the articles of incorporation on February 16, 2005. A certified copy of those articles will be available to you for the meeting on February 22nd. In addition the actions of February 7th as stated above, the City Council authorized the "execution and delivery of Certificates of Participation" and approving other financing documents related to the anticipated sale of bonds related to the acquisition of the Kilgore Business Park. All of these actions were taken by the City Council.

The next actions that need to be completed require the City Council, sitting as the Rancho Cordova Financing Corporation Board of Directors to approve the "by-laws" of the corporation; authorize the incorporator to file the necessary forms with the State Franchise Board and the Internal Revenue Service; and authorize the execution of and delivery of Certificates of Participation. Those resolutions are provided for your approval.

Upon approval of these documents, the City will be able to utilize the Financing Corporation as the vehicle to issue debt and hold assets acquired by that debt. Although the corporation is being formed now for specific purposes, it will be available in the future to provide a debt financing vehicle for the City.

Attachments:

Resolution 05-01 Adopting Bylaws & Proposed Bylaws
Resolution 05-02 Authorizing the Filing of Tax Exemption Applications
Resolution 05-03 Authorizing the Execution and Delivery of Certificates of Participation
Articles of Incorporation (certified articles will be delivered later)

Rancho Cordova Financing Corporation

RESOLUTION NO. 05-01

RESOLUTION ADOPTING BYLAWS

RESOLVED, by the Board of Directors of the Rancho Cordova Financing Corporation, that the Bylaws of the Rancho Cordova Financing Corporation, in the form attached hereto and incorporated herein by reference, are hereby adopted and approved and shall stand as the Bylaws of this Corporation until valid amendment thereof.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Rancho Cordova Financing Corporation, at a special meeting thereof duly held on the 22nd day of February, 2005, by the following vote of the Directors thereof:

AYES:

NOES:

ABSENT:

Secretary

BYLAWS

of the

RANCHO CORDOVA FINANCING CORPORATION

ARTICLE I

PRINCIPAL OFFICE

SECTION 1. *Principal Office.* The principal office of the Corporation for the transaction of business shall be 3121 Gold Canal Drive, Rancho Cordova, California. The Board of Directors may, however, fix and change from time to time the principal office from one location to another by noting the change of address in the minutes of the meeting of the Board of Directors at which the address was fixed or changed. The fixing or changing of such address shall not be deemed an amendment to these Bylaws.

ARTICLE II

DIRECTORS

SECTION 1. *Powers.* Subject to the limitations of the Articles of Incorporation of the Corporation, the terms of these Bylaws, and the laws of the State of California, the powers of the Corporation shall be vested in and exercised by, and its property controlled and its affairs conducted by the Board of Directors.

SECTION 2. *Number.* The Corporation shall have five (5) Directors. Directors are collectively to be known as the Board of Directors. The number of Directors may be changed by a Bylaw or amendment thereof duly adopted by the Board of Directors.

SECTION 3. *Selection, Tenure of Office and Vacancies.* The individuals who act as the members of the City Council of the City of Rancho Cordova (the "**City Council**") shall constitute the Board of Directors of the Corporation, and each member of the City Council shall be and remain a member of the Board of Directors of the Corporation for so long as such member remains a member of the City Council.

SECTION 4. *Compensation.* Directors shall serve without compensation, but each Director may be reimbursed his or her necessary and actual expenses, including travel incident to his or her services as Director, pursuant to resolution of the Board of Directors. Any Director may elect, however, to decline such reimbursement.

SECTION 5. *Organizational Meetings.* Immediately following the annual meeting of the Board of Directors or any special meeting of the Board of Directors at which Directors shall have been elected, the Board of Directors shall meet for the purpose of organizing the Board, the election of officers and the transaction of such business as may come before the meeting. Pending such organizational meeting, all officers of the Corporation shall hold over, except any officer required by law or these Bylaws to be a Director and who does not qualify as a Director. A Director elected at such meeting of the Board of Directors shall forthwith become a member of the Board of Directors for purposes of such organization.

In the event such an organizational meeting shall not be held immediately following such annual meeting of the Board of Directors, it shall thereafter be held at the next regular meeting or at a special meeting, and notice thereof shall be given in the manner provided in Section 7 of this Article II for notice of special meetings.

SECTION 6. *Regular Meetings.* Regular meetings of the Board of Directors shall be held at the principal office of the Corporation at 7:00 p.m. on the [**first Monday in March**] of each year, commencing with the [**first Monday in March**] of 2005, or at such other time as the Board may fix by resolution from time to time. Such meetings shall, in all respects, conform to provisions of the Ralph M. Brown Act (California Government Code Section 54950 *et seq.*) (the "**Brown Act**"). In the event that the President of the Board shall determine that there is no business required to be transacted by the Board of Directors at any such regular meeting, such regular meeting shall not be required to be held.

SECTION 7. *Special Meetings.* Special meetings of the Board of Directors shall be called, noticed and held in accordance with the provisions of Section 54956 of the Brown Act.

SECTION 8. *Quorum.* A quorum shall consist of a majority of the members of the Board of Directors unless a greater number is expressly required by statute, by the Articles of Incorporation of the Corporation, or by these Bylaws. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present, shall be the act of the Board of Directors.

SECTION 9. *Order of Business.* The order of business at the regular meeting of the Board of Directors and, so far as possible, at all other meetings of the Board of Directors, shall be essentially as follows, except as otherwise determined by the Directors at such meeting:

- (a) Report on the number of Directors present in person in order to determine the existence of a quorum.
- (b) Reading of the notice of the meeting and proof of the delivery or mailing thereof, or the waiver or waivers of notice of the meeting then filed, as the case may be.
- (c) Reading of unapproved minutes of previous meetings of the Board of Directors and the taking of action with respect to approval thereof.
- (d) Presentation and consideration of reports of officers and committees.
- (e) Unfinished business.
- (f) New business.
- (g) Adjournment.

SECTION 10. *Resignation of Directors.* Any Director of the Corporation may resign at any time by resigning his or her position as member of the City Council and by giving written notice to the President or to the Board of Directors. Such resignation shall take effect at the time specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 11. *Nonliability for Debts.* The private property of the Directors shall be exempt from execution or other liability for any debts, liabilities or obligations of the Corporation, and no Director shall be liable or responsible for any debts, liabilities or obligations of the Corporation.

SECTION 12. *Indemnity by Corporation for Litigation Expenses of Officers, Directors and Employees.*

(a) For the purposes of this section, "agent" shall mean any person who is or was a director, officer or employee of the Corporation.

(b) For the purposes of this section, "proceeding" shall mean any threatened, pending or completed action or proceeding, whether civil, criminal, administrative or investigative.

(c) For the purposes of this section, "expenses" shall mean, without limitation, attorneys' fees and any expenses incurred in the defense of the proceeding.

(d) In the event of any proceeding brought against an agent of the Corporation, either alone or with others (other than an action by or in the name of the Corporation, an action brought under Section 5233 of the California Corporations Code, or an action brought by the California Attorney General for any breach of duty relating to assets held in charitable trust) by reason of the fact that person was an agent of the Corporation, the Corporation shall indemnify that person against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding, if that person acted in good faith and in a manner that person reasonably believed to be in the best interests of the Corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of that person was unlawful.

(e) In the event any proceeding brought against an agent of the Corporation, either alone or with others, is brought by or in the name of the Corporation, or brought under Section 5233 of the California Corporations Code, or brought by the California Attorney General for any breach of duty relating to assets held in charitable trust, by reason of the fact that person was an agent of the Corporation, the Corporation shall indemnify that person against expenses actually and reasonably incurred if that person acted in good faith, in a manner that person believed to be in the best interests of the Corporation and with such care, including reasonably inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

(f) Expenses incurred in defending any proceeding may be advanced by the Corporation prior to the final disposition of such proceeding upon receipt of an undertaking by or on behalf of the agent to repay such amount if it shall be determined ultimately that the agent is not entitled to be indemnified. The agent's obligation to reimburse may be unsecured and no interest shall be charged thereon.

ARTICLE III

OFFICERS

SECTION 1. *Officers.* The officers of the Corporation shall be a President, an Executive Director, a Chief Financial Officer who shall hold the title of Treasurer, a Secretary, and such other officers as the Board of Directors may appoint. The Corporation may also have, at the discretion of the Board of Directors, one or more Vice Presidents, one or more Assistant Secretaries and one or more Assistant Treasurers.

SECTION 2. *Designation of Officers.* The Mayor of the City of Rancho Cordova, California (the “City”) shall be the President of the Corporation. The City Manager of the City of Rancho Cordova shall be the Executive Director of the Corporation. The Finance Director of the City shall be the Treasurer of the Corporation. The City Clerk of the City shall be the Secretary of the Corporation. If any of the foregoing officers are serving on an interim basis, such officer shall be an officer of the Corporation in accordance with the designation set forth in this Section 2 without regard to such interim status.

SECTION 3. *Subordinate Officers.* The Board of Directors may elect or authorize the appointment of such other officers than those hereinabove mentioned as the business of the Corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in these Bylaws, or as the Board of Directors from time to time may authorize or determine.

SECTION 4. *Removal of Officers.* Any officer may be removed, either with or without cause, by a majority of the Directors then in office at any regular or special meeting of the Board, or, except in the case of an officer chosen by the Board of Directors, by any officers upon whom such power of removal may be conferred by the Board of Directors. Should a vacancy occur in any office as a result of death, resignation, removal, disqualification or any other cause, the Board of Directors may delegate the powers and duties of such office to any officers or to any Directors until such time as a successor for such office has been elected and appointed.

SECTION 5. *President.* The President shall preside at all meetings of the Board of Directors and shall exercise and perform such other powers and duties as may from time to time be assigned to him by the Board of Directors or prescribed by the Bylaws.

The President shall also be the chief corporate officer of the Corporation and shall, subject to the control of the Board of Directors, have general supervision, direction and control of the business and officers of the Corporation. He or she shall preside at all meetings of the Board of Directors. He or she shall be ex officio member of all standing committees, and shall have the general powers and duties of management usually vested in the office of President of a corporation and shall have such other powers and duties as may be prescribed by the Board of Directors or by these Bylaws.

SECTION 6. *Executive Director.* The Executive Director shall be responsible for the day-to-day administration of the Corporation, and shall perform such other functions as may from time to time be prescribed by resolution of the Board of Directors.

SECTION 7. *Treasurer.* The Treasurer shall keep and maintain or cause to be kept and maintained adequate and correct accounts of its assets, liabilities, receipts, disbursements, gains and losses. The books of account shall at all times be open to inspection by any Director. The Treasurer shall deposit all moneys and other valuables in the name and to the credit of the Corporation in such depositories as may be designated by the Directors. He or she shall disburse the funds of the Corporation as shall be ordered by the Board of Directors, shall render to the President and the Directors whenever they shall request it, an account of all of his or her transactions as Treasurer and of the financial condition of the Corporation, shall take proper vouchers for all disbursements of the funds of the Corporation, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or by these Bylaws.

SECTION 8. *Secretary.* The Secretary shall keep or cause to be kept a book of minutes at the principal office of the Corporation or at such other place as the Board of Directors may order, of all meetings of the Directors, with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at Directors' meetings and the

proceedings thereof. The Secretary shall give or cause to be given notice of all meetings of the Board of Directors of the Corporation, shall keep the corporate records in safe custody and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or these Bylaws.

ARTICLE IV

PURPOSE OF THE CORPORATION

SECTION 1. *Purposes.* The business of the Corporation is to be operated and conducted in the promotion of its objects and purposes as set forth in Article II of its Articles of Incorporation.

SECTION 2. *Dissolution.* The Corporation may be dissolved by vote of the Directors, or by the action of the Board of Directors in accordance with the provisions of California law. Upon the dissolution of the Corporation, and after payment or provision for payment, of all debts and liabilities, the assets of the Corporation shall be distributed to the City or to the Redevelopment Agency of the City of Rancho Cordova ("**Agency**"). If for any reason the City or the Agency are unable or unwilling to accept the assets of the Corporation, such assets will be distributed to the United States government; to a state or local government for public purposes; or to a nonprofit fund, foundation, or corporation which is organized and operated for charitable purposes and which has established its tax-exempt status under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986.

SECTION 3. *Merger.* The Corporation may merge with other corporations organized solely for nonprofit purposes, qualified and exempt from Federal taxation pursuant to Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 and from State taxation, upon compliance with the provisions of California law relating to merger and consolidation.

ARTICLE V

GENERAL PROVISIONS

SECTION 1. *Payment of Money; Signatures.* All checks, drafts or other orders for payment of money, notes or other evidences of indebtedness issued in the name of or payable to the Corporation and any and all securities owned by or held by the Corporation requiring signature for transfer shall be signed or endorsed by such person or persons and in such manner as from time to time shall be determined by the Board of Directors.

SECTION 2. *Execution of Contracts.* The Board of Directors, except as otherwise provided in the Bylaws, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances, and unless so authorized by the Board of Directors, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose or in any amount.

SECTION 3. *Fiscal Year.* The fiscal year of the Corporation shall commence on the [**1st day of July of each year and shall end on the 30th day of June**] of the next succeeding year.

