CONCURRENT MEETING
CITY COUNCIL/CRA/RCFC

Tuesday, January 22, 2008

4:00 p.m. – Study Session
Special Joint Meeting / City Council & Planning Commission
5:30 p.m. – Regular Meeting

AGENDA

CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

Linda Budge, Mayor

Dan Skoglund, Vice Mayor

Ken Cooley, Council Member

Robert J. McGarvey, Council Member

David Sander, 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!

CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/ RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, January 22, 2008

4:00 P.M. – Study Session
Special Joint Meeting
City Council and Planning Commission
American River Community Room - North

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers

AGENDA

A. STUDY SESSION - CALL TO ORDER / ROLL CALL

Council Members Sander, Cooley, McGarvey, Skoglund, and Mayor Budge
Planning Commissioners Burke, Cummings, Moe, Savorn, Smith, Vance & Chair Konarski

B. PUBLIC COMMENT

At a study session or special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any unagendized item.

C. STUDY SESSION ITEM

C.1. **Subject:** Discussion of Draft Zoning Code Chapters Regarding Site Planning and Development Standards, Special Use Regulations, and Special Housing Standards and Development Incentives.
Recommendation: Review and Discuss a portion of the Draft Zoning Code.
Result of Recommended Action: Council and Planning Commission comments on the Draft Zoning Code chapters will allow staff to finalize Article 6 – Site Planning and Development Standards, Article 7 – Special Use Regulations, and Article 8 – Special Housing Standards and Development Incentives currently under development by planning department staff. Comments and direction will be solicited, but no formal action is required or anticipated.
Staff Report: Jeff Beiswenger, Planning Department
Advances Goals: 1, 2, 4, 5, 6, 7, 8, and 9

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D. ADJOURNMENT OF STUDY SESSION

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Council Members Sander, Cooley, McGarvey, Skoglund, and Mayor Budge

2. METRO CABLE TV TELECAST ANNOUNCEMENT

The Mayor will announce the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

4. INVOCATION

Chaplain Gary Fox, Rancho Cordova Law Enforcement, Emergency Responders will give the invocation.

5. PRESENTATIONS

5.1. Introduction of New City Employees:

- Stephanie Nobriga, Administrarive Secretary by Mindy Cuppy, Administrative Support Supervisor; and
- Jeanie Donaldson, Customer Service Specialist by Mindy Cuppy, Administrative Support Supervisor; and
- Sheri Wilson, Deputy City Clerk/Records Coordinator by Brenda Lehr, Interim Assistant City Clerk; and
- Nancy Pearl, Public Relations and Communications Manager by Ted Gaebler, City Manager.

5.2. Presentation by Bruce Forman of the 2007 Salmon Festival in appreciation for City sponsorship.

5.3. Presentation by Christoph Dobson, Collection Systems Manager and Claudia Goss, Communications Media Officer, Sacramento Area Sewer District, formerly known as County Sanitation District 1 (CSD-1) on branding effort.

6. PUBLIC COMMENT

Citizens wishing to address the Council for any matter on the Consent Calendar or not on the agenda may do so at this time by completing and submitting a (blue) Speaker Card to the City Clerk. **For items on the agenda, speakers will be called up to the podium by the Mayor at the point on the agenda when the item will be heard.** Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

Note, 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

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can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

7. COUNCIL REPORTS

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

8.1. **Subject:** Minutes of City Council Meetings:
1. Regular Meeting of December 3, 2007
2. Adjourned Regular Meeting of December 3, 2007 (Tuesday, December 4, 2007)
3. Regular Meeting of December 17, 2007
4. Special Meeting of December 19, 2007

Recommendation: Adopt Minutes.

8.2. **Subject:** Ordinance Amending Ordinance No. 22-2005 Relating to the Regulation of Commercial Solid Waste Collection Franchises.
Recommendation: Waive second reading and adopt Ordinance No. 41-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will authorize the City Manager to execute a two year extensions to the Non-exclusive Commercial Solid Waste and Recycling Collection Franchises, executed by the City in December of 2005 and amended in December of 2006.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goal: 4

8.3. **Subject:** Resolution Creating Special Tax Area Zone 7 and Ordinance Establishing a Special Tax for Transit-Related Services for the BloodSource Laboratory Building.
Recommendation: Adopt Resolution No. 1-2008 and waive first reading and introduce Ordinance No. 2-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of the resolution and ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the BloodSource Laboratory Project.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 2 and 11

8.4. **Subject:** Approval of Measure A Transportation Expenditure Plans.
Recommendation: That Council:
1. Approve the FY2007/2008 Interest Allocation to the FY2007/2008 Expenditure Plan allocating Measure A revenues to City programs and maintenance, and direct staff to submit the plan to the Sacramento Transportation Authority (STA).
2. Approve the FY2008/2009 Expenditure Plan allocation Measure A revenues to City transportation projects, programs and maintenance, and direct staff to submit the plan to the STA.

Result of Recommended Action: Approval of the Measure A Transportation Expenditure Plans will allocate funding to City Projects and Programs, and allow the City to expend Measure A Sales Tax revenues. Upon approval, the recommended Expenditure Plans will be submitted to STA for revenue and final approval by the STA Board.

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Staff Report: Cyrus Abhar, Public Works Department
Advances Goal: 2

8.5. **Subject:** Resolution Adopting a Real Estate Acquisition Program.
Recommendation: Adopt Resolution No. 06-2008.
Result of Recommended Action: Adoption of this resolution will establish a Real Estate Acquisition Program and provide policy guidance to enable City staff with contracted real estate consultants to move forward on projects where real estate acquisition is needed. The program is designated to implement best practices for governmental real estate activity, and has been approved as to legal aspects by the City Attorney.
The program represents a professional and cost-effective approach to handling real estate appraisals, acquisitions, and relocation assistance. It relies primarily on real estate professionals who are experts in governmental real estate, but would also include legal consultation wherever necessary, especially in the early stages as detailed processes are decided and documented, and standard forms and agreements are developed.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 2 and 11

8.6. **Subject:** Resolution Authorizing City Manager to Execute Engineering Design Contract with Jacobs Carter Burgess for the Sunrise Boulevard Improvements (Kiefer Boulevard to Jackson Road Project) in the Amount of $674,621.38.
Recommendation: Adopt Resolution No. 5-2008.
Result of Recommended Action: Upon adoption of this resolution the City Manager will execute the contract with Jacobs Carter Burgess and the project team will move forward with design of the Sunrise Boulevard Improvements Project.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 2 and 8

8.7. **Subject:** Resolution Authorizing the City Manager to Execute a Memorandum of Agreement between the City of Rancho Cordova and the Army Corps of Engineers in the Amount of $187,000.00.
Recommendation: Adopt Resolution No. 7-2008.
Result of Recommended Action: Approval of this resolution will authorize the City Manager to renew the City's MOA for U.S. Army Corps of Engineers WRDA staff assistance and will allow the Corps to expedite review of permit applications for projects within the City limits.
Staff Report: Paul Junker, Planning Department
Advances Goals: 2 and 4

8.8. **Subject:** Resolution Authorizing the City Manager to Execute a Contract with InterWest Consulting for GIS Services in the Amount of $65,000.00.
Recommendation: Adopt Resolution No. 8-2008.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute Contract No. 195-2007 between the City of Rancho Cordova and InterWest Consulting in the amount of $65,000 to provide internal GIS services to staff and others related to the City of Rancho Cordova. This will give staff a greater source of information to better service the community.
Staff Report: Jay Hadley, Information Technology Department
Advances Goal: 11

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8.9. **Subject:** Council Member Appointments to Regional Boards and Commissions for 2008.
Recommendation: That Council Member appointments for 2008 be approved for the listed Boards and Commissions, reflected in the attachment to the staff report.
Result of Recommended Action: Action on this item will confirm the 2008 Rancho Cordova City Council Member appointees and alternates to various boards and commissions within the region to which Rancho Cordova provides leadership representation.
Staff Report: Stacy Leitner, City Clerk's Department
Advances Goals: 1 through 13

8.10. **Subject:** 2008 City Council Meeting Schedule.
Recommendation: That Council approve its meeting schedule for 2008.
Result of Recommended Action: Action on this item will confirm the 2008 meeting schedule for Rancho Cordova City Council Members.
Staff Report: Brenda Lehr, City Clerk's Department
Advances Goals: 1 through 13

9. CONSENT PUBLIC HEARING ITEM – ROLL CALL VOTE

9.1. **Subject:** Urgency Ordinance Extending 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: Adopt Urgency Ordinance No. 4-2008. **(Roll Call and 4/5ths Vote Required)**
Result of Recommended Action: Adoption of this ordinance will extend, for a period of two years, an existing moratorium on the establishment of new, and the expansion of existing, sexually oriented businesses in the City pending the City's update of the Zoning Code and the consideration of new zoning regulations applicable to sexually oriented businesses in the City.
Staff Report: Joe Chapman, City Attorney's Office
Advances Goals: 1, 6 and 13

9.2. **Subject:** North Douglas II, Project No. RC-05-185, Rezone, Tentative Subdivision Map, Special Development Permit, and Development Agreement, Located within the North Grantline Planning Area of the Adopted General Plan, and Bordered by the North Douglas Subdivision to the South, West of Grant Line Road and South of Aerojet. **(Continued from December 3rd)**
Recommendation: Council continue item to February 19th, at the request of the applicant.
Result of Recommended Action: This action will allow the applicant additional time to prepare their project presentation.
Staff Report: William Campbell, Planning Department
Advances Goal: 1

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9.3. **Subject:** Aerotec Court, Project No. RC-07-315, Design Review, Located at 11515 Luyung Drive and 3501 Aerotec Court.
Recommendation: Adopt Resolution No. 9-2008.
Result of Recommended Action: Approval of this Design Review will allow construction of two 3,487 sq. ft. light industrial buildings, each with adjacent yards and trash enclosures, and with shared parking and access.
Staff Report: Katja Irvin, Planning Department
Advances Goals: 1 and 9

10. PUBLIC HEARING ITEMS

None

11. REGULAR CALENDAR ITEMS

11.1. **Subject:** Urgency Ordinance Amending Title 9 of the City Municipal Code, "Public Peace, Morals and Safety," by Adding Chapter 9.91, "Social Host Ordinance."
Recommendation: Adopt Urgency Ordinance No. 1-2008. **(Roll Call and 4/5ths Vote)**
Result of Recommended Action: Adoption of this ordinance will establish regulations pertaining to social hosts in order to prevent minors from consuming alcohol at social gatherings. The ordinance will deter social hosts from allowing the consumption of alcohol by minors by imposing a penalty on hosts which allow such consumption.
Staff Report: Adam Lindgren, City Attorney's Office and Reuben Meeks, Rancho Cordova Police Department
Advances Goals: 1, 6, 8, 10 and 13

11.2. **Subject:** Resolution Establishing a Travel and Reimbursement Policy for City Officials.
Recommendation: Adopt Resolution 9-2008.
Result of Recommended Action: Adoption of this resolution will establish a travel and reimbursement policy for the City Council and the Planning Commission. The policy will establish guidelines and rules for the types of expenses that officials can be reimbursed for while engaging in City business.
Staff Report: Ted Gaebler, City Manager's Office and Adam Lindgren, City Attorney's Office
Advances Goals: 1 and 11

11.3. **Subject:** Rancho Cordova Chamber of Commerce Regarding Fiscal Circumstances for which the City May Provide Interim Solutions.
Recommendation: Consider request and direct appropriate action.
Result of Recommended Action: Council demonstrates its leadership by considering a request from a key membership organization that supports and promotes the economic vitality of Rancho Cordova.
Staff Report: Joe Chinn, City Manager's Office
Advances Goals: 11 and 1

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

13. CITY MANAGER'S REPORT

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14. CLOSED SESSION

Council may adjourn to Closed Session to discuss the following item(s):

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9 (b) (one potential case).

15. OPEN SESSION – REPORT FROM CLOSED SESSION

The City Attorney will report on action taken in Closed Session.

16. ADJOURNMENT

ADDITIONAL INFORMATION

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Thursdays prior to the Regular City Council Meeting.

CITYWIDE GOALS - (Adopted March 20, 2006)	
1.	Foster a Positive Image of Rancho Cordova
2.	Improve Transportation & Connectivity
3.	Champion Employee Development & High Performance Work Environment
4.	Ensure the Availability of the Best Public Services in the Region
5.	Establish a Vibrant Downtown
6.	Ensure a Safe Community
7.	Improve the Quality of Housing In Rancho Cordova
8.	Sustain a Livable Community
9.	Drive Diverse Economic Opportunities
10.	Foster Responsible Citizenship
11.	Practice Sound Fiscal Management
12.	Establish Logical (City) Boundaries
13.	Continue To Provide Regional Leadership

UPCOMING MEETINGS	
Monday, February 4, 2008	***4:00 p.m. Study Session on CDBG Work Plan Update*** ***5:30 p.m. Regular Meeting***
Tuesday, February 12, 2008	***12:00 p.m. to 5:00 p.m. Work Session on 2nd Annual Economic & Fiscal Future Report***
TUESDAY, February 19, 2008	***5:30 p.m. Regular Meeting***
Tuesday, February 26, 2008	***5:30 p.m. Work Session on Zoning Code Update***

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UPCOMING MEETINGS	
Monday, March 3, 2008	***4:00 p.m. Study Session TBD*** ***5:30 p.m. Regular Meeting***
Monday, March 17, 2008	***5:30 p.m. Regular Meeting***
Tuesday, March 25, 2008	***5:30 p.m. Work Session TBD***

If you have any technical questions related to the agenda items, please contact the appropriate department as follows:

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building Department	(916) 851-8760
Finance Department	(916) 851-8730
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Redevelopment & Economic Development Department	(916) 851-8780

The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems. Closed Captioning will be available on the playback cablecast. Tune to Metro Cable Channel 14, for playback times. A VHS copy is also available for check out from any library branch. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14.

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) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, Interim City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the January 22, 2008 Special and Regular Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on January 18, 2008 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city web site at www.cityofranchocordova.org.

Signed this 18th day of January 2008 at Rancho Cordova, California.

Stacy Leitner

Stacy Leitner, Interim City Clerk

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MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members
Planning Commissioners

FROM: Pam Johns, Special Projects Manager
Jeffrey S. Beiswenger, Senior Planner

SUBJECT: **ZONING CODE UPDATE PROJECTS - SITE PLANNING AND DEVELOPMENT STANDARDS; SPECIAL USE REGULATIONS; AND SPECIAL HOUSING STANDARDS AND DEVELOPMENT INCENTIVES**

RECOMMENDATION

Review and discuss the final portion of the draft Zoning Code, with a focus on development standards, special use regulations, and housing provisions. Provide comments and direction to staff on some key policy questions and document contents.

RESULT OF RECOMMENDED ACTION

Council comments will allow staff to finalize the public draft version of the Zoning Code related to development standards, special use regulations, and housing provisions. Council comments and direction will be solicited, but no formal action is requested or anticipated.

BACKGROUND

This is the third joint meeting with the Rancho Cordova City Council and Planning Commission to discuss articles and chapters of the new Zoning Code. The Draft Zoning Code outline is listed below:

Article 1	Purpose and Authority
Article 2	Procedures
Article 3	Entitlements
Article 4	Zoning Districts, Allowable Uses, and Development Standards
Article 5	Form Based Zoning Regulations

Today's Discussion

Article 6	Site Planning and Development Standards
Article 7	Special Use Regulations
Article 8	Special Housing Standards and Development Incentives

Today's study session focuses on the third (and final) part of the Code related to development standards, special use regulations, and housing provisions. Another work session will be held in late February or early March to bring back topics of special concern before the Public Draft Zoning Code is finalized.

AGENDA ITEM C.1

The Zoning Code is being developed in three stages through a combined effort of all city departments and policy-makers of the Planning Commission and City Council, with extensive consultation with community stakeholders:

1. Working Draft Zoning Code
    - Internal "rough draft"
    - Policy analysis/technical review
    - Zoning map considerations
    - Input
        - City Staff Working Group (technical)
        - Policy Advisory Team (policy input from Planning Commission and City Council representatives and other designated stakeholders)
        - Joint Work Session (policy)
        - Focus meetings with decision-makers (2x2)
        - Stakeholders
    - Ongoing review in phases (October 2007 through February 2008)

2. Public Draft Zoning Code and Map
    - City staff complete recommended changes
    - Develop recommended zoning map changes
    - Significant provisions and revisions discussed at workshops/stakeholder meetings and work sessions with Planning Commission/City Council
    - Input
        - Stakeholders
        - Public workshops (one for text changes, one for map changes)
        - Peer review process
    - Public Hearings for Planning Commission recommendation and City Council direction for adoption
    - March 31, target completion date

3. Final Zoning Code and Map
    - Final edits made as directed by City Council
    - City Council adoption
    - Final Code published
    - Electronic and web-based version created
    - May 31, target completion date

The primary purpose of tonight's meeting is to highlight and solicit input regarding significant proposed changes from the existing Code. With the input from the City Council and Planning Commission, staff will make appropriate revisions and present this information to the community and stakeholder groups.

ANALYSIS

As the new Zoning Code is developed, staff is paying close attention to the work plan approved by the City Council to ensure that the final Code achieves project objectives and is not "just another conventional zoning code." Articles 6, 7 and 8 of the Zoning Code implement the following project objectives:

- Implements General Plan vision by providing modern development standards and special use provisions that improve the quality and functionality of development in Rancho Cordova.

- Establishes flexibility to remove arbitrary constraints to innovative development (e.g. excessive setbacks, out-of-date parking requirements, unnecessary separation of different development types, etc.).

- Improves enforcement tools that address nuisance and blight issues (e.g. new parking requirements in residential districts, updated sign regulations, etc.).

- Lowers the City's risk of legal challenge by updating the Code in compliance with State Law (e.g. housing incentives, accessory dwelling units, etc.).

The proposed Code will be a full replacement of the existing Rancho Cordova Zoning Code. With this in mind, staff is completing a full analysis to ensure that useful provisions from the existing Code are carried over into the new Code and to describe significant differences. The following is a summary of this analysis.

Article 6 – Site Planning and Development Standards (Attachment 1)

The provisions of this Article ensure that development is safe and functional, interconnected with adjacent properties and the surrounding neighborhood and visually consistent with the community. To achieve these objectives, development regulations relate to site specific components of projects, such as landscaping, parking, loading, lighting, pedestrian facilities, public spaces, accessory structures, and signage.

Chapter 6.1 – Height Measurement and Exceptions

This chapter provides rules for calculating the height of structures and performance standards for building height in some cases (height limits are also provided in each zoning district). Additionally, it includes exceptions to the height requirements based on use type and features. The intent of these regulations is to provide for compatibility of building height when adjacent lots have different maximum height limits or there are different grade levels between a development site and its adjacent roadway. The new Code is different than the existing Code as follows:

- A new definition has been added for finish grade to address cut and fill on an individual lot.

- New height regulation has been added to ensure compatibility between single-family residential and other abutting uses (e.g., commercial). The standard requires consistency in the maximum height within 100 feet of the residential use or site.

- The height calculation has been simplified to be the vertical distance from a point of measure where the structure meets the ground and the highest point of the structure directly above. The height calculation for sloped sites has also been simplified.

- A new height calculation has been added and applies when the base of a structure within 100 feet of a roadway is a minimum of five feet lower than the adjacent roadway.

Chapter 6.2 – Yard Measurements and Projections

This chapter establishes rules and regulations for setback measurement, yard areas, and encroachments. These provisions are intended to ensure open areas around primary structures, maintain clear visibility for traffic safety and pedestrian access, buffer between property and land uses, and establish natural and visual light and air space privacy, landscaping, and recreation. New provisions include:

- Definitions for types of yard area (actual and required) have been added.
- New figures illustrating types of lots, yard types, setback determination of irregular lots, and allowed single family encroachments have been added.

Chapter 6.3 – Integrated Developments

The purpose of this chapter is to create special regulations for projects with multiple parcels and/or buildings. The intent is to encourage the integration of uses (vertically and horizontally) and to establish flexibility in the strict zoning regulations as they apply. This chapter incorporates the Integrated Developments regulations from the Chapter 40: Mixed Use section of the existing Zoning Code.

Chapter 6.4 – Landscaping

This purpose of this chapter is to establish landscape standards to enhance the appearance of developments, reduce heat and glare, control soil erosion, conserve water, require ongoing maintenance of landscape areas, and ensure that landscape installations do not create hazards for motorists or pedestrians. The new Code:

- Consolidates landscape provisions in one location in the Code.
- Carries over tree pruning and parking lot shading requirements.
- New landscaping sections include the requirement for landscape and irrigation plans, general locations for landscaping, landscape design and planting requirements, special landscape provisions, water efficient landscape and landscape care and maintenance.

Chapter 6.5 – Parking and Loading

This chapter establishes standards for the amount, location, and development of motor vehicle parking, bicycle parking, and on-site loading areas. The purpose of the standards is to provide for safe vehicular parking, circulation, and loading requirements supportive of a variety of uses in an increasingly pedestrian, bicycle friendly, and transit-oriented community.

The existing Zoning Code is primarily concerned with providing enough parking for automobiles to accommodate peak parking demand and reduce the need for on-street parking. The new Code will increase the focus on other transportation modes (e.g., bicycles, transit, and walking) that may reduce the need for parking in some cases. The differences include:

- The parking standards included in this chapter provide a higher degree of flexibility than the existing Code, with significant parking reductions available for shared parking, available on-street parking, proximity to transit, etc.

- Additional bicycle parking standards are provided in the new Code. Bicycle racks are required near most building entries to encourage bicycle use. Employee bike parking is required to be covered.

- Landscaping for parking lots is not included in the chapter but is instead included in the landscape chapter of this article.

- The Special Review of Parking will still be available in the Zoning Code but the application procedure will be provided in Article 3 – Entitlements.

- The existing Code requires fences or walls around the perimeter of commercial parking lots. This requirement has been eliminated to avoid the unnecessary separation between different land uses.

- A new section on residential parking has been added. Changes include new provisions for recreational vehicle parking and storage. Required parking spaces must be enclosed or covered (additional parking beyond the minimum can occur in driveways). This provision will eliminate the ability to perform garage conversions unless replacement covered parking is provided.

- Requirement for a Transportation System Management Plan has been eliminated to conform with State Law. Many of the requirements within this section of the existing Code have been retained as development standards in the new Code.

Chapter 6.6 – Standards for Pedestrian-Oriented Spaces

Provisions related to the design and construction of pedestrian-oriented and public space are included in this chapter. These include spaces used primarily for circulation (i.e., pathways through a site and sidewalks located adjacent to a private street) and a variety of public/quasi-public spaces (i.e., building entrance areas, plazas, employee break areas, and paseos). The inclusion of these standards represents a major shift in zoning focus. The current Code is geared towards the convenience and comfort of automobile travel, while it neglects other modes of transportation, including pedestrians. This translates into a deficiency of open space and pedestrian provisions and a handful of indirect requirements introduced by landscaping and shading provisions and the Americans with Disabilities Act. These new development standards place greater emphasis on pedestrian mobility issues and the creation of public spaces by codifying a number of requirements that appear in the City's Design Guidelines.

Chapter 6.7 – Outdoor Lighting

This chapter regulates lighting to balance the safety and security needs with the City's desire to avoid light trespass and glare on surrounding property (especially residential) and roadways. The new Code:

- Preserves the provisions from the current Zoning Code that prohibit glare, light spillover, and illumination levels for parking lots.

- Adds definitions, permit requirements, exempt lighting, permitted lighting, general lighting standards (including illuminations levels) and the requirement for outdoor lighting plans.

- The Design Guidelines state that all outdoor lighting shall be no more than 18 feet in height. This standard has been carried over and amended to state that no outdoor light fixture shall be taller than 18 feet when next to residential and over 24 feet in other locations. The Design Review authority also has the flexibility to increase the light standard height if necessary.

Chapter 6.8 – Outdoor Display, Sales, and Storage

Provisions for permanent and temporary outdoor display and storage uses are intended to encourage displays and activities that are compatible with associated and nearby uses and avoid obstructions to pedestrian or vehicle circulation or create an unsightly appearance of unrestricted clutter. This is a new chapter in the Zoning Code and includes regulations for the display, sales, and storage of goods outside of the associated structure. Regulations focus on the location and scale of the use, association of a related use (in the case of outdoor displays and sales).

Chapter 6.9 – Fences, Walls and Screening

This chapter regulates the height and location of fences, walls, and screening to provide privacy without obstructing views, to establish buffers between certain land uses, and to safeguard against visual obstructions at street intersections and/or driveway locations. Changes from existing regulations include:

- The new Code consolidates standards for fences, walls, and screens in one location.

- Existing Code provisions focus primarily on the separation of uses, which is not always needed or desired. The new Code allows the ability for pedestrians to move easily between adjacent land uses and does not require fences, walls, or screens between uses unless needed to screen loading areas, industrial facilities and/or mechanical equipment.

- Screening requirements have been added for mechanical and rooftop equipment.

- The revised does not allow chain link fencing in the front and side yard and reduces the allowable fence height from six feet to three feet in the front yard.

Chapter 6.10 – Residential Accessory Structures

This chapter defines how detached accessory structures relate to primary structures on residential properties and establishes development standards for non-exempt structures. The purpose is to promote a positive aesthetic relationship between accessory structures and primary structures on a property. The changes include:

- References to fences and walls were moved to Chapter 6.9 (Fences and Walls).

- References to accessory units were moved to Section 7.1.070 (Second Dwelling Units).

- Development standards have been simplified to reduce confusion in implementation of this section.

Chapter 6.11 – Noise, Odor, and Vibration Performance Standards

The purpose of this chapter is to provide performance standards for all permanent and temporary land uses within the City relative to noise, odor, and vibration. The intent is to provide compatibility between neighboring land uses by minimizing various potential operational impacts. This is a new chapter in the Zoning Code. It includes standards relative to noise, odor, and vibration generation on a subject site in an effort to provide compatibility between neighboring uses.

Chapter 6.12 – Public Utilities

The purpose of this chapter is to provide uniform standards and regulations for the undergrounding of all utilities in the City and to identify the requirements for public water and sewer service. The chapter includes:

- This chapter maintains the existing requirement for undergrounding all utilities in the City and references the requirements for public water and sewer contained in Title 22 of the Municipal Code.

- The requirement for underground utilities has been expanded to require undergrounding of utilities in existing areas of the City as part of a project that increases the total square footage of development on a site by at least 25 percent. For some projects, rather than completing the undergrounding as part of the project, an in-lieu fee could be paid.

Chapter 6.13 – Signs

This chapter establishes regulations for signs. Signs have a significant impact on the overall character and quality of the built environment and are important to the economic interests of the community. The sign regulations ensure that signage does not distract motorists or obstruct or otherwise impede traffic circulation, and ensure aesthetic, architectural, and cosmetic compatibility with the surrounding community by limiting visual clutter of the streetscape, such as through the regulation of oversized signs and excessive temporary signs. The new Code includes:

- The sign regulations have been reorganized based on topic, rather than signage type or zoning district.

- A section explaining the City's policies for sign regulations has been added to define the legal basis for the regulations.

- Extensive definitions have been added and existing definitions have been expanded.

- A new Uniform Sign Program has been created to provide for design consistency between buildings and signs.

- The list of exempt signs has been expanded.

- Development standards for permanent on-site signs are listed by use type (e.g., commercial, office, industrial), rather than Zoning District and are summarized in a table, rather than in paragraphs.

- The Special Sign Corridor along Highway 50 and Sunrise Boulevard has been eliminated. In its place, special standards for freeway-oriented signage have been included in the development standards table for permanent signs.

- Development standards for temporary signs have been added and are listed in a table.

- Off-site signage (e.g., new subdivision sales) has been modified to prohibit weekend directional stake signs, and the multi-development kiosk has been expanded.

- Area and height measurement standards have been clarified and expanded to address the variety of sign types in use today.

- New standards for special sign types (e.g., awning, freestanding, readerboards) have been included.

- Provisions for Special Sign Districts (e.g., Downtown, Convention District) have been added. These districts are created by City Council Resolution at a later date and will be referenced in the Zoning Code. They provide for unique and consistent branding of special areas of the City.

- The nonconforming and abandoned sign provisions have been revised to remove the five-year limit on nonconforming signs. Rather, legal nonconforming signs may continue in perpetuity provided they are maintained in good condition. Abandoned signs may be abated by the City after 90 days.

Article 6 – Policy Discussion

Based on the significant changes proposed to the Chapters of Article 6 (Site Planning and Development Standards), staff has identified several policy questions for consideration by the Planning Commission and City Council below. In the interest of time at the Study Session, staff will prioritize these questions at the meeting:

1. *The new Code adds a number of parking reductions (e.g. for shared parking, transit, bicycles) and reduces minimum parking ratios to allow for more intense development. This is different than the current Code which is designed to accommodate peak parking demand. Is this change appropriate for Rancho Cordova?*

2. *The new Code keeps the Special Review of parking which allows for changes from parking ratios and parking lot design standards. Staff is recommending a Level 2 review by the Planning Director with specific criteria. This tool provides flexibility but also allow significant exceptions to requirements. Should we keep this tool in the Code and is this the right level of review and Approving Authority?*

3. *The new Code prohibits chain link. Is this too strict? Should exceptions be considered?*

4. *Should the undergrounding of utilities be required for all new development and significant expansions of existing buildings?*

5. *The City replaces the Special Sign Corridors with other provisions that are more uniformly applied throughout the City. Should the City remove the Special Sign Corridor if alternative provisions accomplish the same objectives?*

Article 7 – Special Use Regulations (Attachment 2)

This Article includes special provisions for certain land use categories and activities. These regulations are in addition to other development standards and regulations in other parts of this Code, such as Article 6 (Site Planning and Development Standards). The intent of this Article is to ensure that the uses regulated are compatible with the surrounding uses.

Chapter 7.1 – Residential Uses

This chapter establishes standards for caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwellings units. New regulations include:

- Caretaker housing regulations that require housing to be associated with a permitted non-residential use, limit occupancy to the caretaker and his/her household, and require the design of the housing to be consistent and uniform with the associated use.

- The Home Occupation section has been revised and includes updated performance standards that include the following: 1) Can have more than one home occupation at a residence; 2) The number and types of deliveries allowed are identified; 3) Home occupation provision now allows hours to be limited from 8:00 A.M. to 7:00 P.M..

- New regulations for live/work facilities have been added. The regulations are focused on compatibility of uses, integration of the live and work components, occupancy requirements, and employees.

- A new section that includes definitions as well as development standards for mobilehomes and mobilehome parks.

- The Second Dwelling Unit chapter has been updated to be consistent with state law. This section now includes a definitions section as well updated development standards that include the following: 1) The minimum lot size for a second dwelling unit is 5,000 square feet; 2) The owner must occupy either the primary or the second dwelling unit; 3) The second dwelling unit shall not exceed 1,200 square feet.

Chapter 7.2 – Agriculture, Resource, and Open Space Uses

This chapter includes provisions for agricultural, resource and open space land uses and/or activities, such as animal keeping and stables. These standards are intended to limit the nuisance from the use on adjacent property.

Chapter 7.3 – Utility, Transportation, and Communication Use

This chapter provides standards for utility, transportation, and communication uses, including telecommunication facilities and utility facility and infrastructure and regulates the size, scale, and location of these uses, as well as requiring additional setbacks, landscaping, and other buffering between the subject use and surrounding property. Changes include:

- The Telecommunications Facilities section has been revised to be consistent with state law. The section now includes definitions, enhanced screening requirements and operation and maintenance standards.

- Collocations are now approved administratively per state law if the wireless facility received a public hearing and had CEQA review on or after January 1, 2007. Rooftop and building mounted antennas that are fully screened and collocations (for towers approved prior to January 1, 2007) that do not require a height increase for the additional antennas are also administratively approved.

- The regulations for utility facilities and infrastructure have been expanded to apply to not only electrical substations but also treatment plants, water storage facilities, and communication substations. Regulations focus on appropriate locations for the facilities and screening of use from adjacent property. The siting requirements have been updated to reflect current development patterns.

Chapter 7.4 – Retail, Service, and Office Uses

This chapter applies to convenience stores and drive-in and drive-through sales and service. Additional setbacks, screening, lighting, and specific security measures are required beyond those provided in the underlying Zoning District, such as:

- The convenience store regulations have been carried over from the existing Zoning Code. A provision on window coverings has been added to limit the coverage to 15 percent of the window.

- Additional dimensional requirements have been added to the drive-in and drive-through section. These include minimum drive-through lane widths and location requirements relative to intersections.

- Provisions for pedestrian access - avoiding drive-through lanes whenever possible.

- Limits on hours for drive-through and drive-in operations within proximity (300 feet) to residences.

Chapter 7.5 – Automotive and Vehicle Uses

This chapter includes regulations for automobile dismantling and service stations and applies special location and design requirements beyond those otherwise required in the underlying zoning. New requirements include:

- Screening of automobile dismantling uses from adjacent uses and the public right-of-way.

- The service station regulations have been carried over from the existing Zoning Code. The permit process has been modified to only require Planning Commission approval of the conditional use permit (where required), rather than City Council. Additional landscaping adjacent to single-family residential is required.

Chapter 7.6 – Industrial, Manufacturing, and Processing Uses

This chapter carries over provisions from the existing Code for junk tire facilities such as additional setbacks, screening, and other location standards.

Chapter 7.7 – Special Regulated Uses

This chapter establishes site planning, development, and/or operating standards for special regulated uses (card rooms, check cashing businesses, pawn shops, recycling facility (collection), sexually oriented businesses, smoke shops, tattoo parlors, and thrift stores). These provisions will help mitigate the potential adverse impacts on adjacent and surrounding land uses by requiring special siting, location standards and special provisions, as follows:

- Regulations for card rooms have been added to limit over concentration through spacing requirements and require additional lighting and site maintenance.
- Regulations for check cashing businesses have been added to address location and proximity to surrounding uses, property maintenance, and additional on-site security.
- Regulations for pawn shops have been added to address potential over concentration, hours of operation, and reference business license requirements.
- Regulations for recycling collection facilities address adjacency to neighboring residential uses, requirements for weather-proof containers, limitations on mechanical equipment, and relationship of the use to the site's parking lot.
- Existing regulations for sexually oriented businesses have been carried over from the existing Zoning Code, including the current moratorium.
- Smoke shop regulations include spacing requirements to limit over concentration of the use.
- Regulations for tattoo parlors limit over concentration through spacing requirements.
- Regulations for thrift stores address over concentration through spacing requirements. Provisions also require additional maintenance and clearly identifiable collection areas.

Chapter 7.8 – Temporary Uses

These provisions place restrictions on the duration of the temporary use, its location, and other development standards to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or the general community. Regulations for temporary uses have largely been carried over from the existing Code with new provisions for farmers' markets. Time limits for temporary uses may now be exceeded through approval of a limited use permit.

Article 7 – Policy Discussion

Based on the significant changes proposed to the Chapters of Article 7 (Special Use Regulations), staff has identified several policy questions for consideration by the Planning

Commission and City Council below. In the interest of time at the Study Session, staff will prioritize these questions at the meeting:

1. *Home Occupation regulations have been converted to include performance based standards as a means of encouraging a wider range of home based businesses that can operate in a manner compatible with residential neighborhoods. Are the provisions for employees, clients and vehicle parking sufficient to protect the residential character of a neighborhood?*

2. *The location of special regulated uses (card rooms, check cashing, pawn shops, etc.) is controlled by the zoning district, use permit and by separation requirements. Does this address the City's concerns regarding these uses?*

Article 8 – Special Housing Standards and Development Incentives (Attachment 3)

This Article contains special housing standards and development incentives, such as density bonus and condominium conversion ordinances. It also includes a process to grant reasonable accommodations for housing for persons with disabilities. The standards and provisions contained herein are in addition to the standards elsewhere in the Zoning Code.

Chapter 8.1 – Housing Incentives / Density Bonus Provisions

Incentives can greatly increase the viability of production of housing for very low, lower income, and senior households and is required in accordance with Government Code Sections 65915 through 65918. This chapter is intended to facilitate the development of affordable housing and to implement the goals and policies of the City's General Plan Housing Element. This chapter:

- Incorporates the City's Density Bonus Ordinance - updated to be consistent with recent amendments to state law. It allows for an increase in the density of a project (to a maximum) when a certain number of units are dedicated for very low and low income persons.

- Allows incentives or concessions may be granted as part of the density bonus.