SECTION 4. *Annual Audit.* The affairs and financial condition of the Corporation shall be audited annually at the end of each fiscal year (as provided in Section 3 above) commencing with fiscal year 2005-2006 by an independent certified public accountant selected by the Board of Directors, and a

written report of such audit and appropriate financial statements shall be submitted to the Board of Directors prior to the next regular meeting of the Board of Directors of the Corporation following the completion of such audit. Additional audits may be authorized as considered necessary or desirable by the Board of Directors.

ARTICLE VI

EXEMPT ACTIVITIES

Notwithstanding any other provision of these Bylaws, no Director, officer, employee or representative of the Corporation shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder as they now exist or as they may hereafter be amended.

ARTICLE VII

AMENDMENT TO BYLAWS

These Bylaws may be amended by majority vote of the Board of Directors.

ADOPTED by the Board of Directors of the Rancho Cordova Financing Corporation on _____, 2005.

By _____
Secretary

SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify that:

1. I am the duly elected and acting Secretary of the Rancho Cordova Financing Corporation, a California nonprofit public benefit corporation; and
2. The foregoing Bylaws constitute a full, true and correct copy of the Bylaws of said Corporation in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name this _____ day of _____, 2005.

By _____
Secretary

Rancho Cordova Financing Corporation

RESOLUTION NO. 05-02

RESOLUTION APPROVING AND AUTHORIZING EXECUTION AND FILING OF TAX EXEMPTION APPLICATIONS AND RELATED FORMS WITH THE STATE FRANCHISE TAX BOARD AND THE INTERNAL REVENUE SERVICE

WHEREAS, the Board of Directors has reviewed the following documents, each of which has been prepared for the Corporation and is on file with the Secretary of the Corporation: (i) FTB Form 3500 - Exemption Application to the State Franchise Tax Board (the "**Application**"); (ii) FTB Form 3520 - Power of Attorney ("**Form 3520**"); (iii) IRS Form 1024 (Application for Recognition of Exemption under section 501(c)(4)) ("**Form 1024**"); (iv) IRS Form 2848 (Power of Attorney) ("**Form 2848**"); (v) IRS Form SS-4 (Application for Employee Identification Number) ("**Form SS-4**") and (vi) IRS Form 8718 (User Fee for Exempt Organization Determination Letter Request) ("**Form 8718**").

The Board of Directors of the Rancho Cordova Financing Corporation hereby resolves as follows:

(i) Form 3520 is hereby approved, the City Attorney of the City of Rancho Cordova ("**City Attorney**") is authorized to complete Form 3520, and the Treasurer of the Corporation is authorized and directed to execute Form 3520 and to cause it to be appropriately filed.

(ii) The Application is hereby approved, the City Attorney is hereby authorized to complete the Application, the Treasurer of the Corporation shall be designated as the Corporation's contact person on the Application, and the Treasurer of the Corporation is hereby authorized and directed to execute the completed Application and to cause it to be filed with the State of California Franchise Tax Board.

(iii) Form 2848, Form SS-4, and Form 8718 are hereby approved, the City Attorney is authorized to complete all such forms, and the Treasurer of the Corporation is authorized and directed to execute such forms and to cause them to be appropriately filed.

(iv) Form 1024 is hereby approved, the City Attorney is hereby authorized to complete Form 1024, the Treasurer of the Corporation shall be designated as the Corporation's contact person on Form 1024, and the Treasurer of the Corporation is hereby authorized and directed to execute the completed Form 1024 and to cause it to be filed with the Internal Revenue Service.

(v) The Executive Director, the Treasurer and the Secretary of the Corporation are hereby authorized and directed to undertake such other actions and to execute and deliver such other instruments as necessary to carry out the intent of this Resolution.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Rancho Cordova Financing Corporation, at a special meeting thereof duly held on the 22nd day of February, 2005, by the following vote of the Directors thereof:

AYES:

NOES:

ABSENT:

Secretary

RANCHO CORDOVA FINANCING CORPORATION

RESOLUTION NO. 05-03

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF NOT TO EXCEED
\$6,500,000 CERTIFICATES OF PARTICIPATION, AUTHORIZING AND DIRECTING
EXECUTION OF RELATED LEASE FINANCING DOCUMENTS, APPROVING OFFICIAL
STATEMENT AND AUTHORIZING OFFICIAL ACTIONS**

RESOLVED, by the Rancho Cordova Financing Corporation (the "Corporation"), as follows:

WHEREAS, the City of Rancho Cordova has determined that it is in the best financial interests of the City at this time to provide for the acquisition of certain property located at 2897 Kilgore Road improved with an office building and to make certain improvements to such property to facilitate use of the property by the City (the "Project");

WHEREAS, in order to provide funds for such purpose, the City has agreed to lease the real property constituting the Project (the "Leased Premises"), to the Corporation as provided in the Site Lease, as defined herein, and has further agreed to sublease the Leased Premises back from the Corporation pursuant to that certain Lease Agreement expected to be dated as of February 1, 2005, by and between the Corporation as sublessor and the City as sublessee (the "Lease Agreement"); and

WHEREAS, the City proposes to assign and transfer certain of its rights under the Lease Agreement to the Trustee and, in consideration of such assignment and the execution of a Trust Agreement expected to be dated as of February 1, 2005 among the City, the Corporation and U.S. Bank National Association, as trustee (the "Trustee"), the Trustee has agreed to execute and deliver 2005 Certificates of Participation (Geremia Property Acquisition Project) in the aggregate principal amount of not to exceed \$6,500,000 (the "Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the Lease Agreement;

NOW, THEREFORE, it is hereby ORDERED as follows:

Section 1. Execution and Delivery of Certificates. The Corporation hereby authorizes the execution and delivery of the Certificates, representing the right to receive lease payments under the Lease Agreement in the aggregate principal amount of not to exceed \$6,500,000, and the execution and delivery of the following agreements (collectively, the "Agreements") :

(a) the Site and Facility Lease expected to be dated as of February 1, 2005 (the "Site Lease") between the City, as lessor, and the Corporation, as lessee;

(b) the Lease Agreement;

(c) the Assignment Agreement expected to be dated as of February 1, 2005, by and between the Trustee and the Corporation; and

(d) the Trust Agreement.

The Corporation hereby approves and separately authorizes the Chairman, the Executive Director or the Treasurer to execute the Agreements, and the Secretary is hereby authorized and directed, if required, to attest to said Agreements, in substantially the forms on file with the Secretary, together with any changes therein or additions thereto deemed advisable by such officer, whose execution thereof shall be conclusive evidence of approval of any such additions and changes.

Section 2. Official Statement. The Corporation hereby approves, and hereby deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the preliminary Official Statement describing the Certificates, in the form on file with the Secretary. The Underwriter is hereby authorized to distribute the Official Statement in connection with the sale of the Certificates. The Chairman, the Executive Director or the Treasurer is hereby authorized and directed to (a) execute and deliver to the purchaser of the Certificates a certificate deeming the preliminary Official Statement to be nearly final as of its date, (b) approve any changes in or additions to cause such Preliminary Official Statement to be put in final form, and (c) execute said final Official Statement for and in the name and on behalf of the Corporation.

Section 3. Official Actions. The Chairman, the Executive Director, the Treasurer, the Secretary and other officials of the Corporation are hereby authorized and directed to execute such other agreements, documents and certificates as may be necessary to effect the purposes of this resolution and the transaction herein contemplated. Whenever in this resolution any officer of the Corporation is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

Section 4. Effective Date. This resolution shall take effect from and after the date of approval and adoption thereof.

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Rancho Cordova Financing Corporation, at a regularly scheduled meeting thereof, held on the 22nd day of February, 2005, by the following vote of the Board of Directors:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chair

ATTEST:

Secretary of the Rancho Cordova Financing Corporation

ARTICLES OF INCORPORATION

RANCHO CORDOVA FINANCING CORPORATION

I.

The name of this corporation is Rancho Cordova Financing Corporation.

II.

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under Nonprofit Public Benefit Corporation Law for public purposes.

B. The purposes for which this corporation is formed are as follows:

(1) The specific and primary purposes for which this corporation is formed are:

a. To render financial assistance to the City of Rancho Cordova, a municipal corporation (the "City") and to the Redevelopment Agency of the City of Rancho Cordova, a public agency organized pursuant to California Health and Safety Code Section 33000 *et seq.* (the "Agency") by financing, refinancing, acquiring, constructing, improving, leasing and selling buildings, building improvements, equipment, and other public improvements, lands, and any other real or personal property for the benefit of the residents within the jurisdiction of the City and/or the Agency.

b. To acquire by lease, purchase or otherwise, real or personal property or any interest therein; to construct, reconstruct, modify, add to, improve or otherwise acquire or equip buildings, structures or improvements and (by sale, lease, sublease, leaseback, gift or otherwise) make any part or all of any such real or personal property available to or for the benefit of the City and/or the Agency.

c. To promote the common good and general welfare of the City and the Agency, and the governmental enterprises of the City and the Agency, by the acquisition of real and personal property as herein described.

d. To borrow the funds necessary to pay the cost of financing, refinancing, acquiring, constructing, replacing, establishing, improving, maintaining, equipping and operating such properties and facilities for the purposes described herein, the indebtedness for which borrowed money may, but need not, be evidenced by securities of this corporation of any kind or character issued at any one or more times, which may be either unsecured or secured by any mortgage, trust deed, pledge, encumbrance or other lien upon any part or all of the properties and assets at any time then or thereafter owned or acquired by this corporation.

e. To receive limited or conditional gifts or grants in trust, *inter vivos*, or by way of testamentary devises, bequests or grants in trust or otherwise, funds of all kinds including property, both real, personal and mixed, whether principal or income, tangible or intangible, present or future, vested or contingent, in order to carry on the purposes of this corporation.

(2) The general purposes and powers of this corporation are to have and exercise all rights and powers now or hereafter conferred on nonprofit corporations under the laws of the State of California; *provided, however*, that this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific and primary purposes of this corporation; *provided, further*, that this corporation shall not have the power to, and shall not, do any act or conduct any activity, plan, scheme, design or course of conduct which in any way conflicts with sections 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 as amended and regulations promulgated pursuant thereto, as they now exist or as they may hereafter be amended.

III.

The name and address in the State of California of this corporation's initial agent for service of process is:

Bill Thomas
3121 Gold Canal Drive
Rancho Cordova, CA 95670

IV.

This corporation is organized as a nonprofit public benefit corporation, without capital stock and without members. This corporation is organized and operated exclusively for social welfare purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code of 1986. No gains, profits or dividends shall be distributed to any of the directors or officers of this corporation, and no part of the net earnings, funds or assets of this corporation shall inure to the benefit of any director, officer or individual, or any other person, firm or corporation, excepting only the United States of America, the State of California, or any municipal corporation or political subdivision thereof, or to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its

tax-exempt status under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986. No part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, nor shall it participate in, or intervene in, or publish or distribute statements concerning, any political campaign on behalf of any candidate for public office. The property of this corporation is irrevocably dedicated to the United States of America, the State of California, or any municipal corporation or political subdivision thereof, or to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its tax-exempt status under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986; provided, however, that until all debts and obligations of this corporation shall have been paid, such property and any net revenues therefrom may be used for the purpose of paying and retiring the debts and obligations of this corporation.

V.

A. During the continuance of this corporation, it may distribute any of its assets to the United States of America, the State of California or any political subdivision thereof, including but not limited to the City and/or the Agency, to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its tax-exempt status under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986.

B. Upon the dissolution or winding up of this corporation, its assets remaining after payment of, or provision made for the payment of, all debts and liabilities of this corporation, shall be distributed to the United States of America, the State of California or any political subdivision thereof, including but not limited to the City and/or the Agency, or to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its tax-exempt status under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986.

IN WITNESS WHEREOF, the undersigned, being the sole incorporator of this corporation, have executed these Articles of Incorporation, as of the ____th day of _____, 2005.

Susan E. Bloch, Incorporator

**Nothing has been provided
in the Agenda Packet for
Item 14.**

**Nothing has been provided
in the Agenda Packet for
Item 15.**

**The Staff Report for Item
No. 16 – Park Facilities,
Park Dedication Standards
and Open Space Standards
is available as a separate
document**

MEMORANDUM



DATE: February 22, 2005
TO: Mayor and City Council
FROM: Paul Junker, Planning Director
Greg Foell, Director, CRPD
SUBJECT: REVISED PARK AND OPEN SPACE STANDARDS

RECOMMENDATION

1. Staff recommends that the City Council consider the information in this staff report, staff's presentation, and
2. Adopt Resolution 28-2005, thereby adopting and incorporating into the Interim General Plan the park facility standards of the Cordova Recreation and Park District and City's proposed Open Space Standards

BACKGROUND

On December 20, 2004, staff presented to the City Council a set of Park Design Guidelines developed by the Cordova Recreation and Park District (CRPD). Based upon Council direction, City and District staffs have developed a proposal for changes in the way that parks and open space are provided in Rancho Cordova.

The proposed changes to park and open space requirements were presented to the development community on January 11, 2005, and were formally considered by the CRPD Board on January 12, 2005. Following CRPD Board action, the park and open space standards were presented to the City Council on January 18, 2005 and a subsequent meeting was conducted with the Building Industry Association (BIA) and developer representative on February 9, 2005.

Staff has conducted an on going dialogue with the BIA and local developers on this issue, and is expecting additional suggestions regarding parks and open space to be provided by the BIA on this issue after circulation of this staff report. It is expected that the BIA and other interested parties will provide input at the Council meeting.