Chapter 8.2 – Condominium Conversion

This chapter establishes procedures to convert multi-family apartments to condominiums to ensure that applicable physical standards are met and the provision of services is adequate. This chapter updates the provision now in the Zoning Code by:

- Updates definitions, submittal information and relation requirements;

- Requires a detailed property inspections; and

- Requires a development agreement to ensure that adequate City services can provided. For example additional funds for police protection or land for new parks may be needed in some locations.

Chapter 8.3 – Reasonable Accommodations for Housing for Persons with Disabilities

This chapter provides a process for individuals with disabilities to make requests for regulatory relief from the various land use, zoning, or rules, policies, practices, and/or procedures of the City. It is the policy of the City, pursuant to the Federal Fair Housing Act to provide people with disabilities reasonable accommodation in rules, policies, and procedures that may be necessary to ensure equal access to housing. For example, waivers from setback and height standards could be granted to allow of installation of ramps, handrails, or other necessary features.

Chapter 8.4 – Executive Housing

Planning Staff is researching possible incentives and regulations related to executive housing. This chapter will provide a location for these regulations. Staff will present research on this topic to the Planning Commission and City Council at the next Joint Work Session on the Zoning Code in late February / early March.

Article 8 – Policy Discussion

Does the City want to facilitate the conversion of apartments into Condominiums? If so, is the City willing to relax certain development standards? Should a development agreement be required to allow for the provisions of public facilities and services (e.g. police protection, parks, etc.)?

SUMMARY

Staff will utilize results from this study session to help complete the administrative draft version of the Zoning Code related to development standards, special use regulations, and housing provisions. The next Joint Study Session will be scheduled for late February or early March and will focus on the final sections of the Zoning Code.

ATTACHMENTS

1. Draft Article 6 – Site Planning and Development Standards
2. Draft Article 7 – Special Use Regulations
3. Draft Article 8 – Special Housing Standards and Development Incentives

Article 6

Site Planning and Development Standards

Overview

This Article provides standards to ensure that properties are developed consistent with the General Plan vision of a quality built environment, reflected in the character of neighborhoods, walkable developments, unified architectural details, landscaping and integrated public spaces. This Article will also ensure that development is safe and functional, interconnected with adjacent properties and the surrounding neighborhood and visually consistent with the community. To achieve these objectives, this Article provides development regulations related to site specific components of projects, such as landscaping parking, loading, lighting, pedestrian facilities, public spaces, accessory structures, and signage.

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Chapter 6.1 – Height Measurement and Exceptions

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Draft Zoning Code Changes:

6A. A new definition has been added for finish grade to address cut and fill on an individual lot.

6B. New height regulation has been added to ensure compatibility between single-family residential and other abutting uses (e.g., commercial). The standard requires consistency in the maximum height within 100 feet of the residential use or site.

6C. The height calculation has been simplified to be the vertical distance from a point of measure where the structure meets the ground and the highest point of the structure directly above. The height calculation for sloped sites has also been simplified.

6D. A new height calculation has been added and applies when the base of a structure within 100 feet of a roadway is a minimum of five feet lower than the adjacent roadway.

6.1.010 Chapter Purpose

The purpose of this Chapter is to provide the rules for determining and calculating height of structures within the City. Additionally, it includes exceptions to the height requirements of the underlying Zoning District based on use type and features. The intent of these regulations is to provide for compatibility of building height when adjacent lots have different maximum height limits or there are different grade levels between a development site and its adjacent roadway.

6.1.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Basement. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above which is partly below grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to the floor above.

Grade. Grade is the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five feet distant from said wall, or the lowest point of elevation on the finished surface of the ground between the exterior wall of a building and the property line if it is less than five feet distant from said wall. In cases where walls and fences are parallel to and within five feet of a public sidewalk,

alley, or other public way, the grade shall be the elevation of the sidewalk, alley, or public way. In the case of signs, grade is the lowest point of elevation of the finished surface of the ground at the base of the sign, or in the case of a double support, the lowest point of elevation of the finished surface of the ground at the supports.

Grade, Existing. Existing grade shall mean the natural grade in place prior to the preparation of property for development. For individual recorded lots, existing grade shall mean natural grade or the grade established as a part of the development of the subdivision.

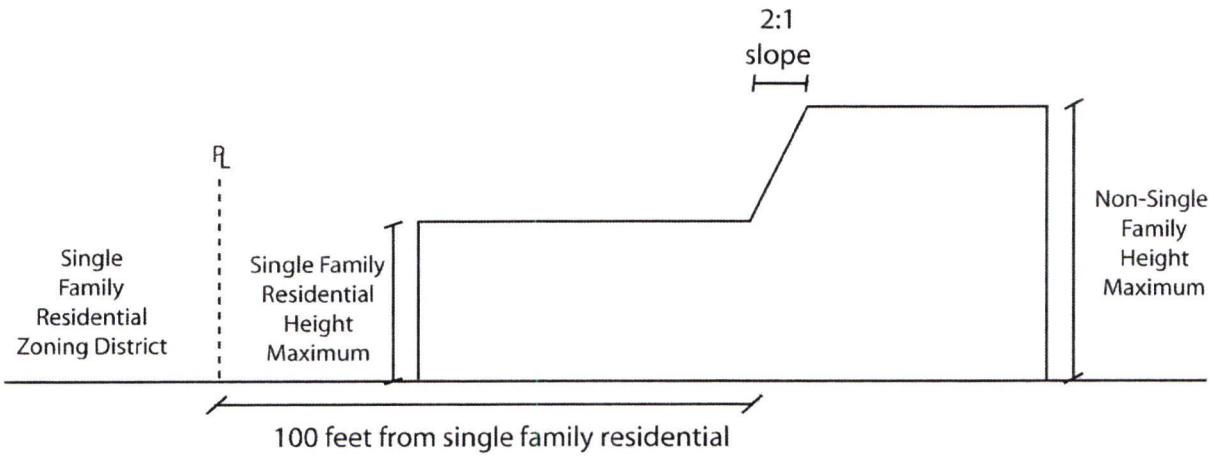
Grade, Finish. Finish grade shall mean the final contour of the ground surface of a site that conforms to the approved grading plan inclusive of cut and fill when not part of master grading of a subdivision.

6.1.030 Height Regulations

A. **Generally.** Except as otherwise provided by this Chapter or any other provisions of this Title, all structures shall be limited to the maximum height identified in the underlying Zoning District as identified in Article 4 (Zoning Districts, Allowable Uses, and General Development Standards), to the maximum height allowed for accessory structures as identified in Chapter 6.10 (Residential Accessory Structures), or to the maximum height allowed for telecommunication facilities as identified in Section 7.3.020 (Telecommunication Facilities). The height provisions for buildings or structures shall be interpreted so that both the limitation as to the number of stories and the limitation of the height in feet shall both apply when both standards are listed.

B. **Height Compatibility with Single-Family Development.** Whenever a structure is proposed on a lot that is adjacent to a single-family residential zone (e.g., CMU adjacent to RD-5), the proposed structure shall maintain the same maximum height allowed in the adjacent single-family residential zone (the RD-5 lot) within 100 feet of the shared property line. From that point measured 100 feet from the shared line, the maximum height of the proposed structure may increase to the maximum allowed by its underlying zoning at a two-to-one (2:1) ratio. See Figure 6.1-1 (Height Compatibility with Single-Family Development). In the instance where the zones are separated by a public right-of-way, this rule shall still apply and the 100-foot distance measurement shall begin from the property line of the residential zone adjacent to the right-of-way.

Figure 6.1-1: Height Compatibility with Single-Family Development



C. **Height Limits in Aircraft Approach Zones.** In any zone no tree or other object of natural growth shall be allowed to grow and no building or appurtenance thereon, tower, or other structure shall be erected or maintained to exceed the height limits developed for aircraft approach and take-off areas, nor the imaginary surfaces as defined by the Federal Aviation Administration. Such approach and take-off areas may be depicted on the Zoning Map for reference.

6.1.040 Height Measurement

The height of a structure shall be measured as follows:

A. **General Height Measurement.** Height is measured from the base of the structure at the finish grade to the highest point on the structure directly above (perpendicular to the ground plane) the point of measure, inclusive of all projections, roof features (e.g., gables, mansards, etc.), and other elements that extend the structure in the vertical plane, except as otherwise exempted in Section 6.1.050 (Height Exemptions). See Figure 6.1-2 (Measurement of Building Height). Those portions of basements extend above the finish grade shall be included in determining the height of a structure. ~~The height shall be the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:~~

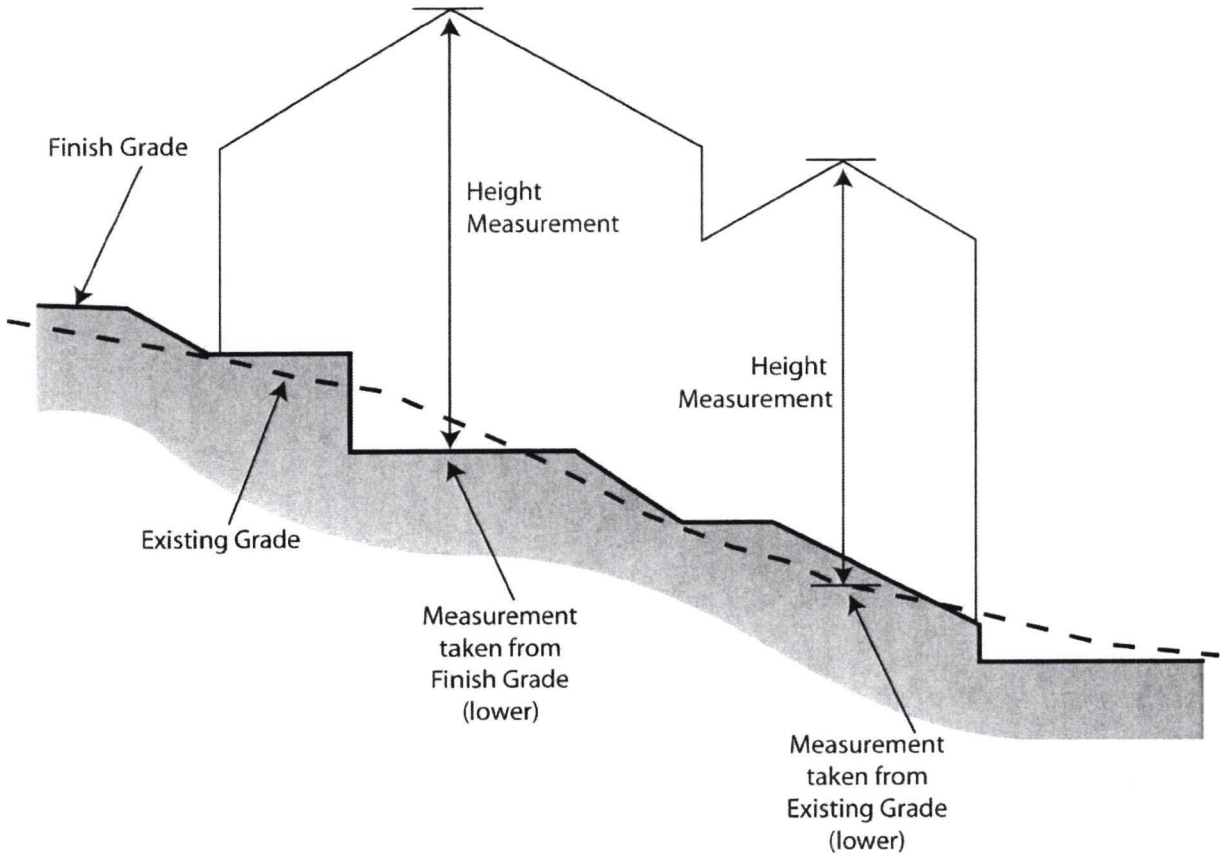
~~The elevation of the highest adjoining sidewalk or ground surface within a 5 foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade of the lot.~~

~~An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Section (a) above is more than 10 feet above lowest grade.~~

Figure 6.1-2: Measurement of Building Height

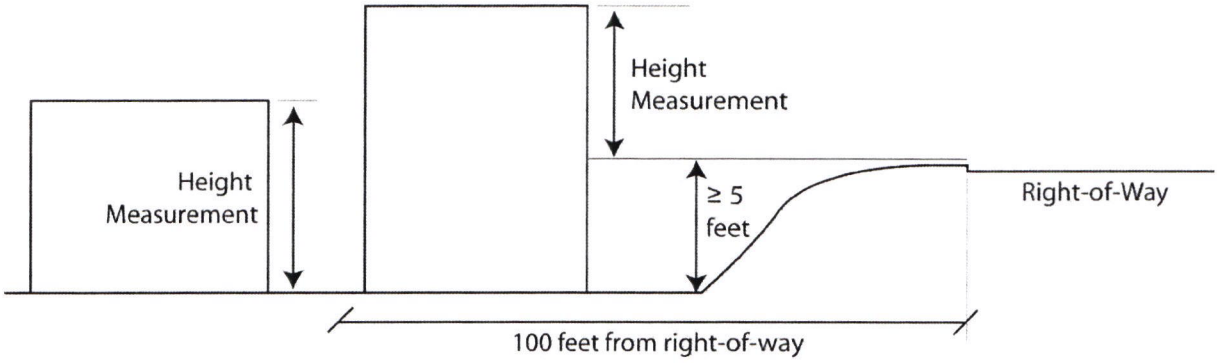
B. **Height Measurement for Sloped Sites.** ~~The height of a stepped or terraced building is the maximum height of any segment of the building. (Uniform Building Code definition)~~ For sloped sites (greater than ten percent) and/or varied floor elevations, the base point of the measurement described in General Height Measurement above shall be the lower of the existing grade and the finish grade. See Figure 6.1-3 (Height Measurement for Sloped Sites).

Figure 6.1-3: Height Measurement for Sloped Sites



C. **Height Measurement for Sites Lower than Adjacent Roadway.** For sites which have their finish grade a minimum of five feet lower than the surface of the adjacent public right-of-way, all structures located within 100 feet of the right-of-way may take their base point of measurement from the right-of-way itself. The portion of the building located below the surface of the roadway and not otherwise determined to be a basement shall be included in the first floor of the structure. All other structures on the site shall have their height measured as described in A or B above. See Figure 6.1-4 (Height Measurement for Sites Lower than Adjacent Roadway).

Figure 6.1-4: Height Measurement for Sites Lower than Adjacent Roadway



6.1.050 Height Exceptions

Exceptions to the height regulations are as follows:

A. **General Height Exceptions.** Towers, penthouses, and other roof structures for the purpose of shelter for mechanical equipment, cupolas, water tanks, church steeples, carillon towers, radio television antennas, and similar structures and necessary mechanical appurtenances may be erected on a building, or on the ground, to a height greater than the limit otherwise established within the underlying zone, or for that use, provided that no such exception shall cover at any level more than 15 percent of the area of the lot nor have an area at the base greater than 1,600 square feet. (See Section 7.3.020 for dish antenna regulations.) All construction is subject to approval of Building Inspection. Signs may not be placed on such structures at any height exceeding the height of an otherwise permitted building. Fences or walls may be required and conditioned to exceed six feet in height for a project, as determined by the Approving Authority hearing related planning matters on the same parcel of land.

B. **Height Exceptions for Residential Zones**. As part of Design Review, the designated Approving Authority may allow apartment houses, schools, churches, public buildings, and other similar buildings to be erected to a height not to exceed 75 feet, provided that the required yards are increased one foot for each one foot of height increase of said building.

C. **Mixed Use, Automotive, and Industrial Zones.** As part of Design Review, the designated Approving Authority may permit the maximum height for buildings in the Mixed Use, Automotive, and Industrial Zones to be increased to a maximum of 150 feet, provided that all portions of the building exceeding the underlying height maximum are set back from the ultimate right-of-way line of all abutting streets and freeways a distance of at least equal to the height of that portion of the building. For any residential portion of a hotel or a residential use, all required yards and courts shall be increased one square foot for each foot that such building exceeds the maximum height of the underlying zoning district. In any case, the floor area to lot area ratio shall not exceed that allowed in the underlying zoning district or 2.5:1 when no maximum is specified.

Chapter 6.2 – Yard Measurement and Projections

Sections in this Chapter

6.2.010 Chapter Purpose 6.2-1
6.2.020 Definitions 6.2-1
6.2.030 Yard and Setback Regulations 6.2-6
6.2.040 Allowed Encroachments/Projections into Required Yards 6.2-7

Draft Zoning Code Changes:

6E. Definitions for types of yard area (actual and required) have been added.

6F. New figures illustrating types of lots, yard types, setback determination of irregular lots, and allowed single family encroachments have been added.

6.2.010 Chapter Purpose

The purpose of this Chapter is to establish rules and regulations for setback measurement, yard areas, and encroachments. These provisions, in conjunction with other applicable provisions of this Title, are intended to ensure open areas around primary structures, maintain clear visibility for traffic safety and pedestrian access, buffer between property and land uses, and establish natural and visual light and air space privacy, landscaping, and recreation.

6.2.020 Definitions

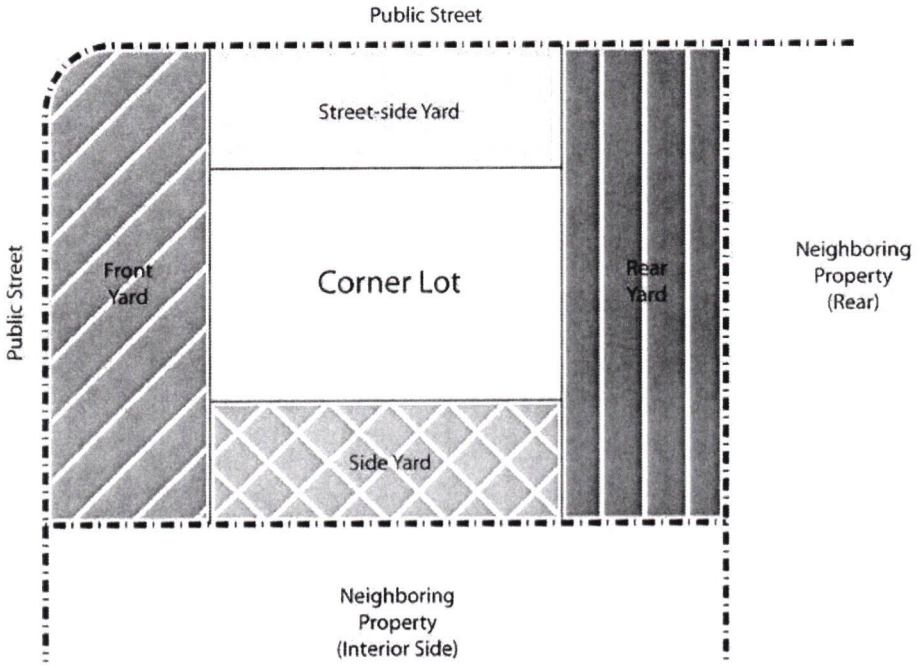
For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Lot. A parcel of land shown on a subdivision map, parcel map, certificate of compliance, or a record of survey map or described by metes and bounds and recorded in the office of the County Recorder of Sacramento County, or a site in one ownership having an area for each main building or use as required in the applicable zone and having a frontage upon or access by adequate public easement to a public street, road, or highway. Types of lots include the following and are described in Figure 6.2-1 (Lot and Yard Types):

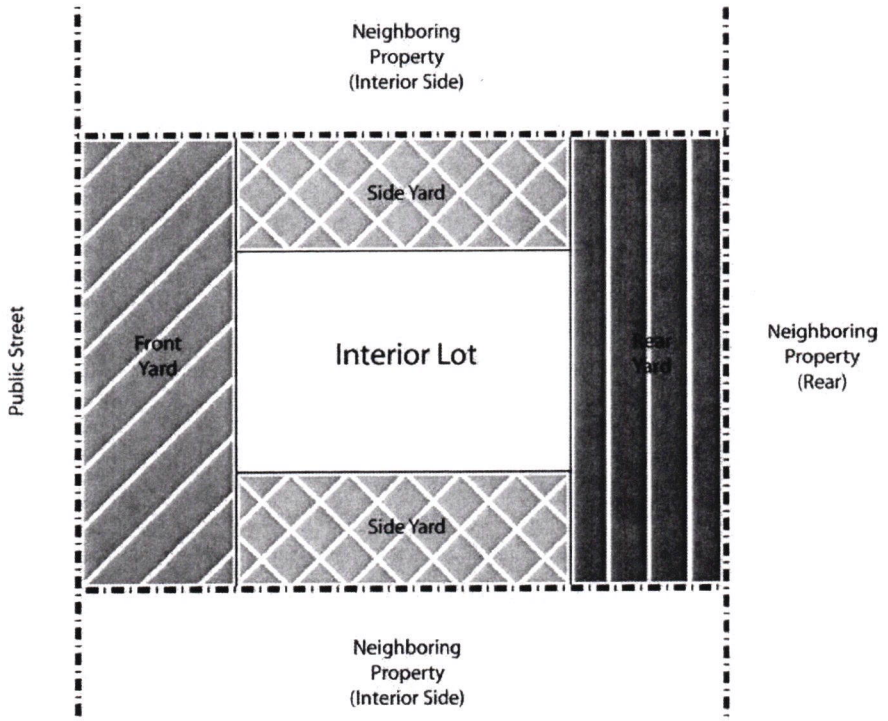
- Lot, Corner. A lot situated at the intersection of two or more public streets having an angle of intersection of not more than 135 degrees.
- Lot, Interior. A lot other than a corner lot.
- Lot, Through. A lot having a frontage on two parallel or approximately parallel streets.
- Lot, Flag. A parcel of land shaped like a flag; the staff (access corridor) is a narrow strip of land providing vehicular and pedestrian access to the street with the bulk of the property lying to the rear of other lots.

Figure 6.2-1: Lot and Yard Types

Corner Lot

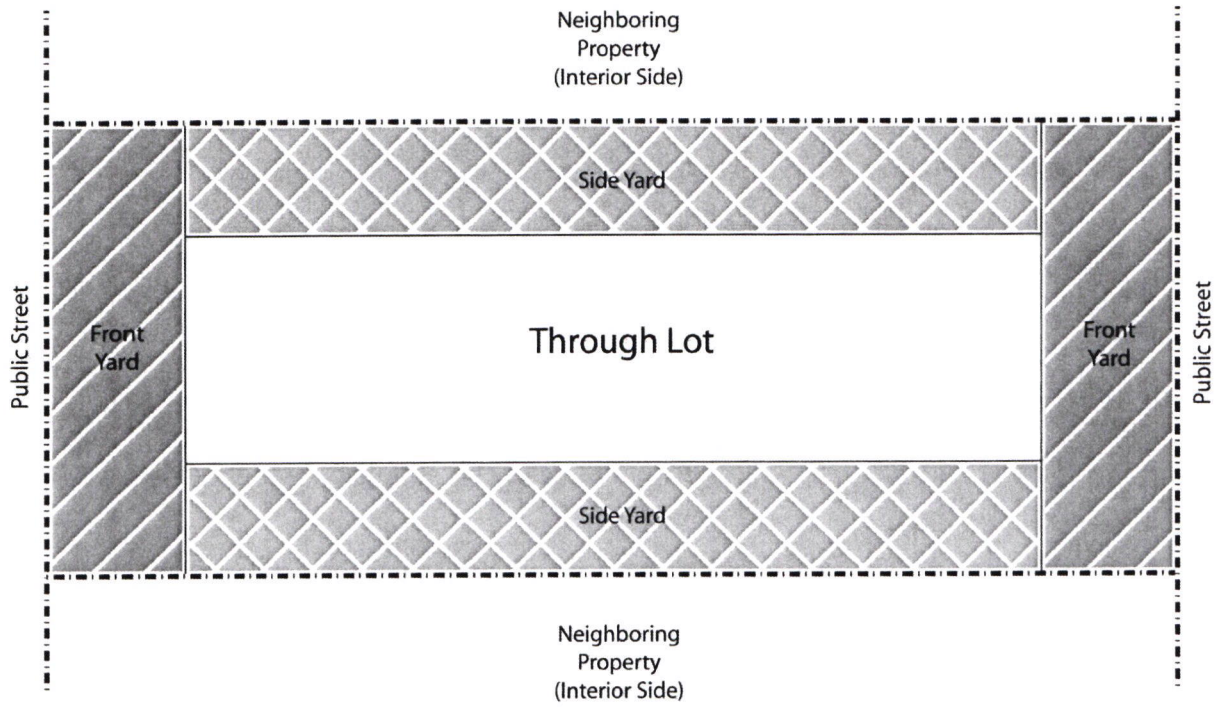


Interior Lot

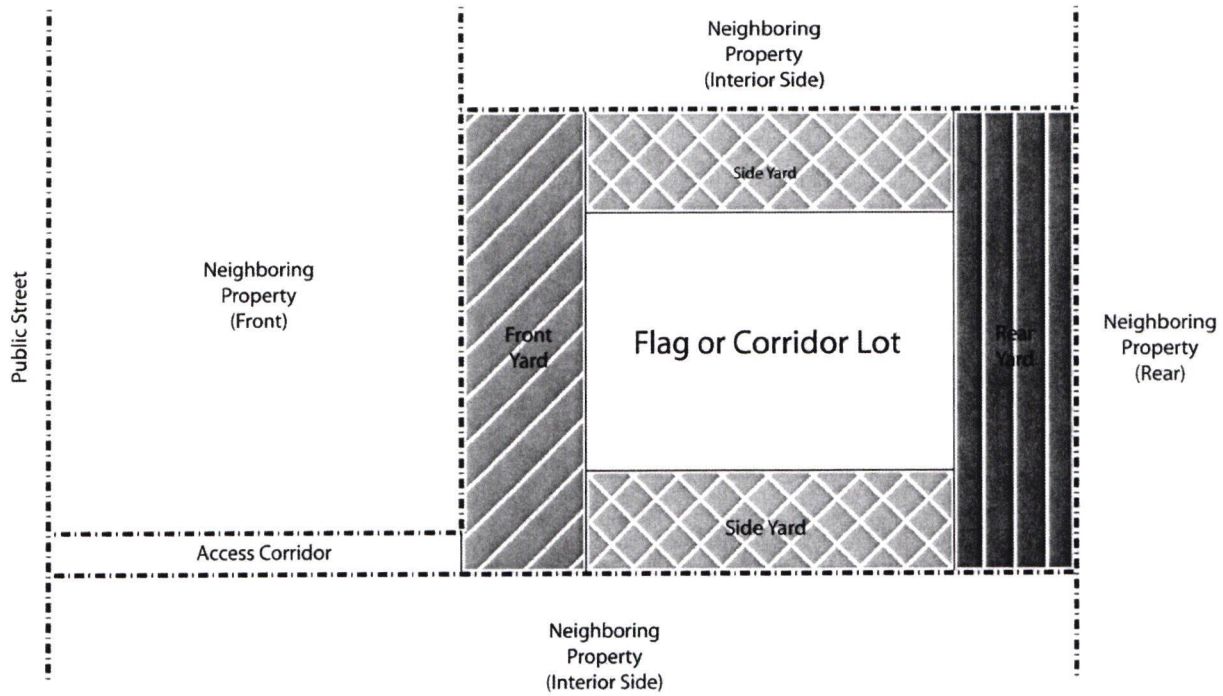


Note: not to scale

Through Lot



Flag Lot



Lot Depth. The horizontal distance between the front and rear lot lines measured on the longitudinal center line.

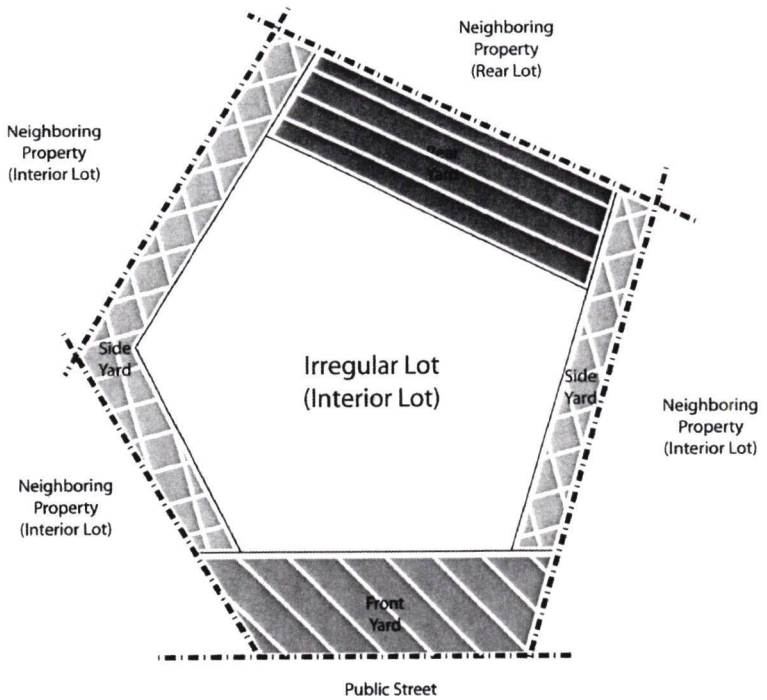
Lot Frontage. The portion of a property that abuts one side of a public street which allows primary access to the property. The public street frontage for lots fronting on a curved street, or on the curved portion of a cul-de-sac street, shall be measured along an arc located within the front 50 feet of the lot and based on a center point coincidental with the center point of the street curve. If such arc is farther than 20 feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot.

Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Lot Line, Front. In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street. In the case of a square or nearly square-shaped corner lot, the owner may choose which street shall be designated as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are complied with.

Lot Line, Rear. A lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular, or gore-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. See Figure 6.2-2 (Setback Determination for Irregular Lots)

Figure 6.2-2: Setback Determination of Irregular Lots



Lot Line, Side. Any lot boundary line not a front lot line or a rear lot line.

Right-of-Way Line. The future right-of-way line or plan lines of any highway or street as shown on the current Circulation Plan Roadway System and Sizing Map of the City's General Plan.

Setback. The minimum distance between a structure and a property line of the lot, measured at a right angle from the designated property line.

Yard. An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Code. Types of yards include the following and are described in Figure 6.2-1 (Lot and Yard Types):

- Yard, Front. A yard extending across the full width of the lot between the front of the main building and the front lot line. The depth of the required front yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the front lot line.

- Yard, Rear. A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

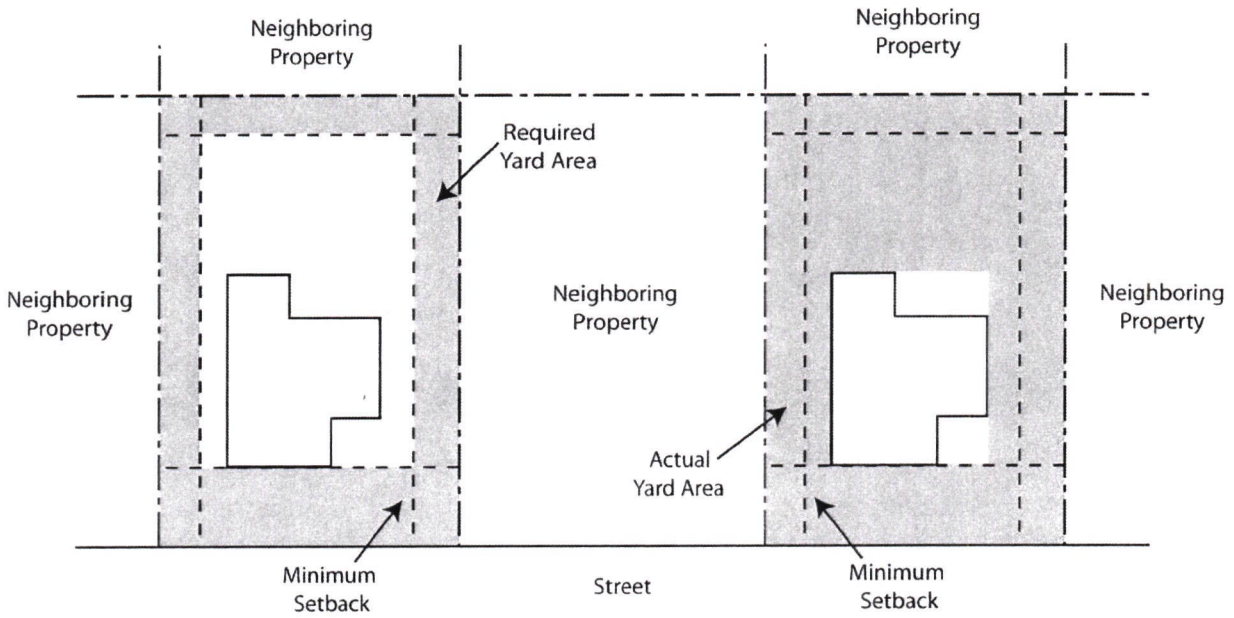
- Yard, Side. A yard, between a building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the closest building.

- Yard, Side Street. A yard, between a building and the side lot line adjacent to the street right-of-way, extending from the front yard to the rear yard. The depth of the required side street yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the side lot line adjacent to the street.

Yard Area, Actual. The actual yard area of a lot is the horizontal area between the property line and a parallel line along the nearest structure located outside of the required setback area. See Figure 6.2-3 (Yard Area).

Yard Area, Required. The required yard area (front, interior side, street side, and/or rear) of a lot is the horizontal area between the property line and the minimum setback distance for the respective yard pursuant to Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). See Figure 6.2-3 (Yard Area).

Figure 6.2-3: Yard Area



6.2.030 Yard and Setback Regulations

A. **Required Yard Area.** Except as otherwise specified in this Zoning Code, required yard areas shall be kept free of buildings and structures.

B. **Vertical Clearance.** Except as otherwise provided in this Title, every part of a required yard shall be open from its lowest point to the sky unobstructed. Building overhangs, bay windows, and other such elements may intrude as permitted.

C. **Lots Abutting Two or More Streets.** In the case of a lot abutting two or more streets, the main buildings and accessory buildings shall be erected so as not to encroach upon the required yards of any of the streets.

D. **Through Lots.** Where a through lot has a depth of 125 feet or more, said lot may be treated as two lots, with the rear line of each approximately equidistant from the front lot lines, provided all the yard requirements are met.

E. **Lot Area, Depth, Width, and Setback Reduction.** Where a lot area or a lot width, depth, or setback has been reduced for an existing legally created lot by not more than 15 percent as a result of acquisition or dedication for a highway, road, drain, or other public purpose, as a result of dedication pursuant to a condition of approval, the lot area or yard so reduced may be included in determining compliance with lot area or yard requirements in the same manner as if the acquisition or dedication has not taken place.

F. **Setback Measurement.** The setback of all buildings and structures shall be determined by the exterior boundaries of the streets and highways and their proposed widening and extensions as indicated on the Circulation Plan Roadway System and Sizing Map of the City's General Plan. The width of any street or highway which does not appear in the Circulation Plan shall be determined from the standards for street widths and improvements set forth in the City's Development Standards.

G. **Flag Lots.** Flag lots shall have a minimum frontage width at the entrance to the parcel from the public right-of-way of 20 feet. No portion of the access corridor shall have a width less than 20 feet.

6.2.040 Allowed Encroachments/Projections into Required Yards

The following encroachments shall be permitted, provided that all such features and structures maintain a minimum three-foot setback from all property lines and a minimum distance of six feet from any other structure

A. Detached accessory structures as identified in Chapter 6.10 (Residential Accessory Structures).

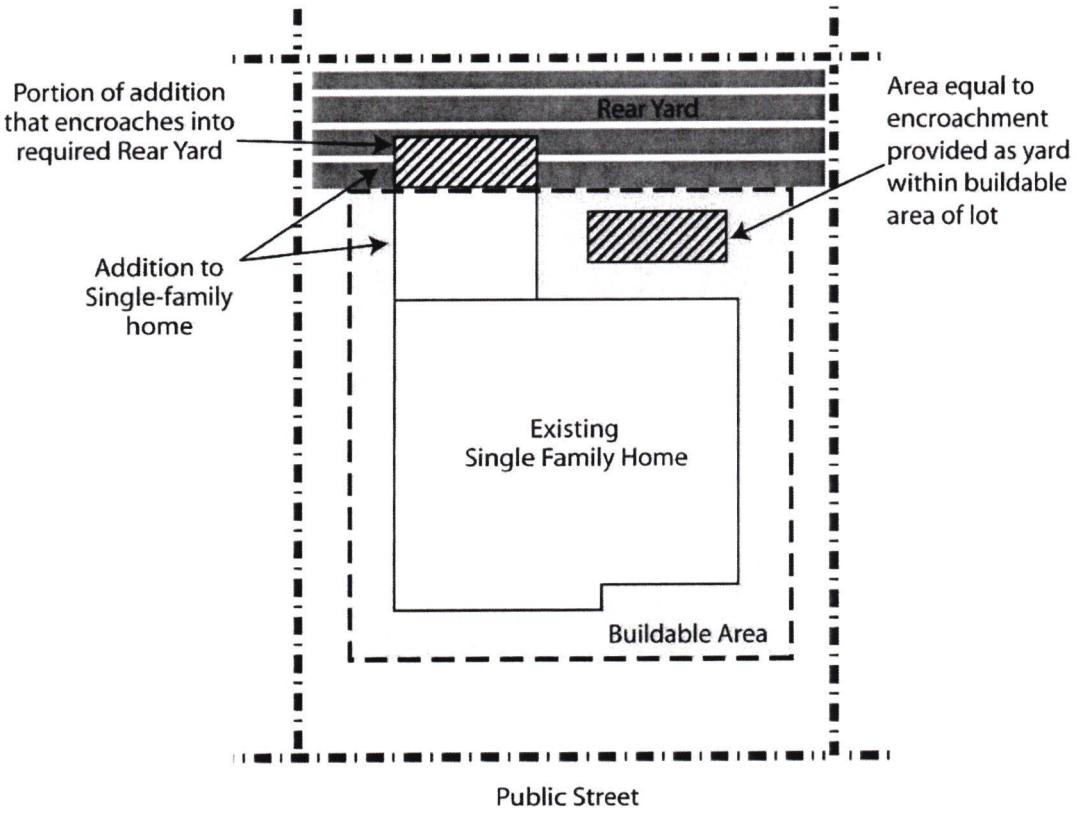
B. Cornices, sills, eves, canopies, awnings, and similar features may encroach into any required yard area a distance not to exceed 24 inches.

C. Window bays, including roof overhangs, having a minimum of 50 percent glass, may encroach 24 inches into the required yard area when the finished floor of the window bay is at least 15 inches above the finished floor of the room.

D. Fire escapes, outside stairways, balconies, and water heater enclosures projecting into a yard, court, or place not more than 36 inches and the ordinary projections of chimneys and flues may be permitted by the Chief Building Official where the same are so placed as not to obstruct the light and ventilation of the subject property.

E. For single-family residential development, a portion of the main building may project into the required rear yard area, provided that an equal area of the buildable portion of the lot (this area can be anywhere on the lot) is provided as a yard or court. See Figure 6.2-4 (Single-Family Encroachment).

Figure 6.2-4: Single-Family Encroachment



Chapter 6.3 – Integrated Developments

Sections in this Chapter

6.3.010 Chapter Purpose 6.3-1
6.3.020 Integrated Developments Defined 6.3-1
6.3.030 Intent of Integrated Developments 6.3-1
6.3.040 Applicability 6.3-1
6.3.050 Review of Integrated Developments 6.3-1
6.3.060 Types of Integrated Developments 6.3-2

Draft Zoning Code Changes:

6G. This Chapter incorporates the Integrated Developments regulations from the Chapter 40: Mixed Use Section of the existing Zoning Code.

6.3.010 Chapter Purpose

The purpose of this Chapter is to create special regulations for projects with multiple parcels and/or buildings. The intent is to encourage the integration of uses (vertically and horizontally) and to establish flexibility in the strict zoning regulations as they apply.

6.3.020 Integrated Developments Defined

For purposes of this Title, an integrated development is a group of two or more adjacent parcels or uses planned and/or developed in a joint manner which may include shared buildings, public spaces, landscape, and/or parking facilities

6.3.030 Intent of Integrated Developments

Whether integrated developments are under single or multiple ownership, the objective of an integrated development is to maximize development opportunities and minimize site constraints for a dynamic mix of uses (horizontally and/or vertically) with high quality and compatible design. Integrated developments are often governed by a common business, tenant, homeowner or other association, or by common conditions, covenants, and restrictions (CC&Rs), regardless of whether such uses or entities are located on the same lot or parcel. Individual parcels and pieces of the development act as puzzle pieces that connect and work together to create a seamless picture.

6.3.040 Applicability

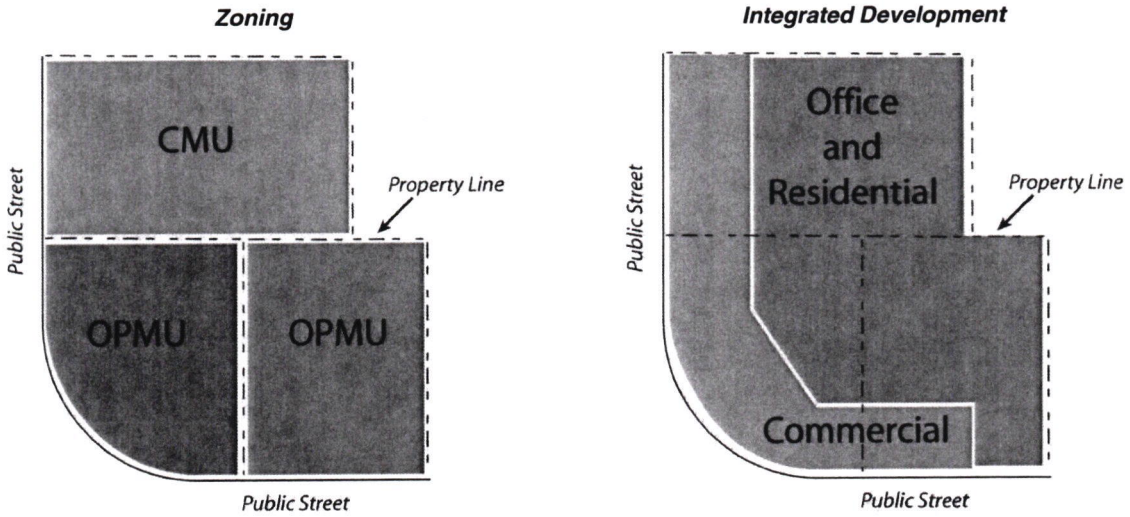
The provisions for Integrated Developments herein are only applicable to the Medium Density Residential (MDR), High Density Residential (HDR), and Mixed Use Districts (RMU, CMU, OPMU, OIMU, LIBP, VC, LTC, RTC).

6.3.050 Review of Integrated Developments

The City encourages integrated developments as a means to maximize development opportunities and to create dynamic and high quality projects throughout the community. Design Review is required for integrated developments primarily to ensure quality design, but also to allow flexibility in development standards for vertical and/or horizontal integration of uses. Integrated developments may also require a Conditional Use Permit, depending upon the proposed uses as outlined in Section 240-11.3. In reviewing integrated developments, the City will analyze the combined development rights applicable to the individual subject parcels that comprise the integrated development. The development rights of each parcel are available, on an aggregate basis, to the entire integrated development.

For example, if an integrated development includes parcels zoned Office Professional Mixed Use (OPMU) and parcels zoned Commercial Mixed Use (CMU), the corresponding development rights are not constrained to each individual parcel, respectively. Rather, the integrated development may redistribute the development rights available in the CMU zone in some portion of the integrated development other than just the property(ies) zoned CMU. The intent is to provide design flexibility and promote a better integration of uses than would otherwise be available for "non-integrated" or "stand-alone" developments. Figure 6.3-1 (Example Integrated Development) illustrates this concept. Note: The City will also review the relationship of the uses and how the different pieces of the development are integrated together (e.g., pedestrian circulation and spaces, parking, lighting, access).

Figure 6.3-1: Example Integrated Development



6.3.060 Types of Integrated Developments

Integrated developments can be achieved in a number of ways. This Section is intended to explain a variety of scenarios in which integrated developments may be considered. In all cases, the individual pieces work together to create the integrated development. Integrated developments may include a combination of developed and undeveloped parcels.

A. **Common Ownership of Multiple Parcels.** In instances where multiple parcels (either contiguous with shared property lines or located across the street from one another) are under the sole ownership of one party or ownership entity, a Design Review application may be submitted that involves all of the subject properties and as such will be considered together with respect to the design consideration and development rights.

B. **Multiple Ownership of Multiple Parcels.** Multiple property owners may bring forward a Design Review application for an integrated development where subject parcels are contiguous or are located across the street from one another. As with common ownership, the application will be considered with respect to the zoning districts of the collective properties.

C. **Single Parcel with Multiple Uses.** A property owner of a single parcel may submit a Design Review application for an integrated development which includes multiple uses in a single building or in multiple buildings on the site. In those instances where a mix of uses is proposed (either vertically or horizontally), the City may grant minor deviations to the predominant use provisions for high quality development that is well integrated. Specifically, the City may grant a Conditional Use Permit to deviate from the predominant use of a mixed use designation by up to ten percent (e.g., to allow 41, rather than 51, percent office use in an Office Professional Mixed Use District).

D. **Single Parcel with Supportive Use.** A property owner may submit a Design Review application for an integrated development for a single parcel that includes a use(s) that would normally be supportive within the zone but is not proposed in conjunction with a primary use (e.g., restaurant use within the OIMU zone). In such instances, the City will consider a Conditional Use Permit application on a case-by-case basis to determine if the proposed use can function as an integrated use with surrounding uses. In approving the proposed use, the designated Approving Authority shall make the following findings:

1. That the proposed use supports the activities of the surrounding uses;

2. That the proposed use does not cause the character or overall development pattern of the area to change contrary to the development characteristics of the underlying zoning district; and

3. That the intensity of the proposed use does not create a use that is predominant within the integrated development and, as such, would otherwise require a rezoning.

Chapter 6.4 – Landscaping

Sections in this Chapter

6.4.010 Chapter Purpose 6.4-1
6.4.020 Applicability 6.4-1
6.4.030 Landscape Plan and Irrigation Plans Required 6.4-2
6.4.040 General Location for Landscape Improvements 6.4-2
6.4.050 Landscape Design and Planting Requirements 6.4-3
6.4.060 Special Landscape Provisions 6.4-4
6.4.070 Parking Lot Landscape 6.4-7
6.4.080 Removal and Replacement of Landscaping and Trees 6.4-11
6.4.090 Replanting Requirements and Replacement Fee 6.4-12
6.4.100 Landscape Care and Maintenance 6.4-12
6.4.110 Tree Pruning 6.4-13

Draft Zoning Code Changes:

6H. Landscape provisions were scattered throughout the existing Zoning Code and addressed landscaping based on type of use, parking lot landscaping, maintenance, and tree pruning.

6I. Tree Pruning and parking lot shading requirements have been carried over.

6J. New landscaping sections include the requirement for landscape and irrigation plans, general locations for landscaping, landscape design and planting requirements. special landscape provisions, water efficient landscape and landscape care and maintenance.□

6.4.010 Chapter Purpose

This purpose of this Chapter is to establish minimum landscape standards to enhance the appearance of developments, reduce heat and glare, control soil erosion, conserve water, to ensure the ongoing maintenance of landscape areas, and ensure that landscape installations do not create hazards for motorists or pedestrians.

6.4.020 Applicability

A. **New Projects.** New non residential, mixed use, multi-family residential, and single-family residential subdivisions shall provide landscaping in compliance with the requirements of this Chapter.

B. **Existing Development.** Where an existing non-residential, commercial, or mixed use project requests an amendment that increases the building square footage by ten percent or more, the designated Approving Authority for Design Review shall evaluate the existing landscape to ensure compliance with applicable provisions of this Chapter as deemed necessary and appropriate.

C. **Flexibility.** As part of Design Review, the designated Approving Authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods, where the designated Approving Authority first determines that the proposed alternative will be equally effective in achieving the purposes of this Chapter.

6.4.030 Landscape Plan and Irrigation Plans Required

A. **Preliminary Landscape and Irrigation Plan.** A preliminary landscape plan and irrigation plan shall be submitted for each application for new development or existing development as identified in Section 6.4.020 (Applicability). This plan would conceptually show locations for trees, shrubs, ground cover, etc. Additionally, this would also include a list of tree species and size.

B. **Final Landscape and Irrigation Plan.** A final landscape and irrigation plan shall be submitted in conjunction with site improvement plans prior to issuance of building permits for projects as identified in Section 6.4.020 (Applicability). The final landscape planting and irrigation plan shall be prepared by a registered licensed landscape architect. Final plans would show exact location and irrigations for trees, shrubs, and ground cover.

C. **Statement of Surety.** To ensure implementation of the landscape plan and ongoing maintenance consistent with the approved plan, the designated Approving Authority may require that a statement of surety in the form of cash, performance bond, letter of credit, or certificate of deposit be posted with the City, in an amount equal to 150 percent of the total value or another amount determined by the designated Approving Authority.

D. **Minor Changes to Standards.** As part of the Design Review process, the designated Approving Authority may authorize minor deviations from the requirements of this Chapter where said changes are determined to achieve the objectives of this Chapter.

6.4.040 General Location for Landscape Improvements

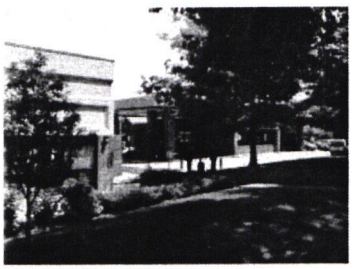
Landscaping shall be provided in the following locations for all types of development as listed below and as illustrated in Figure 6.4-1 (Required Landscape Areas), unless the designated Approving Authority determines that the required landscape is not necessary to fulfill the purposes of this Chapter. Nothing in this Chapter is intended to discourage landscape areas outside and beyond the minimum requirements listed herein.

A. Setbacks. All setback areas required by this Code shall be landscaped in compliance for this Chapter except where a required setback is occupied by a sidewalk or driveway, or is enclosed and screened from abutting public rights-of-way.

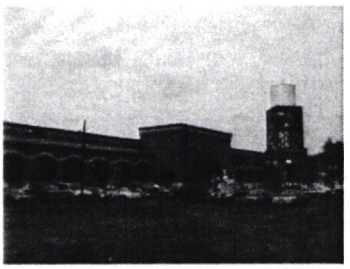
B. Unused Areas. All areas of a project site not intended for a specific use or purpose in conjunction with a current application, including pad sites being held for future development, shall be landscaped and irrigated.

C. Parking Areas. Within parking lots, landscaping shall be used for shade and climate control, to enhance project design, and to screen the visual impact of vehicles and large expanses of pavement consistent with the provisions of this Chapter.

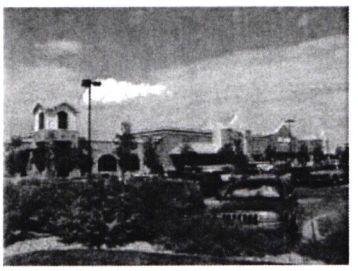
Figure 6.4-1: Required Landscape Areas



Setbacks



Unused Areas



Parking Areas

6.4.050 Landscape Design and Planting Requirements

Landscape Design. Landscaping shall be designed as an integral part of the overall site plan with the purpose of enhancing building design and public views and spaces, and providing buffers, transitions, and screening. At a minimum, the following landscape design provisions shall apply:

1. Planting design shall have focal points at project entries, plaza areas, and other areas of interest using distinct planting and/or landscape features.

2. As appropriate, building and site design shall include the use of pots, vases, wall planters, and/or raised planters, as well as flowering vines both on walls and on arbors.

3. Landscaping shall be designed with pedestrian paths throughout the landscape areas connecting designated on-site pedestrian circulation.

4. Amenities such as seating areas shall be incorporated. Entry plazas, bicycle parking, and transit shelters are allowed within landscape areas. Also see Chapter 6.6 (Pedestrian Oriented Spaces).

Plant Type. Landscape planting shall emphasize drought-tolerant and native species (especially along natural, open space areas), shall complement the architectural design of structures on the site, and shall be suitable for the soil and climatic conditions specific to the site.

1. Planting Layout and Plant Diversity. Plant selection shall vary in type and planting pattern. Informal planting patterns are preferred over uniform and entirely symmetrical planting patterns. Use of flowering trees and colorful plantings are encouraged in conjunction with evergreen species. Groupings of shrubs shall contain multiple plant types, interspersed with varying heights and blooming seasons for year-round interest.

2. Street and Parking Lot Trees. Street and parking lot trees shall be selected from the City's adopted master list of street trees and parking lot trees. A minimum of 30

percent of the street trees and parking lot trees, respectively, shall be an evergreen species.

3. Trees planted within ten feet of a street, sidewalk, paved trail, or walkway shall be a deep-rooted species or shall be separated from hardscapes by a root barrier to prevent physical damage to public improvements.

Planting Size, Spacing, and Planter Widths. In order to achieve an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes, plant spacing, and minimum planter widths (inside measurement) are as follows:

1. Trees. The minimum planting size for trees shall be 15-gallon, with 25 percent of all trees on a project site planted at a minimum 24-inch-box size. For commercial, office, community/civic, and industrial development, tree spacing within the perimeter planters along streets and abutting residential property shall be planted no farther apart on center than the mature diameter of the proposed species. Minimum planter widths for trees shall be between five and ten feet, consistent with the City-adopted Master Tree List for street trees and parking lot trees.

2. Shrubs. Shrub planting shall be a minimum five-gallon size, with 15-gallon minimum size required where an immediate landscape screen is conditioned by the designated Approving Authority (e.g., screening of headlights from drive-through aisles). The minimum planter width for shrubs is four feet.

3. Groundcover. Plants used for mass planting may be grown in flats of up to 64 plants or in individual one-gallon containers. Rooted cuttings from flats shall be planted no farther apart than 12 inches on center, and containerized woody, shrub groundcover plantings shall be planted no farther apart than three feet on center in order to achieve full coverage within one year. Minimum planter width for groundcover is two feet, with the exception of sod, which requires a minimum planter width of six feet.

4. Additional Spacing Provisions. Tree spacing shall ensure unobstructed access for vehicles and pedestrians and provide clear vision at intersections. Specifically, tree planting shall comply with the following spacing criteria:

   a. Trees or shrubs with a full-grown height equal to or greater than 30 inches shall not be planted in any clear vision triangle.

   b. A minimum distance of 15 feet is required between the center of trees and shrubs to streetlight standards and fire hydrants.

6.4.060 Special Landscape Provisions

A. **Residential Landscape.** For single-family and two-family residential zoning districts, a minimum of 25 percent of the net lot area and 40 percent of the front yard area shall be pervious surface.

B. **Project Entry Landscaping.** Entries to multi-tenant projects shall be designed as special statements reflective of the character and scale of the project in order to

establish identity for tenants, visitors, and patrons. Flowering access plantings and specimen trees shall be used to reinforce the entry statement.

C. **Screening of Drive-Through Aisles.** In order to screen vehicles in a drive-through lane and associated headlights from view of abutting street rights-of-way, a five foot wide planter between the drive-through aisle and the parking area shall be established. The planter shall include a minimum three-foot tall (maximum four foot tall) landscape barrier planted with trees and other landscaping consistent with those in the parking area. A no time shall this landscape barrier be pruned in a manner that allows the vehicle headlights from the drive-through lane to be visible from abutting street rights-of-way. Plantings shall also be designed to discourage potential safety issues (e.g., persons lying in wait).

D. **Service Stations.** For service stations, a minimum of 20 percent of the lot area shall be landscaped. A minimum of 70 percent of the landscaped area shall be covered with live landscaping, such as lawn, ground cover, trees, or shrubs, and not more than 30 percent of the landscape area shall be covered with hard surfaces, such as gravel, landscaping rock, concrete, artificial materials, or other impervious materials.

E. **Telecommunication Towers.** Where appropriate, facilities shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage, and shrubs, whether or not utilized for screening. Additional landscaping shall be planted around the tower and related equipment to buffer abutting residential zoning districts or uses, and to buffer public trails in accordance with the following standard:

1. Perimeter of leased area of the facility. Landscaping around the perimeter of the facility (leased area) shall include dense tree and shrub plantings with necessary irrigation. Wireless communication facilities shall be developed with an immediate landscape screen. Trees shall be fast-growing evergreen species, a minimum of 24-inch box in size. Shrubs shall be a minimum 15-gallon size covering a minimum planter area depth of five feet around the facility. Trees and shrubs shall be planted no further apart on center than the mature diameter of the proposed species

F. **On-Site Pedestrian Pathways.** Pedestrian pathway landscaping shall include shade trees placed so as to cover 60 percent of the total pathway area with tree canopies within 15 years of securing building permit.

G. **Public Spaces.** Pedestrian space landscaping shall include a combination of shade trees and pedestrian shading devices (e.g., canopies, awnings, and umbrellas) placed so as to cover 60 percent of the total space with a shade canopy within 15 years of securing building permit.

H. Signs. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 50 square feet of sign area requires 100 square feet of landscaped area.

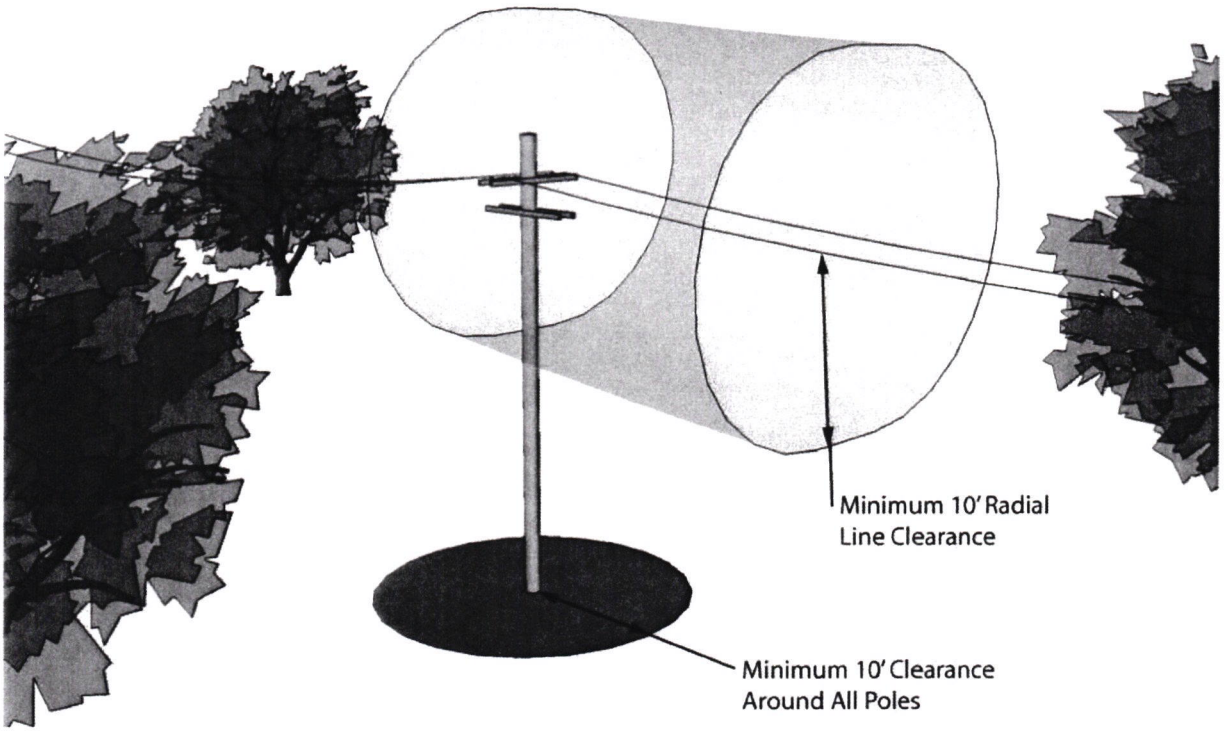
I. **Planting and Overhead Utility Lines.** In keeping with the purposes of this Chapter, the City encourages planting within overhead utility corridors. However, landscape planting near overhead utility lines and abutting utility support structures has the potential of creating a public safety hazard by causing physical damage, disrupting service, and

obstructing access. Therefore, within 20 feet of any overhead utility lines, planting restrictions are as follows (see Figure 6.4-2, Planting and Overhead Utility Lines):

1. Tree species at full growth shall not encroach within a ten-foot radial line clearance of all overhead electric utility distribution or transmission lines. Unless ground clearance is greater than 30 feet, mature tree height shall not exceed 20 feet.

2. A minimum ten-foot clearance shall be maintained around all poles and ground structures to ensure necessary fire breaks and unobstructed access.

Figure 6.4-2: Planting and Overhead Utility Lines



J. **Water-Efficient Landscape Requirement.** Consistent with the purposes of California Government Code Section 65591 (Water Conservation in Landscaping Act), all new multi-family, non-residential, and mixed use development shall comply with the following water conserving landscape requirements.

1. The maximum area permitted for sod shall be 25 percent of the total area landscaped on the site. Higher percentages may be permitted when sod is an essential part of the development such as playing fields for schools or parks and residential model units. Low water using plants shall be used in 50 percent of the total planted area.

2. Sod usage shall only be permitted for highly visual and functional use areas. The mix of grasses in sod areas should consist of no less than 85 percent lower water usage varieties or warm season grasses.

6.4.070 Parking Lot Landscape

A. **Parking Areas.** All surface parking areas shall be screened from streets and adjoining properties, and the open space areas between the property line and public street right-of-way shall be landscaped. Parking areas shall be landscaped as follows:

1. Landscape Materials. Landscape materials shall include a combination of trees, shrubs, and groundcover.

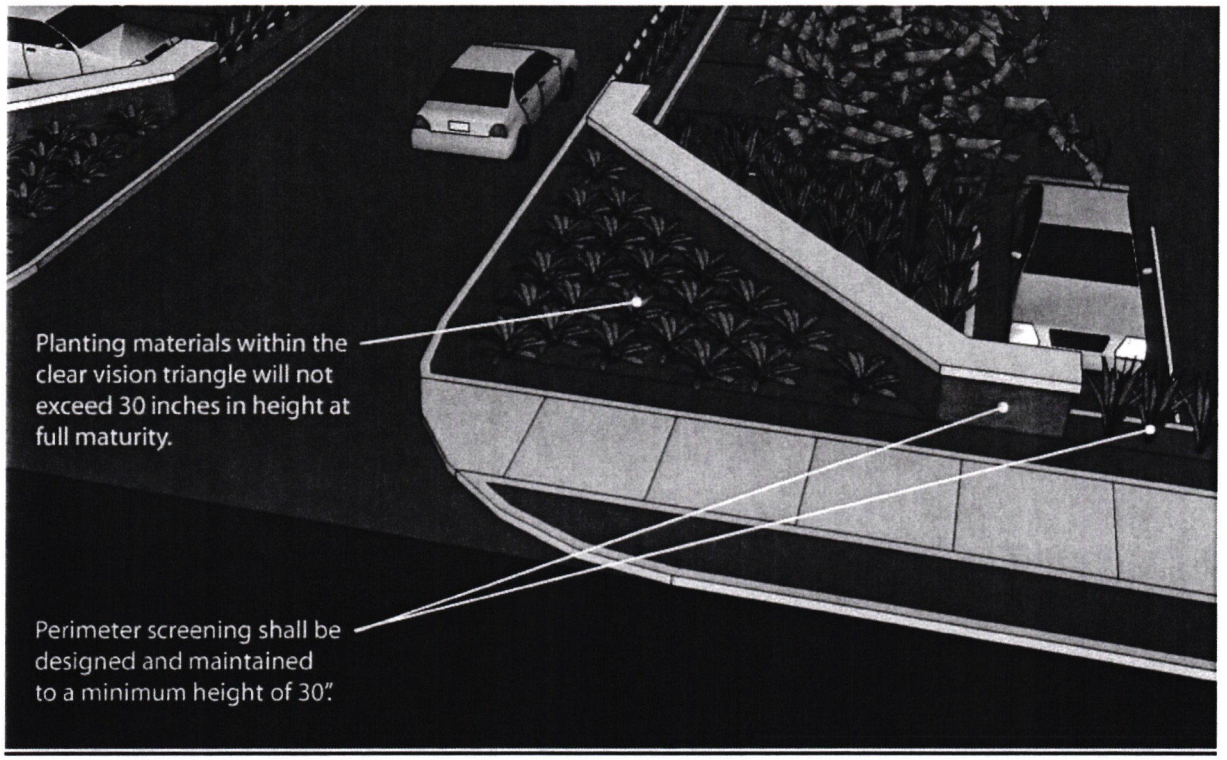
2. Curbing. Areas containing plant materials should be bordered by a concrete curb at least six inches high and six inches wide. Alternative barrier design to protect landscaped areas from damage by vehicles and/or to filter/retain runoff on site may be approved by the designated Approving Authority. Adequate curb cuts shall be utilized to allow water to drain from the planter areas

3. Runoff. Parking lot landscaped areas shall be designed to filter/retain runoff.

4. Location of Landscaping. Parking lot landscaping shall be located so that pedestrians are not required to cross unpaved areas to reach building entrances from parked cars. This can be achieved through proper orientation of the landscape fingers and islands and by providing pedestrian access through the landscaped areas that would otherwise block direct pedestrian routes

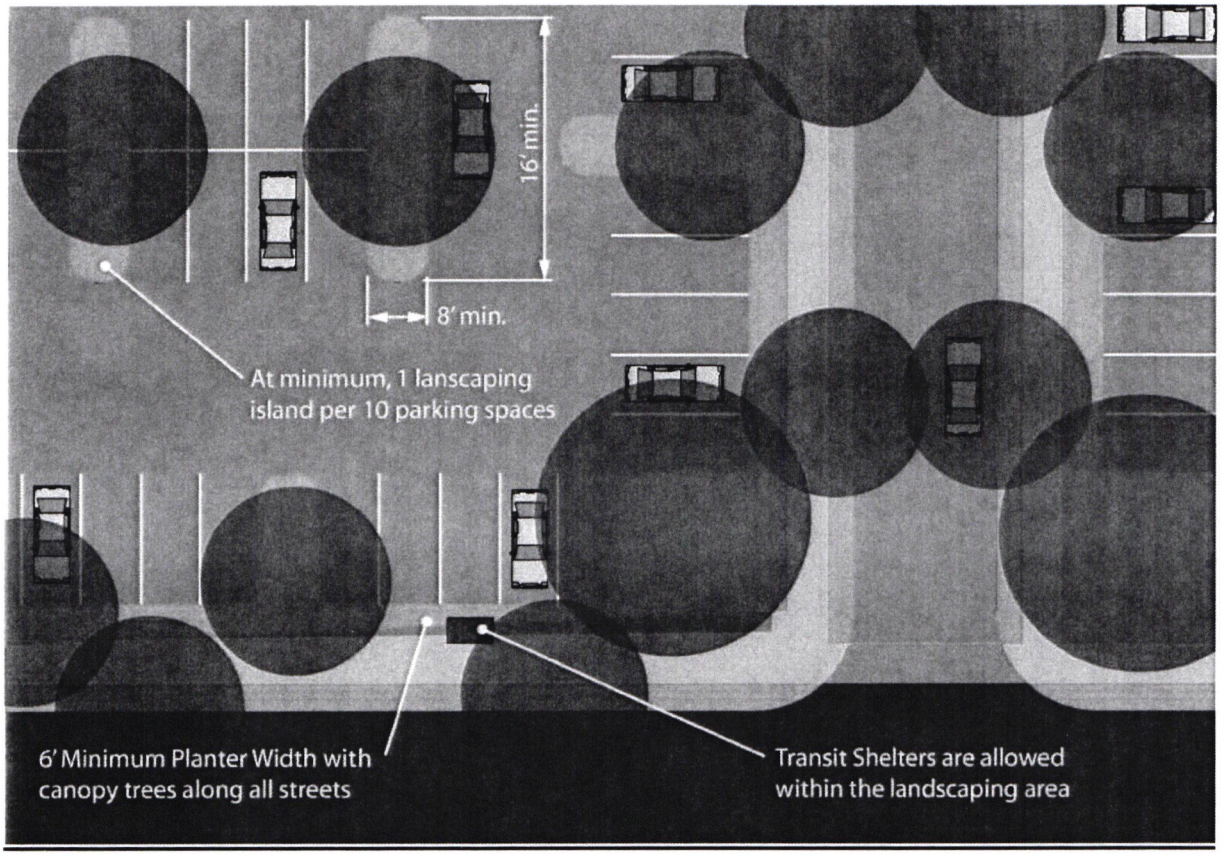
B. **Parking Lot Screening.** Landscaping within the perimeter planter abutting any street right-of-way shall be designed and maintained for partial screening of vehicles to a minimum height of 30 inches, measured from the finished grade of the parking lot. Screening materials may include a combination of plant materials, earthen berms, solid masonry walls, raised planters, or other screening devices authorized by the designated Approving Authority which meet the intent of this screening requirement. Planting materials shall be designed to ensure that planting within the clear vision triangle at driveway and street intersections will not exceed 30 inches in height at full maturity. See Figure 6.4-3 (Parking Lot Screening)

Figure 6.4-3: Parking Lot Screening



C. **Planters, Landscaping.** Planters containing live landscaping shall be provided adjacent to and within parking areas in accordance with the following regulations. See Figure 6.4-4 (Planter Requirements).

Figure 6.4-4: Planter Requirements



1. A planter at least five feet wide, excluding curbing, shall be provided adjacent to all street rights-of-way. The planter shall be increased to a minimum of six feet wide when canopy trees are used.

2. Transit shelters are allowed within the landscaping area.

3. Parking lots of five spaces or more shall provide a landscaped island measuring a minimum of eight feet by 16 feet at a ratio of one island for every eight spaces. As a minimum, the islands shall be placed every ten spaces.

4. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover a percentage of the total parking area with tree canopies within 15 years of securing building permit, as listed in Table 6.4-1 (Shade Canopy Coverage Requirements) and illustrated in Figure 6.4-5 (Parking Lot Shade Requirements).

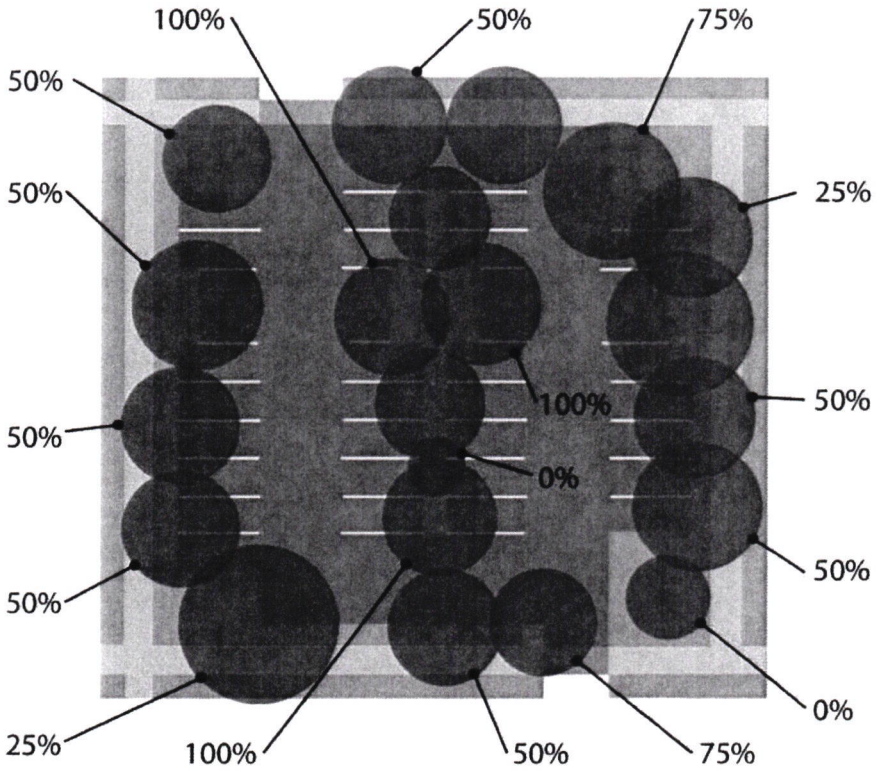
Table 6.4-1: Shade Canopy Coverage Requirements

Parking Spaces Required	Minimum Shade as a Percent of Total Parking Area
5-24 spaces	30% minimum
25-49 spaces	40% minimum
50+ spaces	50% minimum

Notes:

1. *The percentage of area required to be shaded shall be based on the number of aboveground and uncovered parking spaces provided.*
2. *Tree coverage shall be determined by the approximate crown diameter of each tree at 15 years, as estimated on the approved tree list. Trees shall be a minimum 15-gallon size at planting.*

Figure 6.4-5: Parking Lot Shade Requirements



Notes:

1. This diagram is intended to reflect the manner in which shade is credited under various conditions.
2. Trees may receive 25%, 50%, 75%, or 100% as shown.
3. Shade overlap is not counted twice.