PROPOSED PARK AND OPEN SPACE STRATEGY

To implement the City's vision for parks and open space, City and CRPD staffs have developed the following park and open space standards. Staff proposes that these standards be included in the Vision Book/Interim General Plan and applied to all applicable development projects being processed by the City.

The proposed requirements for parkland and open space address these amenities as two distinct types of lands:

- **Public Parks**, which will consist of active recreational parks
- **Open Space**, which will include a variety of open space lands *accessible and available for recreation and enjoyment* which do not fall within the definition of public parks

Not included in the proposed set of requirements for open space is land set aside as habitat which provides no access (for instance, vernal pool preserves which will not provide public access).

Parkland Requirement

The proposed requirement for parkland is **seven (7) acres per 1,000 persons**, as compared to the current five (5) acres per 1,000 residents currently required. This will provide land for the following types of parks:

- Mini parks
- Neighborhood parks
- Community parks

The parkland will be separate from any required open space (as discussed below).

Open Space Requirement

The proposed requirement for open space will achieve two major goals which have been expressed by the City Council and the Rancho Cordova community:

- Creation of a system of trails and open space linking various parts of the community to encourage walking and bicycling and to provide for open space and recreation separate from more "active" recreational parks.
- Providing a community amenity which provides for an aesthetically beautiful city and which also helps establish civic pride and identity.

Summary

A summary of the proposed requirements is shown below:

<i>Parkland</i>	<i>Open Space</i>
<u>Requirement:</u> Seven (7) acres of land per 1,000 population (calculated using average household size)	<u>Requirement:</u> Ten percent (10%) of the buildable residential area of residential areas
<u>Criteria:</u> Lands provided will be used for Mini parks, Neighborhood parks, and Community parks. Determination of the acceptability of lands shall be made by the City,	<u>Criteria:</u> Lands which may be considered for credit must be: • Open and available for use and enjoyment • Meet the City's criteria for acceptance as open space,

<i>Parkland</i>	<i>Open Space</i>
with input from the District, as part of the review and approval of each project.	including improvements where appropriate to facilitate use and enjoyment Examples of open space include: • Linear open space features connecting neighborhoods and other community features • Paseos • Natural areas <i>outside of access-restricted habitat</i> which provide for access
<u>Notes:</u> Lands provided cannot be counted toward open space requirements.	<u>Notes:</u> “Buildable area” is the total area of a project <i>minus</i> lands designated for non-residential uses and minus areas which are not buildable due to environmental constraints, including: • Habitat mitigation lands which do not provide public access • Floodplains • Other non-buildable areas (such as easements or powerline corridors)

PROPOSED INTERIM GENERAL PLAN LANGUAGE

Staff proposes including the following language in the “Open Space, Parks, and Trails” section of the Vision Book/Interim General Plan:

Parks

Park Acreage Requirement

- a. *The City shall implement the requirement that all new residential development dedicate land at a rate of seven (7) acres of land per 1,000 population or provides in-lieu payment for parkland sufficient to fund the acquisition of an amount of acceptable land equal to the dedication requirement.*
- b. *The City shall coordinate with the Cordova Recreation and Park District to ensure that parks are provided, developed, and operated in a way that ensures that the City’s parks goals are achieved throughout the community.*
- c. *Required parkland dedication shall be calculated separate from any required open space.*

- d. *Determination of the acceptability of lands proposed for dedication as public parkland shall be made by the City, with input from the Cordova Recreation and Park District, as part of the review and approval of each project.*

Park Implementation Items

- a. *Each residential project shall demonstrate compliance with the City's parkland dedication standard prior to approval by the City.*
- b. *The City shall coordinate with the Cordova Recreation and Park District to ensure that parks are provided, developed, and operated in a way that ensures that the City's parks goals are achieved throughout the community.*
- c. *Funding for maintenance of parks and/or trails shall be assured to the City's satisfaction prior to the approval of any Final Subdivision Map which contains or contributes to the need for a public parks and facilities.*
- d. *The City shall pursue establishment of park and recreation facilities consistent with the seven (7) acres per 1,000 residents standard within the existing urban areas of Rancho Cordova. Mechanisms to achieve such facility standards may include local or regional bond measures or assessment districts, public or private grants or partnerships, or other methods as determined appropriate by the City.*
- e. *The City shall pursue the implementation of funding mechanisms to provide for the long-term maintenance of parks and/or trails in those instances where funding is not available from other sources. Such mechanisms may include local or regional assessment districts, homeowners associations, or other methods as determined appropriate by the City.*

Open Space

Minimum Open Space Acreage Requirement

- a. *A minimum of ten percent (10%) of all new residential developable areas shall be provided as accessible open space areas in addition to public parks. These open space areas are referred to as "paseos/ greenbelts," but may take other forms if approved by the City.*

For the purposes of compliance with this policy, "residential development areas" may be either of the following:

- *A master-planned development, such as a specific plan, in which case the required open space shall be calculated as ten percent of the net project residential area (defined as the total project area minus any areas proposed for commercial, office, or industrial development and minus any lands not available for development due to mitigation requirements, public utility corridors or similar restrictions).*
- *An individual tentative tract which is not included in a master-planned development, or which is part of a master-planned development approved prior to the date of this policy's adoption and does not meet the minimum ten percent open space requirement.*

- b. *The following types of residential development may be exempted from the minimum open space requirement at the City's discretion:*
- *Residential subdivisions of ten acres or less which are not part of a master-planned development which meets the minimum open space requirement.*
 - *Affordable housing developments in which at least 75 percent of the units are affordable to low- or very-low-income households.*
- c. *The City may find developments to be in conformance with this requirement if they provide dedicated open space generally in keeping with this policy.*
- d. *Open Space requirements shall be calculated separately from park acreage dedication or in-lieu fee payment requirements.*
- e. *Land which is encumbered in some way (such as a power line easement) but which otherwise meets the requirements for open space as defined in this policy may be considered for inclusion in the open space system on a case-by-case basis, with adjustment to the level of credit determined by the City.*
- f. *The City shall coordinate with the Cordova Recreation and Park District to ensure that open space is provided, developed, and operated in a way that ensures that the City's open space goals are achieved throughout the community.*
- g. *Funding for maintenance of open space shall be assured to the City's satisfaction prior to the approval of any Final Subdivision Map which contains or contributes to the need for a public parks and facilities.*

Performance Standards for Open Space

- a. *The following performance standards shall be followed in the design and location of open space areas:*
- *All new residential developments shall include a paseo/greenbelt system that is accessible.*
 - *Convenient access points should be provided along all paseos/greenbelts to facilitate public use for enjoyment and as an alternative transportation route. Generally, dwellings should be located no further than 1/4 mile from trail access points.*
 - *Paseos/greenbelts should serve as a visually unifying landscape element.*
 - *Paseos/greenbelts should provide view corridors to points of orientation throughout the City; both for local, short range views to local landmarks, and long range vistas such as mountains or hills.*
 - *Greenbelts should be sited where feasible and appropriate to be adjacent to existing riparian or other wildlife or botanical habitat areas. Habitat areas which are part of a mandated set-aside area, and are closed to the public, shall not be included in the required open space area.*

- *Paseo width should be sufficient to create an attractive, inviting space which allows for adequate distance between trails and adjoining homes; generally, 50 feet should be the minimum width.*
- *New greenbelt links should be created in places where access to the existing greenbelt/bikeway system is currently lacking.*
- *Paseos/greenbelts may be used to provide a buffer between disparate land uses.*
- *In order to protect privacy of residents, project grading should ensure, to the maximum extent feasible, that trails are located 2 feet lower in elevation than adjacent property fences.*
- *Commercial developments shall be required to incorporate features to provide continuous linkages in those cases where the commercial site is located on a trail alignment.*
- *Paseos and greenbelts should connect the neighborhoods to collocated parks and schools around which neighborhoods are designed. Neighborhood schools on a traditional school year provide the best opportunity to continue the historic joint facilities agreements between CRPD and the local school districts.*
- *Paseos and greenbelts adjacent to roads shall be credited as open space when such corridors are located between the adjacent road and park land, open space or natural resource mitigation land.*

Open Space Implementation Items

- a. *Funding for the development and long-term maintenance of paseos/greenbelts shall be assured prior to the approval of the residential project in which the paseo-greenbelt is located. This may occur through a Homeowners Association (HOA), a Mello Roos Maintenance District, or other methods as deemed appropriate by the City.*
- b. *The City shall:*
 - *Prepare standards defining the improvements which must be provided in the paseo/greenbelt areas*
 - *Develop standards for including detention basins, power line and other easements, and similar features in the required paseo/greenbelt area*

CITY/CRPD/DEVELOPER MEETING – FEBRUARY 9, 2005

At the direction of the City Council, representative of the City, CRPD, the BIA and the development community have worked to develop strategies for implementing the City's open space vision. A proposal was forwarded from the BIA that proposed a standard of 5 acres of parks per 1,000 residents, with an additional 3 acres of preferred open space per 1,000 residents. This proposal is provided as Attachment 4 of this report. While the BIA proposal represents a significant concession by the development community, the proposal appears to fall short of the vision established by the CRPD Board and the City Council. Additionally, provisions

for crediting mitigation land as open space would substantially undermine the City's goals for community open space.

During the meeting of February 9, 2005, some discussion of the CIA proposal occurred, but the main focus was on the proposal by City and CRPD staffs. That proposal provided greater detail, but was generally consistent with the strategy proposed by the City and CRPD at a previous meeting with the BIA. The proposal before the Council, as described herein, is not substantially modified from the proposal offered to the BIA/developer group on February 9, 2005.

Provided below are the primary issues that were raised during the February 9, 2005 meeting that required some level of response by City/CRPD staff.

Adjustment of Standards for Higher Density Development

Comments were received noting that higher density single family homes (10 to 15 dwellings per acre) would be particularly affected by the increased park standards.

Staff acknowledges that the financial returns associated with smaller lot single family dwellings are less, on a per unit basis, than more typical single family dwellings. However, the need for park facilities on a per person basis is not reduced by the type of dwelling, and in fact may increase as private lot size is reduced. Staff proposes that the definition of persons per household that forms the basis for park dedication requirements be reviewed. Currently, the City's Quimby Ordinance does not differentiate between a large lot single family home and a small lot single family home. If evidence supports that small lot homes (homes in the 10 to 15 dwelling per acre density) actually have fewer residents per household than large lot single family, then staff would recommend modifying the Quimby Ordinance as appropriate. Aside from a review of household population size, staff does not recommend adjusting the park and open space standards for higher density single family dwellings.

Drainage Facilities and Public Utilities as Open Space

Numerous comments were received regarding whether drainage facilities would be credited against the required open space.

Staff has envisioned that open space corridors along drainage channels and detention/retention basins could be credited as open space if such facilities are properly designed. Key issues in determining credit relate to the profile and landscaping associated with channels and basins. The proposed standard allows credit to be offered for such facilities, with amount of credit to be determined on a case-by-case basis. Additionally, the proposed open space policy directs the City to prepare standards for how such facilities would be included within the City's overall open space system.

Mitigation Lands as Open Space

The development community has consistently sought credit against the City's proposed open space requirements for habitat mitigation lands.

Staff's position has consistently been that mitigation lands should not be credited against the open space requirements. This position is based on the following:

- Mitigation lands are not publicly accessible and provide minimal benefits in achieving the City's goals related to usable open space.
- Mitigation lands are spread unevenly throughout the City, with some projects heavily impacted and others with little or no mitigation land. Crediting mitigation lands would therefore result in highly varied levels of usable open space depending on the amount of mitigation land in a given project
- The proposed amount of 10 percent open space is based on the area needed to create a system of open space corridors within residential development. Crediting mitigation lands would leave the City without adequate open space to achieve the goals of integrated open space, community definition and non-vehicular circulation.

City staff has discussed the possibility of crediting some portion of mitigation lands that are directly adjacent to a public open space corridor, although CRPD staff has stated that such credit is not appropriate. Should the Council wish to give open space credit for mitigation lands, City staff would support the following:

- For public open space corridors of at least 75 feet in width and located directly adjacent to habitat mitigation land, the first 50 feet of mitigation land adjacent to a public corridor shall be credited as open space, with such credit not to exceed 10 percent of the project's total open space obligation.

Performance Standards Approach for Open Space

Staff and the developer representative discussed various approaches to achieving the City's vision for community open space, including a performance standards approach as compared to a required percentage of land area.

City staff believes that a performance standards approach is ultimately more critical to achieving open space goals than a strict percentage requirement. Performance standards that describe the configuration of open space are included within the proposed Interim General Plan language. Upon further consideration, staff considers the definition of a required percentage of project as open space and the associated performance standards to provide the clearest definition of the City's open space requirements. If so desired, the City Council might consider softening the open space percentage from "a minimum of 10 percent ...shall be open space" to language such as "generally, 10 percent of a project shall be open space." In either case, staff recommends that the performance standards remain mandatory.

School/Park Joint-Use Facilities

Questions were raised regarding how the CRPD facilities analysis considered the joint-use recreation facilities that would be located on school sites.