5. All landscaping shall be within planters bounded by a curb at least six inches high. No planter shall be smaller than 25 square feet, excluding curbing. Each planter shall include an irrigation system.

6. Existing mature trees on the site shall be preserved whenever possible.

7. All landscaped areas shall be designed so that plant materials are protected from vehicle damage or encroachment.

8. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Plant materials showing such damage shall be replaced by the same or similar species. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance.

9. Not more than 25 percent of the planter or landscaped area may be covered with hard surfaces such as gravel, landscaping rock, artificial turf, concrete, or other impervious materials. Bus shelters are excluded from this limitation.

10. Varied tree and plant species shall be used throughout the parking lot. No one species shall comprise more than 75 percent of the plantings within each of the following categories: shade tree, screen tree, shrub.

6.4.080 Removal and Replacement of Landscaping and Trees

A. All plant material removed from a project in which the Planning Department has approved the landscape plan shall be replaced with the following replacement sizes: shrubs - five-gallon size, groundcover - flats. Replacement of trees shall be as specified in Section 6.4.090 (Replanting Requirements and Replacement Fee).

B. Tree removal shall be limited to trees which are in poor health, structurally distressed, or unsafe. The removal of a tree shall be the final recourse upon determining that it is infeasible to save the tree by any other method (e.g., pruning, treatment of diseases, fertilizing). Prior to the removal of any tree, a tree removal permit shall be approved by the Planning Director.

   The following information shall be required:

   1. A statement of the health and condition of the trees to be removed by a Certified Arborist

   2. Reasons for removal

   3. Landscape plan indicating size, quantity, species and location of the trees to be removed and replaced

C. Failure to obtain an approved tree removal permit prior to removing a tree shall require the owner of the project to replace the removed tree as stated in the Replanting Requirements in Section 6.4.090 (Replanting Requirements and Replacement Fee).

6.4.090 Replanting Requirements and Replacement Fee

A. Replacement trees shall be required for trees removed with or without a tree removal permit as set forth below.

B. Trees removed with a tree removal permit shall be replaced by 24-inch box specimen trees. A 15-gallon size tree may be used as a replacement tree with an additional replacement fee. The replacement fee is based on the difference of the wholesale value between a 24-inch box and a 15-gallon tree as set forth in a fee schedule approved by the City. The replacement fee may be waived by the designated Approving Authority if the loss of the tree resulted from causes completely out of the control of the property owner.

C. Trees removed without a tree removal permit or severely and improperly trimmed with or without a tree pruning permit shall be replaced and a replacement fee may be required. The replacement tree is based accordingly with the size of the tree removed or damaged as indicated in Table 6.4-2 (Tree Replacement Schedule):

Table 6.4-2: Tree Replacement Schedule

Size of Damaged/Removed Tree	Replacement Tree Required
2 inches	24-inch box
4 inches	36-inch box
6 inches or greater	48-inch box

D. A 15-gallon size tree may be used as a replacement with an additional replacement fee, as set forth in a fee schedule approved by the City.

6.4.100 Landscape Care and Maintenance

A. **Irrigation.** All multi-family, non-residential, and mixed use development shall have a low-pressure irrigation system in 30 percent of all landscaped areas. Automatic programmable controllers with check valves shall be installed in sloping areas with elevation differences of more than five feet as defined from the toe to the top of slope. Landscape materials with the same watering needs shall be grouped together and irrigated through separate control valves. Irrigation systems shall be designed to avoid runoff, excessive low head drainage, overspray, or other similar conditions where water flows or drifts onto adjacent property, non-irrigated areas, walks, roadways, or structures. The annual maintenance program with seasonal watering schedule shall be laminated and permanently posted in or near the control box on-site.

B. **Maintenance of Required Planting Areas.** Required planting areas shall be permanently maintained by watering, clearing debris and litter, weeding, pruning, insect control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of plant materials. All landscaping shall be maintained in such a manner as to not restrict designated pedestrian access. All trees, shrubs, and plants which, due to accident, damage, disease, or other cause, fail to show a healthy growth shall be replaced, in kind, pursuant to the approved landscape plans within 30 days from the identified damage date.

6.4.110 Tree Pruning

A. **Permit Required.** Prior to pruning any tree within the landscape areas, a tree pruning permit shall be approved by the Planning Director or his designee. Tree pruning shall be performed by a California Landscape Contractor. The licensed contractor shall also be certified by the International Society of Arborculture as a Certified Tree Trimmer or Certified Arborist or other qualified tree expert. The Planning Director or his designee shall require the following information with the submittal of a tree pruning permit request:

1. A site plan indicating the type of tree, size, and location of the trees to be pruned
2. Reasons for pruning
3. Evidence that the pruning shall be performed by a Certified Arborist, Certified Tree Trimmer, or other qualified tree expert
4. Number of trees to be pruned

B. **Tree Pruning Limitations.** Tree pruning is limited to the following:

1. Removal of dead wood and diseased, crowded, and weakly attached trunks and branches which create a hazard to private property and citizens
2. Provide adequate clearance and visibility for safe use of parking stalls, travel ways, and walkways for the passage of persons and vehicles
3. Remove visibility obstruction of traffic signs
4. Provide adequate visibility for security patrols
5. Repair split trees and limbs in order to save the tree and its appearance
6. Remove or sever roots of trees which are causing damage to public or private property such as curbs, gutters, sidewalk, drainage lines and parking lot surfaces
7. Provide visibility for merchant signage and increase parking lot lighting only when the aesthetics of the tree and the parking lot shading requirements will not be reduced.

Chapter 6.5 – Parking and Loading

Sections in this Chapter

6.5.010	Chapter Purpose	6.5-2
6.5.020	Applicability	6.5-2
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6.5.160	Standards for Off-Street Parking for Private Residences	6.5-23
6.5.170	Trip Reduction Requirements	6.5-24
6.5.180	Off-Street Loading Requirements	6.5-27

Draft Zoning Code Changes

6K. The existing Zoning Code is primarily concerned with providing enough parking for automobiles to accommodate peak parking demand and reduce the need for on-street parking. The new code will increase the focus on other transportation modes (e.g., bicycles, transit, and walking) that may reduce the need for parking in some cases.

6L. The parking standards included in this Chapter provide a higher degree of flexibility than the existing Code, with parking reductions available for shared parking, on-street parking, proximity to transit, etc.

6M. Additional bicycle parking standards are provided in the new Code. Bicycle racks are required near most building entries to encourage bicycle use. Employee bike parking is required to be covered.

6N. Landscaping for parking lots is not included in the Chapter but is instead included in the landscape Chapter of this Article.

6O. The Special Review of Parking will still be available in the Zoning Code but the application procedure has been moved to Article 3 – Entitlements.

6P. The existing Code requires fences or walls around the perimeter of commercial parking lots. This requirement has been eliminated to avoid the unnecessary separation between different land uses. This separation may still be needed in some

but not all cases.

6Q. A new Section on residential parking has been added. Changes include new provisions for recreational vehicle parking and storage. Required parking spaces must be enclosed or covered (additional parking beyond the minimum can occur in driveways). This provision will eliminate the ability to perform garage conversions unless replacement covered parking is provided.

6R. Requirement for a Transportation System Management Plan has been eliminated to conform with State Law. Many of the requirements within this Section of the existing code have been retained.

6.5.010 Chapter Purpose

This Chapter establishes standards for the amount, location, and development of motor vehicle parking, bicycle parking, and on-site loading areas. The purpose of the standards is to provide for safe vehicular parking, circulation, and loading requirements supportive of a variety of uses in an increasingly pedestrian, bicycle friendly, and transit-oriented community.

6.5.020 Applicability

Off-street parking and loading provisions of this Chapter shall apply as follows:

A. **New Development.** For all buildings or structures erected and all uses of land established after the effective date of this Title, parking for vehicles and bicycles, and loading facilities shall be provided as required by this Chapter.

B. **Change in Use.** When the use of any building, structure, or premises is changed, resulting in an increase of more than ten percent in the required number of off-street parking spaces, additional off-street parking shall be provided consistent with Table 6.5-1 (Required Minimum Vehicle and Bicycle Parking Ratios).

C. **Change of Occupancy.** Where a new business license is required, additional parking spaces shall be provided if the new occupancy would result in an increase of more than ten percent in the required number of off-street parking spaces.

D. **Modification to Existing Structures.** Whenever an existing building or structure is modified such that it creates an increase of more than ten percent in the number of off-street parking spaces required, additional off-street parking spaces shall be provided in accordance with the requirements of this Chapter.

6.5.030 Permit Requirements

New parking lots and modifications or expansions to existing parking lots require the following permits:

A. **Building Permit.** New parking lot design and modifications to existing parking lots in conjunction with a substantial change in use to an existing structure shall be reviewed in

conjunction with the building permit and any other land use or development permit required for the project.

B. **Zoning Certification.** Modification or improvements to an existing parking lot that impacts the parking space layout, configuration, number of stalls, landscape planters, etc. shall require Zoning Certification as provided in Chapter 3.2 (Zoning Certification) to authorize the change as consistent with the Zoning Code.

~~C. **Existing Facilities.** Any building or use for which parking facilities become substandard by the adoption of this Chapter shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking area as designated by this Code are provided. Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking areas required in this Code.~~

C. **Exempt Activities.** Parking lot improvements listed below shall be considered minor in nature in that they do not alter the number or configuration of parking stalls. Such improvements shall be exempt from permit requirements.

1. Repair any defects in the surface of the parking area, including holes and cracks;

2. Resurfacing, slurry coating, and restriping of a parking area with identical delineation of parking spaces;

3. Repair or replacement in the same location of damaged planters and curbs; and

4. Work in landscape areas, including sprinkler line repair, replacement of landscape materials, or refurbishment.

6.5.040 Calculations

A. If the calculation for parking needs results in the requirement for a fraction of a parking space, the value shall be rounded to the nearest whole number.

B. Seating capacity shall be based upon the actual number of seats or one seat per 18 inches of bench or pew length and one seat per 24 inches of booth length for dining. For other areas where seating is not fixed, the seating capacity shall be determined as indicated by the Uniform Building Code.

6.5.050 Definitions

For purposes of this Chapter, the following terms shall have the definitions set forth herein.

A. **Commercial Vehicle.** A motor vehicle used for commercial, industrial, or agricultural purposes and rated more than one ton (2,000 lbs.) capacity. Examples of commercial use vehicles include but are not limited to; tow trucks, flat-bed trucks, mobile food preparation vehicles including large trucks converted as food vehicles (ice cream, etc.), street sweepers, buses, utility trucks with hydraulic arms or lifts, and tractors and semi-trailers, etc.

B. **Recreational Vehicles (RV).** An enclosed piece of equipment dually used as both a vehicle and a temporary travel home. Travel trailers are included under this definition. RVs are intended for everything from brief leisure activities, such as vacations and camping, to full-time living.

C. **Vessel.** Watercraft used or capable of being used as a means of transportation on water.

D. **Trailers.** Generally an unpowered vehicle pulled by a powered vehicle. Commonly, the term trailer refers to such vehicles used for transport of goods and materials. Travel trailers are considered recreational vehicles.

E. **Park and Ride Facility.** A designated area where a vehicle may be left in order to carpool with other commuters or to ride public transit.

F. **Parking Facility.** Refers to a public or shared parking lot or structured parking garage.

6.5.060 Use and General Requirements for Parking Lots

A. All vehicular parking areas shall be maintained by the owner of the property, such as be kept free of damage to asphalt or concrete surface, damage to landscape areas, curbing, garage and debris.

B. Required off-street parking spaces and parking areas shall be used only for parking operable vehicles of residents, employers, employees, customers, and visitors as appropriate to the allowed uses of the applicable zone.

C. Required off-street parking space shall not be used for the storage of vehicles or materials, or for the parking of trucks used in conducting business. Parking spaces not needed to meet the minimum requirement may be used for alternative uses subject to the provisions of this Title (e.g., Temporary Use Permit, permanent or semi-permanent display of merchandise).

D. No sales, storage, repair work, dismantling, or servicing of any kind shall be permitted in parking spaces without necessary permits for such use.

E. All required off-street parking shall be kept clear of temporary or permanent obstructions.

F. Existing parking shall not be reduced below the requirements of this Section.

G. Living, sleeping, or housekeeping in any vehicle, trailer, or vessel is prohibited.

H. For residential tenant and guest parking, the spaces must be marked per the required minimum standards for tenant and guest parking.

6.5.070 Location Requirements for Off-Street Parking Spaces

A. Required off-street parking spaces shall not be located within any required front yard or required street side yard setback of any parcel (see Section 6.5.150 for additional

allowances and requirements on Standards for Off-Street Parking for Private Residences).

B. Parking may not occur within any required clear vision triangle area on a corner lot.

C. Parking spaces shall not preclude direct and free access to stairways, walkways, elevators, any pedestrian access way, or fire safety equipment. Such access shall be a clear minimum width of 44 inches, no part of which shall be within a parking space.

6.5.080 Commercial Vehicle Parking

A. Commercial vehicles weighing five tons or more are prohibited on any street or parcel within a residential zoning district.

B. Commercial vehicles with carrying capacity of more than one ton may only park on residential streets and/or driveways long enough for typical residential delivery and pickup, moving, and towing.

C. Commercial vehicles weighing less than one ton may be permitted in residential zoning districts and neighborhoods consistent with applicable provisions of this Title.

6.5.090 Parking of RVs, Trailers, and Vessels

A. RVs, trailers, and vessels belonging to owner, tenant, guest, or visitor may be parked on any highway (street) for a maximum period of 72 hours. Any request to extend this period for guests and visitors shall be submitted in writing to the Public Works Director for consideration and authorization.

B. Storage of RVs, trailers, and vessels is prohibited in required front and street side yards. However, parking is permitted outside of required front and street side yard setback areas and within interior side and rear yards when screened by a solid six-foot tall fence, wall, and/or landscape barrier. Screening shall be consistent with Chapter 6.9 (Fences and Walls).

C. See Section 6.5.150 (Standards for Off-Street Parking for Private Residences) for additional requirements for parking in residential zones

6.5.100 Vehicle and Bicycle Parking Requirements

A. **Minimum Requirements.** Minimum vehicle and parking space requirements are listed in Table 6.5-1 (Required Minimum Vehicle and Bicycle Parking Ratios). Where there is more than one parking ratio listed in the table, the greater of the two apply.

B. For the purpose of calculating parking ratios in all districts, the following types of parking are considered outdoor storage and are not consider parking:

1. Fleet vehicle parking

2. Parking for vehicles that are for sale, lease, or rent

C. Parking areas that exceed minimum vehicle parking requirements are subject to the following requirements:

1. All projects that exceed the minimum parking requirement by more that 125% shall demonstrate how the property can be developed in the future to utilize the additional parking areas for structures, landscaping, plazas, or other active use.

2. In the Downtown District, the number of vehicle parking spaces provided shall not exceed 125% of the minimum parking ratio. Where no parking is required, the maximum parking allowance is two spaces.

D. **Similar Use.** For a use not listed in Table 6.5-1 (Required Minimum Vehicle and Bicycle Parking Ratios), the required vehicle and bicycle parking shall be the same as for the most similar use listed, as determined by the Planning Director.

E. **Compact Car Spaces**

1. Up to 50 percent of the required number of parking spaces may be sized for compact cars.

2. Compact car parking spaces shall be at least eight feet in width and 16 feet in length, and shall be clearly marked, "COMPACT CARS ONLY," "COMPACT," or "C"

3. Compact car space shall be distributed throughout the parking lot.

4. Where an entire Section of the parking lot is restricted to compact parking with an angle of 90 degrees, the aisle width may be reduced from the standard 25 feet to 21 feet. Such compact sections should be located so as to minimize the distance from the Section to the appropriate building or activity.

F. **Exceptions.** Exceptions to minimum parking space standards shall be permitted in accordance with Section 6.5.110 (Reductions and Exceptions to Minimum Parking Requirements).

Table 6.5-1: Required Minimum Vehicle and Bicycle Parking Ratios

Land Use Category	Vehicle Parking Spaces	Bicycle Parking Spaces[3]
Residential Uses		
Adult Day Care Home	None beyond single-family	No Minimum
Caretaker Housing	1/bedroom	No Minimum
Dwelling, Multi-Family		
Studio and one bedroom units	1.5/unit~~1.25 / unit~~	1/unit
Two and three bedroom units	2/unit~~1.5 / unit~~	1/unit
Four or more bedroom units	2/unit~~1.75 / unit~~	1/unit
+ Guest Parking	0.6/unit~~0.25 / unit~~	0.25/unit
Dwelling, Second Unit	1/unit~~2 / dwelling~~	No Minimum
Dwelling, Single-Family[1]	2/unit~~2 / dwelling~~	No Minimum

Land Use Category	Vehicle Parking Spaces	Bicycle Parking Spaces[3]
Dwelling, Two-Family[1]	2/unit~~2 / dwelling~~	No Minimum
Family Day Care Home, Large	1 additional	No Minimum
Family Day Care Home, Small	No Minimum	No Minimum
Group Residential	None beyond single-family	No Minimum
Guest House	0 additional	No Minimum
Home Occupations[2]	1 additional	No Minimum
Live-Work Facility	2/unit (plus 0.25/unit for guests)	1/unit
Manufactured Home	2/unit	No Minimum
Mobilehome	2/unit~~2 / space + 1/8 units for guests~~	No Minimum
Mobilehome Park	2/unit	1/8 units
Residential Care Home	1/4 beds~~1.5/6 adults receiving care~~	1/6 beds
Senior Independent Living Facility	0.5/unit (plus 0.1 per unit for guests)	1/4 units
Agriculture, Resource, and Open Space Uses		
Equestrian Facility	1/4 stables~~1 / 5 stables~~	No Minimum
Recreation, Education, and Public Assembly Uses		
Cemeteries, Mausoleums	1/4 seats[5]~~1 / 2 seats + 1 / employee~~	1/10 seats[5]
Clubs, Lodges, and Private Meeting Halls	1/3 seats[5]~~1 / 3 occupants~~	1/10 seats[5]
Community Centers/Civic Uses	3/1000 sf~~1 / 3 occupants~~	1.5/000 sf
Community Garden	5/acre[4]	2/acre
Correctional Institution	Special Review of Parking Required	
Golf Courses[6]	10/hole	1/hole
Indoor Amusement/Entertainment Facility	4/1000 sf~~Varies (e.g. 2 per pool table, 1 / 100 sf of skating rink)~~	1/1000 sf
Indoor Fitness and Sports Facility	4/1000 sf~~1 / 2 occupants~~	1/1000 sf
Libraries and Museums	3/1000 sf~~1 / 3 occupants~~	1/1000 sf
Outdoor Commercial Recreation	2/1000 sf[7]~~Varies (e.g. 2 per tennis court)~~	1/1000 sf[7]
Parks and Public Plazas (less than 10 acres)	No Minimum	1/1000 sf
Parks (10 acres or larger)	4/acre[4,7]~~5% of total site area~~	2/acre[7]
Public Safety Facility	4/1000 sf	0.4/1000 sf
Recreational Vehicle Parks	1.5/site	0.5/site
Religious Institutions	0.3/seat	0.1/seat
Resource-Related Recreation	See Parks	
Schools, Public		

Land Use Category	Vehicle Parking Spaces	Bicycle Parking Spaces[3]
Pre-school facilities and kindergardens	1/employee or 1/3 seats in assembly area~~2 / classroom or 3 / 1000 feet (whichever is higher)~~	2/classroom
Elementary or middle schools	1/employee or 1/3 seats in assembly area~~2 / classroom or 3 / 1000 feet (whichever is higher)~~	5/classroom
High schools	1/employee plus 1/3 students in 11th and 12th grades; or 1/3 seats in main auditorium~~7 / classroom or 4 / 1000 feet (whichever is higher)~~	7/classroom
College	1 space/employee + 1 space/2 students; or 1/3 seats in largest assembly area~~7 / classroom or 4 / 1000 feet (whichever is higher)~~	7/classroom
Commercial schools	1 space/employee + 1 space / 2 students; or 1 / 3 seats in largest assembly area~~7 / classroom or 4 / 1000 feet (whichever is higher)~~	7/classroom
Stadiums / Arenas	Special Review of Parking Required	1/4 seats
Theaters and Auditoriums	0.3/seat~~1 / 3 seats~~	0.1/seat
Utility, Transportation, and Communication Use Listings		
Airport	Special Review of Parking Required	No Minimum
Broadcasting and Recording Studios	3.2/1000 sf	0.3/1000 sf
Heliports	1/landing pad	No Minimum
Park and Ride Facility	N/A	1/10 parking spaces
Parking Facility	N/A	1/10 parking spaces
Telecommunication Facility	0.5/1 employee	No Minimum
Utility Facility and Infrastructure	0.5/1 employee ~~1 / 2 employees~~	No Minimum
Retail, Service, and Office Uses		
Adult Day Care Facility	2/1000 sf	0.2/1000 sf
Alcoholic Beverage Sales	3.6/1000 sf	0.3/1000 sf
Ambulance Service	3.2/1000~~1 / 2 occupants~~	0.3/1000 sf
Animal Sales and Grooming	3.6/1000 sf~~1 / 2 occupants~~	0.3/1000 sf
Art, antique, collectable	3.6/1000 sf~~1 / 2 occupants~~	0.3/1000 sf
Artisan Shops	3.6/1000 sf~~1 / 2 occupants~~	0.3/1000 sf
Banks and Financial Services	3.2/1000 sf~~5 / 1000 sf~~	0.3/1000 sf
Bars and Nightclubs	6/1000 sf~~1 / 2 occupants~~	1/1000 sf
Bed and Breakfast Inns	1/room	1/room
Building Materials Stores and Yards	1/1000 sf	0.3/1000 sf
Business Support Services	3.2/1000 sf	0.3/1000 sf

Land Use Category	Vehicle Parking Spaces	Bicycle Parking Spaces[3]
Call Centers	5/1000 sf	1/1000 sf
Child Day Care Facility	3.2/1000 sf~~1 / employee + 1 / 8 children~~	0.3/1000 sf
Convenience Stores	2.5/1000 sf~~1 / 2 employees~~	1/1000 sf
Drive-in and Drive-through Sales and Service (not including restaurants)	2.5/1000 sf	0.2/1000 sf
Equipment Sales and Rental [8]	1/1000 sf	0.1/1000 sf
Furniture, Furnishings, and Appliance Stores	1/1000 sf~~1.2 / 1000 sf~~	0.1/1000 sf
Garden Center/Plant Nursery	1/1000 sf~~1 / 1000 sf + 1 / employee~~	0.1/1000 sf
Grocery Stores/Supermarket	2.9/1000 sf	0.3/1000 sf
Home Improvement Supplies	1/1000 sf	0.1/1000 sf
Hotels and Motels	1/room	0.5/room
Kennels, Commercial	3.2/1000 sf	0.3/1000 sf
Maintenance and Repair, Small Equipment	3.2/1000 sf~~5 / 1000 + 1 / employee~~	0.3/1000 sf
Medical Services, General	3.9/1000 sf~~6.5 / 1000 sf~~	0.4/1000 sf
Medical Services, Extended Care	1/4 beds~~1 / 3 beds~~	1/10 beds
Medical Services, Hospitals[9]	2/bed or 2/1000 sf~~2 / bed~~	0.2/1000 sf
Mortuaries and Funeral Homes[5]	1 / 3 seats	1/10 seats
Neighborhood Market	2.9 / 1000 sf	0.5/1000 sf
Offices, Business and Professional	2.7/1000 sf~~4.5 / 1000 sf~~	0.5/1000 sf
Offices, Accessory	2.7/1000 sf	0.5/1000 sf
Personal Services	3.2/1000 sf~~2 / employee or 6.5 / 1000 sf~~	0.3/1000 sf
Residential Care Facility	1/4 beds	1/6 beds
Restaurants, with drive-thru	6/1000 sf~~1 / 3 seats~~	1/1000 sf
Restaurants, without drive-thru	7/1000 sf	1/1000 sf
Retail, Accessory	3.6/1000 sf	0.3/1000 sf
Retail, General	3.6/1000 sf~~4.5 / 1000 sf~~	0.3/1000 sf
Retail, Warehouse Club	3.6/1000 sf	0.3/1000 sf
Veterinary Facility	3.2/1000 sf~~4.5 / 1000 sf~~	0.3/1000 sf
Regional Shopping Center	5.5/1000 sf	0.3/1000 sf
Automobile and Vehicle Uses		
Auto Vehicle Dismantling	1/1000 sf	0.2/1000 sf
Auto and Vehicle Sales and Rental	3.2/1000 sf	0.3/1000 sf
Auto and Vehicle Sales, Wholesale	3.2/1000 sf	0.3/1000 sf
Auto and Vehicle Storage	3.2/1000 sf	0.3/1000 sf

Land Use Category	Vehicle Parking Spaces	Bicycle Parking Spaces[3]
Auto Parts Sales	3.6/1000 sf	0.3/1000 sf
Car Washing and Detailing	3 spaces minimum + 2 per bay	0.2/1000 sf
Service Stations	3 spaces minimum + 2 per bay	0.2/1000 sf
Vehicle Services	4/1000 sf~~5 / 1000 sf~~	0.2/1000 sf
Industrial, Manufacturing, and Processing Uses		
Agricultural Products Processing	1.6/1000 sf	0.1/1000 sf
Manufacturing	1.6/1000 sf~~1 / employee or 2 / 1000 sf~~	0.1/1000 sf
Office (as accessory to a use in this category)	2.7/1000 sf	0.5/1000 sf
Printing and Publishing	1/1000 sf	0.1/1000 sf
Recycling Facility, Processing	1/1000 sf	0.1/1000 sf
Recycling Facility, Scrap and Dismantling Facility	1/1000 sf	0.1/1000 sf
Research and Development	3/1000 sf	0.3/1000 sf
Storage, Personal Storage Facility	1/1000 sf	0.1/1000 sf
Storage, Warehouse	0.5/1000 sf~~1 / 2000 sf or 1 / employee~~	0.1/1000 sf
Wholesaling and Distribution	0.5/1000 sf	0.1/1000 sf
Special Regulated Uses		
Card Rooms	4/1000 sf~~1 / seat~~	0.4/1000 sf
Check Cashing Businesses	3.6/1000 sf	0.3/1000 sf
Massage Parlor	3.2/1000 sf	0.3/1000 sf
Pawn Shops	3.6/1000 sf	0.3/1000 sf
Recycling Facility, Collection Facility	3.2/1000 sf	0.3/1000 sf
Thrift Store	3.6/1000 sf	0.3/1000 sf
Sexually Oriented Businesses	(see similar use, e.g., night club, retail)	
Smoke Shops	3.6/1000 sf	0.3/1000 sf
Tattoo Parlors	3.6/1000 sf	0.3/1000 sf

Notes:

1. *Required parking spaces shall be enclosed or covered and are not permitted within the front yard or rear yard setback. Additional parking, in excess of the minimum required may be provided on a driveway or other appropriate parking surface as defined by this Code.*
2. *Additional parking is not required to be covered or enclosed and may occur on a driveway or other paved surface.*
3. *Where bicycle parking is required no less than two spaces shall be provided.*
4. *On-street parking space adjacent to park property may be credited toward parking requirement.*
5. *Applies to seating in main or largest assembly area only.*
6. *Clubhouse calculated as retail. Additional parking not required for accessory uses (e.g., driving ranges, putting greens, maintenance shops, equipment storage, etc.).*
7. *Parking based on area of active recreation only.*
8. *Indoor and outdoor merchandise display areas.*
9. *Calculate associated medical office facilities as Medical Services, General.*

6.5.110 Reductions and Exceptions to Minimum Parking Requirements

The following are exceptions or reductions to minimum parking requirements that are available:

A. **Parking District Waiver.** Minimum off-street parking spaces required may be waived for properties that have access to public parking facilities. The waiver may be granted by the Planning Director.

~~B. **Substitution of Off-site Parking.** For nonresidential developments adjacent to a public transit guideway project (light rail or exclusive busway), a project proponent may request that some or all of the required off-street parking spaces be provided at guideway stations, or that in-lieu fees or facilities be provided for use at guideway stations. The Project Planning Commission may approve the request if it finds that the substitution:~~

~~1. Will be an incentive to, and a benefit for, the nonresidential development; and~~

~~2. Will facilitate access to the nonresidential development by patrons of public transit facilities, particularly guideway facilities.~~

B. **Parking Reduction.** Parking may be reduced according to the following provisions. Total parking reductions may not exceed 20 percent of required parking:

1. Reduction for Special Motor Vehicles. Up to 20 percent of the off-street parking may be provided by smaller parking spaces for special or alternative motor vehicles (e.g., golf carts, motorcycles, motorized scooters, etc.).

2. Secure Bicycle Parking. Developments which provide additional secure bicycle parking facilities over and above the minimum requirement may reduce their parking requirement by one vehicle space for every two additional bicycle spaces provided.

3. Parking Reductions Near Major Transit Stops (e.g., light rail stations, BRT stations, or significant bus facilities). Parking requirements may be reduced by ten percent when within one-quarter mile of a major transit stop.

4. Additional Parking Reductions for Existing Uses to Enable Property Enhancements. Property owners of existing non-residential development may provide less than the required parking by up to ten percent, if spaces are replaced with either of the following:

   a. Landscaping; and/or

   b. On-site pedestrian plazas, seating areas, shelters, bicycle racks, and/or walkways.

5. Shower/Locker Facilities. Developments with 100 or more employees may reduce their parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: ~~two~~ five percent of required parking.

6. Preferred Carpool/Vanpool Parking Spaces. Office or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building

entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one vehicle space for every one space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction: five percent of required parking.

C. **Joint Vehicle Parking Lot.** Required parking for two or more freestanding uses on adjacent or nearby sites may be satisfied by the use of a joint vehicle parking facility to the extent that it can be shown by the owners or operators that the demand for parking in the joint facility does not materially overlay (e.g., uses primarily of a daytime versus a nighttime or weekday versus weekend nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument upholding such joint use. In this situation, the size of the joint parking lot shall be at least as large as the number of vehicle parking spaces required by the largest user.

D. **Parking in mixed use projects.** In mixed use projects, required motor vehicle parking may be determined using the following formula:

1. Primary use at 100 percent of minimum vehicle parking.

2. Secondary or subsequent uses at 80 percent of vehicle parking for that use.

E. Additional parking reductions may be permitted as part of a Special Review of Parking (see Section 6.5.120, Special Review of Parking).

6.5.120 Special Review of Parking

~~1.~~A. Parking reductions exceeding the maximums specified in Section 6.5.100 (Vehicle and Bicycle Parking Requirements), or modifications of improvement requirements, may be granted as part of a Level 2 approval process (see Article 3. Entitlements).

~~2.~~B. ~~Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the Zoning Administrator whenever such reduction or modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such reduction or modification may be granted by the Project Planning Commission upon petition for a Special Review of parking by a project proponent.~~ The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as:

1. Multiple use of a parking area by uses having peak parking demands which occur at different times;

2. Floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or

3. Other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as

the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool.

~~3.~~C. Modifications of improvement requirements may be granted. The project proponent shall submit, with the request, whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant improvement reduction, such as the multiple use of a parking area by uses in need of special open areas or needing special layout of all improvements to facilitate such multiple use. ~~In no case may a parking reduction and development standards reduction be considered for the same parking facility. The appropriate authority shall require, as a condition of approval of the parking area improvement reduction, that evidence of long term agreement for joint use or multiple use be of record. This may either be in the form of recorded agreements or covenants.~~

~~4.~~D. The appropriate authority may require as a condition of approval of the parking reduction or modification of improvement requirements the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

6.5.130 Design Standards for Surface Parking Lots

A. All vehicular parking spaces shall be on the same lot as the main structure they serve, on an abutting lot, or within 1000 feet, subject to the following requirements:

~~A.~~1. There is a safe, direct, attractive, lighted, and convenient pedestrian route between the vehicle parking area and the use being served.

~~B.~~2. There is an assurance in the form of deed, lease, contract, or other similar document that the required spaces will continue to be available for off-street parking use according to the required standards.

B. **Special Requirement for Parking in Downtown District**

1. Auto parking lots shall be located behind or beside buildings on one or both sides.

2. Auto parking and maneuvering areas (including any permitted drive-through service lanes) shall not be located between the street and the building façade with the primary entrance.

3. Auto parking and maneuverings area located to the side of a building cannot occupy more than 50 percent of the site's frontage onto an arterial or collector roadway. When a site has more than one frontage on an arterial or collector roadway, then the auto parking lot located to the side of a building may occupy more than 50 percent of the site's frontage on the secondary street.

4. Auto parking and maneuvering areas on corner lots shall not be located adjacent to intersections.

C. **Parking Lot Design**

1. Surfacing and Striping. Areas used for parking and maneuvering of vehicles shall be paved with a minimum of 2-inch asphalt, concrete, or equivalent surface All parking areas shall be appropriately striped, marked, and signed.

~~2.Fences. A solid fence six feet high (not a chain link fence with slats) shall be provided and maintained along the edge(s) of any parking areas adjacent to properties zoned for residential, interim residential, agricultural residential, interim estate, or agricultural uses to protect these properties from the interruption and nuisances of the automobiles using the parking area. On that portion of any parking area located between the building line and the street where such a fence would interfere with visibility, the fence shall conform to the regulations of Chapter 12.12 of the Sacramento County Code. The height of the fence shall be measured from the paved surface of the parking lot and may be modified by a condition of approval of a use permit or development plan where the appropriate authority finds that due to a significant difference in elevation between parcels, different screening requirements are necessary.~~

2. Curb Cuts/Access Points. Street access points shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. ~~Access to parking areas and curb cuts for driveways shall be approved by the Administrator of Public Works or his designee to insure an efficient and safe traffic flow into the parking areas and along the public streets. Where two way access driveways are used, the design shall include either (a) a planter with lawn or other low groundcover separating the entrance and exit lanes, including small signs denoting "enter only" and "exit only" appropriately placed, when approved by the Public Works Administrator; or (b) a painted line separating entrance and exit lanes, with stenciled enter/exit markings appropriately painted on the pavement~~

~~4.Back out Parking. Parking areas for commercial, industrial and multiple family residential uses, not including duplexes and single family residences, shall be designed so that vehicles are not permitted to back out of the parking area onto a public street.~~

~~4.~~3. Driveways/Driveway Approach Width and Grade. The minimum driveway width for residential uses is 24 feet, and the minimum width for commercial uses is 36 feet.

~~5.~~4. Driveway/Drive Aisle Width. Driveways shall have a minimum paved width of 20 feet for two-way circulation and 14 feet for one-way circulation. Driveways shall not occupy a yard setback or buffer except to pass through the yard in order to connect directly to a public street or as necessary for shared driveway and internal access between uses on abutting lots.

~~6.~~5. Turnaround Areas. Parking space shall be provided with adequate drive aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

~~7.~~6. Setback Restrictions for Parking Spaces and Drive Aisles. Parking areas including spaces, aisles, and turnaround and maneuvering areas shall not occupy the required setbacks.

~~8.~~7. Cluster of Spaces. Clusters of auto spaces shall not exceed 50 spaces. Auto parking clusters shall be separated by landscaping as provided in Chapter 6.4 (Landscaping) or by buildings.

~~9.~~8. Connect Parking Lots. Auto parking areas shall be designed to connect with auto parking areas on adjacent sites to eliminate the necessity of utilizing the public right-of-way for cross movements. Joint or shared access, internal circulation, or parking is encouraged with adjacent uses.

~~10.~~9. Minimum Clearance. Driveways, aisles, turnaround areas, and ramps shall have a minimum vertical clearance of 12 feet for the entire length and width, but such clearance may be reduced in parking structures.

~~11.~~10. Drainage. Adequate drainage shall be provided to dispose of the runoff generated by the impervious surface area of the parking area. Provision shall be made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way and abutting private property.

~~12.~~11. Clear Vision Area. See Section 6.9.050 for driveway clearance vision area requirements.

~~13.~~12. Service and Loading Areas. Service and loading areas shall not be located on the frontage of a light rail station or adjacent street.

D. **Space and Aisle Standards for Surface Parking Lots**

~~E.~~1. All surface parking lots shall be designed in accordance with City standards for stalls and aisles as set forth in Tables 6.5-2 (Angle Parking Space and Drive Aisle Dimensions) and 6.5-3 (Parallel Parking Space and Drive Aisle Dimensions) and Figures 6.5-1 (Angle Parking Space and Drive Aisle Dimensions) and 6.5-2 (Parallel Parking Space and Drive Aisle Dimensions) below.