In completing its facilities assessment, the Park District did not include school fields in the Land Dedication Analysis. However, the joint-use fields were considered in meeting the ultimate recreational demands of City residents. The Land Dedication Analysis standards reflect an adequate number of sports fields to be located on Park District property. Through effective joint use agreements, school fields can provide the higher standard of service for City residents that would not be provided by Park District facilities alone. In summary, the use of the school facilities was considered in meeting community demands, but such facilities were not included in the calculation of park dedication requirements.

Estimated Maintenance Cost

Numerous comments were received regarding the burden of on-going maintenance of park facilities and open space areas.

All parties acknowledge that funding for maintenance of parks and open space will be provided some form of assessment on future homeowners. The concern raised was that such assessments could become so burdensome as to deter homebuyers from Rancho Cordova.

CRPD staff has complete cursory analysis of this issue and has reported the following:

- Recent homebuyers in the City of Roseville currently pay approximately \$350 per dwelling annually to maintain parks and open space, while recent homebuyers in Rocklin pay approximately \$480 annually for similar maintenance activities.
- Greg Foell of CRPD has conducted a brief analysis of costs to maintain the proposed 7 acres of park per 1,000 residents and the proposed open space system, and has provided an estimate of \$413 per household annually to maintain the proposed park and open space system.
- Greg also received input from the development community that a reasonable maintenance obligation for the proposed system is between \$350 and \$425 per dwelling annually to maintain the park and open space system.

| Based upon the information generated by both CRPD staff and the development community, it appears the maintenance assessments generated by the proposed park and open space system would be comparable to other local communities with similar community amenities.

NEXT STEPS

Implementation of the parks and open space standards shown in this staff report will require close coordination between the City and the District, and the development of new or updated fees, programs, and policies to provide for the clear and consistent implementation of these standards. Following receipt of the Council's input and direction, staff will continue working with all affected parties to refine these standards as may be determined necessary, and to develop more detailed fees, programs, and policies related to parks and open space. These may be brought to the Council for adoption as stand alone items, as updates to the Vision Book/Interim General Plan, or as part of the final General Plan.

ATTACHMENTS

1. Resolution 28-2005 with attached Cordova Recreation and Park District Park Facility Standards (Exhibit A)
2. CRPD Land Dedication Analysis, February 2005
3. CRPD Board of Directors Report, February 2, 2005
4. BIA Preliminary Park/Open Space Proposal

RESOLUTION 28-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
ADOPTING PARK AND OPEN SPACE STANDARDS**

WHEREAS, the City of Rancho Cordova was founded upon expectations of outstanding public amenities throughout the community, including within new development; and

WHEREAS, the provision of parks, recreational facilities and open space amenities has been identified as a high priority of the community and the City Council; and

WHEREAS, the City Council met with the Board of Directors of the Cordova Recreation and Park District (District) on September 12, 2004 to establish a shared vision for Rancho Cordova parks; and

WHEREAS, the District has considered standards to achieve appropriate park amenities within Rancho Cordova and the District Board did revise its park dedication standards on January 12, 2005 and has recommended such revised standards to the City of Rancho Cordova; and

WHEREAS, the City has established a specific priority of providing connected open space throughout all new development within the community; and

WHEREAS, Open space within a community is a key feature that creates a desirable setting, sense of place and ambiance, as well as providing relief from uninterrupted urban development; and

WHEREAS, Rancho Cordova lacks physical features such as creek corridors, ravines and ridgelines that typically result in publicly accessible open space in neighboring communities such as Folsom and Roseville; and

WHEREAS, the community and the City Council have repeatedly stated a strong desire to create a system of trails, paseos and greenbelts throughout the City; and

WHEREAS, it is the stated desire of the City Council that development within Rancho Cordova will be of a higher density than historic development; and

WHEREAS, providing outstanding park and open space amenities is crucial to ensuring long-term desirability of future development within the City; and

WHEREAS, State law allows newly incorporated cities to use a Draft General Plan when making decisions and processing development and other projects prior to the adoption of the General Plan; and

WHEREAS, State law provides for the use of an Interim General Plan when making decisions and processing development and other projects prior to the adoption of the General Plan; and

WHEREAS, the park and open space standards described herein will supplement the Vision Book to serve as the Interim General Plan for the City of Rancho Cordova pursuant California Government Code Section 65360).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

The City of Rancho Cordova does hereby adopt the park and recreation facility standards of the Cordova Recreation and Park District, as described in Exhibit A.

BE IT FURTHER RESOLVED:

The following language describing park and open space standards is hereby adopted as part of the "Open Space, Parks, and Trails" section of the Vision Book/Interim General Plan:

Parks

Park Acreage Requirement

- a. *The City shall implement the requirement that all new residential development dedicate land at a rate of seven (7) acres of land per 1,000 population or provides in-lieu payment for parkland sufficient to fund the acquisition of an amount of acceptable land equal to the dedication requirement.*
- b. *The City shall coordinate with the Cordova Recreation and Park District to ensure that parks are provided, developed, and operated in a way that ensures that the City's parks goals are achieved throughout the community.*
- c. *Required parkland dedication shall be calculated separate from any required open space.*
- d. *Determination of the acceptability of lands proposed for dedication as public parkland shall be made by the City, with input from the Cordova Recreation and Park District, as part of the review and approval of each project.*

Park Implementation Items

- a. *Each residential project shall demonstrate compliance with the City's parkland dedication standard prior to approval by the City.*
- b. *The City shall coordinate with the Cordova Recreation and Park District to ensure that parks are provided, developed, and operated in a way that ensures that the City's parks goals are achieved throughout the community.*
- c. *Funding for maintenance of parks and/or trails shall be assured to the City's satisfaction prior to the approval of any Final Subdivision Map which contains or contributes to the need for a public parks and facilities.*
- d. *The City shall pursue establishment of park and recreation facilities consistent with the seven (7) acres per 1,000 residents standard within the existing urban areas of Rancho Cordova. Mechanisms to achieve such facility standards may include local or regional bond measures or assessment districts, public or private grants or partnerships, or other methods as determined appropriate by the City.*

- e. *The City shall pursue the implementation of funding mechanisms to provide for the long-term maintenance of parks and/or trails in those instances where funding is not available from other sources. Such mechanisms may include local or regional assessment districts, homeowners associations, or other methods as determined appropriate by the City.*

Open Space

Minimum Open Space Acreage Requirement

- a. *A minimum of ten percent (10%) of all new residential developable areas shall be provided as accessible open space areas in addition to public parks. These open space areas are referred to as "paseos/ greenbelts," but may take other forms if approved by the City.*

For the purposes of compliance with this policy, "residential development areas" may be either of the following:

- *A master-planned development, such as a specific plan, in which case the required open space shall be calculated as ten percent of the net project residential area (defined as the total project area minus any areas proposed for commercial, office, or industrial development and minus any lands not available for development due to mitigation requirements, public utility corridors or similar restrictions).*
 - *An individual tentative tract which is not included in a master-planned development, or which is part of a master-planned development approved prior to the date of this policy's adoption and does not meet the minimum ten percent open space requirement.*
- b. *The following types of residential development may be exempted from the minimum open space requirement at the City's discretion:*
- *Residential subdivisions of ten acres or less which are not part of a master-planned development which meets the minimum open space requirement.*
 - *Affordable housing developments in which at least 75 percent of the units are affordable to low- or very-low-income households.*
- c. *The City may find developments to be in conformance with this requirement if they provide dedicated open space generally in keeping with this policy.*
- d. *Open Space requirements shall be calculated separately from park acreage dedication or in-lieu fee payment requirements.*
- e. *Land which is encumbered in some way (such as a power line easement) but which otherwise meets the requirements for open space as defined in this policy may be considered for inclusion in the open space system on a case-by-case basis, with adjustment to the level of credit determined by the City.*
- f. *The City shall coordinate with the Cordova Recreation and Park District to ensure that open space is provided, developed, and operated in a way that ensures that the City's open space goals are achieved throughout the community.*

- c. *Funding for maintenance of open space shall be assured to the City's satisfaction prior to the approval of any Final Subdivision Map which contains or contributes to the need for a public parks and facilities.*

Performance Standards for Open Space

- a. *The following performance standards shall be followed in the design and location of open space areas:*
- *All new residential developments shall include a paseo/greenbelt system that is accessible.*
 - *Convenient access points should be provided along all paseos/greenbelts to facilitate public use for enjoyment and as an alternative transportation route. Generally, dwellings should be located no further than 1/4 mile from trail access points.*
 - *Paseos/greenbelts should serve as a visually unifying landscape element.*
 - *Paseos/greenbelts should provide view corridors to points of orientation throughout the City; both for local, short range views to local landmarks, and long range vistas such as mountains or hills.*
 - *Greenbelts should be sited where feasible and appropriate to be adjacent to existing riparian or other wildlife or botanical habitat areas. Habitat areas which are part of a mandated set-aside area, and are closed to the public, shall not be included in the required open space area.*
 - *Paseo width should be sufficient to create an attractive, inviting space which allows for adequate distance between trails and adjoining homes; generally, 50 feet should be the minimum width.*
 - *New greenbelt links should be created in places where access to the existing greenbelt/bikeway system is currently lacking.*
 - *Paseos/greenbelts may be used to provide a buffer between disparate land uses.*
 - *In order to protect privacy of residents, project grading should ensure, to the maximum extent feasible, that trails are located 2 feet lower in elevation than adjacent property fences.*
 - *Commercial developments shall be required to incorporate features to provide continuous linkages in those cases where the commercial site is located on a trail alignment.*
 - *Paseos and greenbelts should connect the neighborhoods to collocated parks and schools around which neighborhoods are designed. Neighborhood schools on a traditional school year provide the best opportunity to continue the historic joint facilities agreements between CRPD and the local school districts.*
 - *Paseos and greenbelts adjacent to roads shall be credited as open space when such corridors are located between the adjacent road and park land, open space or natural resource mitigation land.*

Open Space Implementation Items

- a. *Funding for the development and long-term maintenance of paseos/greenbelts shall be assured prior to the approval of the residential project in which the paseo-greenbelt is located. This may occur through a Homeowners Association (HOA), a Mello Roos Maintenance District, or other methods as deemed appropriate by the City.*
- b. *The City shall:*
 - *Prepare standards defining the improvements which must be provided in the paseo/greenbelt areas*
 - *Develop standards for including detention basins, power line and other easements, and similar features in the required paseo/greenbelt area*

Findings:

The City is proceeding in a timely fashion with the preparation of the General Plan and adoption of an Interim General Plan is consistent with State Law.

Evidence:

California Government Code Section 65360 provides for the City to use an Interim General Plan when making decisions and processing development and other projects prior to the adoption of the General Plan.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of February, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

LILLIAN HARE
CITY CLERK

Exhibit A
Cordova Recreation and Park District
Park Facility Standards
(Adopted 1/26/05)

Activity/ Facility	Units per Population
Aeronautic Hobby Field	1/50,000
Amphitheater 500 seat	1/50,000
Amphitheater 2,500 seat	1/100,000
Aquatic Center (Outdoor)	1/50,000
Aquatic Center (Indoor)	1/50,000
Archery Range	1/100,000
Art in park	2% of total cost
Baseball Field Adult: Lighted	1/35,000
Baseball Field Adult: Un-Lighted	1/35,000
Baseball Field: Little League Lighted	1/12,500
Baseball Field: Little League Game Field	1/5,000
Baseball Little League Practice Field:	1/5,000
Baseball SrLL/HS Field Lighted	1/50,000
Basketball Indoor	1/8,000
Basketball, Outdoor	1/3,000
Before/After School Day Care	1/School
Campground (urban)	1/100,000
Community Center	1/50,000
Community Center (seniors)	1/50,000
Community Center II Transitional Program Facility	1/100,000
Cultural Gardens	1/50,000
Dog Park: Neighborhood	1/7,500
Dog Park: Community	1/25,000
Equestrian Center	1/100,000
Field Hockey	1/20,000
Football	1/50,000
Frisbee Course	1/100,000
Golf 9 holes	1/100,000
Golf driving range	1/50,000
Handball	1/20,000
Horseshoe	1/2,500
Informational Kiosk	1/Park
Model Boating Lake	1/50,000
Paint Ball Course	1/100,000
Petanque/Bocce Ball	1/100,000
Picnic: Family	1/2,500
Picnic: Group	1/10,000
Play Apparatus	1/2,500
Ponds & Reflecting Pools	1/15,000
Roller Hockey	1/50,000
Restrooms	Min 1/Park, Excludes Mini Parks

Activity/ Facility	Units per Population
Shooting Range: Includes Gun Range, Skeet & Trap	1/100,000
Shooting Range	1/100,000
Skate/BMX Street Feature	1/2,500
Skate Park	1/50,000
Softball Field Mens: Lighted	1/25,000
Softball Field Girls Practice	1/10,000
Softball Field Girls: Game	1/15,000
Softball Field Girls: Lighted	1/25,000
Soccer, Bantam Large	1/6,000
Soccer, Bantam Small	1/6,000
Soccer, Regulation	1/5,000
Soccer Field: Lighted Synthetic	1/16,000
Spray park	1/20,000
Sports Field: Multi-use	1/5,000
Tennis	1/10,000
Track (Fitness): 1/2 Mile	1/25,000
Trail System	1 system/ region
Urban Forest Areas	1/3,000
Water Feature	1/20,000
Water Park	1/100,000

**Park Land Dedication Analysis
Cordova Recreation and Park District
February, 2005**



Prepared by the Cordova Recreation and Park District

INTRODUCTION:

The Quimby minimum standard of 5 acres per 1,000 persons is not sufficient to meet the existing and future needs of the District's residents. Based on land use analysis and service standards, an analysis shows a quantifiable need for 7.49 acres per 1,000 persons.