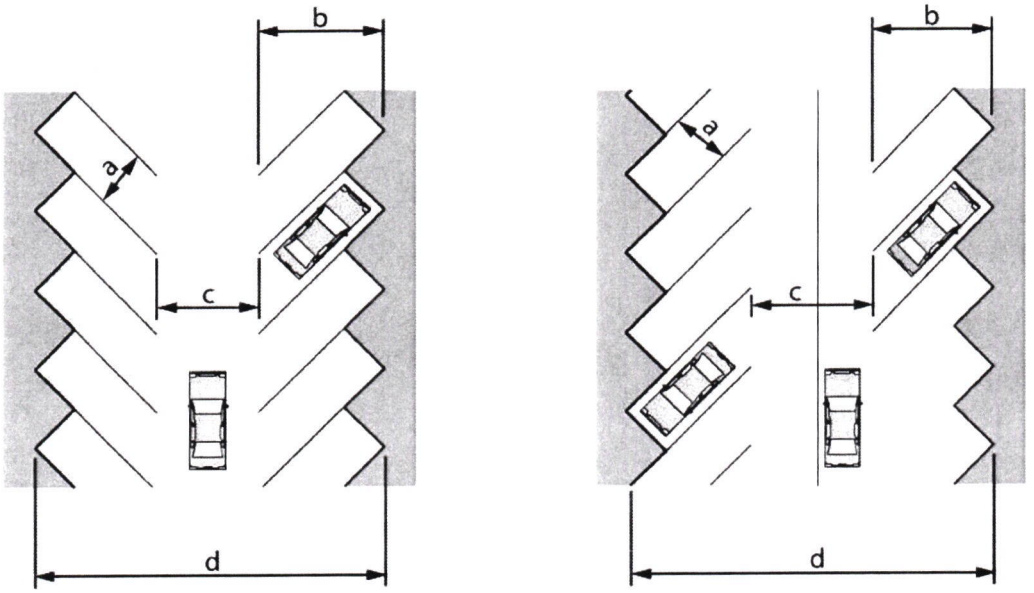
Table 6.5-2: Angle Parking Space and Drive Aisle Dimensions

Angle	Stall Width a	Stall to Curb b	Aisle c	Two Rows + Aisle d
90°	9'-0" 9'-6" 10'-0"	19'-0" 19'-0" 19'-0"	25'-0"** 24'-8"** 24'-0"**	63'-0" 62'-6" 62'-0"
60°	9'-0" 9'-0" 9'-6" 10'-0"	21'0" 21'-0" 21'-3" 21'-6"	20'-0"** 19'-0"* 18'-6"* 18'-0"*	62"-0" 61'-0" 61'-0" 61'-0"
45°	9'-0" 9'-0" 9'-6" 10'-0"	19'-10" 19'-10" 20'-2" 20'-6"	20'-0"** 16'-4"* 15'-2"* 14'-0"*	59'-8" 56'-0" 55'-6" 55'-0"

***Two-way aisle*

** One-way aisle*

Figure 6.5-1: Angle Parking Space and Drive Aisle Dimensions



One-Way Aisle

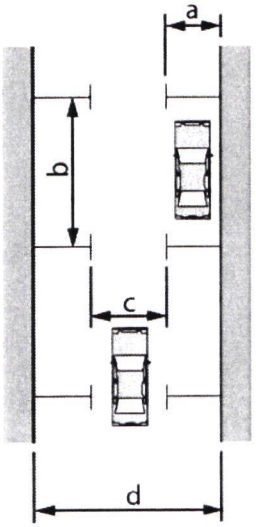
Two-Way Aisle

Table 6.5-3: Parallel Parking Space and Drive Aisle Dimensions

Stall Width a	Stall Length b	Aisle c	Two Rows + Aisle d
9'-0"	24'-0"	12'-0"*	30'
9'-6"	24'-0"	12'-0"*	31'
10'-0"	24'-0"	12'-0"*	32'

**One-way*

Figure 6.5-2: Parallel Parking Space and Drive Aisle Dimensions



E. A minimum of 50 percent of vehicle parking stalls shall be of standard size (the remainder may be compact). See Section 6.5.100.E (Compact Car Spaces).

F. **Landscaping of Parking Lots**. See Section 6.4.080 (Parking Lot Landscape).

G. **Pedestrian Circulation/Walkways.** Pedestrian circulation/walkways shall be designed to the requirements specified in Section 6.6.050 (Standards for On-Site Pedestrian Pathways). Sidewalks shall be designed to ensure that vehicles that may overhang or intrude into the sidewalk system do not reduce the minimum required sidewalk width.

H. **Lighting of Parking Lot**. See Chapter 6.7 (Outdoor Lighting).

~~J. **Bumper Curbs/Wheel Stops**. To insure the proper maintenance and utilization of these facilities, parking areas shall be designed so that a parked vehicle does not overhang required sidewalks, planters or landscaped areas. A permanent curb, bumper, wheel stop or similar device shall be installed which shall be adequate to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. If such protection is provided by means of a method designed to stop the wheel, rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two feet from the edges of the required sidewalks, planter or landscaped areas and from any building. The innermost two feet of each parking space (between the curb and any planter or sidewalk) may remain unpaved, be planted with low ground cover, and added to any required or proposed landscaping, to allow for bumper overhang. This additional planting area is considered to be part of the parking space and may not count toward satisfying any landscaping requirement. The Administrator of Public Works, or his designee, may require other barrier curbs or wheel stops as deemed necessary to protect areas within or adjacent to the parking area from vehicular encroachment.~~

6.5.140 Design Standards for Parking Structures

A. **Ground Floor Active Use.** For all new multi-level parking structures, a minimum of 50 percent of the total ground floor street frontage, excluding driveway entrances and exits, stairwells, elevators, and centralized payment booths shall be designed to accommodate commercial, retail, office, or residential floor space.

B. **Ground Floor Facades.** Bland, flat walls are prohibited on all parking structure facades that face public rights-of-way. The following are acceptable methods to avoid blank, flat walls. One or more of these methods shall be incorporated along the entire façade:

1. Street facing ground floor active uses (see A, Ground Floor Active Use, above);

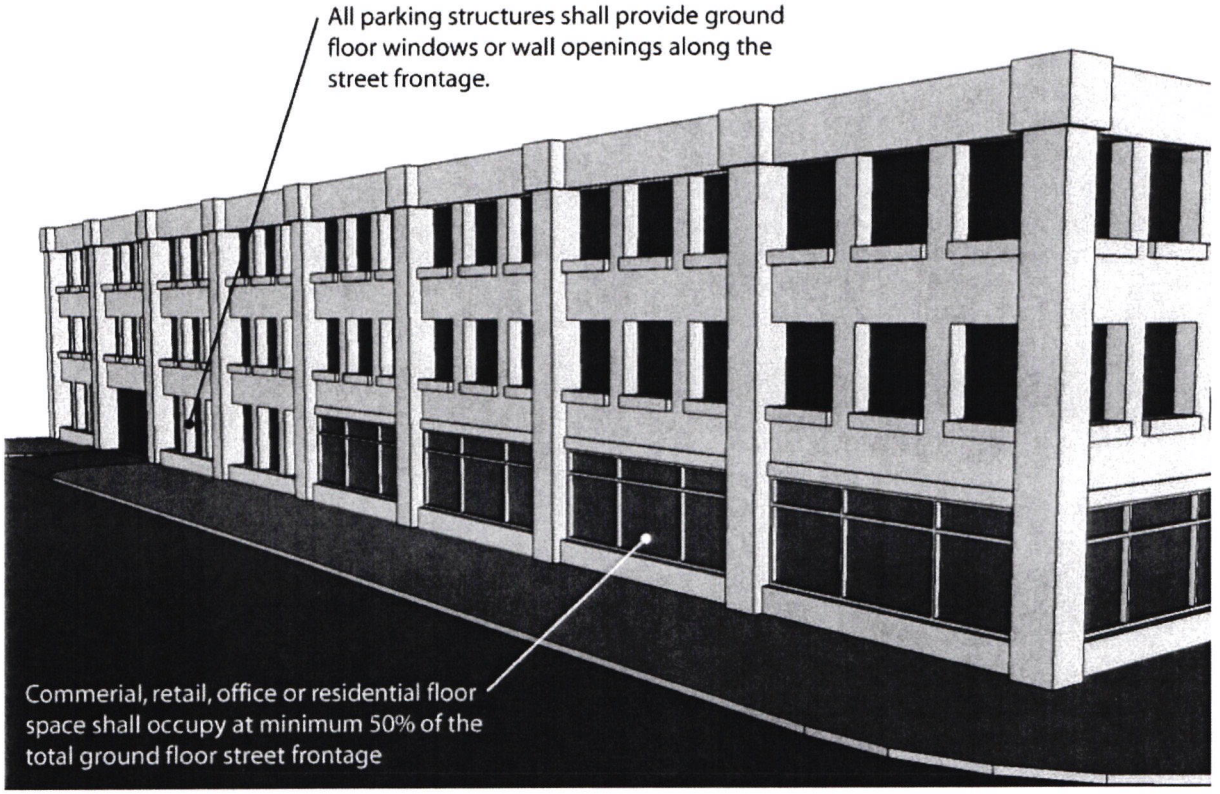
2. Ground floor windows, doors, or display areas;

3. A repeating pattern of color change, texture change, and material change, each of which should be integral parts of the structure and not superficially applied trim, graphics, or paint; and/or

4. The use of reveals, projecting ribs, or offsets which should be no less than 12 inches in width. All elements should repeat at intervals of 30 feet or less.

C. All parking structures are subject to Design Review as described in Chapter 3.11 (Design Review)

Figure 6.5-3: Parking Structure Design Requirements



6.5.150 Design Standards for Bicycle Parking Facilities

All developments shall meet the following minimum requirements for bicycle parking and design. The purpose of these design standards is to ensure that bicycle parking is visible from the street, is convenient to cyclists, and provides sufficient security from theft and damage.

A. **Minimum Required Bicycle Parking.** Minimum required bicycle parking spaces are required as designated in Table 6.5-1 (Required Minimum Vehicle and Bicycle Parking Ratios).

B. **Bicycle Parking Location and Access**

1. Use. Areas set aside for required bicycle parking must be clearly reserved for bicycle parking only.

2. Lighting. See Section 6.7.070 (General Lighting Standards)

3. Location

a. Outdoor bicycle parking must be located closer to primary building entrances than auto parking and within 50 feet or less from the primary building entrance.

b. Bicycle parking must be visible from within on-site buildings or the street.

c. Bicycle parking may be located within a building if access is readily available from an outdoor entrance.

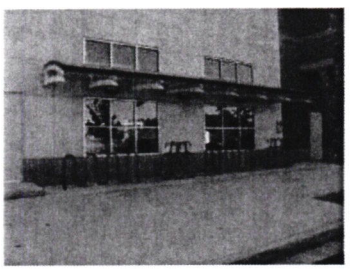
d. Bicycle parking is prohibited within 100 feet of a trash or recycling enclosure.

4. Amenities. Bicycle parking areas are encouraged to include a bench and bicycle rack screened with 30- to 36-inch shrubs from any parked cars or arterial streets.

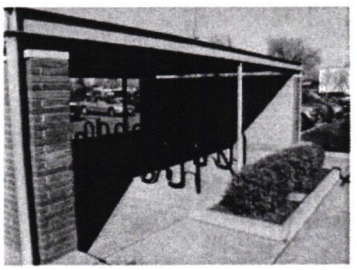
5. Pedestrian Conflicts. Bicycle parking and bicycle racks shall be located to avoid conflicts with pedestrian movement and accessibility requirements.

C. **Covered Bicycle Parking Spaces.** All required employee bicycle parking spaces and 50 percent of all visitor bicycle parking must be sheltered from precipitation by means such as roof extensions, overhangs, awnings, arcades, carports, roofed enclosures, lockers, or indoor bicycle rooms.

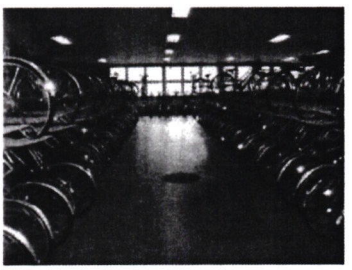
Figure 6.5-4: Acceptable Covered Bicycle Parking Options (Free-Standing Bicycle Parking Enclosure, Bicycle Parking Near Entry Door, and Indoor Bicycle Room)



Bicycle Parking Near Entry



Free Standing Bicycle Parking Enclosure



Indoor Bicycle Room

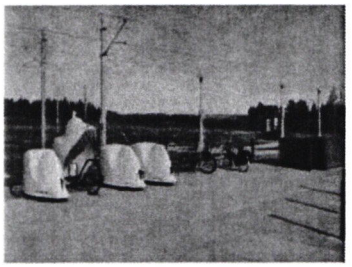
D. **Bicycle Rack Types and Dimensions**

1. Security. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (i.e., "rack") upon which the bicycle can be locked. Bicycle parking racks, shelters, or lockers must be securely anchored to the ground or to a structure. Bicycle racks must hold bicycles securely by the means of the frame. The frame must be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.

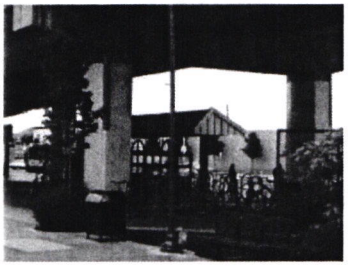
Figure 6.5-5: Acceptable and Unacceptable Bicycle Rack Options



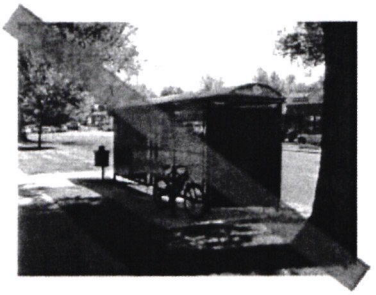
Bicycle Racks that Support Both Sides of a Bicycle



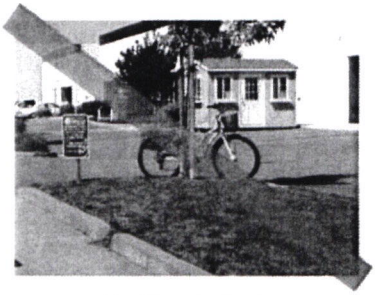
Bicycle Lockers



Sheltered Parking



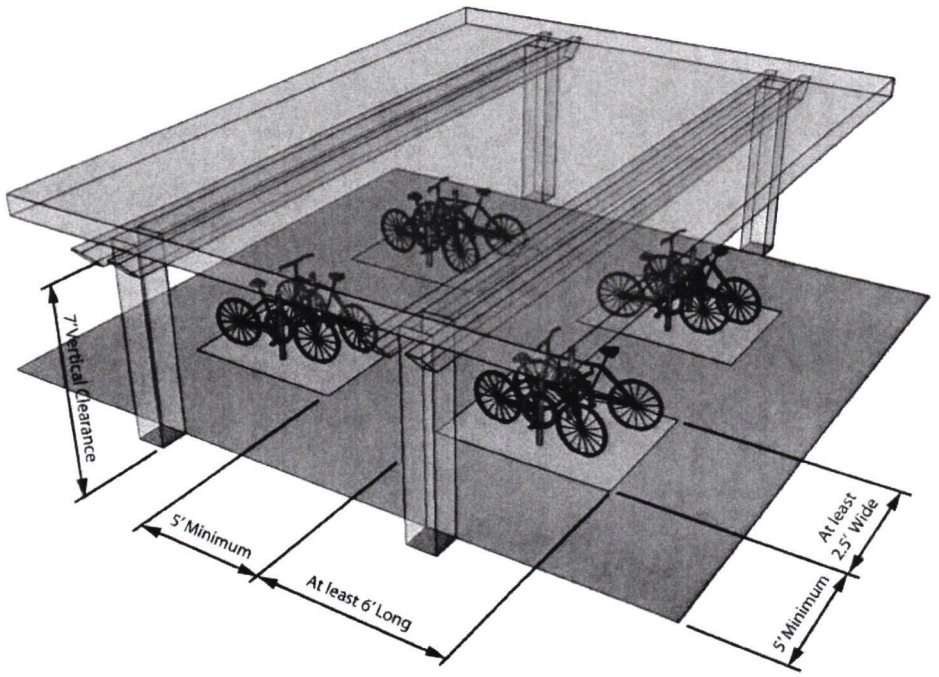
Bicycle Racks that Does Not Support Both Sides of a Bicycle



No Bicycle Rack

2. Standards. Bicycle parking shall be at least 2.5 feet wide by six feet long and, when covered, provide a minimum vertical clearance of seven feet. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking. Each required bicycle space must be accessible without moving another bicycle. Bicycle parking spaces required by this Chapter may not be rented or leased.

Figure 6.5-6: Bicycle Parking Area Design Requirements



E. Paving and surfacing or bicycle parking areas shall be surfaced with hard surfacing of at least two inches minimum (i.e., pavers, asphalt, concrete, or similar material). This surface must be designed to maintain a well-drained condition.

F. **Exemptions.** The following uses are exempt from bicycle parking requirements:

1. Temporary uses
2. Agriculture
3. Mini-storage facilities
4. Home occupations

~~F. **Bicycle Parking Facility Classification.** Bicycle parking facilities shall be classified as follows:~~

~~1. Class I, an enclosed box with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment.~~

~~2. Class II, a stationary bicycle rack designed to secure the frame and both wheels of the bicycle, where the bicyclist supplies only a padlock.~~

3.Class III, a stationary bicycle rack, typically a cement slab or vertical metal bar, where the bicyclist supplies a padlock and chain or cable to secure the bicycle to the stationary object.

G.**Minimum Bicycle Parking Requirements.**

1.Bicycle parking facilities shall be provided as follows:

Use	Bicycle Spaces for		Bicycle Parking Facility Class	
	Employees	Patrons or Visitors	mployees	Patrons or Visitors
All commercial, office, & service uses not otherwise listed	1 bicycle space for every 25 vehicle spaces required	1 bicycle space for every 33 vehicle spaces required	Class I lockers, or Class II racks in an enclosed lockable area	Class II racks
Dinner restaurants, cocktail lounges	1 bicycle space for every 50 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed lockable area	N/A
Industrial	1 bicycle space for every 25 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed lockable area	N/A
Institutional uses within commercial and industrial zones	1 bicycle space for every 25 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed lockable area	N/A
Institutional uses within other zoning classifications	Bicycle parking shall be determined at the time of issuance of a conditional use permit.			
Multiple Family	1 bicycle space for every 3 units for complexes of 30 units or less. 1 bicycle space for every 4 units for complexes of 31 to 100 units. 1 bicycle space for every 5 units for complexes of 101 or more units		Class I lockers, or Class II racks in an area enclosed to a minimum height of 6 feet, covered and lockable	

2.In no case shall there be fewer than two employee bicycle spaces and two patron or visitor spaces unless specifically exempt.

3.Where the application of the above table results in the requirement for a fraction of a bicycle parking space, such a space need not be provided unless the fraction exceeds 50 percent.

6.5.160 Standards for Off-Street Parking for Private Residences

Off-street parking and driveways for detached dwellings, manufactured homes, single-family attached dwellings and two-unit attached dwellings shall meet the following requirements:

A. Any vehicle, trailer, or vessel which is inoperable and/or without current registration shall be stored entirely within an enclosed structure and shall not be parked or stored in any yard within a residential zoning district or neighborhood.

B. Required off-street parking spaces shall not be located within any required front yard or required street side yard setback of any parcel. Required parking must be provided within a garage, carport, or other permanent structure providing weather protection.

C. Parking in excess of the required parking (e.g., driveways) may be provided within the front and street side yard setback, as follows:

1. Vehicle parking (including driveways) in residential areas shall be provided on permanent paved or other approved impervious surfaces.

2. Parking areas shall not exceed the maximum impervious surface allowed on a parcel.

3. Parking may not occur within any required clear vision triangle area on a corner lot.

D. Each parking space shall be at least 8.5 feet wide by 18 feet deep.

E. Tandem (end-to-end) parking is allowed to meet the minimum off-street parking requirements.

F. Required parking may be provided in the rear yard only when an alley is available for access.

G. All vehicles are required to be parked on a paved surface. Driveways and driveway approaches shall be paved.

H. The minimum driveway width is ten feet.

I. The use of structures, temporary canopies, tarps, and other similar types of covering for vehicles is strictly prohibited within the front setback.

J. Parking of RVs, trailers and vessels shall conform with the following additional regulations:

1. Parking on a hard surface such as compacted gravel, concrete, asphalt, or similar durable material is required.

2. Parking within the clear vision area is prohibited.

6.5.170 Trip Reduction Requirements

A. **Applicability.** The provisions of this Article shall apply to all major development projects defined as follows:

1. Any commercial, industrial, institutional, or other use which is expected to employ 200 hundred or more persons, as determined by either actual employee projections or equivalent development size, and

2. Any existing facility or development which increases its gross floor area and, after such increase, exceeds the minimum equivalent development size.

3. The Planning Director may, if projected traffic conditions warrant, apply the provisions of this Section to developments smaller than those specified.

~~K.~~B. **Exempt Projects.** Notwithstanding any other provisions of this Code, the following uses and activities shall be specifically exempt from the provisions of this Article:

1. Development projects expected to employ fewer than 200 hundred persons.

2. Temporary construction activities on any affected project, including activities performed by engineers, architects, contractors, subcontractors, and construction workers.

~~L.~~C. **Equivalent Development Size.** For the purpose of this Article, the standards listed in Table 6.5-4 (Equivalent Development Size) shall be considered equivalent to the 200 hundred employee threshold.

Table 6.5-4: Equivalent Development Size

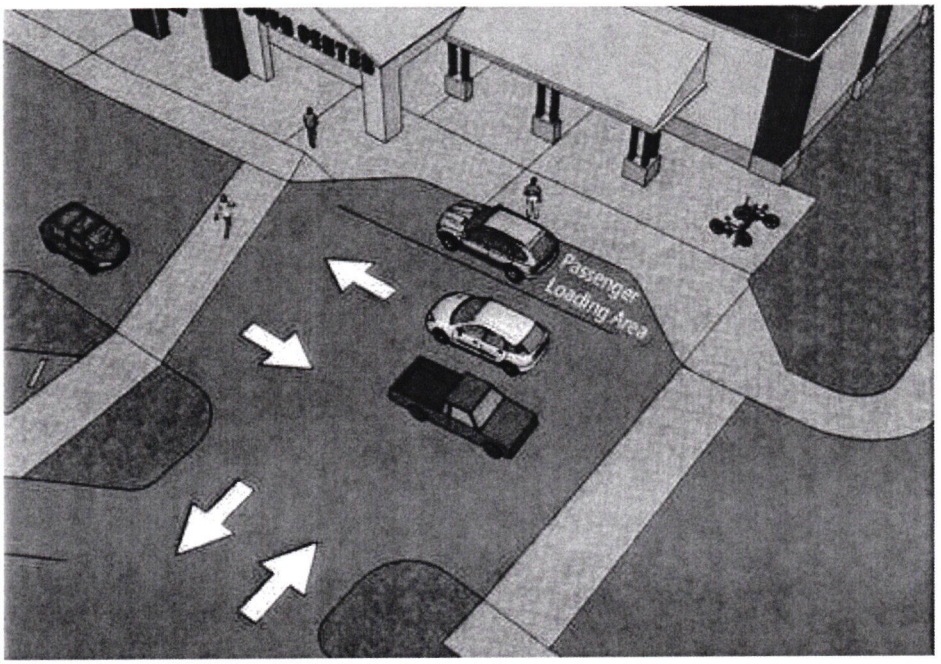
Type of Use	Minimum Development Size (in square feet) Equivalent to 200 Employees
Office (excluding medical)	50,000
Industrial Office Park (MP)	60,000
Hospital and Medical Offices	80,000
Commercial	100,000
Light Industrial (M-1)	95,000
Heavy Industrial (M-2)	130,000
Mixed or Multiple Uses	[1]

Notes:

1. The minimum development size for mixed or multiple use developments shall be calculated based on the employment equivalent of the square footage or areas devoted to each type of use.

~~M.~~D. **Passenger Loading Areas.** Parking areas for major development projects shall designate a passenger loading area or areas for embarking and disembarking passengers from ridesharing vehicles. Such passenger loading areas shall be located at the point(s) of primary pedestrian access from the parking area to the adjacent building, or buildings, and shall be designed in such a manner that vehicles waiting in the loading area do not impede vehicular circulation in the parking area. The passenger loading areas shall be designed as a turn out as indicated by the below diagram and shall be large enough to accommodate the number of waiting vehicles equivalent to 0.5% of the required parking for the project. See Figure 6.5-7 (Passenger Loading Areas).

Figure 6.5-7: Passenger Loading Areas



~~N.~~E. **Preferential Parking Spaces for Carpool and Vanpool Vehicles.** All major development projects shall reserve and designate at least ten percent of the employee parking spaces for the project for ridesharing vehicles by marking such spaces "Carpool/Vanpool Only". The number of preferential parking spaces must be increased above ten percent of the employee parking as necessary to accommodate all legitimate carpools and vanpools. Such spaces shall be located near the building entrance(s), covered, shaded, or in some other obvious way be determined as preferential. For purposes of this Section, the factors listed in Table 6.5-5 (Employee Parking Ratios) shall be used to determine the number of employee parking spaces.

Table 6.5-5: Employee Parking Ratios

Type of Use	Percent of Total Parking Devoted to Employee Parking
Office (excluding medical)	70%
Hospital and Medical Office	50%
Commercial	30%
Industrial	70%

~~O.~~F. **Shower and Locker Facilities.** All development projects above the minimum development size threshold shall provide shower and locker facilities for use by employees or tenants who commute to the site by bicycle or walking. Such facilities shall be clearly indicated on all development/improvement plans. One shower and eight lockers with minimum dimensions of 12 inches by 18 inches by 36 inches shall be

provided for each 200 hundred employees or fraction thereof, based on the equivalent development size data. The shower and locker facilities must be located convenient to one another and should be located near the employee bicycle parking facilities whenever possible.

6.5.180 Off-Street Loading Requirements

A. **Purpose of Loading Area Requirements.** The purpose of these regulations is to provide the number, size, location, and screening requirements for loading areas in mixed-use, commercial, and industrial uses. The intent of these regulations is to minimize disruptions of traffic flow by freight-carrying vehicles blocking the public right-of-way and to minimize impacts to vehicular and pedestrian conflicts.

B. **When Loading Regulations Apply.** This regulation applies to all non-residential development in mixed-use commercial and industrial districts, whether or not a permit or other approval is required for the development.

C. **General Loading Area Requirements**

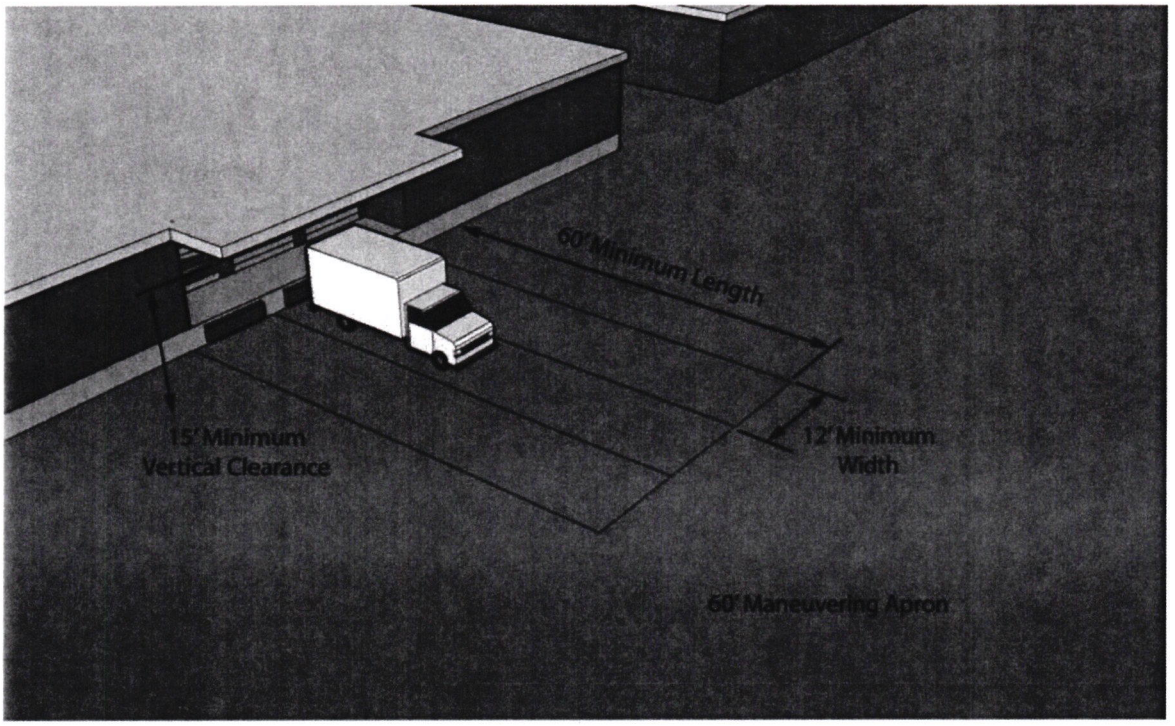
~~A.~~1. The number of required loading spaces is based on the use of the building and the building size minus any residential component square footage.

~~B.~~2. Where two or more uses are located on the same premises, the number of loading area spaces required is the sum of the spaces required for each use.

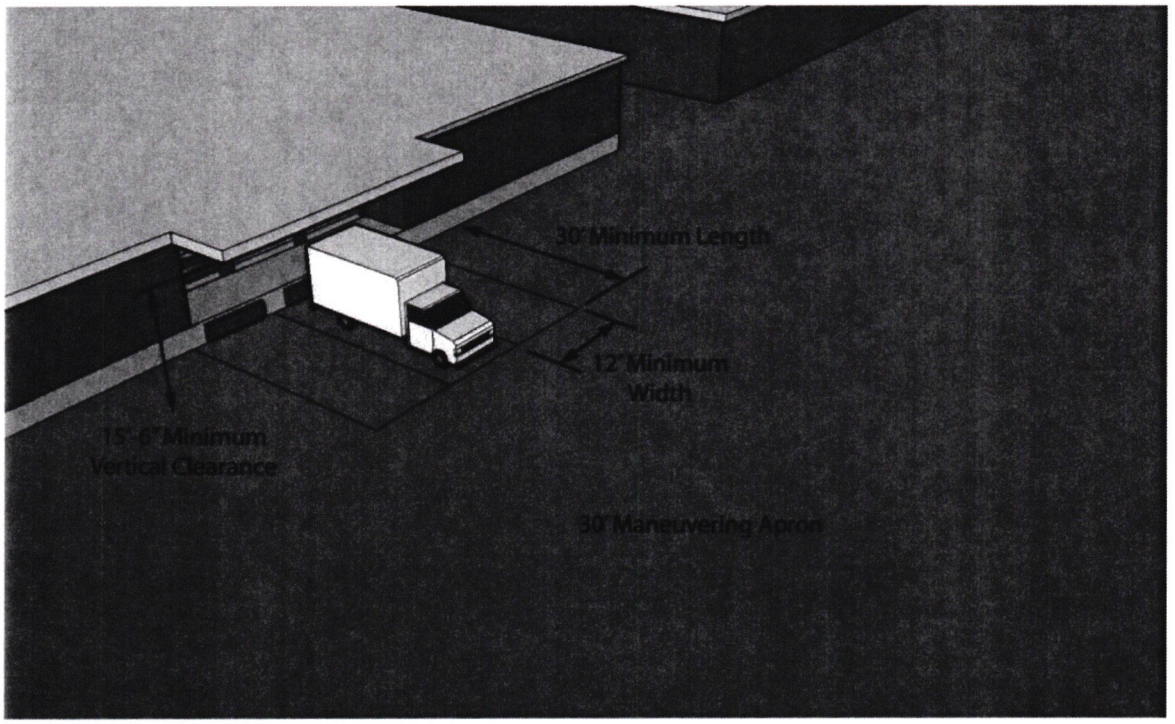
~~C.~~3. The provision of maintenance of off-street loading facilities is a continuing obligation of the property owner.

~~D.~~4. Loading and maneuvering areas shall be hard-surfaced unless a permeable surface is required to reduce surface runoff, as determined by the Director.

Figure 6.5-7: Typical Loading Area



Off-Street Loading Spaces in an Industrial Area



Off-Street Loading Spaces in a Non Industrial Area

~~E.~~5. Parking of passenger vehicles may be allowed in off-street loading areas subject to specific time limits to prevent conflicts with off-street loading activities. If parking is allowed, the parking time limits shall be clearly posted. These parking spaces shall not count toward meeting the general parking requirements.

~~F.~~6. Required Off-Street Loading

a. Each required off-street loading space in an industrial area shall have a minimum length of 60 feet, a minimum width of 12 feet, and a minimum vertical clearance of 15 feet, inside dimensions with 60-foot maneuvering apron.

b. Each required off-street loading space, other than in industrial zones, shall have a minimum length of 30 feet, a minimum width of 12 feet, and a minimum vertical clearance of 14 feet, six inches, inside dimensions with 30-foot maneuvering apron.

~~G.~~7. Loading areas must comply with the setback and perimeter landscaping and screening standards. When parking areas are prohibited or not allowed between a building and a street, loading areas are also not allowed.

~~H.~~8. For uses not specifically mentioned, the requirements for off-street loading facilities shall be the same as the closest approximate use as determined by the Planning Director.

D. **Location of Required Loading Facilities**

1. The off-street loading facilities, in all cases, shall be on the same lot or parcel of land as the structure they are intended to serve.

2. The off-street loading facilities shall be designed and located so that loading vehicles are not parked in required setbacks, driveways, or required parking spaces during loading activities.

3. No loading space shall be located so that a vehicle using such loading space projects into any public street.

4. Loading spaces shall be provided with access to alley when alley access is available.

5. Bays and doors shall be located in a manner that would preclude any possibility for trucks to back into bays from arterial streets.

Chapter 6.6 – Standards for Pedestrian-Oriented Spaces

Sections in this Chapter

6.6.010 Purpose 6.6-1
6.6.020 Defining Pedestrian-Oriented Spaces 6.6-1
6.6.030 Applicability 6.6-5
6.6.040 Pedestrian Plan Required 6.6-5
6.6.050 Standards for All Pedestrian-Oriented Spaces 6.6-5
6.6.060 Standards for On-Site Pedestrian Pathways 6.6-7
6.6.070 Standards for Public Spaces 6.6-13

Draft Zoning Code Changes:

6S. This Chapter introduces development standards for pedestrian-oriented spaces located on private lots. These include spaces used primarily for circulation (i.e., pathways through a site and sidewalks located adjacent to a private street) and a variety of open spaces (i.e., building entrance areas, plazas, employee break areas, and paseos).

6T. The inclusion of these standards represents a major shift in the focus of the City's zoning efforts. The current code is geared towards the convenience and comfort of automobile travel, while it neglects the discussion of other modes of transportation, including the movement of pedestrians. This translates into a deficiency of open space and pedestrian provisions and only a handful of indirect requirements introduced by landscaping and shading provisions and the Americans with Disabilities Act. These development standards place greater emphasis on pedestrian mobility issues and the creation of public spaces by codifying a number of requirements that appear in the City's Design Guidelines.

6.6.010 Purpose

This Chapter establishes provisions for the design and construction of all pedestrian-oriented spaces in Rancho Cordova, including on-site pedestrian pathways and public spaces. The purpose of these standards is to provide for pedestrian-oriented spaces that are safe, comfortable, useable, provide aesthetic value to the project's site design, and fully comply with the requirements of the Americans with Disabilities Act and the City-adopted Building Code.

6.6.020 Defining Pedestrian-Oriented Spaces

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Arcade. An "arcade" is a continuously covered public space open on the sides, except for structural columns or piers, adjacent to and extending along the façade of a building. The space may be located between the façade and a sidewalk or another public space, or it may replace a sidewalk along a private street where no building setback is present.

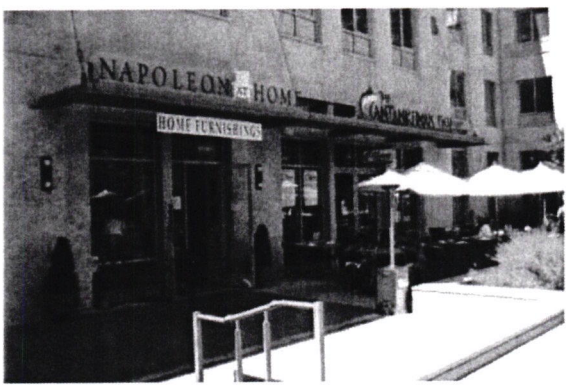
Figure 6.6-1: Arcades

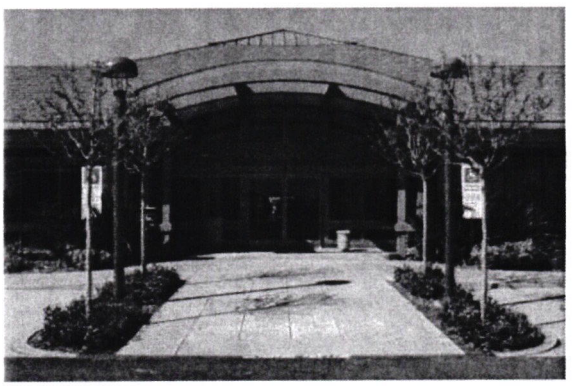




Building entry space. A "building entry space" is a public space adjacent to a pedestrian building entrance.

Figure 6.6-2: Building Entry Spaces



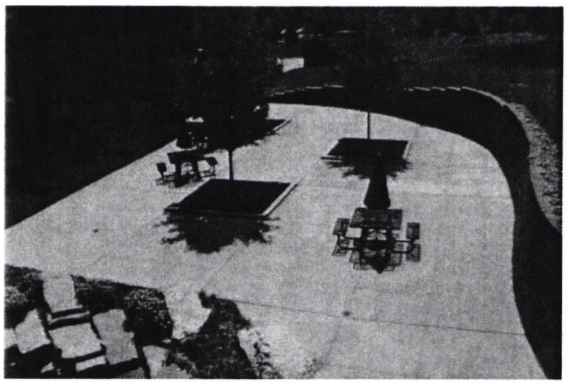


Corner arcade. A "corner arcade" is a small covered space adjoining the intersection of two streets at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times.

Employee break area. An "employee break area" is a public space reserved for employee use on a lot zoned for commercial, office or industrial use.

Figure 6.6-3: Employee Break Areas





On-site main street. An "on-site main street" is street or drive aisle located on a lot designed to resemble streets found in an urban context. Defining features of these "streets" include narrow travel lanes, on-street parking, wide sidewalks designed in accordance with Section 6.6.050.F.2., and buildings located adjacent to or near sidewalks.

Figure 6.6-4: On-site Main Streets





Paseo. A "paseo" is public space that is located within a block's interior and that connects two streets that are parallel or within 45 degrees of being parallel to each other.

Figure 6.6-6: Paseos





Plaza. A "plaza" is an urban public space typically bounded by buildings, public right-of-ways, and other secondary public spaces.

Figure 6.6-7: Plazas





Pedestrian pathways. "Pedestrian pathways" refer to the infrastructure which provides a safe pedestrian circulation system throughout the development site that minimizes the conflict between pedestrians and vehicular traffic at all points, including parking areas and building access points. The pathway system is comprised of standard pedestrian paths – pathways that meet the ADA sidewalk width requirements of four feet - and enhanced pedestrian paths – pathways that exceed the ADA sidewalk width requirement and include amenities (e.g., seating, trash receptacles, and drinking fountains).

Public space. A "public space" is an open area for public use on a lot developed in accordance with requirements of an arcade, a building entry, an employee break area, or a plaza.

6.6.030 Applicability

Whenever a non residential, mixed use, or multifamily residential project is subject to Design Review, the requirements of this Chapter shall apply.

6.6.040 Pedestrian Plan Required

As part of the Design Review Application, the applicant shall submit a Pedestrian Plan demonstrating compliance with the relevant standards and performance criteria in this Chapter.

6.6.050 Standards for All Pedestrian-Oriented Spaces

~~1.~~A. **Materials**. Materials used in pedestrian-oriented spaces shall be attractive, durable, slip-resistant, of high quality, and compatible in color and pattern with a project's design. Surfaces in pedestrian circulation areas shall be constructed from materials that provide a hard, stable surface and that permit comfortable maneuverability for people of all abilities. Wherever a pathway crosses a drive aisle, loading area, or parking area, the pathway shall be made identifiable by the use of elevation changes, changes in paving materials, and the use of colors. Such designations are subject to the approval of the Planning Commission.

~~2.~~B. **Lighting**. Lighting in pedestrian-oriented spaces shall be consistent with the requirements of Chapter 6.4.

~~3.~~C. **Landscaping**. Landscaping in pedestrian-oriented spaces shall be consistent with the requirements of Chapter 6.3.

~~4.~~D. **Electrical** Power. To provide adequate power for temporary uses and to ensure proper maintenance, at least two outlets shall be provided for every 2,000 square feet of pedestrian-oriented space.

~~5.~~E. **Required Amenities**. The following amenities shall be located within all public spaces. Each amenity includes the City recommended performance standard to ensure the successful design of public space.

1. Seating.

    a. Seating should provide a variety of abundant, accessible, comfortable seating options throughout pedestrian-oriented spaces. Specific considerations include:

        i. Provide a variety of seating types and configurations;

        ii. Accommodate solitary and social activities; and

        iii. Provide a safe, comfortable seating surface with smooth, even surfaces and curved edges.

    b. Seating within public spaces should be provided at the ratio of approximately one linear foot per 30 square feet of space.

c. Seating along pedestrian pathways should be provided at the ratio of approximately one linear foot per two linear feet of pathway.

d. The following kinds of seating may be used to meet the requirement: moveable seating, fixed individual seating, fixed benches with and without backs, and seating designed into architectural features (i.e. walls, planter ledges, and seating steps). All spaces shall include at least two kinds of seating. It is recommended that spaces in excess of 5,000 square feet provide at least three kinds of seating and spaces larger than 10,000 square feet include moveable seating as one of the seating types.

e. Seating that faces a wall shall be located at least six feet way from the wall.

f. Seating as part of a tenant space shall not count towards meeting this requirement.

2. Bicycle Racks. Bicycle racks shall be provided based upon the development's anticipated parking demand (reference to parking requirements). Racks shall be located adjacent to or near bicycle pathways and routes and building entrances.

3. Drinking Fountains. It is recommended that one drinking fountain be provided for every 10,000 square feet of pedestrian-oriented space.

4. Trash Receptacles. It is recommended that one trash receptacle be provided for every 1,500 square feet of space up to 6,000 square feet and spaces in excess of 6,000 square feet include an additional receptacle for every 2,000 square feet of space. Spaces that include an outdoor café should provide an additional trash receptacle for every 1,500 feet of café space. Trash receptacles shall have a capacity of at least 25 gallons and feature top and/or side openings of at least 12 inches. The City recommends that receptacles be located within fifty feet of all seating areas.

5. Public Space Signage.

~~6.~~F. **Additional Amenities.** In addition to the required amenities, the following improvements will further enhance public spaces and should be considered in the design of the spaces, particularly those that are greater than 5,000 square feet in size.

1. Amphitheatre.

2. Children's Play Area. Play equipment shall be designed and constructed to meet the United States Consumer Products Safety Commission standards and best practices, including the installation of protective surfaces and barriers. To allow for the supervision of children, barriers surrounding the play area shall be substantially transparent and not exceed three feet six inches in height.

3. Directional/Directory Maps.

4. Game Tables and Associated Seating.

5. Food Service. Food shall be served from restaurants located in retail spaces adjacent to a space, kiosks, or open space cafés.

6. Moveable Tables and Chairs. See Section 6.650.E.1 for requirements.

7. Public Art. Public art shall integrate with the project and the space's design. Art shall not impede public access, circulation, or visual openness within the space or between the space and adjacent public areas.

8. Stage.

9. Transit Station.

10. Water Features. Water features may include fountains, reflecting pools, and waterfalls.

6.6.060 Standards for On-Site Pedestrian Pathways

A. **On-site connectivity**. The pedestrian paths system shall be designed to provide the pedestrian safe passage throughout the project area. Adherence to all of the following provisions will create maximum safe connectivity for pedestrians.

1. A continuous path which connects the primary entrances of the structure(s) on the site.

2. Clear and continuous paths from every primary building entrance to all transit stops and crosswalks directly adjoining the site.

3. A clear and continuous path that connects the main pedestrian access point to the site with main entrance of the primary use structure on site.

4. Pedestrian pathways from the building to adjacent streets at a ratio of one for each vehicle entrance on-site. For example, if there are two driveways into the site, two sidewalk entries that connect to the building's primary entrance are required. Entrances designed primarily for service and delivery vehicles are not included in this ratio.

5. Drive isles leading to main entrances with a walking path on at least one side.

B. **Connectivity to Adjoining Property**. The pedestrian paths system shall be designed to provide the pedestrian safe passage between adjoining properties. Adherence to all of the following provisions will create maximum safe connectivity for pedestrians.

1. A clear and continuous path along all adjacent streets that connects the main entrance of the primary use structure on each property.

2. A clear and continuous path along all drive aisles provide access between the properties that connects the main entrance of the primary use structure on each property.

3. Special pedestrian paths/connections between adjoining lots where those uses are compatible.

C. **Building Perimeter Pathways**. The following dimensional standards shall apply to building perimeter pathways in non-residential-districts.

~~4.~~1. Building perimeter pathways that are a minimum six feet in width.

~~5.~~2. A continuous building perimeter path interconnecting all entrances and exits of a building.

~~6.~~3. If parking area is proposed along the building facade within 15 feet from a building wall, a building perimeter path must be provided along the full length of the row of parking spaces facing the building.

~~C.~~D. **Site Barriers**. Where a berm, landscaping, fencing or another physical barrier creates a site frontage impenetrable to pedestrians and bicyclists, there shall be no less than one point of access to a pedestrian pathway for every 100 feet of street frontage.

~~D.~~E. **Parking Areas**. The design and construction of pedestrian pathways into and through parking areas shall comply with the following standards.

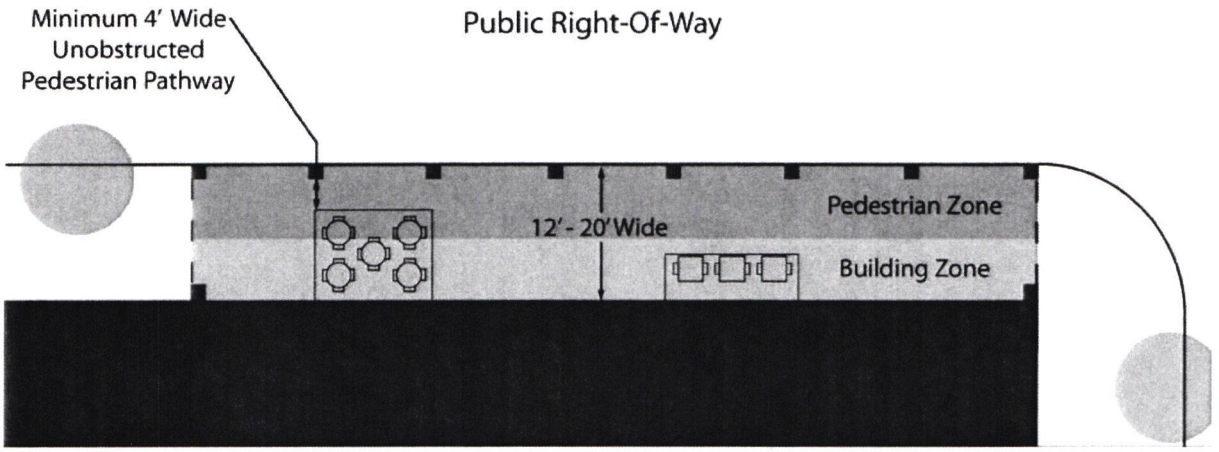
1. No parking space shall be located further than 130 feet from a designated pedestrian pathway.

~~1.~~2. Where parking areas are located between a public right-of-way and a primary entrance into a site's primary use structure, a continuous and well designated pedestrian path shall be provided through the parking area that connects the public right-of-way and the said entrance.

~~E.~~F. **Standards for Enhanced Pedestrian Pathways.** The following minimum standards apply when the enhanced pathway is used.

1. Arcades. If an arcade is provided, it shall be designed and constructed according to the following standards.

Figure 6.6-8: Design Requirements for Arcades



a. Permitted. An arcade may be designed and constructed in conjunction with a commercial or mixed use project.

b. Width. The width of an arcade shall extend from a building's façade to the public right-of-way, the edge of an adjacent public space, or the face of the curb along a private street. The minimum width shall be 12 feet and the maximum width shall be 20 feet. The width shall be divided between two zones, the building zone and the pedestrian zone, in the following manner.

   i. The pedestrian zone includes the area adjacent to a public right-of-way, adjacent public space, or face of curb and shall be at minimum eight feet wide. This zone shall be free of all obstructions, except for select amenities, including café seating and food service vendors, which extend into the zone from the building zone. In the instance of such obstructions, a continuous four foot-wide unobstructed pedestrian pathway must be maintained throughout the zone.

   ii. The building zone is located between the pedestrian zone and a building's façade and shall be at maximum 12 feet wide. The zone shall include all required amenities (see Section 6.6.050.E) and may include the following additional amenities: café seating, directional/directory maps, food service vendors, and public art (see Section 6.6.050.F).

c. Addressing the street frontage and public space. Arcades shall be designed to address adjoining street frontages and public spaces in the following ways.

   i. When a lot occupies the entire street frontage between two intersections, an arcade shall extend along the lot's entire frontage or provide unobstructed

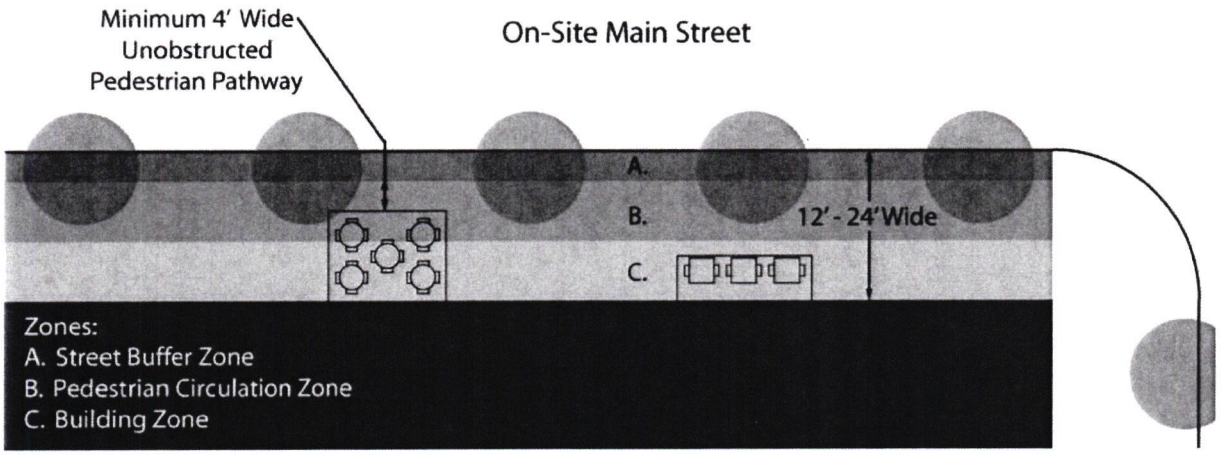
pedestrian flow along the entire frontage in combination with one or more of the following spaces: a corner arcade, a paseo, a plaza, or an intersecting sidewalk widening.

ii. When a lot occupies less than the entire street frontage between two intersections, an arcade shall contribute to unobstructed pedestrian flow along the entire frontage by aligning with one or more the following spaces on the lot and adjoining lots: a corner arcade, a paseo, a plaza, or an intersecting sidewalk widening.

iii. An arcade adjacent to a public space shall provide continuous unobstructed pedestrian access to the space, except for structural members, and to one or more of the following public spaces that may be located at one or both ends of the arcade: a corner arcade, a paseo, an intersecting extension of the public space, or an intersecting sidewalk widening.

2. Sidewalks Along On-Site Main Streets. On-site main streets shall be designed and constructed according to the following standards.

Figure 6.6-9: Design Requirements for Sidewalks Along On-Site Main Streets



a. Permitted. An arcade may be designed and constructed in conjunction with a commercial or mixed use project.

b. Width. The width of a sidewalk shall extend from the face of the curb backwards towards a building's façade. The minimum width shall be 12 feet and the maximum width shall be 24 feet. The width shall be divided between three zones, the street buffer zone, the pedestrian circulation zone, and the amenity zone, in the following manner.

i. The street buffer zone includes the area adjacent to the back edge of a sidewalk. To accommodate the planting of street trees and the placements of tree wells, the zone shall be at minimum four feet wide and at maximum eight

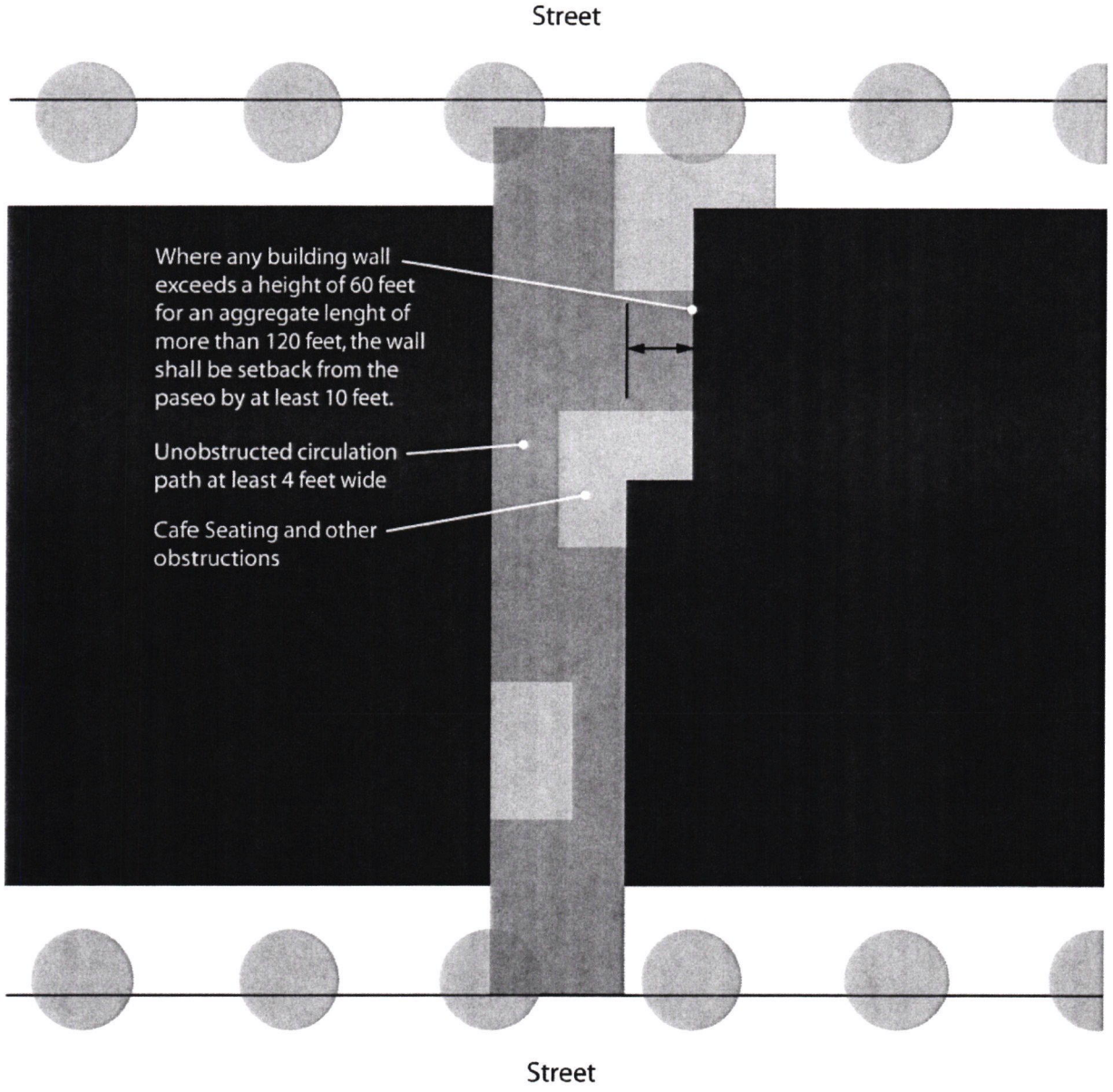
feet wide. The zone shall include all required amenities (see Section 6.6.050.E) and may include the following additional amenities: café seating, directional/directory maps, food service vendors, and public art (see Section 6.6.050.F).

ii. The building zone includes the area adjacent to a building's façade and shall be at minimum two feet wide and at maximum 12 feet wide. The zone shall include all required amenities (see Section 6.6.050.E) and may include the following additional amenities: café seating, directional/directory maps, food service vendors, and public art (see Section 6.6.050.F).

iii. The pedestrian circulation zone is located between the street buffer zone and the building zone, and shall be at minimum six feet wide. This zone shall be free of all obstructions, except for select amenities, including café seating and food service vendors, which extend into the zone from the building zone. In the instance of such obstructions, a continuous four foot-wide unobstructed pedestrian pathway must be maintained throughout the zone.

3. Paseos. Paseos shall be designed and constructed according to the following standards:

Figure 6.6-10: Design Requirements for Paseos



a. Permitted. A paseo may be designed and constructed in conjunction with a commercial or mixed use project.

b. Width. A paseo shall be at least 20 feet in width.

c. Circulation. A paseo shall contain an unobstructed circulation path at least four feet in width, connecting the two streets on which the paseo fronts.

d. Relationship to buildings. Where any building wall or walls adjoin a paseo and where such wall or walls exceed a height of 60 feet for an aggregate length of more than 120 feet, the wall or walls shall be setback from the paseo by a minimum distance of ten feet.

6.6.070 Standards for Public Spaces

A. **Outdoor Gathering Places.** Every project shall include one or more outdoor gathering place(s). The size and scale of such areas shall be appropriate to the type and use of each particular development. Appropriate spaces may include, but are not limited to, building entries, employ break areas, courtyards, pocket parks, plazas, squares, and pedestrian pathways.

B. **Public Space Area Requirement**. Public space shall occupy at minimum five percent of the gross square footage of new development. All public spaces, including the specific spaces listed in this Chapter (see Section 6.6060.5), arcades, sidewalks adjacent to an on-site main street, and paseos may count towards meeting this requirement.

C. **Sidewalk Frontage**. To facilitate access from a public right-of-way or an on-site sidewalk to a public space, the following standards shall be followed.

1. For a public space located adjacent to one street, the area of the space within 15 feet of a public right-of-way or an on-site sidewalk along at least 50 percent of the space's street frontage shall be free of obstructions, except for those listed below.

2. For corner public spaces, the area within 15 feet of the intersection of two or more streets on which the space fronts shall be at the same elevation as the adjoining sidewalk. In addition, at least 50 percent of each of the space's frontages shall be free of obstructions, except for those listed below.

3. To be considered free of obstructions, public spaces shall include at least four feet of unobstructed area between obstructions when measured parallel to right-of-way or sidewalk.

4. For obstructed portions of a space's frontage, no walls or other obstructions, except for those listed below (see Section 6.6.060.5) and fixed and moveable seating and tables, shall be higher than two feet above the curb level in front of the space.

5. Trees planted flush to grade, light stanchions, public space signage, trash receptacles, railings for steps, and substantially open fencing around seating areas not exceeding 36 inches in height shall be considered permitted obstructions.

D. **Circulation Space**. Public spaces shall included one or more unobstructed circulation spaces, connecting all adjacent public right-of-ways, on-site sidewalks, building entrances, and public spaces. These spaces shall be at minimum eight feet wide.

Public spaces shall include one or more unobstructed, continuous circulation spaces of at minimum four feet in width to provide pedestrian access across the spaces and

between all adjoining public right-of-ways, on-site sidewalks, primary building entrances, and public spaces.

E. **Level of Public Space**. To ensure visual surveillance of a public space from the sidewalk and street, the elevation of a public space shall in no location be greater than the average curb level elevation of the nearest adjoining street.

F. **Hours of Access**. All public spaces shall be accessible to the public at all times, unless the Approving Authority authorizes a nighttime closing contingent upon the following provisions.

1. A new space may be granted nighttime closing if potentially significant safety issues are documented and submitted as part of an application to authorize the closing.

2. An existing space may be granted nighttime closing if the space has been open for at least one year and significant operational and safety issues have been documented.

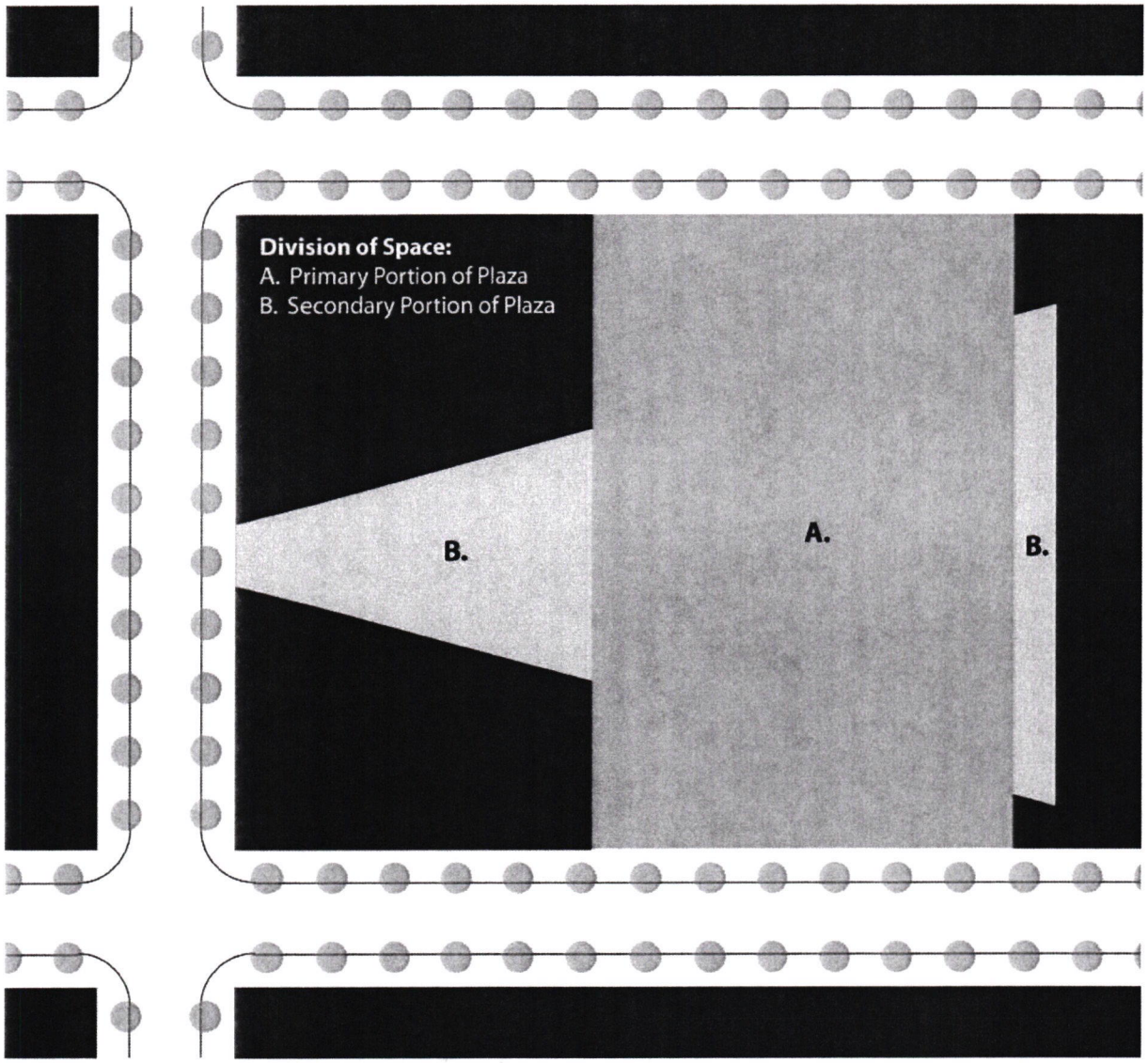
3. Nighttime closing of the space is necessary for public safety and/or maintenance within the space.

4. Any approved design element that limits nighttime public access shall not impede public circulation, visual or physical access within the space or between the space and public areas during hours of public operation.

G. **Standards for Specific Public Spaces**. Building entry spaces, employee break areas, paseos, and plazas shall be designed and constructed to comply with the following standards:

1. Plazas. Plazas shall be designed and constructed according to the following standards:

Figure 6.6-11: Design Requirements for Plazas



a. Permitted. A plaza may be designed and constructed in conjunction with a commercial, mixed use, or multifamily residential project.

b. Area. It is recommended that a plaza occupy at least 2,000 square feet.

c. Division of space. It is recommended that plazas be divided into primary and secondary portions in the following manner.

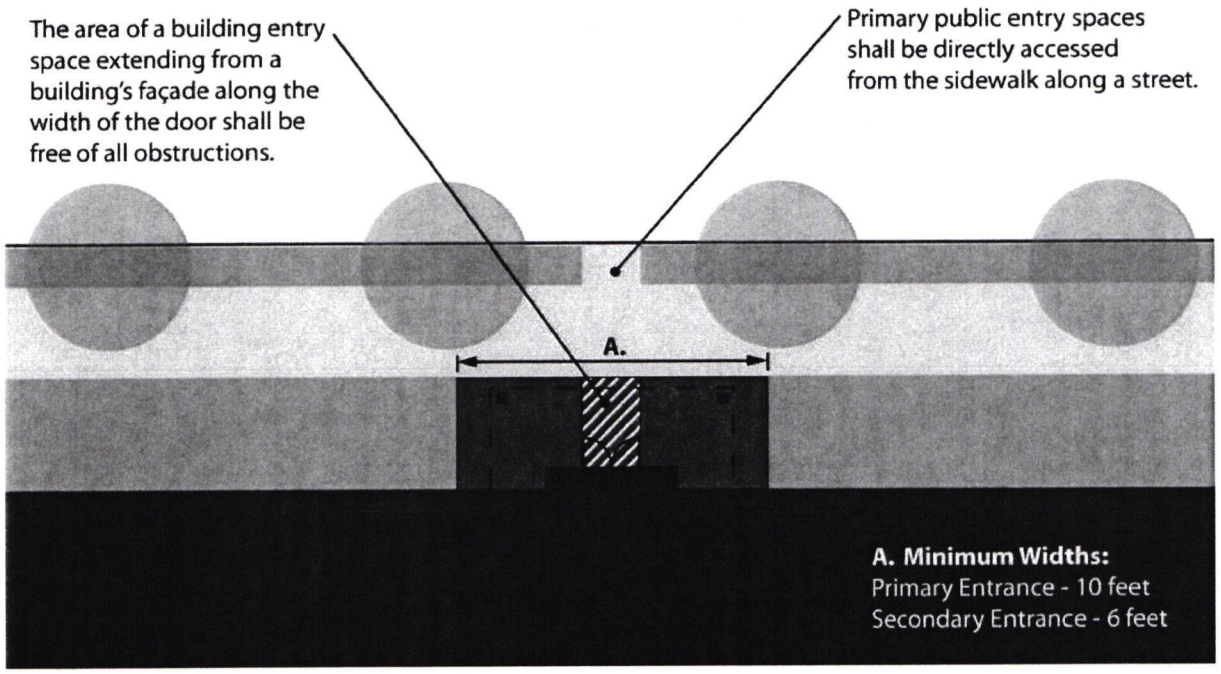
   i. Primary portion of plaza. The major portion of a plaza is the largest area of the public plaza and the area of primary use. Major portions should be generally regular in shape, easily and directly accessible from adjoining

buildings, public spaces, and public right-of-ways, and continuously visible from within all portions of the public plaza and from adjoining public spaces. Major portions should occupy no less than 75 percent of the total public plaza area.

ii. Secondary portion of a plaza. Minor portions of plazas are secondary areas that allow for additional flexibility in the shape and configuration of a plaza. Minor portions should not occupy more than 25 percent of the total area of the plaza.

2. Building Entry Spaces. Building entry spaces shall be designed and constructed according to the following standards.

Figure 6.6-12: Design Requirements for Building Entry Spaces



a. Location. A building entry space shall be located adjacent to a building entrance and between the building's façade and a public right-of-way, a public space, or a sidewalk along a private street.

b. Area. It is recommended that a building entry space occupy at minimum 200 square feet.

c. Width. A primary public entry space shall be at least ten feet in width and a secondary public entry space shall be at least six feet in width.

d. Access. Primary public entry spaces shall be directly accessed from the sidewalk along a street rather than from a parking lot. Buildings facing public spaces shall have their primary entrances facing the public space. Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of, and access to, residential structures may be elevated. Secondary access may be provided from off-street parking areas.

e. Obstructions. The area of a building entry space extending from a building's façade to a sidewalk or public space along the width of the door shall be free of all obstructions.

f. Paving requirement. A building entry shall consist of at minimum 50 percent decorative paving.

3. Employee Break Areas. Employ break areas shall be designed according to the following standards.

a. Required. Employee break areas shall be included in all projects featuring commercial office or industrial uses.

b. Area. It is recommended that an employee break area occupy at least 200 square feet.

c. Location. An employee break area shall be located adjacent to a pathway connecting the space to a secondary entrance or within a highly visible interior space (e.g. atrium). When an employee break area is located outside of a building, the space shall be separated from parking areas by a walkway, landscaping, a fence, and/or a similar element.

d. Visibility. When an employee break area is located outside of a building, the space shall be visible from at least one public right-of-way.

Chapter 6.7 – Outdoor Lighting

Sections in this Chapter

6.7.010 Chapter Purpose 6.7-1
6.7.020 Applicability 6.7-1
6.7.030 Definitions 6.7-1
6.7.040 Permit Required 6.7-2
6.7.050 Exempt Lighting 6.7-2
6.7.060 Prohibited Lighting 6.7-2
6.7.070 General Lighting Standards 6.7-3
6.7.080 Outdoor Lighting Plans Required 6.7-5

Draft Zoning Code Changes:

6U. The current Zoning Code contains a few lighting standards which prohibit glare, light spillover, and illumination levels for parking lots. The revised Code is keeping those provisions as well as adding definitions, permit requirements, exempt lighting, permitted lighting, general lighting standards (including illuminations levels) and the requirement for outdoor lighting plans.

6V. The Design Guidelines state that all outdoor lighting shall be no more than 18 feet in height. This standard has been carried over and amended to state that no outdoor light fixture shall be taller than 18 feet when next to residential and over 24 feet in other locations. The Design Review authority also has the flexibility to increase the light standard height if necessary.

6.7.010 Chapter Purpose

The purpose of this Chapter is to regulate lighting to balance the safety and security needs for lighting with the City's desire to preserve dark skies and to ensure that light trespass and glare have negligible impact on surrounding property (especially residential) and roadways.

6.7.020 Applicability

The provisions of this Chapter apply to all new and existing land uses, including permanent and temporary uses in all Zoning Districts.

6.7.030 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Foot-Candle. A unit of illumination produced on a surface, all points of which are one foot from a uniform point of one candle.

Full Shielding. A technique or method of construction which causes all light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

Light Pollution. Artificial light which causes a detrimental effect on the environment, astronomical research, or enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent property.

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts. The pole, post, or bracket is not considered a part of the luminaire.

Shielding. A technique or method of construction which causes light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the fixtures.

6.7.040 Permit Required

Unless otherwise exempt by Section 6.7.050 (Exempt Lighting), all outdoor lighting fixtures for new multi-family residential, commercial, industrial, mixed use, and public/quasi-public uses require Design Review approval by the designated Approving Authority pursuant to Chapter 3.11 (Design Review). Such approval shall be granted in conjunction with required land use and development permits for a project. Any retrofit or amendment to an existing site and/or building lighting that would have a measurable impact on abutting property or views from street right-of-way as determined by the Planning Director shall require Design Review approval.