BACKGROUND:

Excellent leisure and recreation programs that inspire and illuminate the human spirit will only be attained through adequate parkland dedication and financing.

Rapid and explosive growth in the Cordova Recreation and Park District (CRPD) is currently estimated to exceed 250,000 residents by 2015. A growth surge of that magnitude requires a park development effort of the same breadth.

The rapid growth that is taking place in the CRPD is not uncommon in the Sacramento region. To provide the requisite park and recreation facility needs for this growing population, area communities have adopted distinctive local standards to accomplish community goals. While it is difficult to make an "apples to apples" comparison with other agencies due to the differing community needs and methodologies, the 7 acres of parkland per 1,000 population standard adopted by the CRPD Board of Directors is commensurate with standards established in neighboring communities. (See tables 1 and 2.)

Table 1 Introduction

Table 1 shows a comparison of park and usable open space land dedication requirements for similar communities. Table 1 is compiled from information supplied to CRPD by the various agencies listed and is current as of January 2005.

Table 2 Introduction

Table 2 shows a current sports facility comparison between CRPD and the three cities most frequently compared to Rancho Cordova. The columns under each community list the actual number of facilities and the number of facilities expressed in units per 100,000 for easy comparison.

Table 1
Cordova Recreation and Park District - Park Land Dedication Survey

Description	Acres of neighborhood, community, or city-wide parks per 1,000 Pop.	Acres or percentage of open space areas	Total Park and Open Space Dedication	Comments
Davis, City of	5	10% of Gross Housing Area	5+	The 10% of gross housing area is used primarily for neighborhood greenbelt open space.
El Dorado Hills CSD/EI Dorado County	5	30% of Land Dedicated to Open Space	5+	El Dorado Hills CSD uses the Quimby standard of 5 acres per 1000 population for parks, and El Dorado County uses 30% of developable land for open space components. Creditable open space components includes all types of parks, trails, paseos, preserves, and all other open space amenities.
Elk Grove, City of	7.7	No Std	7.7	New standard for the Laguna Ridge Specific Plan
Folsom, City of	5	30 % of Land Dedicated to Open Space	5+	Folsom uses the Quimby standard of 5 acres per 1000 population for parks and 30% of developable land for open space components. Creditable open space components includes all types of parks, trails, paseos, preserves, and all other open space amenities.
Lodi, City of	5.1	2.1	7.2	None
Lompoc, City of	12	0	12	All parks, and paseos credited. No open space.
Mountain View, City of	6	0	6	None
Roseville, City of	6	3	9	Mini parks are discouraged under the parks component and are not given credit. The 3 acre open space component is credited based on a ratio standard as follows: Open Space: 1 Acre Credit to 10 Acres of Open Space Creeks: 1 to 10 Preserves: 1 to 10 Paseos: 1 to 5 Multi-use Trails: 1 to 5 but not always credited Detention Basins Developed as Public Open Space: 1 to 5
Stanislaus County	21	0	21	Parks and open space included.
Santa Rosa, City of	6	0	6	None
West Sacramento, City of	5	0	5	None
Woodland, City of	6	2	8	Mini/Pocket parks are discouraged and not always credited.
CRPD – Recommended Standard	7	10 % of Developable Land	7+	None

Table 2
Sports Facilities Comparisons

	Elk Grove		Folsom		Roseville		CRPD	
Population	Actual 115,000	Per 100k	Actual 58,000	Per 100k	Actual 98,000	Per 100k	Actual 102,000	Per 100k
Youth Baseball Players	2,240	1947	1,300	2241	2,000	2041	1,000	980
Game Fields	23	20	19	33	Not Stated	—	17	17
Practice Fields	0	0	0	0	Not Stated	—	9	9
Lighted	2	2	3	5	Not Stated	—	0	0
Fields/population	1/5,000		1/3,052		Not Stated —		1/3,923	
Girls Softball Players	600	522	380	655	500	510	200	196
Game Fields	13	11	4	7	4	4	6	6
Practice Fields	0	0	0	0	4	4	0	0
Lighted	3	3	1	2	4	4	0	0
Fields/population	1/8,846		1/14,500		1/12,250		1/17,000	
Youth Soccer Players	5,700	4956	2,900	5000	5,000	5102	2,000	1960
Total Fields	32	28	40	67	45	46	25	25
Agency Fields	32	28	21	36	25	26	15	15
School Fields	None	0	19	33	20	20	10	10
Lighted	2	2	3*	5	0	0	0	0
*Two synthetic turf								
Fields/population	1/3,594		1/1,450		1/2,177		1/4,080	
Youth Basketball Players	240	208	1,200	2068	500	510	650	637
Total Courts	2	2	11	19	12	12	5	5
Agency Facilities	1	1	0	0	1	1	1	1
School Facilities	0	0	11	19	3	3	3	3
Fields/population	1/57,500		1/5,272		1/8,167		1/20,400	
Youth Football Players	1,400	1217	230	396			210	206
Agency Fields	1	1	1	2	5	5	0	0
School Fields	3	3	0	0	0	0	2	2
Lighted	1	1	1	2	5	5	1	1
Fields/population	1/28,750		1/58,000		1/19,600		51,000	

Continued next page

Table 2 Continued								
	Elk Grove		Folsom		Roseville		CRPD	
Adult Sports								
Softball Fields*	5	4	5	9	9	9	5	5
lighted	Yes		Yes		Yes		Yes	
shared with Youth	3	3	All		0	0	all	
Baseball Fields			1	2	1	1	5	5
lighted			Yes		Yes		No	
Soccer Fields	2	2	2	3	3	3	7	7
lighted	1	1	All		2	2	None	
Synthetic turf	No		All		1	1	None	
Shared with youth	1	1	All		None		None	

Source CRPD survey 2004

While direct comparisons to other agencies and communities are complex and imprecise, the direction from the CRPD Board of Directors, the Rancho Cordova City Council and most importantly our patrons is quite clear: not only are we to create great recreation facilities, but spectacular facilities that set the benchmark for the region. An analysis of current and future service needs indicates parkland dedication must occur at a rate of 7.49 acres per 1,000 residents in order to meet minimum standards adopted by the CRPD Board of Directors. These standards also reflect a general understanding of goals agreed to during an historic joint meeting of the Rancho Cordova City Council and CRPD board in September 2004.

DISCUSSION:

The Land Needs Analysis is based on a population of 100,000 people which allows for easy conversion of the total park acreage to acres per 1,000 people.

It is important to note that not all activity and facility needs are listed in the analysis matrix. Not included are:

- **Mini Parks.** This analysis doesn't include a set aside for mini parks. Mini parks are typically allocated based on population density and service area coverage and are difficult to quantify on a per population basis. This acreage could be considerable with higher housing densities and land planners more consistently embracing mini parks within approximately 1/8-1/4 mile of a person's residence. These types of parks are generally discouraged or not credited by several jurisdictions due to the land need for more active sports facilities and the high cost of developing and maintaining smaller park facilities.
- **Adaptive sports and leisure facilities.** Advances in medical and therapeutic technologies and a growing interest in adaptive programs will require ever growing need for these services. Demand for adaptive sports and recreation facilities could easily exceed 10 acres per 100,000 population in the future.

- **Lacrosse.** Lacrosse is currently being integrated into high school athletic programs at Cordova High School and neighboring school districts. The growth in popularity of the sport at the high school level will likely give rise to lacrosse club sports and a need for practice and play space.
- **Rugby.** Rugby is currently being integrated into high school athletic programs. The growth in popularity of the sport at the high school level will likely give rise to rugby club sports and a need for practice and play space. Furthermore, CRPD already has organized rugby play on some of its soccer fields. Rugby play causes accelerated wear to soccer fields, a challenge that must be addressed.
- **Informal leagues.** Informal leagues (non-sanctioned play), pickup games and adult team practices are not accounted for in the analysis and can significantly impact the level of service provided.
- **Turf mitigation and field rotation.** Good turf management practices require giving fields “down time.” The extra fields and turf that would be necessary to allow field rotation and down time for mitigation work haven’t been accounted for in this analysis.
- **Changing face of aquatic facility needs.** Another factor not considered in this analysis is the effect of higher housing densities on aquatic facility planning. With densities of 5 to 7 units per acre and higher, the modern suburban model of recreational aquatics, which calls for large regional facilities rich in amenities not found in residential pools, may not meet the needs of small lot residences with no room for swimming pools. Neighborhood aquatic facilities are not factored in this analysis and are hard to quantify on a units per population basis as they are typically allocated based on population density and service area coverage.
- **Growing senior facility needs.** Numerous regional planning and visioning efforts have identified a growing aging population. As this demographic is more clearly defined, it is likely that senior facilities in the CRPD will need to be adjusted upward accordingly.
- **American River Parkway extension enhancements.** Currently, the CRPD has three parks that connect to the American River Parkway. As population increases and an interconnected trail system emerges, the demand for services offered at these vital connections will increase. At this time it is unclear how this will affect land use needs.

The **Activity/Facility** column in the analysis matrix lists programs and facilities the District currently provides or has identified as a community need.

The **Units per population** column quantifies the number of facilities or amount of land necessary to meet a prescribed level of service. This column is the one true variable in the analysis and is a function of public policy. Many of the units in this column are arrived at by calculation and analysis. For example:

Assume 1,300 youth baseball players at 13 players per team. Practice facilities for 100 teams is needed. At an average of 2.5 practices per week, 250 practice sessions per week must be accommodated. After accounting for inactive days, e.g. Sundays, game days and other factors*, a typical practice field can be programmed for 8 practice sessions per week, thus requiring 31 practice fields for 1,300 youth baseball players.

*this example doesn't account for wear factors, see Table 3 for examples of wear factors.

Table 3 Introduction

Table 3 shows the wear factors for natural turf fields. Wear factors must be considered when calculating the total amount of activity a field can support per week. For example, a soccer field programmed for 10 hr of soccer (4 practice sessions and 2 games) and 5 hr of lacrosse (2 practice sessions and 1 game) per week, would have an actual usage of 15 hr/week, but after applying wear factors (10 hr of soccer x 2.0 = 20 hr + 5 hr of lacrosse x 2.25 = 11.25 hr) these activities would have an equivalent wear usage of 31.25 hr/week.

Table2
Wear Factors

Athletic and Park Wear Activity Weighting	
Residential – “Front Yard”	.0 - .5
Park – Walking/Light Play	1.0
Park – Casual Play	1.25
Athletic – Physical Education	1.5
Athletic – Soccer	2.0
Athletic – Football	2.0
Athletic – Lacrosse	2.25
Athletic – Field Hockey	2.25
Athletic – Rugby	2.5
Clinics/Camps	2.5
Athletic – Baseball/Softball Outfield	1.25
Athletic – Baseball/Softball Infield	1.75

The **Activity Space Required**. This column reflects the absolute amount of space required for a specified activity, as set forth by published standards and studies in the field of recreation.

The **Support Space Required**. Support space required is that space supporting the event itself and includes, but is not limited to, parking, pathways, landscaping, spectator areas, concessions, storage, etc.

**Cordova Recreation and Park District
Land Use Analysis**

Activity/ Facility	Units per Population	Units per 100,000 Population	Activity Space Required (Acres)	Support Space Required (Acres)	Total Acreage Per 100K	Description/ Comments
Aeronautic Hobby Field	1/50,000	2	15	Included	30.00	All inclusive. ¹ Model Airplanes, Rockets, Kites, Balloons
Amphitheater	1/50,000	2	0.16	2.39	5.10	Seating for 500 ²
Amphitheater	1/100,000	1	0.8	8.36	9.16	Seating for 2,500 ²
Aquatic Center (Outdoor)	1/50,000	1	7.5	2.84	10.34	Outdoor Aquatic Center – 15,000 sq. ft. bldg., recreation pool, children's recreation pool, 50 meter competition pool, 2 competition diving pools, bleachers for 500-1000 spectators. ^{3, 4}
Aquatic Center (Indoor)	1/50,000	1	7.5	2.84	10.34	Indoor Aquatic Center – 3,000 sq. ft. bldg., 51 meter X 25 yard pool with bulkhead. Training pool & recreation pool
Archery Range	1/100,000	1	5	Included	5.00	All inclusive. ¹ Practice and instruction, no tournaments.
Baseball Field Adult: Lighted	1/50,000	2	2.5	1.48	7.96	90' B w/400' OF
Baseball Field Adult: Un-Lighted	1/50,000	2	2.5	1.48	7.96	90' B w/400' OF
Baseball Field: Little League Lighted	1/12,500	8	1.1	0.88	15.84	60' B w/225' OF
Baseball Field: Little League Game Field	1/5,000	20	1.1	0.88	39.60	60' B w/225' OF
Baseball Little League Practice Field:	1/8,000	12	0	0	0.00	60' B w/225' OF ⁹
Baseball SrLL/HS Field Lighted	1/50,000	2	2.5	1.48	7.96	90' B w/380' OF
Basketball, Outdoor	1/3,000	33	0.11	0.3	13.53	50' X 94
Urban Campground	1/100,000	1	30	Included	30.00	All inclusive. ¹
Community Center	1/50,000	2	0.92	3.35	8.54	Area based on a 40,000 sq. ft. bldg. w/parking @ 6 spaces per 1000 sq. ft.
Community Center (seniors)	1/50,000	2	0.23	0.84	2.14	Area based on a 10,000 sq. ft. bldg. w/parking @ 6 spaces per 1000 sq. ft.
Community Center II Transitional Program Facility	1/100,000	1	0.23	0.84	1.07	Program for child day care to be transitioned to senior activity center in 10-15 yrs.
Cultural Gardens	1/50,000	2	8	Included	16.00	Acreage based on survey of other park agencies.
Dog Park: Neighborhood	1/7,500	13	1	0.46	18.98	Includes 15 parking spaces and circulation. ^{2, 5}
Dog Park: Community	1/25,000	4	3	1.52	18.08	Includes 25 parking spaces and circulation. ^{2, 5}
Equestrian Center	1/100,000	1	40	included	40.00	Covered and outdoor arenas.
Football	1/50,000	2	1.95	1.29	6.48	150' x 360' with a 10' clearance on all sides. Includes 17 parking spaces and circulation.
Frisbee Course	1/100,000	1	5	Included	5.00	Site with tree obstacles and terrain desirable. All inclusive ¹

Activity/ Facility	Units per Population	Units per 100,000 Population	Activity Space Required (Acres)	Support Space Required (Acres)	Total Acreage Per 100K	Description/Comments
Handball	1/20,000	5	0.023	0.051	0.37	20' to 40' with a minimum of 10' to rear of 3 wall court. Includes two parking spaces per court and circulation. ^{2, 6}
Horseshoe	1/2,500	40	0.014	0.018	1.28	10' x 50' with 10' clearance between pits. Includes 1 parking space per court and circulation. ^{2, 6}
Model Boating Lake	1/50,000	2	1	Included	2.00	Varies with site and program objective. All inclusive. ¹
Paint Ball Course	1/100,000	1	20	Included	20.00	Based on survey average. Inclusive. ¹
Picnic: Family	1/2,500	40	0.0027	0.378	15.23	Individual tables or shelters with 4 tables and BBQ ^{2, 7}
Picnic: Group	1/10,000	10	0.15	1.39	15.40	Shelter with multiple tables and group BBQ for small and large groups. All inclusive. ^{2, 8}
Play Apparatus	1/2,500	40	0.23	0.15	15.20	Age appropriate creative play apparatus and facilities often divided into youth and pre-teen areas. Includes 7 parking spaces and circulation. ^{2, 6}
Ponds & Reflecting Pools	1/15,000	7.5	1	Included	7.50	
Restrooms	1/5,000	20	0.3	Included	6.00	Based on 1,300 sq ft average.
Roller Hockey	1/50,000	2	0.5	Included	1.00	Youth 80' x 60', Adult 85' x 80'
Shooting Range: Includes Gun Range, Skeet & Trap	1/100,000	1	65	Included	0.00	All inclusive. ¹ Currently exists in park district but looking for an alternate site.
Skate/BMX Street Feature	1/2,500	40	0.006	N/A	0.24	Integrated into park system (skate spots different than Skate park)
Softball Field Mens: Lighted	1/25,000	4	1.9	1.18	12.32	60' B w/300' OF
Softball Field Girls Practice	1/12,500	8	0.69	0.79	11.84	55' B w/220' OF
Softball Field Girls: Game	1/15,000	7	0.69	0.79	10.36	55' B w/220' OF ²
Softball Field Girls: Lighted	1/25,000	4	0.69	0.79	5.92	55' B w/220' OF ²
Soccer, Bantam	1/6,000	8	0.72	0.95	13.36	150' x 210' Sm ²
		8	1.12	1.05	17.36	180' x 270' Lg ²
Soccer, Regulation	1/5,000	20	1.6	1.37	59.40	210' x 330' with 10' min clearance all sides. ²
Soccer Field: Lighted Synthetic	1/16,000	5	1.6	1.37	14.85	210' x 330' with 10' minimum clearance all sides. Can alternate for Field Hockey & Football ²
Sports Field: Multi-use	1/5,000	20	2.98	Included	59.60	Softball field (250-300') over-lay with Regulation soccer field (210 x 330' with 10' minimum clearance all sides. ²
Spray Park	1/16,000	6	0.25	0.136	2.32	Parking 10 cars & 175' of 8' wide cement path for maintenance vehicles
Tennis	1/10,000	10	0.064	0.209	2.73	36' x 78' with 12' clearance on both sides and 21' clearance on ends ²
Track (Fitness): 1/2 Mile	1/25,000	4	0.48	0.1	2.32	Overall width – 276' Length - 600.02' May be located at schools. Includes parking and circulation. ²

Activity/ Facility	Units per Population	Units per 100,000 Population	Activity Space Required (Acres)	Support Space Required (Acres)	Total Acreage Per 100K	Description/Comments
Trail System	1 system/ region		N/A	Included		Well-defined trailhead. Width - 10' to 12'. Grade - 5% not to exceed 15%. Trail Capacity: Rural - 40 hikers/day/mile. Urban - 90 hikers/day/mile
Urban Forest Areas	1/3,000	34	1	Included	34.00	All inclusive ¹
Open Turf Area	1 acre /1,000	100	1	Included	100.00	Park area including trees, landscaping, and pathways ¹
Volleyball (sand)	1/10,000	10	0.04	0.28	3.20	30' x 60' with 6' min. clearance on all sides. Minimum grouping 2 per site. ²
Water Feature	1/16,000	6	0.005	N/A	0.03	Varies with size of park, available space and concept. ¹
Water Park	1/100,000	1	7	Included	7	
Total Acreage					748.83	
Acreage/1000 Pop.					7.49	

¹ "Included" means that all facilities are included in this acreage amount.

² Total area based on 350 sq. ft. per parking space and an additional 30% for circulation, landscape, and other associated site amenities.

³ Does not include parking for spectators

⁴ Based on an example aquatic center, Morgan Hill Sports and Aquatic Center designed by Beals Alliance, Inc.

⁵ Based on Alta Mesa Park designed by Beals Alliance, Inc. and The Sacramento County Off Leash Dog Task Force (OLDTF) Draft Final Report 12/06/04.

⁶ Area requirements based on standards described in *Time-Saver Standards for Landscape Architecture*, McGraw-Hill, Inc., 1988.

⁷ Support space based on 0.9 cars per table.

⁸ Support space based on 1.3 cars per table.

⁹ Acreage counted under multi-use fields

Parking requirements and support space calculations for most sport activities listed here are derived from *Regional Sports Facility Study* a study performed for Stanislaus County and the City of Modesto by Beals Alliance, Inc. This study analyzed four Sports facilities and takes into account, not only the typical infrastructure needs, but many often neglected planning discrepancies such as parking that must include an access road or left over landscape spaces due to alignments of fields, activities, and grades. Other parking and spatial needs are based on established standards and anticipated attendance.

PROCESS FOR DETERMINING STANDARDS:

The park facility standards and land use analysis was created based on the following information and research.

Facility space standards and facility support standards were calculated using industry standards from the following sources:

- National Recreation and Park Association Service Standards and Design Guidelines
- The California Park and Recreation Society Service Standards
- The National Aquatic Branch of the National Recreation and Park Association
- The Sacramento County Off Leash Dog Task Force (OLDTF) Draft Final Report 12/06/04.
- The Uniform Building Code as adopted by Sacramento County
- The 2002 Regional Sports Facility Study for Stanislaus County and the City of Modesto prepared by The Beals Group, Inc. and Economic Planning Systems
- Original Research, Study and Analysis by the CRPD Staff

Information derived from the preparation of the CRPD Master Plan including:

- Master plan workshops, focus group meetings, and resident surveys.
- Staff input.
- Consultation with park and recreation professionals on lessons learned from development in other communities.
- Surveys of other park and recreation agencies.
- Comparing and contrasting service demands and standards of similar neighboring cities.

SUMMARY:

The adoption of a park facility standard by the City of Rancho Cordova is the next step in a process that will to a great extent determine the future look and feel of our community. This decision will chart the future course for parks and recreation facilities in Rancho Cordova and leave a legacy for future generations.

The Rancho Cordova City Council has laid down a challenge to CRPD: create not good, but great park facilities that meet the high expectations and promises of cityhood. This admirable goal can only be achieved by laying a foundation of ample space that will serve the community for generations to come.

The analysis set forth in this document clearly concludes that the five acres per 1,000 population standard falls far short of meeting needs in our community.

This land use analysis demonstrates a quantifiable need for 7.49 acres per 1,000 population, exceeding the 7.0 acres per 1,000 population adopted by the Cordova Recreation and Park District board earlier this year.

With a parkland dedication rate of 7.0 acres per 1,000 population, it is our belief that the district can maximize resources to achieve the outstanding park amenities needed to sustainable a growing community.

CONCLUSION:

The Cordova Recreation and Park District recommends tha the Rancho Cordova City Council approve the findings herein, and adopt a 7 acre per 1,000 population land dedication standard in the City of Rancho Cordova.

Original Research and Facility Standards:	CRPD Staff (1/3/05)
Additional Research and Development:	Beals Alliance, Inc. (1/5/05)
Analysis and Draft Report:	CRPD Staff (1/25/05)
Final Analysis published:	February 4, 2005

**CORDOVA RECREATION AND PARK DISTRICT
STAFF REPORT**

DATE: February 2, 2005
TO: Board of Directors
FROM: Greg Foell, District Administrator
RE: Draft Park and Facility Capital Improvement Plan based on 100,000
Population

RECOMMENDATION:

Review and provide comment on the draft Park and Facility Capital Improvement Plan (CIP).

BACKGROUND:

The District adopted park facility standards based on extensive research conducted in preparation of the District's Draft Master Plan. The staff has now prepared a draft CIP based on the 7 acres per 1,000 park land dedication and the adopted park facility standards. The CIP was calculated using a base population of 100,000 using current cost estimates. Once facility costs were generated, the total cost of facilities was divided by the number of single-family dwelling units that would be generated by 100,000 people. This produced what would be the park development fee per dwelling unit.

The CIP, based on a standard of 7 acres per 1,000 population, and the adopted facility standards, would be approximately \$8,217 per unit. Operation and maintenance estimates have not been completed but are also being prepared.

CONCLUSION/NEXT STEPS:

Meet with the Building Industry Association (BIA) and receive comments. Continue to work with Economic Planning Systems (EPS) on the nexus study that will be prepared for adoption by the District Board of Directors and the Rancho Cordova City Council.

1/24/2005

Cordova Recreation and Park District

Specific Plan--Public Facilities Financing Plan, Based on 100,000 Population

Summary of Basic Park Improvements

On-Site Improvements	700.0 net acres	230,000	\$161,000,000
Tot Lots	40 @	\$130,000	\$5,200,000
Subtotal Basic Improvements			\$166,200,000

Other Recreational Improvement	Units	Unit Cost	Total
Amphitheater for 500	2	125,000	250,000
Art in the Park	1	3,220,000	3,220,000
Baseball Field - Adult - Lighted	2	300,000	600,000
Baseball Field - Adult - not lit	2	80,000	160,000
Baseball Field - Little League - Lighted game field	8	165,000	1,320,000
Baseball Field - Little League - unlit game field	20	65,000	1,300,000
Baseball Field - Senior LL/HS lighted game field	2	260,000	520,000
Basketball, Outdoor	33	50,000	1,650,000
Before/After School/Day Camp Activity Center	16	400,000	6,400,000
Cultural Gardens	2	100,000	200,000
Dog Park: Neighborhood	10	50,000	500,000
Dog Park: Community	4	70,000	280,000
Football field	2	20,000	40,000
Frisbee Course (Ultimate)	1	5,000	5,000
Handball	5	10,000	50,000
Horseshoes	40	5,000	200,000
Small Group Shade Structure	40	50,000	2,000,000
Large Group Shade Structure	10	80,000	800,000
Offstreet Parking	1200	2,500	3,000,000
Restrooms	20	100,000	2,000,000
Restrooms/Concessions/Storage	10	150,000	1,500,000
Roller Hockey	2	220,000	440,000
Skate/BMX Street Feature	40	3,000	120,000
Skate Park	2	500,000	1,000,000
Softball Field - Men's - Lighted	4	185,000	740,000
Softball Field - Girl's - Practice	8	50,000	400,000
Softball Field - Girl's - Game	7	65,000	455,000
Softball Field - Girl's - Lighted	4	165,000	660,000
Soccer - Bantam - Small	8	30,000	240,000
Soccer - Bantam - Large	8	30,000	240,000
Soccer - Regulation Grass w/ bleachers	20	60,000	1,200,000
Soccer - Regulation Synthetic Turf	6	1,200,000	7,200,000
Sports Field - Multi-use	20	25,000	500,000
Spray Park	6	250,000	1,500,000
Tennis Courts - Lighted	10	100,000	1,000,000
Track for fitness - 1/2 mile decomposed granite	4	105,000	420,000
Volleyball (sand)	10	25,000	250,000
Water Feature (fountains, etc)	6	15,000	90,000
Subtotal Other Recreational Improvements			42,450,000

New Projects Shared Facilities

Adding an additional Gym to middle school	2	1,200,000	2,400,000
Adding gymnasium to elementary school sites - 1	10	400,000	4,000,000
Amphitheater for 2,500	1	750,000	750,000
Aquatic Center (Outdoor)	1	7,000,000	7,000,000
Aquatic Center (Indoor)	1	11,000,000	11,000,000
Community Senior Center (10,000 sf @ \$300)	2	3,000,000	6,000,000
Community Center (40,000 sf @ \$350 sf)	2	11,900,000	23,800,000
Corporation yard	1	600,000	600,000
Equestrian Center	1	1,000,000	1,000,000
Model Boating Lake	2	50,000	100,000
Office space (4,000 sf. @ \$125 sf)	1	500,000	500,000
Paint Ball Course	1		
Ponds & Reflecting Pools	5	100,000	500,000
Skate Park	1	500,000	500,000
Sports Park (40 acres lighted facilities)	1	11,500,000	11,500,000
Urban Campground	1	250,000	250,000

Subtotal Shared Facilities

\$69,900,000**Grand Total**

\$278,550,000

Proposed Residential EDU's 33,898

Proposed park development fee per EDU \$8,217

Per acre including shared facilities \$397,928.57

Per acre not including shared \$298,071.43

BIA Preliminary Park/Open Space Proposal

Rancho Cordova Park and Open Space Alternative

➤ 8 acres of Parks and Preferred Open Space shall be dedicated per 1,000 residents.