6.7.050 Exempt Lighting

The following items shall be exempt from Design Review requirements:

A. All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas fixtures.

B. Temporary lights used for holiday decorations.

C. Emergency lighting erected for official purposes by local, state, or federal agencies.

D. Lighting for temporary uses and special events permitted consistent with this Code.

6.7.060 Prohibited Lighting

The following types of lighting are prohibited:

A. Neon tubing or band lighting along buildings and/or structures as articulation, except as approved through Design Review.

B. Search lights, laser source lights, or any similar high intensity light, except for emergency use by police or fire personnel or at their discretion, or for approved temporary lighting for a special event approved by the City.

C. Lighting fixtures operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular travel.

D. Illumination of entire buildings.

E. Roof-mounted lighting except for security purposes.

F. Moving, flashing, or animated lighting.

G. Light poles that obstruct pedestrian traffic.

6.7.070 General Lighting Standards

The following standards shall apply to all outdoor lighting.

A. **Nuisance Prevention.** All outdoor lighting shall be designed, located, installed, directed downward or toward structures, shielded, and maintained in order to prevent glare, light trespass, and light pollution.

B. **Maintenance.** Fixtures and lighting shall be maintained in good working order and in a manner that serves the original design intent.

C. **Shielding Required.** Except as otherwise exempt, all outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties. Each fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the site.

Figure 6.7-1: Shielding Provisions for Outdoor Lighting



* Outdoor lighting shall constructed with full shielding and/or recessed to reduce light trespass to adjoining properties.

D. **Level of Illumination.** Outdoor lighting shall be designed to illuminate at the minimum level necessary for safety and security, and to avoid the harsh contrasts in lighting levels between the project site and adjacent properties. Illumination standards are as follows:

1. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The following uses shall provide additional lighting as described below:

   a. Convenience stores, card rooms, and check cashing establishments shall provide a minimum level of illumination of 1.5 foot-candles across the parking lot during business hours.

2. Pedestrian walkways shall be illuminated with a minimum maintained one-half foot-candle of light and an average not to exceed two foot-candles of light.

3. Entryways and exterior doors of non-residential structures shall be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light, measured within a five-foot radius on each side of the door at ground level.

4. In order to minimize light trespass on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth foot-candle.

E. **Maximum Height of Freestanding Outdoor Light Fixtures.** The maximum height of freestanding outdoor light fixtures abutting residential development shall be 18 feet. Otherwise, the maximum height for freestanding outdoor light structures shall be 24 feet.

F. **Energy-Efficient Fixtures Required.** Outdoor lighting shall utilize energy-efficient (high pressure sodium, low pressure sodium, hard-wired compact fluorescent, or other lighting technology that is of equal or greater efficiency) fixtures and lamps. All new outdoor lighting fixtures shall be energy-efficient with a rated average bulb life of not less than 10,000 hours.

G. **Accent Lighting.** Architectural features may be illuminated by uplighting provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Where ever feasible, solar powered fixtures shall be used.

H. **Hours of Illumination.** Automatic timing devices shall be required for all new outdoor light fixtures with off hours (exterior lights turned off) between 11:00 p.m. and 6:00 a.m. However, outdoor lights may remain on during business hours of operation for security purposes (e.g., to illuminate walkways, roadways, equipment yards, and parking lots). Outdoor lights may also remain on to illuminate flags representing a country, state, or other civic entity and as needed for security purposes.

I. **Signs.** Lighting of signs shall be in compliance with Chapter 6.13 (Signs) of this Code.

J. **Sports Fields/Outdoor Activity Areas.** Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that the light falls within the primary playing area and no significant off-site light trespass is produced. Additionally, the lights shall be turned off within one hour after the end of the event.

K. **Telecommunications Towers.** Telecommunication towers and related equipment shall be unlit except as provided below:

1. A manually-operated or motion-detector controlled light above the equipment shed door may be provided, except that the light shall remain off except when personnel are present at night; and

2. The minimum tower lighting required under FAA regulation; and

3. Where tower lighting is required, said lighting shall be shielded or directed downward to the greatest extent possible to ensure that such light does not spill over onto abutting properties, especially residential zoning districts or uses.

L. **Alternative Designs, Materials, and Installations.** The designated Approving Authority may grant approval of alternatives to this Section as part of a Design Review permit.

6.7.080 Outdoor Lighting Plans Required

A. **When Required.** A preliminary outdoor lighting plan shall be submitted as part of each planning permit application, and a final plan shall be submitted as part of an application

for a building permit for a new structure, an addition of 25 percent of the gross floor area, seating capacity, or parking spaces. A final outdoor lighting plan is required for all new outdoor lighting installations on commercial, mixed use, multi-unit residential, industrial, and institutional properties. The Director may request outdoor lighting plans from applicants for other types of projects due to location, size, or proposed use, as necessary.

B. **Plan Content.** At a minimum, an outdoor lighting plan shall include the following:

1. Manufacturer specifications sheets, cut sheets, and other manufacturer-provided information for all proposed outdoor light fixtures to show fixture diagrams and outdoor light output levels.

2. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures.

3. If building elevations are proposed for illumination, drawings of all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illumination level of the elevations, and the aiming point for any remote light fixture.

4. Photometric data including a computer-generated photometric grid showing foot-candle readings every ten feet within the property or site and ten feet beyond the property lines.

Chapter 6.8 – Outdoor Display, Sales, and Storage

Sections in this Chapter

6.8.010 Chapter Purpose 6.8-1
6.8.020 Permit Requirements and Exemptions 6.8-1
6.8.030 Development Standards 6.8-2

Draft Zoning Code Notes:

6W. This is a new Chapter in the Zoning Code. It includes regulations for the display, sales, and storage of goods outside of the associated structure. Regulations focus on the location and scale of the use, association of a related use (in the case of outdoor displays and sales)

6.8.010 Chapter Purpose

The purpose of this Chapter is to regulate permanent and temporary outdoor display and storage uses. The intent of these regulations is to encourage outdoor displays and activities that are compatible with associated and nearby uses and do not obstruct pedestrian or vehicle circulation or create an unsightly appearance of unrestricted clutter.

6.8.020 Permit Requirements and Exemptions

The following outdoor activities shall be subject to the permit requirements listed herein.

A. **Permanent Outdoor Display and Sales.** Permanent outdoor displays and sales are permitted (consistent with the allowed use provisions of the underlying Zoning District), subject to Zoning Certification, when all related activities are developed and operated consistent with the standards of this Chapter.

B. **Temporary Outdoor Display and Sales.** Temporary outdoor display and sales shall require the issuance of a Temporary Use Permit. Such uses shall be consistent with the development standards of this Chapter and shall also be consistent with the standards for Temporary Uses (Chapter 7.8, Temporary Uses). The following uses and activities shall be exempt from these requirements:

1. Garage sales, provided that each garage sale complies with the standards of this Title and other Titles and Chapters of the Municipal Code.

2. Fireworks stands, provided they are consistent with the standards of the Fire District and/or other regulatory agencies and a valid Business License has been issued consistent with the requirements of Chapter 4.54, Article 7 (Fireworks) of the City's Municipal Code.

C. **Permanent Outdoor Storage.** Permanent outdoor storage is permitted as a specified land use (storage yards) in the allowed use tables of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). If not part of the original development permit for the principal use, permanent outdoor storage may be permitted

in Mixed Use, Automotive and Industrial, and Public/Quasi-Public Zoning Districts subject to Design Review approval. In all cases, permanent outdoor storage shall be consistent with the development standards of this Chapter.

D. **Temporary Outdoor Storage.** Generally, temporary outdoor storage shall require the issuance of a Temporary Use Permit and shall be consistent with the development standards of this Chapter. The following uses and activities shall be exempt from such permit requirements:

1. Storage of construction materials and equipment as part of an active construction site, provide a valid Building Permit or Improvement Permit is in effect and the materials and equipment are stored on the construction site pursuant to approved permit(s).

2. Emergency facilities to accommodate emergency public health and safety needs and activities.

6.8.030 Development Standards

A. **General Development Standards for All Activities.** The following development standards apply to all outdoor display, sales, and storage activities.

1. Location. Outdoor activities shall not be located within any public right-of-way (unless an Encroachment Permit has been issued), in required parking spaces or within designed vehicle drive aisles, or within required landscape planter areas. Outdoor activities may also not disrupt or impede required pedestrian circulation paths as required by Chapter 6.6 (Standards for Pedestrian-Oriented Space) or the Building Code.

2. Hours of Operation. Except as otherwise provided, hours of operation for outdoor activities shall be consistent with those for the corresponding primary use.

3. Noise. Any noise generated by the outdoor activity shall be consistent with the City's Noise Ordinance (Chapter 6.68, Noise Control, of the City's Municipal Code).

4. Signs. No additional business identification or advertising signs for the outdoor activity may be permitted above the maximum allowable sign area for the corresponding primary use, except when the outdoor activity is the primary use (e.g., Christmas tree lot).

5. Maintenance. Outdoor activity areas shall be kept free of garage and other debris.

B. **Standards for Outdoor Display and Sales.** The following development standards shall apply to all permanent and temporary outdoor display and sales activities.

1. Associated with the Primary Use. All outdoor display and sales activities shall be associated with the primary use of the property. Only those goods and services associated with the primary use may be stored, sold, or displayed. All outdoor display and sales activities that are independent of the primary use shall be

considered their own primary use and regulated as such (e.g., seasonal sales as a temporary use requiring a Temporary Use Permit).

2. Maximum Area. Unless otherwise approved in conjunction with development permits, the area used for permanent outdoor display and sales of materials shall not exceed ten percent of the gross floor area of the corresponding commercial building. The following uses and activities are specifically exempt from this requirement, provided all other development standards are complied with:

   a. Vehicle and equipment sales and rentals (e.g., automobile, boat, RV, construction equipment, etc.), provided storage and display is limited to vehicles offered for sale or rental only.

3. Time Limit for Temporary Activities. See the provisions of Chapter 7.8 (Temporary Uses) for duration and permit requirements for temporary promotional sales.

C. **Standards for Outdoor Storage.** The following development standards shall apply to all permanent and temporary outdoor storage activities.

1. Location. Outdoor storage may not be located within any required front or street side yard for the underlying Zoning District within which the activity is located.

2. Height Limitation. The height of stacked materials and goods shall be no greater than that of any building, wall, fence, or gate enclosing the storage area. For additional height limitations for recycling and junk tire facilities, see Section 7.6.020 (Junk Tire Facility). For additional height limitations for automotive dismantling, see Section 7.5.020 (Automobile Dismantling).

3. Screening. Screening of outdoor storage shall be consistent with Section 6.9.080.A.6 (Outdoor Equipment, Storage, and Work Areas).

4. Parking. Parking for permanent outdoor storage shall be provided as required in Chapter 6.5 (Parking and Loading).

Chapter 6.9 – Fences, Walls, and Screening

Sections in this Chapter

6.9.010 Chapter Purpose 6.9-1
6.9.020 Definitions 6.9-1
6.9.030 Permit Required 6.9-2
6.9.040 Exemptions 6.9-2
6.9.050 Height Limits and Locations 6.9-2
6.9.060 Height Measurement 6.9-3
6.9.070 Prohibited Materials 6.9-4
6.9.080 Special Fencing and Screening Requirements 6.9-4
6.9.090 Continued Maintenance and Operation 6.9-11

Draft Zoning Code Changes:

6X. The current Zoning Code contains standards for fences, walls, and screens that are located in several sections within the Code. These existing provisions focus primarily on the separation of uses.

6Y. This Section allows the ability for pedestrians to move easily between adjacent land uses and does not require fences, walls, or screens between uses.

6Z. Screening requirements have been added for mechanical and rooftop equipment.

6AA. This revised Section also does not allow chain link fencing in the front and side yard and reduces the allowable fence height from six feet to three feet in the front yard.

6.9.010 Chapter Purpose

The purpose of this Chapter is to regulate the height and location of fences, walls, and screening to provide light, air, and privacy without obstructing views, to establish buffers between certain land uses, and to safeguard against visual obstructions at street intersections and/or driveway locations.

6.9.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Concertina Wire. A type of barbed wire or razor wire that is formed into large coils that usually sit atop another type of fencing.

Open View Fencing. Fencing that does not create a solid visual barrier such as wrought iron.

Retaining Wall. A structure that holds back soil and rock from a building, structure, or area that help to prevent erosion and the downward slide of such materials.

6.9.030 Permit Required

Unless otherwise exempt in Section 6.430 (Exemptions), Design Review approval shall be required for fences and walls.

6.9.040 Exemptions

The following fences and walls shall be exempt from Design Review; however a building permit may be required.

A. **Retaining Walls.** Retaining walls less than 36 inches in height shall not require a permit.

B. **Residential Fences.** Fences located on residential property (privacy fences) constructed in compliance with this Chapter which are less than or equal to six feet in height.

C. **Required Fences.** These regulations do not apply to fences and walls required by a state or federal agency, or by the City for public safety. Soundwalls required for noise attenuation must adhere to the provisions of Section 6.9.080.G (Soundwalls).

6.9.050 Height Limits and Locations

Each fence, wall, and screen shall comply with height limits and locations shown in Table 6.9-1 (Maximum Height of Fences, Walls, and Screening in Required Yard Area) and Figure 6.9-1 (Maximum Height of Fences, Walls, and Screening in Required Yard Area).

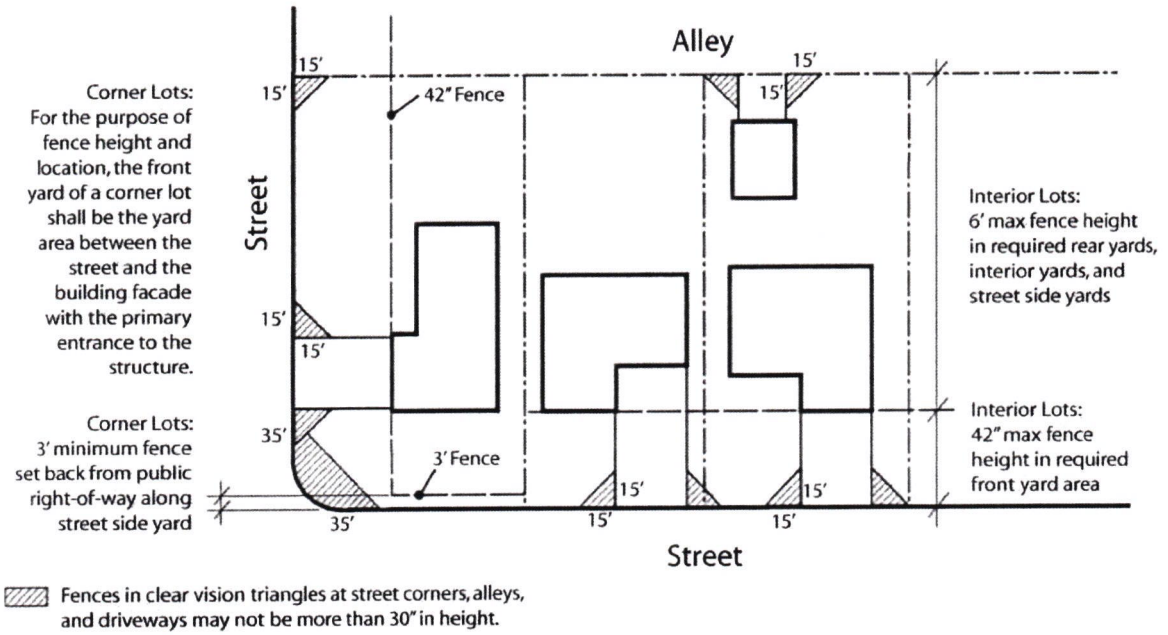
Table 6.440-1: Maximum Height of Fences, Walls, and Screening in Required Yard Area

Location of Fence/Wall/Screen[1]	Maximum Height[2]
Required front yard area	~~6~~ 3 feet
Required rear and interior side yard area (along rear and interior property lines)	6 feet
Required street side yard area	6 feet[3]
At intersections of streets, alleys, and driveways within the clear visibility area[4]	30 inches

Notes:

1. *Fences, walls, and screening are not required between land uses unless otherwise specified in this Chapter. Fences, walls, and screening must also be located outside of any public utility easement except as authorized by the applicable utility agency.*
2. *Maximum height may be increased by the designated Approving Authority as part of Design Review.*
3. *Setback area for street side yard is measured from back of curb.*
4. *See definition for Clear Visibility Triangle in Chapter 11.3 (Definition of Terms)*

Figure 6.9-1: Maximum Height of Fences, Walls, and Screening in Required Yard Area



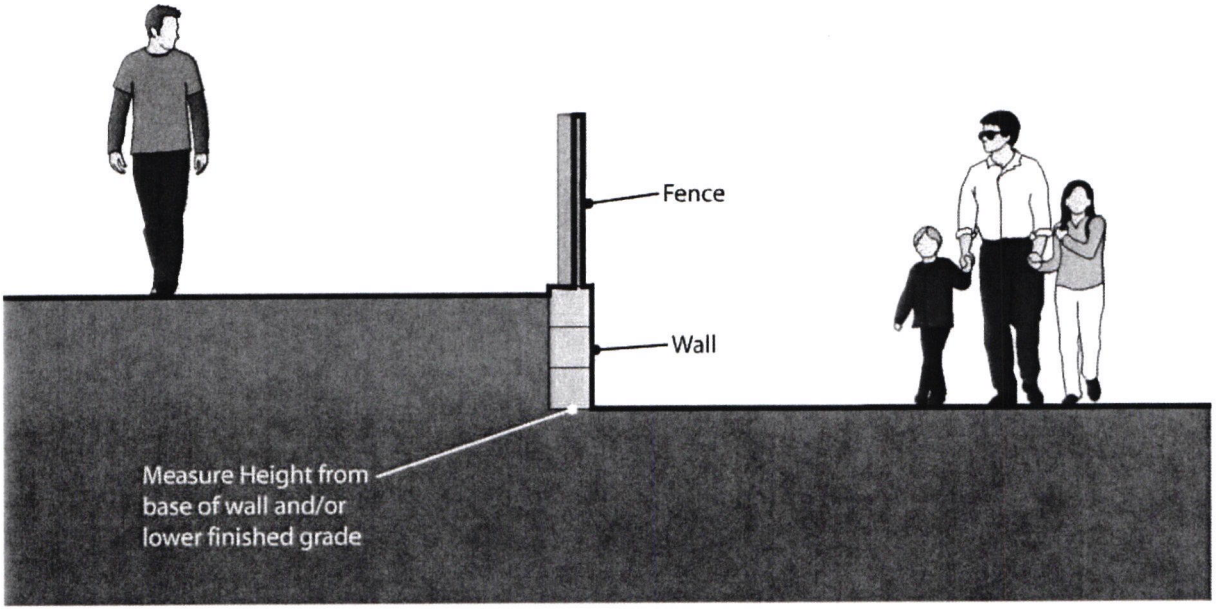
6.9.060 Height Measurement

A. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Grade may not be modified in order to increase fence height.

B. The height of fencing placed atop a wall shall be measured from the base of the wall, except as provided in C below.

C. Where the elevation of the finished grade within six feet of the base of the fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade.

Figure 6.9-2: Height Measurements



6.9.070 Prohibited Materials

The following fence materials are prohibited in all zones unless approved by Design Review for security needs or required by the City, State, or Federal law or regulation.

A. Barbed wire or electrified fence;

B. Razor or concertina wire in conjunction with a fence or wall, or by itself; and

C. Chain link fencing within a front yard or street side yard.

6.9.080 Special Fencing and Screening Requirements

The Section establishes screening standards and special provisions for walls and fencing.

A. Screening

1. Screening Between Different Land Uses. The City encourages the integration and connection of compatible uses. To that end, contiguous barriers in the form of solid fences and walls should only be used between land uses when residential uses are located next to industrial uses or when necessary as determined by the designated

Approving Authority. When used, the screening shall meet the following standards (see Figure 6.9-3, Screening Between Different Land Uses):

a. The screen shall consist of plant materials and a solid decorative wall of masonry or similar durable material, a minimum of six feet in height and shall comply with the height limitations listed in Section 6.9.050 (Height Limits and Location).

b. The decorative wall shall be architecturally treated on both sides and is subject to Design Review approval.

c. A landscaping strip with a minimum width of five feet shall be installed adjacent to a screening wall, except that a minimum of six feet of landscaping (with trees) shall be provided between a parking lot and a screening wall.

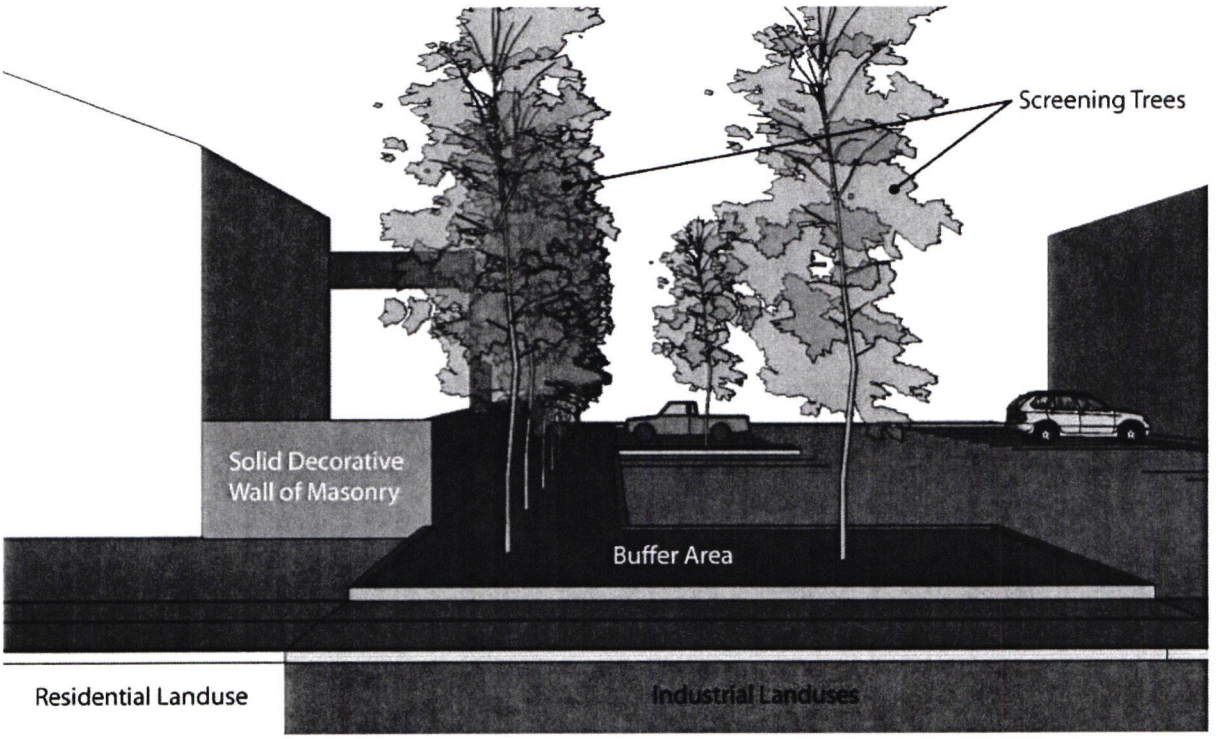
d. The designated Approving Authority may waive or approve a substitute for the requirements of above if it determined that:

   1. The relationship of the proposed uses makes screening unnecessary or undesirable;

   2. The intent of this Section is successfully met by alternative screening methods; and/or

   3. Physical characteristics and/or constraints on the site make required screening infeasible or unnecessary.

Figure 6.9-3: Screening Between Different Land Uses



2. Screening of Mechanical Equipment. Mechanical equipment shall be screened as listed below.

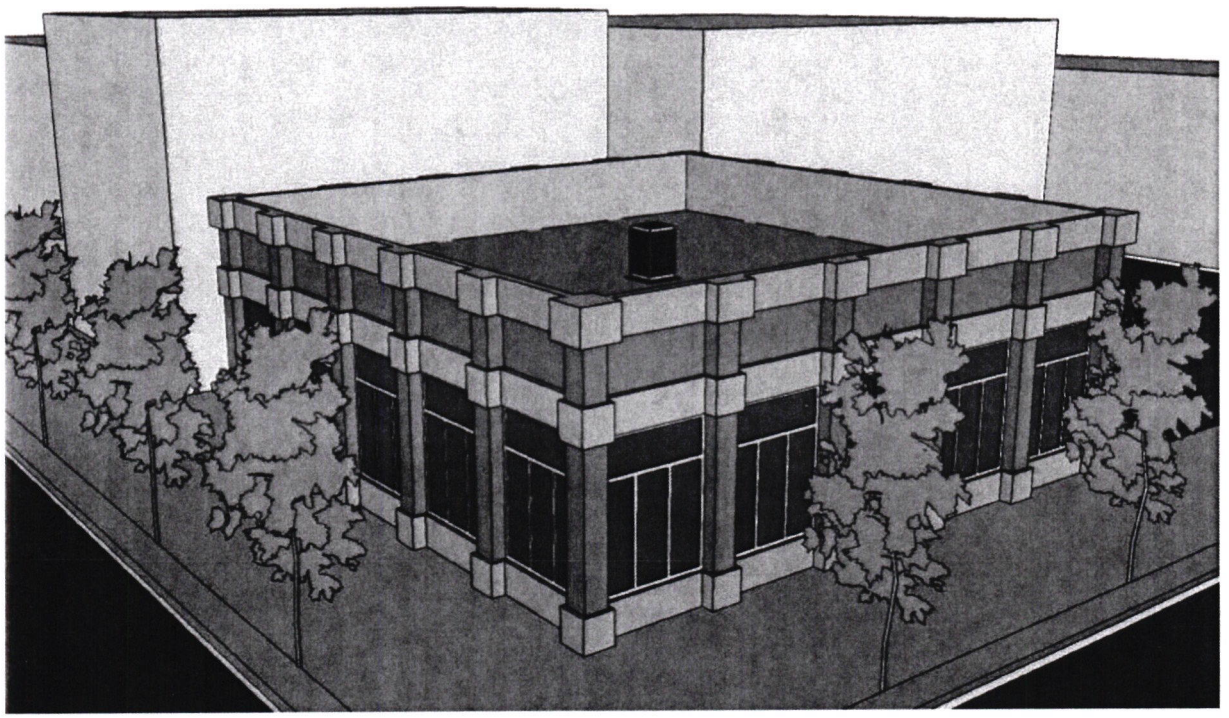
   ~~e.~~a. All exterior mechanical equipment shall be screened from view on all sides.

   ~~f.~~b. Screening on top of the equipment may required by the designated Approving Authority if necessary to protect views from a neighboring residential zone.

3. Screening of Roof-Mounted Equipment. Roof-mounted mechanical equipment shall be screened in compliance with the following standards (see Figure 6.9-4, Screening of Roof Mounted Equipment):

Figure 6.9-4: Screening of Roof Mounted Equipment

Mechanical Equipment shall be screened with concrete, wood, or other opaque material. This method of screening shall be architecturall compatible with other on-site development.



a. Screening materials may be solid concrete, wood, or other opaque material and shall effectively screen the mechanical equipment so that it is not visible from a public street.

~~a.~~b. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural styles.

4. Screening of Ground-Mounted Antennas. Ground-mounted antenna shall be screened with a fence, wall, or dense landscaping so that the antenna is not visible from the public right-of-way and to minimize the visual impact on abutting properties. Building-mounted antenna shall be screened as follows

   a. Wall-mounted equipment shall be flush-mounted and painted or finished to match to building with concealed cables.

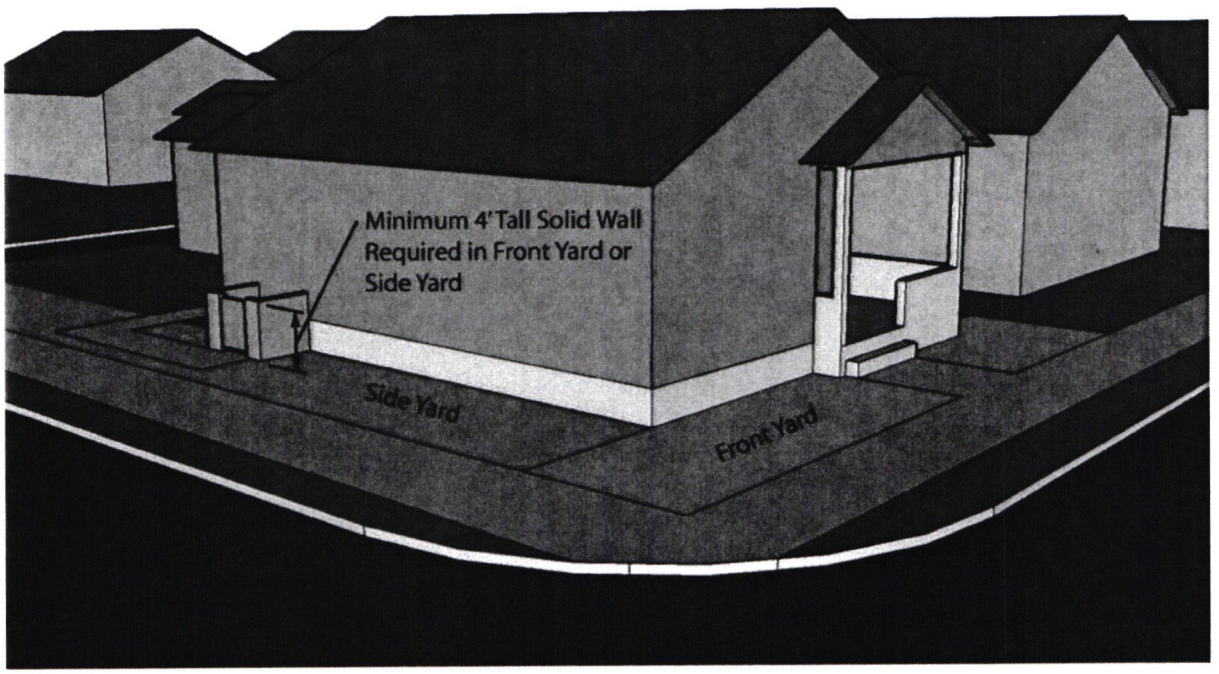
   b. Roof-mounted equipment shall be screened from view of public right-of-ways by locating the antenna below the roofline, parapet wall, or other roof screen and by locating the antenna as far away as physically feasible and aesthetically desirable from the edge of the building.

c. Color. Antennas shall have subdued colors and non-reflective materials which blend with the materials and colors of the surrounding area or building

5. Screening of Commercial Loading Docks and Refuse Areas. Loading docks and refuse storage areas shall be screened from public view and adjoining public streets and rights-of-way and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style. Exceptions may be permitted through Design Review for sites with unique characteristics (e.g., shallow lot depth, adjacency to single family residential).

6. Screening of Trash Enclosures/Recycle Containers. Residential trash receptacles (including recycling and green waste containers) shall not be stored within a required front or street side yard unless screened from view of the public right of way by a solid fence not less than four feet in height. Exceptions to fence height standards may be granted by the designated Approving Authority to ensure proper placement and screening of trash receptacles. See Figure 6.9-5 (Screening of Trash Enclosures/Recycling Containers).

Figure 6.9-5: Screening of Trash Enclosures/Recycling Containers



7. Outdoor Equipment, Storage, and Work Areas. Outdoor storage areas for materials other than plants shall be enclosed and screened from view from the public right-of-way and abutting property by a solid fence or wall a minimum of six feet in height. All gates provided for ingress and egress in any required fence or wall shall be at least six feet in height and shall be of view-obstructing construction.

8. Screening for Special Uses. The following uses shall be screened for abutting properties and the public right-of-way as provided below:

   ~~h.~~a. Automobile Dismantling. Outdoor storage areas for automobile dismantling uses shall be screened from public view by a minimum six foot tall masonry wall. The maximum allowed height of the wall shall be 14 feet. Materials and goods stored in the yard area may not be stacked above the height of the enclosing wall. Those portions of walls fronting onto public rights-of-way shall be buffered by a minimum ten foot wide landscape area that includes a ground cover and evergreen trees planted 30 foot on center. The wall shall be covered with either graffiti resistant paint or coating or with vines or other landscaping. The design of the landscaping (e.g., irrigation, planting) shall be consistent with the standards of Chapter 6.4 (Landscaping).

   ~~i.~~b. Junk Tire Facility. Junk tires shall be stored behind a visual screen fence no higher than eight feet tall and shall not be stacked higher than the height of such fence. Fences shall b required between a licensed junk yard facility and any adjoining parcel which has a more restrictive land use zoning designation.

   ~~j.~~c. Potable Water Storage Facility. Potable water storage facilities shall be enclosed by a six foot tall solid masonry wall and buffered from the public right of way by a minimum ten foot wide landscape planter that includes ground cover and evergreen trees planted 30 feet on center. The masonry wall shall be covered in either graffiti-resistant paint or coated with vines or other landscaping. The design of the landscaping (e.g., irrigation, planting) shall be consistent with the standards of Chapter 6.4 (Landscaping).

   ~~k.~~d. Service Stations. Service stations shall be screened from abutting residential zoning districts and uses by a solid six foot masonry wall along the property line between the service station and the abutting property, except that within the first 25 feet from the street right-of-way line said wall shall not exceed 2.5 feet in height.

B. **Retaining Walls.** An embankment to be retained that is over 48 inches in height shall be benched so no individual retaining wall exceeds a height of 36 inches above the finished grade and each bench has a minimum depth of 36 inches. Wood shall not be used for a retaining wall over two feet in height.

C. **Swimming Pools, Spas, and Similar Features.** Swimming pools/spas and other similar water features shall be fenced in compliance with City-adopted Building Code requirements.

D. **Temporary Fencing.** Temporary fencing may be required by the designated Approving Authority where necessary to protect trees or other sensitive features and the general public from construction activities during site preparation and construction.

E. **Temporary Security Fencing.** Temporary security fencing (including chain link) with a maximum height of six feet may be installed around the property lines of vacant property with approval from the designated Approving Authority. The vacant property shall be maintained in a condition free from weeds and litter.

F. **Open Space and Trails.** Fences adjacent to open space and trail areas shall be constructed and maintained as open view fencing.

G. **Soundwalls.** Whenever sound walls are required to mitigate sound impacts adjacent to streets, the following standards shall apply. These standards shall not preclude the use of other innovative methods of project design utilizing greater setbacks, building design, mounding, or single-story structures with solid walls facing the street.

1. Setbacks. Walls shall have an average setback of 15 feet from the ultimate public street right-of-way and may vary in setback to a minimum of nine feet.

2. Height. Maximum height of a wall shall not exceed six feet above the finished grade at the base of the wall on the roadway side. (See 3, Earthmounds, below)

3. Earthmounds. When the sound and visual attenuation requires a wall exceeding six feet above the grade of the adjacent roadway, earthmounds shall be used such that no more than six feet of the wall is visible from the roadway. The mounds shall not exceed a 3:1 slope. The mounds may support the wall or be placed against the wall on the street side. Drainage shall be contained so there is no sheet flow of water onto the sidewalk where the slope exceeds 6:1.

4. Landscaping. All setback areas shall be landscaped with groundcover, shrubs, vines, mounds and trees such that at least 50 percent of the wall shall be screened from the adjacent public street within five years. Trees shall be placed so as to cover the 50 percent of the total landscaped area with a shade canopy within 15 years of planting. Thirty percent of the trees shall be evergreen.

5. Type of Wall. Walls shall be constructed of graffiti-resistant solid brick or masonry material that requires minimum maintenance and provides the required sound and visual attenuation. An aesthetic surface treatment appropriate to the location shall be required.

6. Maintenance. An automatic sprinkler system shall be installed and a maintenance program shall be established to provide ongoing maintenance of the wall and landscaped area. The proposed maintenance program shall be submitted with the application and may consist of one, or a combination, of the following:

~~l.~~a. A homeowners association agreement;

~~m.~~b. An assessment district, Lighting and Landscape Act District, or similar district;

~~B.~~C. Other viable alternative presented in public hearing and found acceptable to the appropriate authority. The proposed maintenance program shall be submitted with the application.

H. **Agricultural Fencing.** All fences which enclose livestock shall be designed, constructed, and maintained so as to control and contain such livestock at all times and so as to prevent such livestock from reaching across any property lines so as to damage adjacent property.

6.9.090 Continued Maintenance and Operation

A. **Maintenance.** Fences, walls, and landscape screening shall be continuously maintained in an orderly and good condition, at no more than their maximum allowed height.

B. **Graffiti Resistance.** Each fence or wall adjacent to a public right-of-way in any Zoning District shall be provided with a permanently maintained graffiti-resistant coating.