- **5 acres must** be dedicated to parks that primarily meet active (athletic field) uses.
 - In addition to surveying the existing residents, the City shall perform a “Level of Service” assessment to determine which facilities and amenities currently exist and their frequency of use.
 - Once completed, the City shall partner with the Building Industry to determine typical and special facilities for park sites.

- **3 acres must** be set-aside for “preferred open space” that meets the vision of the City Council.

To help meet the Council’s desire for Open Space that is “suitable for recreation and enjoyment,” the City shall develop policies and implementation strategies to include a valuation system whereby “preferred open space” credit is granted to open space lands within a Specific or Community Plan.

For a Specific Plan that is already approved, i.e. the Sunridge Specific Plan, further discussion is needed to determine how the remaining unapproved Tentative Maps can comply with the new requirements.

The City of Rancho Cordova should designate a credit ratio that recognizes functional open space at 1:1 and mitigation preserves at 5:1.

To further meet the Council and Park District’s vision, development projects shall:

- Provide connections throughout the Specific or Community plan area that, where feasible, incorporate pedestrian paths. In addition, attempt to integrate passive recreational and educational opportunities, if possible (e.g. rest stops, benches, overlooks and habitat interpretation areas). Also, a trails master plan shall be conducted by the city to ensure certainty in the planning process.
- Provide access to open space areas – except in those areas determined by a public agency to be sensitive to human habitat.
 - In these cases, where feasible, the developer shall provide an adjacent pedestrian path so that the open space can be viewed and enjoyed without disturbing sensitive habitat.

- These paths shall be credited at a 1:1 “preferred open space” credit valuation.

➤ Over-dedication of parkland or preferred open space

- The City shall allow over-dedication of park or preferred open space sites and allow the retention of land credits to be used by the original developer or transferred through private transaction.
 - Purchased credits must be applied within the same community plan or within a 2-mile radius of the donor site.

➤ Population factor adjustment

- The City’s recently amended 2.97 persons/household population factor is significantly higher than other jurisdictions in the region. The City shall consider decreasing its general population factor and, as is the practice of some jurisdictions, consider having a separate lower population factor for developments of RD-10 or greater.

MEMORANDUM

DATE: February 22, 2005
TO: Mayor and Council Members
FROM: Lillian Hare, HR Director/City Clerk *L Hare*
SUBJECT: FY 2006 LEGISLATIVE PROGRAM



RECOMMENDATION

Review projects for the FY 2006 Appropriations cycle and select 3-4 projects as the City's legislative priorities.

BACKGROUND

At the February 7, 2005 City Council meeting the Council considered a potential list of appropriations priorities for the FY06 federal funding cycle, which was provided by Len Simon, the City's Legislative Advocate.

The Council requested that the City's Public Works Director clarify the transportation project descriptions. Mr. Abhar has provided an expanded description of each transportation project (not in priority order), which is attached to the staff report. Additionally, staff, based on the Council discussion at the February 7 meeting and follow-up staff discussions, is recommending the following projects in priority order:

Folsom Boulevard Enhancements
Olson Road/State Route 50 Bikeway and Pedestrian Over-crossing
Senior Housing – Funding for Initial Development
Street Name Sign Replacement Project
Neighborhood Traffic Management Program – Speed Control

Staff will be contacting Len Simon prior to the Council Meeting to share with him this list and ask for his advice on strategy.

Attachments:

- 1) Potential FY06 Rancho Cordova Appropriations Priorities from Legislative Advocate Len Simon
- 2) Recommended FY 05 Earmark Requests (expanded project descriptions) from Cyrus Abhar, Public Works Director

Potential FY06 Rancho Cordova Appropriations Priorities

Category (Source)	Project	Bill	Program	Amount
Transportation (Cyrus Abhar)	Folsom Boulevard Enhancements	Transportation	Highways Section-- Appropriations Simultaneously with TEA21	\$10,000,000
[Choose One]	Street Name Signs	Transportation	Transportation Community Systems Preservation	\$550,000
	Coloma Road Enhancements	Transportation	Highways	\$5,000,000
	ITS Master plan for Rancho Cordova	Transportation	Intelligent Transportation Systems	\$2,000,000
	Sunrise Boulevard Improvements	Transportation	Highways	\$2,800,000
	Job Access Transit- Neighborhood Shuttles	Transportation	Job Access Reverse Commute	\$400,000
	Don Juan Pedestrian Traffic Signal	Transportation	Intelligent Transportation Systems	\$150,000
	ADA Transition Plan	Transportation	Highways	\$8,000,000
	Olson Road/RT50	Transportation	Highways	\$4,000,000
	Neighborhood Traffic Management- Speed Control	Transportation	Transportation Community Systems Preservation	\$2,000,000
Community and Economic Development (Linda Budge)	Senior Housing- Funding for Initial Development	VA-HUD	Economic Development Initiative Account	\$1,000,000
Environment (Tom Trimberger)	Water and Wastewater Infrastructure Improvements	EPA	State and Tribal Assistance Grants	\$1,000,000
	Water Conservation/ Gray Water Systems	EPA	State and Tribal Assistance Grants	\$1,000,000
Labor (Tom Trimberger)	Construction Training- Integrate Job Training and Local Employment Opportunities	Labor	Pilots and Demonstrations	\$750,000
Justice	Public Safety Interoperability/ Law Enforcement Technologies	Justice	COPS Technology	\$1,500,000
	Youth Crime Prevention	Justice	Juvenile Justice	\$700,000
Education (Yvonne Dehaan)	City Hall on Wheels- Mobile Educational Vehicle Flexible for Video, Audio, Viewing and Recording	Education	Fund for the Improvement of Education	\$1,400,000



RECOMMENDED FEY 05 EARMARK REQUESTS

Project Title/Cost	Project Description	Submitted by:
<i>Street Name Signs – \$550,000</i>	The City requests \$550,000 to replace aging, outmoded and nonconforming street name signs with current standard Diamond Grade sheeting. Street name signs will be increased in size to current standard. Advance street name signs will be installed at intersections of all collector and arterial streets. The intent of this work is to improve sign visibility and bring all signs to current accepted standard in order to improve traffic safety, enhance public convenience and emergency response. BILL: TRANS AGENCY: FED HGWY	Cyrus Abhar, Public Works, 916/942-0246
<i>Sunrise Boulevard Bikeway and Pedestrian over-crossing – \$2.8 million</i>	The City requests \$2.8 million to design and construct an over-crossing on Sunrise Boulevard at Folsom South Canal. The City is taking steps to enhance Folsom South Canal as one of the primary pedestrian and Bicycle corridors in Rancho Cordova Community. This will provide a safe crossing for bicycles and pedestrians at one of the most congested roads in the City. BILL: TRANS AGENCY: FED HGWY	Cyrus Abhar, Public Works, 916/942-0246
<i>Folsom Boulevard and Don Juan Pedestrian Traffic Signal</i>	The City seeks \$ 150,000 to construct a pedestrian traffic signal, providing safe access to the Cordova Town Center light rail station. BILL: TRANS AGENCY: FED HGWY	Cyrus Abhar Public Works 916/942-0246
<i>Job Access/Reverse Commute – \$400,000</i>	The City seeks \$400,000 for the establishment of neighborhood shuttles and reverse commute routes, to facilitate job access to places of business within the service area. BILL: TRANS AGENCY: FED TRANSIT	Cyrus Abhar, Public Works, 916/942-0246
<i>Folsom Boulevard Enhancements – \$10 million</i>	This project involves the enhancement of Folsom Boulevard. Project improvements will include the landscaping and necessary appurtenances to beautify the historic and established section of the City of Rancho Cordova, enhanced pedestrian and bicycle	Cyrus Abhar, Public Works, 916/942-0246

Project Title/Cost	Project Description	Submitted by:
	access, streetscape improvements, as well as the reconstruction of significant sections of the roadway pavement. This project follows the Folsom Boulevard Streetscape Master Plan. The total project cost is estimated at \$52 million. Current funding totaling approximately \$2.5 million in State, Federal, and local Measure "A" funds is in place for the first phase of the project. The City of Rancho Cordova seeks the additional required funds (\$10 million) for the second phase of the project that reflects the vision developed in the Master Plan that will preserve as well as enhance this important historic section of the City. BILL: TRANS AGENCY: FED HWY	
<i>Olson Road/State Route 50 Bikeway and Pedestrian over-crossing – \$4 million</i>	The City requests \$4 million to design and construct an over-crossing on Highway 50 connecting Olson Drive to Prospect Park Road. This will provide pedestrian and Bicycle connectivity between one of the major business parks and commercial areas in the City. BILL: TRANS AGENCY: FED TRANSIT	Cyrus Abhar, Public Works, 916/942-0246
<i>Neighborhood Traffic Management Program – \$2 million</i>	The City of Rancho Cordova has allocated \$150,000 of City funds to the development of a Neighborhood Traffic Management Program (NTMP) to address the community's concerns regarding speeding and Cut-thru traffic on City streets. The purpose of the NTMP is to update and expand the City's existing Speed Control Program to improve traffic safety. The City of Rancho Cordova seeks \$2 million for the implementation of the first phase of improvements identified in the Neighborhood Traffic Management Program in the City. The implementation plan will include construction and installation of traffic safety and traffic calming devices throughout the City to enhance public safety. BILL: TRANS AGENCY: FED HGY	Cyrus Abhar, Public Works, 916/942-0246
<i>Implementation of the City's ADA Transition Plan and Pedestrian Master Plan – \$8 million</i>	The City of Rancho Cordova is preparing an Americans with Disabilities Act (ADA) Transition Plan and a Pedestrian Master Plan. These plans address improvement needs relating to disabled access and the presence and condition of pedestrian facilities. These plans have identified more than \$40 million of needed improvements to pedestrian and disabled access throughout the City. The City seeks \$8 million for the implementation of the first phase of the improvements identified in the City's ADA Transition and Pedestrian Master Plans.	Cyrus Abhar, Public Works, 916/942-0246

Project Title/Cost	Project Description	Submitted by:
	The Americans with Disabilities Act of 1990 and subsequent interpretations by the Department of Justice require municipalities such as City of Rancho Cordova to prepare plans detailing how they will make their streets and roads accessible to all persons, including those with disabilities. ADA Transition Plans must include specific project information and commitment to a detailed time schedule for completion. The Pedestrian Master Plan is being undertaken to enhance walking as a viable transportation alternative to help make the City of Rancho Cordova a better place to live. BILL: TRANS AGENCY: FED HGY	
<i>Coloma Road Enhancements – \$5 million</i>	This project involves enhancement of Coloma Road from Folsom Boulevard to Sunrise Boulevard. Project improvements will include the landscaping and necessary appurtenances to beautify the established section of the City of Rancho Cordova, enhanced pedestrian and bicycle access, streetscape improvements, as well as the reconstruction of significant sections of the roadway pavement. BILL: TRANS AGENCY: FED HGWY	Cyrus Abhar, Public Works, 916/942-0246
<i>ITS Master Plan – \$2,000,000</i>	This project proposes the development and phased implementation of an Intelligent Transportation System Master Plan for the City of Rancho Cordova. The master plan will cover a wide range of tools from technology innovations to special traffic monitoring devices to improve mobility throughout the City. The ultimate goal of the system is development of an intelligent transportation system that will result in reduction of accidents and traffic delays and enhance seamless movement of people and goods in the community. BILL: TRANS AGENCY: FED HGY	Cyrus Abhar, Public Works, 916/942-0246

Prepared by: Cyrus Abhar, Public Works Director
February 9, 2005

MEMORANDUM

DATE: February 22, 2005
TO: Mayor and Council Members
FROM: Lillian Hare, HR Director/City Clerk *LHare*
SUBJECT: STUDY SESSION DATES FOR 2005



RECOMMENDATION

Finalize all Study Session dates.

BACKGROUND

The City Council at the December 6 City Council meeting calendared upcoming Study Session dates except for making the following selections between two dates:

1. April 26 or 27, 2005
2. May 24 or 25, 2005
3. July 12 or 13, 2005
4. October 25 or 26, 2005
5. November 15 and/or 16, 2005 (This is the Annual Council Retreat; two days may be needed.)
6. December 13 or 14, 2005

Attached is the current listing of Study Session dates for 2005 including the topics that have been agendized to date. The highlighted dates correspond to the above list.

Attachment: Study Sessions for 2005

Study Sessions for 2005

January 3, 2005 - STUDY SESSION

General Plan Map Draft Land Use

January 31, 2005 - STUDY SESSION

Traffic Circulation of General Plan (includes neighborhood streets width, planned street grid & road improvements) (Paul/Cyrus)

February 16, 2005 - STUDY SESSION

Canceled

March 1, 2005 - STUDY SESSION

Design Guidelines & Other Issues – Joint with the Planning Commission (Paul)

March 16, 2005 - STUDY SESSION

Housing - full range for future generations inc. affordable and inclusionary - Joint with PC and GPAC (Paul)

2005-2007 Strategic Planning Outcomes and Goals (Beverly)

March 29, 2005 - STUDY SESSION

Total Community Pathway Connectivity System (Cyrus)
Rio Del Oro (Paul)

April 26 or 27, 2005 - STUDY SESSION

Report on Economic Development Plan; Economic Development as a General Plan Element (Curt)

Water Update (Cyrus)

May 10, 2005 - STUDY SESSION

Community Improvement Tool Box (Yvonne, Tom M. and Jim)

Property Maintenance Ordinance (Yvonne)

May 24 or 25, 2005 - STUDY SESSION

General Plan (Paul)

June 6, 2005 - STUDY SESSION

Budget Work Session beginning at noon (prior to the 5:30 p.m. regular Council Mtg.)

June 15, 2005 - STUDY SESSION

Our Plan for Financial Vibrancy – all fees and financial issues (Bill)

July 12 or 13, 2005 - STUDY SESSION

Report on Redevelopment Project Area Survey (Curt & Libby Siefel)

September 27 , 2005 - STUDY SESSION

October 12, 2005 - STUDY SESSION

Joint Meeting with Parks District

- A. Park Nexus Study
- B. Follow-up from 1st meeting needed regarding:
 - a. Park Dedication Fee Amount Final Document
 - b. Impact/change to General Plan
 - c. Impact/change to Developer Agreements

October 25 or 26, 2005 - STUDY SESSION

Form based Code (Paul)

November 1, 2005 - STUDY SESSION

City Manager Annual Performance Review

November 15 and/or 16, 2005 - STUDY SESSION

Annual Council Retreat

November 29, 2005 - STUDY SESSION

City Utilities (Bill, Cyrus)

December 13 or 14, 2005 - STUDY SESSION



Parks & Open Space

In Rancho Cordova

March 2, 2005

What makes a World Class Park System Overview

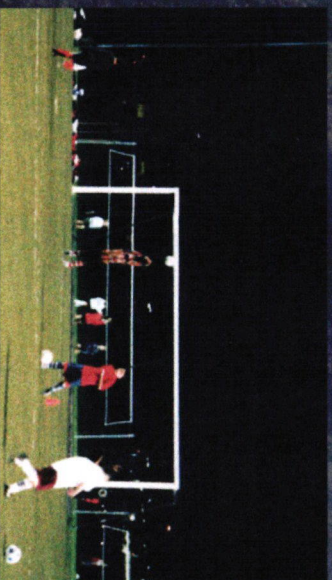
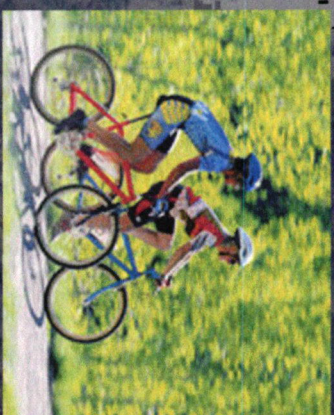
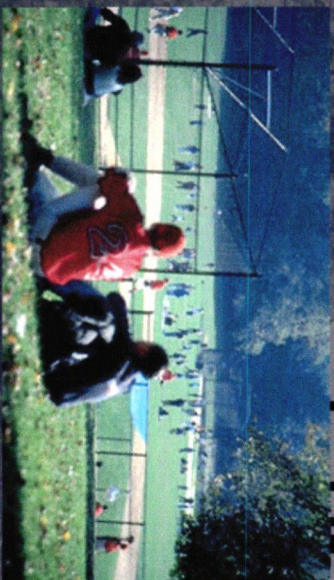
World Class Park Systems:

- Provide a diversity of facilities that meet/exceed needs of residents
- Are maintained to the standards residents expect
- Incorporate a mix of Active & Passive Uses
 - Educational
 - Recreational
 - Aesthetic
- Offer Amenities that integrate with and reinforce the community's character
- Help create highly desirable and livable neighborhoods

What makes a World Class Park System

Active & Passive Uses

Diverse communities have diverse uses

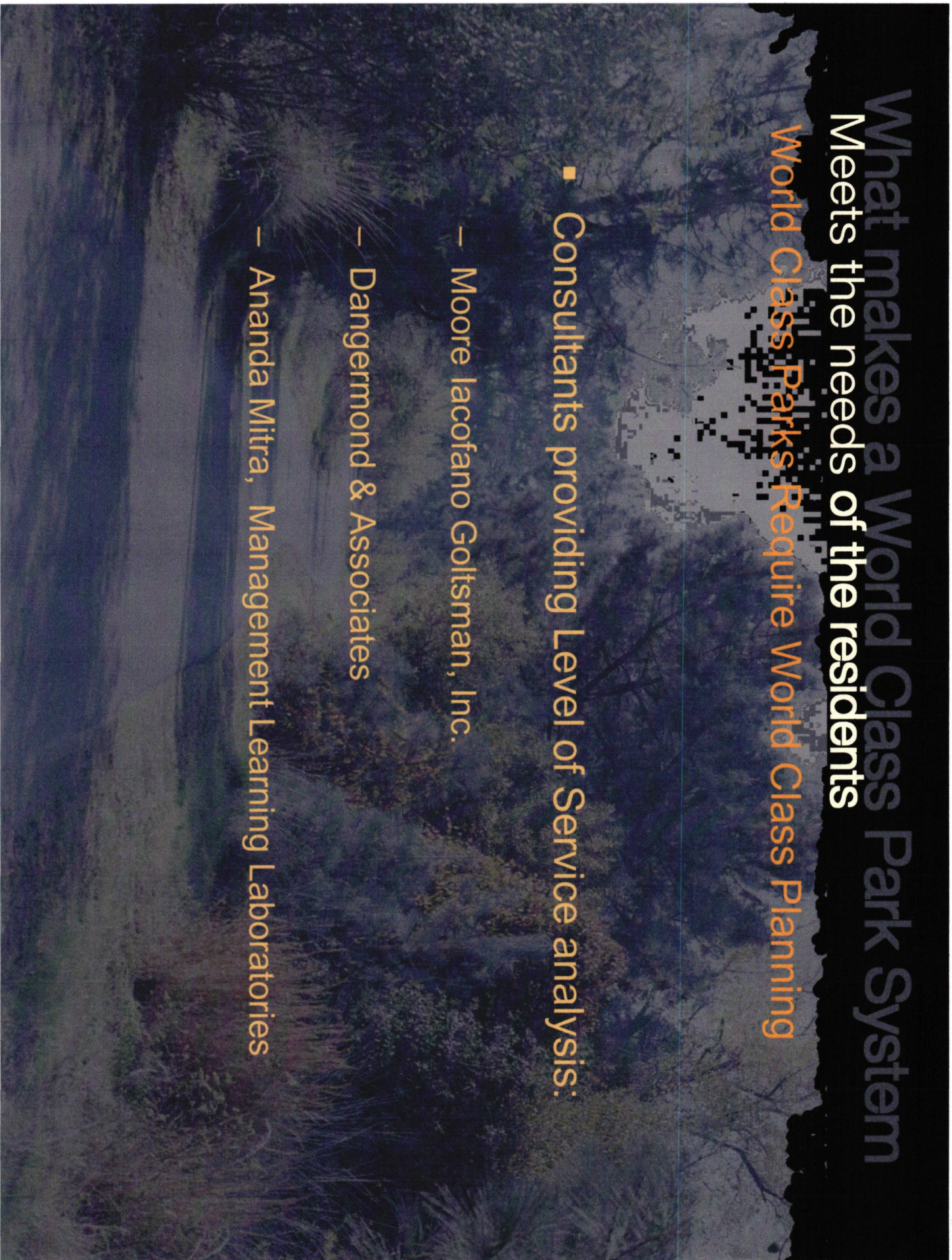




What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

- CRPD Analysis is Non-Community Specific
 - Not tailored to local needs
 - May include unnecessary facilities
 - Does not account for co-location with schools
 - Does not allow for private recreation areas
- “Level of Service Analysis” – Determines:
 - Existing & Projected Use Levels
 - Need for New Park & Recreation Facilities



What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

- Consultants providing Level of Service analysis:
 - Moore Iacofano Goltsman, Inc.
 - Dangermond & Associates
 - Ananda Mitra, Management Learning Laboratories



What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

- To Achieve Parity For Existing & New Residents:
 - Requested fee study must provide a level of service analysis to determine what the baseline level of park funding is to existing residents
 - Fees and services should be the same for all residents
 - Are existing residents willing to pay for increased levels of park facilities via a parcel tax as a park development fee?

What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

- Opportunities under Quimby Act
 - “...the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide *three acres of park area per 1,000 persons* residing within a subdivision subject to this section, unless the amount of existing neighborhood and community park area, as calculated pursuant to this subdivision, exceeds that limit, in which case the legislative body may adopt the calculated amount as a higher standard not to exceed *five acres per 1,000 persons* residing within a subdivision subject to this section”



What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

The State of California, (in Gov't Code Section 65560

(b)) defines open space as:

- Areas required for the Preservation of Natural Resources- includes plant and animal habitats, including areas required for ecologic and scientific study.
- Open Space for the Managed Production of Resources, including forest lands, agricultural lands, areas required for ground water recharge, bays and estuaries used for management of commercial fisheries; areas of natural resources including mineral deposits.
- Open Space for Outdoor Recreation, includes areas of outstanding scenic, historical and cultural value; areas particularly suited for park and outdoor recreation purposes including access to rivers, beaches and streams. This category also includes links between major recreation and open space reservations, including utility corridors, streams, trails and scenic highway corridors.
- Open Space for Public Health and Safety- includes areas requiring management because of hazardous or special conditions, such as fault zones, landslide areas, areas of high fire risk and areas required for protection of water or air quality.

What makes a World Class Park System Meets the needs of the residents

World Class Parks Require World Class Planning

- Utilizing Existing Open Space:
 - American River Parkway
 - Folsom South Canal
 - Wetlands Preserves
 - Mather Regional Park



What makes a World Class Park System Integration

Great Parks Integrate Rancho's Great Resources

- Open Space does not have to be usable to have a benefit
- Open Space is intended to protect:
 - Viewsheds
 - Watersheds
 - Environmentally Sensitive Areas
- Open Space lands meeting typical requirements include:
 - Environmentally sensitive areas
 - Riparian corridors, man-made drainages/basins
 - Trail and parkway corridors
 - Landscape areas adjacent to streets & roadways (if they meet certain minimum requirements, i.e. 25 ft. or greater)

What makes a World Class Park System Integration

Great Parks Integrate Rancho's Great Resources



What makes a World Class Park System Maintenance

Quality Facilities Require Quality Care

- Is the City and CRPD financially prepared to maintain new parks and open space areas?

Well Maintained Parks and Open Space





What makes a World Class Park System Implementation

Partnerships Create Desired Outcomes

General Strategies:

- Encourage and promote joint use of school facilities for recreation use
 - Emphasize multi-purpose facilities
- Credit private recreational facilities developed for neighborhood associations and higher density housing
 - Partner with the private sector

What makes a World Class Park System Implementation

Partnerships Create Desired Outcomes

Suggested Methods:

- Modify CRPD park facilities to apply joint use possibilities
 - Example: Ball fields located on school sites could result in significant maintenance savings
- Partner with private sector to provide specialized recreation facilities
 - Paintball, indoor soccer, equestrian center, etc.
- Specialized facilities with lower demand should be met through regional partnerships (i.e. Sacramento County, City of Folsom, etc.)
 - Aeronautic hobby field, urban forest areas and camp grounds
- Applying these strategies will produce a quality park system that can be met with a 5-acres per 1,000 resident standard



What makes a World Class Park System Recommendations

Quality, not quantity makes a great park system

- Adopt interim park standards as suggested by BIA Working Group
 - 5-acres of park land per 1,000 population
 - 3-acres of preferred open space based on a crediting system
 - 5:1 ratio for mitigated preserves
 - 1:1 ratio for functional open space (fully landscaped drainage areas, landscaped corridors, trails, paseos, etc.)
- Financially partner with BIA Working Group to conduct a thorough level of service analysis
- Collaborate with BIA Working Group to create open space performance standards for future review

What makes a World Class Park System Quality Neighborhoods

Great Parks Help create quality neighborhoods