Chapter 6.10 – Residential Accessory Structures

Sections in this Chapter

6.10.010 Chapter Purpose 6.10-1
6.10.020 Applicability 6.10-1
6.10.030 Permits Required 6.10-2
6.10.040 Exemptions 6.10-2
6.10.050 Definitions 6.10-2
6.10.060 Limitations 6.10-3
6.10.070 Development Standards 6.10-3

Draft Zoning Code Changes:

6BB. This Chapter replaces the Chapter entitled "Accessory Structures Incidental to Primary Residential Facilities" in the previous Zoning Code.

6CC. References to fences and walls were moved to Chapter 6.9 (Fences and Walls).

6DD. References to accessory units were moved to Section 7.1.070 (Second Dwelling Units).

6EE. Add new definitions for accessory structures, exemptions consistent with state law, and simplifies development standards to reduce confusion in implementation of this Section.

6.10.010 Chapter Purpose

This Chapter defines how detached accessory structures on residential properties and establishes development standards for non-exempt structures. The purpose of this Chapter is to promote a positive aesthetic relationship between accessory structures and primary structures on a property, in addition to allowing a positive community impact through the reduction of impacts to light, air quality, drainage, or aesthetics on surrounding properties All detached accessory structures on residential properties shall be installed in conformance with standards in this Chapter.

6.10.020 Applicability

The regulations and standards contained in this Chapter shall apply only to those uses expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). Specifically, this Chapter covers those accessory uses within the Residential Uses land use category. Other land use categories are addressed in other Chapters of this Article.

6.10.030 Permits Required

Except as otherwise exempt pursuant to Section 6.10.040 (Exemptions), no person shall erect an accessory structure as defined in Section 6.10.050 (Definitions) without first obtaining Design Review approval pursuant to Chapter 3.4 (Design Review).

6.10.040 Exemptions

The following structures shall be exempt from the requirements of this Chapter as specified below and are subject to compliance with all other provisions of this Title.

~~H.~~A. Enclosed and/or solid–roofed accessory structures that are smaller than 120 square feet in size with no portion of the structure equal to or greater that eight feet in height. Structures shall not be located in a required front yard. In order to maintain necessary fire breaks, all combustible accessory structures shall be set back a minimum of three feet from side and rear property lines with a minimum six foot separation between structures.

~~I.~~B. Landscape features and play equipments that are smaller than 120 square feet in size with no portion of the structure equal to or great than eight feet in height. In order to maintain necessary fire breaks, combustible landscape features shall be set back a minimum of three feet from all interior property lines with a minimum six foot separation between structures.

~~J.~~C. Decks and patios that are less than 30 inches above finished grade, are not over any basement or story below, and are unenclosed except for a safety railing with a maximum height of 42 inches. In order to maintain necessary fire breaks, all decks and patios which are combustible shall be set back a minimum of three feet from all interior property lines.

~~K.~~D. Pools, spas, hot tubs, and fish ponds that are less than 120 square feet in area, including related equipment, contain less than 2,000 gallons of water, and are less than three feet in depth.

~~L.~~E. Mechanical HVAC equipment (including pool equipment and photovoltaic panels) and in residential side and rear yards, provided that a minimum three foot clearance is maintained for pedestrian access from the rear door(s) of the residence to the street.

6.10.050 Definitions

For the purposes of this Title, accessory structure means a detached structure or building which is subordinate to, and the use of which is customarily incidental to, that of the main building, structure, or use on the same lot. The types of accessory structures listed below shall have the meanings respectively ascribed to them in this Chapter.

A. **Accessory Structure, Enclosed and/or Solid-Roofed.** Accessory structure, enclosed and/or solid-roofed means a detached accessory structure which is either entirely enclosed by walls and a solid roof or is partially enclosed with a solid roof. This classification of accessory structures includes garages, greenhouses, poolhouses,

sunrooms, workshops, storage sheds, and carports, patio covers and gazebos with solid roof construction.

B. **Landscape Feature.** Landscape feature means a detached decorative structure typically used in conjunction with plant materials for aesthetic enhancement such as patio trellis covers, pergolas and gazebos with non-solid roof construction, arched trellises, vertical lattice structures, statutes, and similar features.

C. **Play Equipment.** Play equipment means structures and surfaces used for recreational purposes including play structures, jungle gyms, and sports courts such as tennis and basketball courts.

D. **Deck/patio.** Deck/patio means a detached porch or platform that is generally constructed with wood, concrete, or stone that is above the natural grade or located over a basement or story below.

E. **Pool/spa.** Pool/spa means a structure greater than 120 square feet with at least 2,000 gallons of water and a minimum depth of three feet.

6.10.060 Limitations

No building or structure used for an accessory structure incidental to a primary residential dwelling shall be built, enlarged, or moved unless the provisions of this Article are met. No accessory building shall be used as sleeping or housekeeping quarters unless expressly permitted in the zone in which the property is located.

6.10.070 Development Standards

The development standards in this Section are intended to supplement the standards in the underlying Zoning District for accessory structures. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this Section shall apply. In the event of conflict between these standards and the overlay Zoning District regulations of Article 4, the overlay Zoning District regulations shall apply.

A. The total square footage of all accessory structures on a single parcel, except swimming pools, shall not exceed 50 percent of the habitable floor area of the primary residential dwelling on the same parcel.

B. Not more than 30 percent of the required rear yard shall be occupied by accessory structures.

~~B.~~C. The appropriate authority may apply additional conditions to a use permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.

~~C.~~D. Accessory structures must be constructed in conjunction with or subsequent to construction of the primary building(s) on the site.

~~D.~~E. Proposed structures must meet the development standards outlined in Table 6.10-1 (Development Standards for Accessory Structures) (also see Figure 6.10-1 (Development Standards for Accessory Structures). Unless otherwise described in the chart, all accessory structures must meet the setbacks in the "General" category.

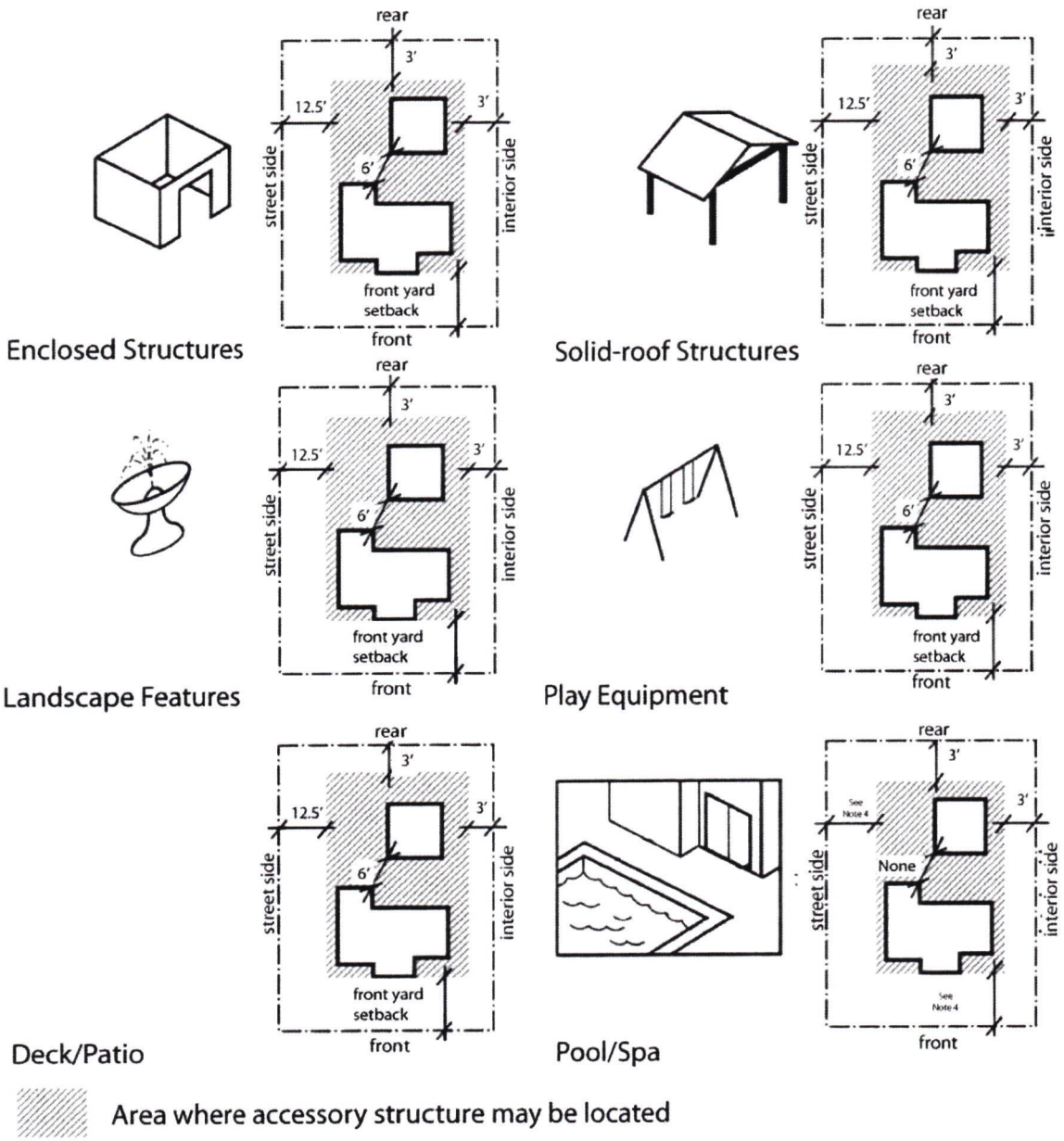
Table 6.10-1: Development Standards for Accessory Structures

Accessory Use Category	Setback From				
	Front Property Line	Side Street Property Line	Interior Property Line	Rear Property Line	Primary Building
General[1]	~~20 ft~~[2]	12.5 ft[2]	3 ft[3]	3 ft[3]	5 ft
Swimming Pool or Spa4	[4]	[4]	3 ft[5]	3 ft[5]	None
Pad, < 8 inches tall	None	None	None	None	None
MAXIMUM PERMITTED "ENCROACHMENT" INTO REQUIRED YARD AREAS					
Swimming Pool or Spa Equipment	5 ft[6]	5 ft[6]	3 ft	3 ft	N/A
Air Conditioning Equipment	5 ft[6]	5 ft[6]	0 ft	0 ft	N/A
Other Mechanical Equipment	5 ft[7]	5 ft[7]	5 ft[7]	5 ft[7]	N/A

Notes:

1. *Unless otherwise described in the chart, all accessory structures must meet the setbacks in the "General" category.*
2. *The minimum setback distance shall be consistent with the minimum setback distance for the primary structure in the underlying zoning district. On all lots, the accessory structures shall not be placed in front of the principal building. If located to the side of the principal building on an interior lot, the structure shall not be placed closer to the front lot line than the farthest back front wall of the principal building.*
3. *Accessory structures must maintain a minimum three foot setback from property lines for any portion of the structure, except that smaller structures or sheds which do not exceed 120 square feet in area and nine feet in height overall may be placed on the property line.*
4. *Swimming pools and spas may not be located: a) within the required front or side street yard; b) within a recorded setback except the rear yards of through lots unless otherwise prohibited by a recorded subdivision map; c) within a public utility easement; d) or within a public easement. The provisions herein shall not affect requirements of SPA zones.*
5. *The Chief of the Building Inspection Division may approve setbacks of less than three feet. For the purpose of this Section, setback shall be from the right-of-way or property line to the water line.*
6. *Provided said equipment is within a solid fenced yard or enclosure.*
7. *Provided equipment shall be no closer than two feet from any property line.*

Figure 6.10-1: Development Standards for Accessory Structures



Area where accessory structure may be located

Chapter 6.11 – Noise, Odor, and Vibration Performance Standards

Sections in this Chapter

6.11.010 Chapter Purpose 6.11-1
6.11.020 Applicability 6.11-1
6.11.030 Noise Standards 6.11-1
6.11.040 Odor, Particulate Matter, and Air Contaminants Standards 6.11-1
6.11.050 Vibration Standards 6.11-2

Draft Zoning Code Changes:

6FF. This is a new Chapter in the Zoning Code. It includes standards relative to noise, odor, and vibration generation on a subject site in an effort to provide compatibility between neighboring uses.

6GG. Chapter 6.68 of the Municipal Code needs to be updated for consistency with the Zoning Code and the General Plan. Specifically, the existing ordinance makes reference to Zoning Districts that do not existing in this Zoning Code. Additionally, the construction hours, noise levels, and other policies of the General Plan need to be incorporated into the Municipal Code.

6.11.010 Chapter Purpose

The purpose of this Chapter is to provide performance standards for all permanent and temporary land uses within the City relative to noise, odor, and vibration. The intent is to provide compatibility between neighboring land uses by minimizing various potential operational impacts.

6.11.020 Applicability

The standards of this Chapter apply to all new and existing land uses within the City, unless otherwise exempted. Existing uses shall not be modified in conflict with the provisions of this Chapter.

6.11.030 Noise Standards

All uses shall comply with the noise standards set forth in the City's General Plan and within the City's Noise Ordinance (Chapter 6.68, Noise Control, of the Municipal Code).

6.11.040 Odor, Particulate Matter, and Air Contaminants Standards

A. **Odor.** No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.

B. **Particulate Matter and Air Contaminants**. The operation of facilities shall not directly or indirectly discharge air contaminants into the atmosphere, including smoke, sulfur compounds, dust, soot, carbon, noxious acids, gases, mist, odors, or particulate matter,

or other air contaminants or combination which exceed any local, State, or Federal air quality standards or which might be obnoxious or offensive to anyone residing or conducting business either on-site or abutting the subject site. Particulate matter shall not be discharged into the atmosphere in excess of the standards of the federal Environmental Protection Agency, the California Air Resources Board, or the Sacramento Metropolitan Air Quality Management District.

6.11.050 Vibration Standards

Uses that generate vibrations that may be considered a nuisance or hazard on any adjacent property shall be cushioned or isolated to prevent generation of vibrations. Uses shall be operated in compliance with the following provisions:

A. Uses shall not generate ground vibration that is perceptible without instruments by the average person at any point along or beyond the property line of the parcel containing the activities;

B. Uses, activities, and processes shall not generate vibrations that cause discomfort or annoyance to reasonable persons of normal sensitivity or which endanger the comfort, repose, health, or peace of residents whose property abuts the property lines of the subject parcel;

C. Uses shall not generate ground vibration that interferes with the operations of equipment and facilities of adjoining parcels; and

D. Vibrations from temporary construction/demolition and vehicles that leave the subject parcel (e.g., trucks, trains, and aircraft) are exempt from the provisions of this Section.

Chapter 6.12 – Public Utilities

Sections in this Chapter

6.12.010 Chapter Purpose 6.12-1
6.12.020 Requirements 6.12-1

Draft Zoning Code Notes:

6HH. This Chapter maintains the existing requirement for undergrounding all utilities in the City and references the requirements for public water and sewer contained in Title 22 of the Municipal Code.

6II. The requirement for underground utilities has been expanded to require underground of utilities in existing areas of the City as part of a project that increases the total square footage of development on a site by at least 25 percent. For some projects, rather than completing the undergrounding as part of the project, an in-lieu fee could be paid.

6.12.010 Chapter Purpose

The purpose of this Chapter is to provide uniform standards and regulations for the undergrounding of all utilities in the City and to identify the requirements for public water and sewer service.

6.12.020 Requirements

A. **Underground Utilities** ~~Unless it is determined by the Planning Director to be impractical due to existing development or natural features, all utilities shall be placed underground for all projects. The Planning Director may request a recommendation from the appropriate utility company if this requirement is protested by the project proponent.~~

1. New Developments. In new development areas (e.g., greenfield) of the City, all utilities including but not limited to electrical (69kv or less), telephone, cable television, and similar distribution lines shall be installed underground. The City Council may grant exceptions for new Rural Residential or Estate Residential projects as part of the proposed development application.

2. Existing Developments. In existing areas of the City where utilities (e.g., electrical, telephone, cable television, etc.) have not been undergrounded, the following rules shall apply:

   a. Whenever an existing development is being comprehensively redeveloped or additional building square footage totaling 25 percent or more of the existing gross floor area is being added, all utility lines on the project site and having the capacity to serve the project (e.g., connecting to the buildings on-site) shall be undergrounded.

b. For development with less than 500 feet of public frontage or where utilities are located within a dedicated public utility easement, the project proponent may elect to pay an in-lieu fee as established by City Council resolution, provided the project has been designed to the satisfaction of the Public Works Director such that the project can be easily improved at such time as the utilities are undergrounded.

B. **Public Utilities Required.** As required in Section 22.24.630 (Water and Sewer Requirements) of the City's Municipal Code, all lots in the City are required to have public water and sewer service. Exempted from this requirement are lots zoned Agricultural (AG-80, AG-20) or zoned Rural Residential (RR) or Estate Residential (ER), except that Estate Residential lots are encouraged to have public water and sewer if the service is immediately available to the individual lot or in proximity to a new Estate Residential development/subdivision.

Chapter 6.13 – Signs

Sections in this Chapter

6.13.010 Chapter Purpose 6.13-2
6.13.020 Basic Policies for Sign Regulations 6.13-2
6.13.030 Definitions 6.13-4
6.13.040 Sign Permit Requirements and Exemptions 6.13-12
6.13.050 Prohibited Signs 6.13-16
6.13.060 Allowed Permanent On-Site Sign Standards 6.13-17
6.13.070 Allowed Temporary On-Site Sign Standards 6.13-20
6.13.080 Allowed Off-Site Sign Standards 6.13-21
6.13.090 General Development, Maintenance, and Removal Provisions for All Sign Types 6.13-22
6.13.100 Standards for Special Types of Signs 6.13-26
6.13.110 Special Sign Districts 6.13-28
6.13.120 Nonconforming and Abandoned Signs 6.13-28

Draft Zoning Code Notes:

6JJ. The sign regulations have been reorganized based on topic, rather than signage type or Zoning District.

6KK. A Section explaining the City's policies for sign regulations has been added to define the legal basis for the regulations.

6LL. Extensive definitions have been added and existing definitions have been expanded.

6MM. A new Uniform Sign Program has been created to provide for design consistency between buildings and signs.

6NN. The list of exempt signs has been expanded.

6OO. Development standards for permanent on-site signs are listed by use type (e.g., commercial, office, industrial), rather than Zoning District and are summarized in a table, rather than in paragraphs.

6PP. The Special Sign Corridor along Highway 50 and Sunrise Boulevard has been eliminated. In its place, special standards for freeway-oriented signage have been included in the development standards table for permanent signs.

6QQ. Development standards for temporary signs have been added and are listed in a table.

6RR. Off-site signage (e.g., new subdivision sales) has been modified to prohibit weekend directional stake signs, and the multi-development kiosk has been expanded.

6SS. Area and height measurement standards have been clarified and expanded to address the variety of sign types in use today.

6TT. New standards for special sign types (e.g., awning, freestanding, readerboards) have been included.

6UU. Provisions for Special Sign Districts (e.g., Downtown, Convention District) have been added. These districts are created by City Council Resolution at a later date and will be referenced in the Zoning Code. They provide for unique and consistent branding of special areas of the City.

6VV. The nonconforming and abandoned sign provisions have been revised to remove the five-year limit on nonconforming signs. Rather, legal nonconforming signs may continue in perpetuity provided they are maintained in good condition. Abandoned signs may be abated by the City after 90 days.

6.13.010 Chapter Purpose

This Chapter establishes regulations for signs within the City for the purposes of safeguarding and protecting the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signs. The City recognizes that signs have the potential to enhance the overall character and quality of the built environment and do provide for economic benefit from real property within the City. However, the City also recognizes the inherent public interest in regulating the time, place, and manner in which signs, both commercial and non-commercial in nature, display their message. Such interest is based on a desire to enhance traffic safety in the community by ensuring that signage does not distract motorists or obstruct or otherwise impede traffic circulation, and a desire to ensure aesthetic, architectural, and cosmetic compatibility with the surrounding community by limiting visual clutter of the streetscape, such as through the regulation of oversized signs and excessive temporary signs.

The standards of this Chapter apply to signs in all Zoning Districts. Only signs authorized by this Chapter shall be allowed.

6.13.020 Basic Policies for Sign Regulations

A. **Enforcement.** The Planning Director is authorized and directed to administer the provisions of this Chapter. The Neighborhood Services Director is authorized and directed to enforce the provisions of this Chapter.

B. **Interpretations.** All interpretations of this Chapter are to be made with consideration to the City's message neutrality and message substitution policies. When a particular type of sign is proposed in a permit application and is not, within this Chapter, expressly identified as either an exempted, prohibited, or allowed sign type, the Planning Director shall approve, conditionally approve, or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.

C. **Message Neutrality.** It is the City's policy and intent to regulate both commercial and non-commercial signs in a viewpoint-neutral or content-neutral manner. The message of the sign shall not be reviewed except to the minimum extent necessary to identify the type of sign.

D. **Message Substitution.** Subject to the property owner's consent, the message on any type of existing sign may be substituted for a non-commercial message, in whole or in part without consideration of message content, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. In addition, any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message, provided that the sign structure or mounting device is legal without consideration of message content. This provision does not create a right to increase the total amount of signage on a parcel, lot, or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; and does not allow the substitution of an off-site commercial message in place of an on-site commercial message or a non-commercial message.

E. **Off-Site/On-Site Distinction.** Within this Chapter, the distinction between on-site (or on-premise or point-of-sale) and off-site (or off-premise or non-point-of-sale) applies only to commercial speech messages.

F. **Discretionary Approvals.** Whenever any Sign Permit, Variance, Conditional Use Permit, Uniform Sign Program or Special Planning Area approval, or other sign-related decision is made by any exercise of official discretion, such discretion shall be exercised only as to the non-communicative aspects of the sign, such as size, height, orientation, location, setback, illumination, spacing, scale, and mass of the structure, etc. Graphic design may be evaluated only for a Uniform Sign Program and then only as applicable to commercial message signs.

G. **Residential Uses Combined with Non-Residential Uses.** In any zone where both residential and non-residential uses are allowed, the sign-related rights and responsibilities applicable to any particular parcel or land use shall be determined as follows: residential uses shall be treated as if they were located in a zone where a use of that type would be allowed as a matter of right, and non-residential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a Conditional Use Permit or similar discretionary process.

H. **Mixed Use Zones/Developments.** As described in Section 6.13.060 (Allowed Permanent On-Site Sign Standards), on-site signs are regulated by development type, rather than by Zoning District. However, when multiple use types are present within one development (e.g., commercial and office, office and institutional, etc.), the development standards for signs applicable to that site shall be those applicable to the majority of uses in the development. For instance, if the predominant use in a development is commercial, then sign(s) for any other use type located with that same development (except as regulated in G above) shall also be governed by those same regulations (e.g., an office use in a commercial development shall be held to the standards for commercial developments). Additionally, the following rules shall apply:

1. Commercial uses on the ground floor of a multi-story building where non-retail uses (e.g., office, residential) are located above the retail, regardless of the Zoning District of predominant use, shall solely be regulated by the commercial sign standards.

Building-attached signs must be located on the same story as the commercial use anywhere within the tenant space's building frontage.

2. Office uses above the first floor of a multi-story building where the ground floor uses are predominantly commercial in character shall be solely regulated by the office sign standards for building attached signs.

I. **Owner Consent.** No sign may be placed on private property without the consent of the property owner or persons holding the present right of possession and control.

J. **Illegal Signs.** A sign shall be considered an illegal sign when it does not conform to the provisions and standards of this Chapter, a valid Sign Permit has not been issued, and it is not otherwise determined to be a nonconforming sign as provided in Section 6.13.120 (Nonconforming and Abandoned Signs). Illegal signs may be abated by the City.

6.13.030 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Abandoned Sign. Any sign which is located on a premises that has been vacated for a period of more than 90 days as regulated in Section 6.13.120 (Nonconforming and Abandoned Signs).

Animated Sign. Any sign which uses mechanical or electrical movement or change of lighting, either natural or artificial, to depict action or to create visual motion or the appearance thereof.

Area (of a sign). The measurable surface area of a sign, calculated as described in Section 6.13.090 (General Development, Maintenance, and Removal).

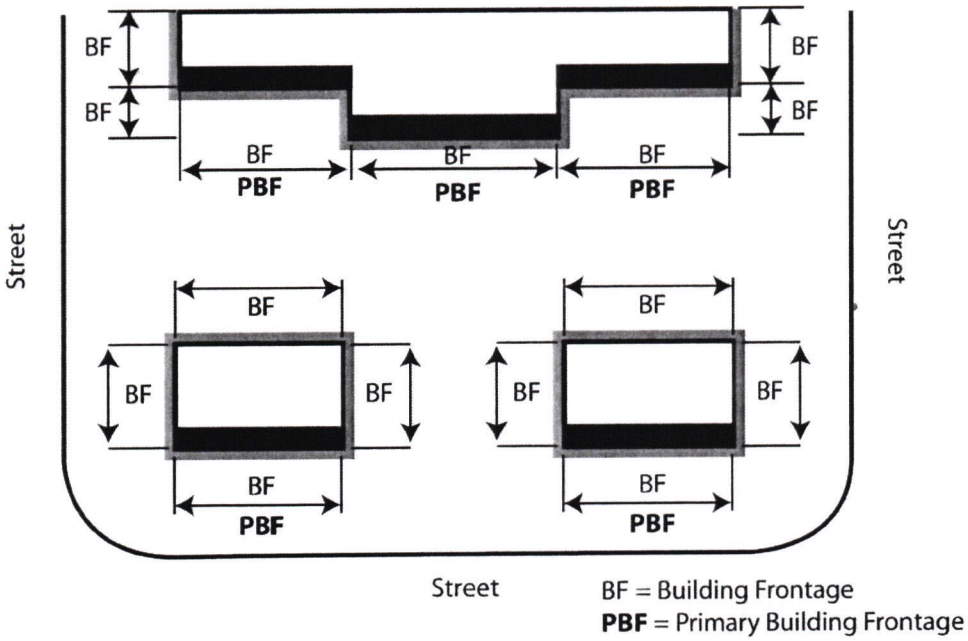
Awnings. Any structure made of a flexible fabric or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. Flags shall not be considered banners (see flag definition).

Blade/Bracket Sign. A small, pedestrian-oriented sign that projects perpendicular from a structure (bracket sign) or is hung beneath a canopy (blade sign; may also be referred to as an under canopy sign).

Building Frontage, Primary. The building frontage that faces the street. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. (See Figure 6.13-1, Building Frontage and Primary Building Frontage). For multi-tenant buildings, ground floor tenants may have their primary frontage determined independently of the rest of the building based upon the aforementioned rules.

Figure 6.13-1: Building Frontage and Primary Building Frontage



Building Sign. A sign placed on a wall, awning, canopy, parapet, or a projecting sign.

Canopy Sign. Any sign that is part of or attached to an awning, canopy, or other material, or structural protective cover over a door, entrance, window, or outdoor service area.

Channel Letter Sign. A sign made up of individual letters that are independently mounted to a wall or other surface. The "air space" between the letters is not part of the sign structure but rather the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements.

Commercial Mascot. A human or live animal used as a commercial advertising or signaling device. Sometimes called sign twirlers or sign clowns.

Commercial Message. Any sign wording, logo, or other representation that names or advertises a business, product, service, or other commercial activity.

Community Interest Group Sign. A sign identifying fraternal, benevolent, social services, and religious organizations and setting forth time, place, and location of meetings within the City.

Construction Sign. A temporary sign located on a site where physical construction is occurring or is scheduled to begin in the near future.

Directional Sign, On-Site. A sign located on the same property as an establishment, primarily providing direction to guide vehicles and pedestrians to businesses, including but not limited to those signs identifying parking area and circulation patterns.

Directory Sign. A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

Establishment. Any non-residential use of land involving structures, as defined in the Building Code, and the presence of human beings during normal hours of operation. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include power transformer or other utility facilities at which human beings are usually not present, single-family homes, mobilehomes, residential apartments, residential care facilities, or residential condominiums.

Exempt Sign. A sign which is not subject to a Sign Permit.

Face Change. A change in color, material, copy, graphics, or visual image that requires the installation of a new or modified sign face, but which does not involve any change to an existing sign structure or mounting device.

Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

Flashing Sign. An illuminated sign that exhibits changing light or color effect by blinking or any other such means so as to provide a non-constant illumination.

Freestanding Sign. A permanent sign that is self-supporting in a fixed location and not attached to a building. It includes a sign connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Freestanding signs are of three types: monument, pole, and pylon.

Future Tenant Signs. Signs erected for the purpose of announcing the future occupancy of a new tenant, other than the current resident tenant.

Garage, Yard, Estate, and Other Home-Based Sales. The occasional non-business public sale of secondhand household and other goods incidental to household uses by a person or persons from a residential use.

Gas Pricing Signs. Signs identifying the brand, types, octane rating, etc., of gasoline for sale, as required by state law.

General Advertising. The business of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising; also known as advertising for hire.

Governmental/Civic Sign. Any temporary or permanent sign erected and maintained by or required by the City, of the County, State, or Federal government for the purpose of providing official governmental information to the general public, including but not

limited to traffic direction, city entrance, or for designation of direction to any school, hospital, historical site, or public service, property or facility.

Home Occupation Sign. A sign located at a residence advertising a business or profession legally conducted in the residence.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. This includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes.

Incidental Sign. A sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, including but not limited to rest rooms, phones, credit cards, or hours of business.

Menu/Order Board Sign. A sign installed in a drive-through facility and oriented so as to be visible primarily by drive-through customers. (See Section 6.13.100.D, Menu/Order Board Signs, for standards)

Monument Sign. A sign constructed upon a solid-appearing base or pedestal (typically stone, brick, or concrete), the total width of which is at least 50 percent of the overall height of the sign. Also see Pylon Sign and Pole Sign. See Figure 6.13-2 (Monument Sign).

Figure 6.13-2: Monument Sign



Name Plate. A sign attached to a wall that identifies the occupant.

Non-Commercial Sign. A sign which displays non-commercial speech, e.g., commentary or advocacy on topics of public debate and concern.

Non-Communicative Aspects. Those aspects of a sign which are not directly communicative, such as sign height, setback, illumination, spacing, density, etc.

Non-Conforming Sign. A sign lawfully erected and legally existing at the time of the effective date of an ordinance, but which does not conform to the provisions of this Chapter.

Off-Site or Off-Premise Sign. A sign which directs attention to a business, profession commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same lot or parcel on which said sign is located. This definition shall include billboards, posters, panels, painted bulletins, and similar advertising displays. The off-site/on-site distinction applies only to commercial messages. Off-site signs meet any one of the following criteria:

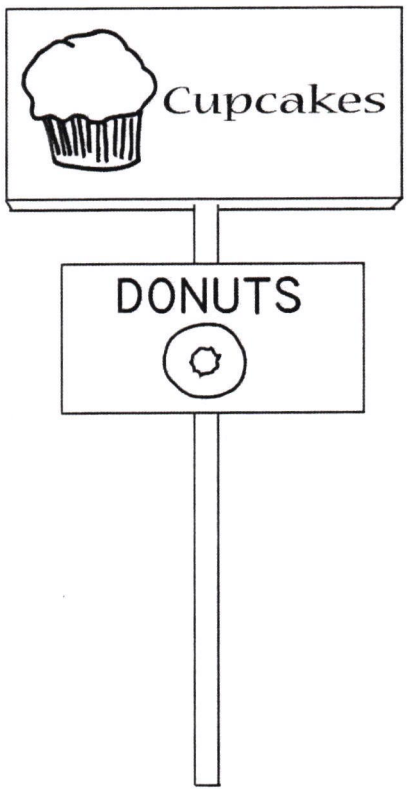
- A permanent structure sign which is used for the display of off-site commercial messages;
- A permanent structure sign which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located;
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration; or
- An off-site outdoor advertising sign on which space is leased or rented.

On-Site or On-Premise Sign. A sign which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed. The off-site/on-site distinction applies only to commercial messages. In the case of multiple tenant commercial or industrial developments, a sign is considered on-site whenever it is located anywhere within the development. In the case of a duly approved Uniform Sign Program, a sign anywhere within the area controlled by the Program may be considered on-site when placed at any location within the area controlled by the Program.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention.

Pole Sign. An on-site freestanding sign, supported by a sign structure from the ground which identifies businesses located on the same parcel or in the same development on which the sign is located. Generally, pole signs are supported by one or more metal or wood posts, pipes, or other vertical supports. The support structure is not integrated into the overall design of the sign. Also see Monument Sign and Pylon Sign. See Figure 6.13-3 (Pole Sign).

Figure 6.13-3: Pole Sign

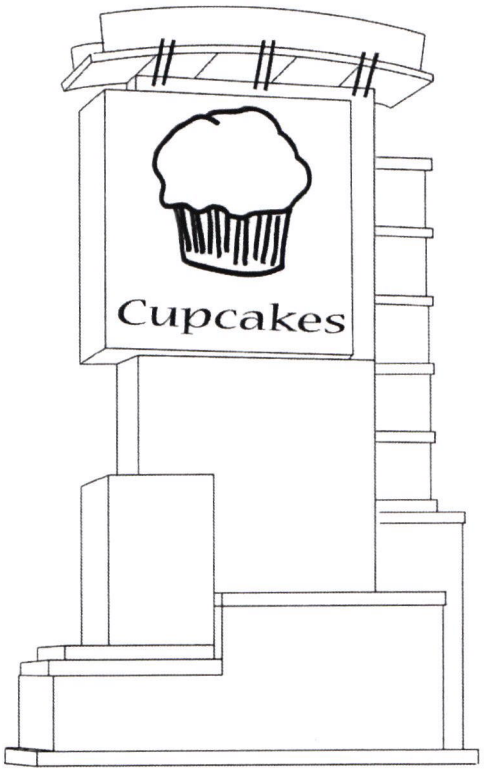


Portable Sign. Any on-site or off-site advertising device defined as a sign that is not permanently attached to a building or to the ground. Portable signs include, but are not limited to, signs designed to be transported by means of wheels; signs configured as A-frame or T-frame; menu and sandwich board signs; and umbrellas used for advertising. Clothing or other aspects of personal appearance are not within this definition (see Commercial Mascots).

Primary Site Frontage. Primary site frontage is the longest frontage of a site that adjoins or fronts onto a public right-of-way.

Pylon Sign. An on-site freestanding sign, supported by a sign structure from the ground which identifies businesses located on the same parcel or in the same development on which the sign is located. Pylon signs are designed such that the support structure and the sign face are designed as one architecturally unified and proportional element. Also see Monument Sign and Pole Sign. See Figure 6.13-4 (Pylon Sign).

Figure 6.13-4: Pylon Sign



Readerboard Sign. A sign on which copy is changed manually in the field or electronically, including but not limited to theatre marquee signs, business directories, church and museum signs, and gas price signs.

Real Estate Sign. Any sign, temporary in nature, the copy of which concerns a proposed economic transaction involving real property. This definition does not include occupancy signs at establishments offering transient occupancy, such as hotels and motels.

Roof Sign. A sign installed on a roof or projecting above the eve of a building or mounted on an arcade or parapet.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Sign. Any structure, part thereof, device, fixture, or placard or inscription which is located upon, attached to, or painted or represented on any land, or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or permanently affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention

arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry when such image is visible from any public right-of-way. Notwithstanding the generality of the foregoing, the following are not within this definition:

- Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks or moving parts).
- Fireworks, etc. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this Chapter.
- Grave stones and grave markers.
- Manufacturers' marks. Marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale.
- Newsracks and newsstands.
- Personal appearance. Items or devices of personal apparel, decoration, or appearance, including tattoos, makeup, wigs, costumes, masks, etc. (but not including commercial mascots).
- Symbols embedded in architecture. Symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal. The definition also includes foundation stones and cornerstones.

Subdivision Directional Sign. A temporary or otherwise limited-term sign for the purpose of providing direction for vehicular and/or pedestrian traffic to the initial home sales of multiple lots with a single builder within a master planned community, including both single-family and multi-family for sale products. All other home sales are included within the definition of Real Estate Sign.

Subdivision Permanent Identification Sign. A sign located at the entrance to the subdivision for the purpose of a permanent identification of the subdivision. Such signs are of a permanent nature, usually constructed of long-lasting, weather-resistant materials such as stone or metal.

Subdivision Sign. A sign identifying the initial home sale and location of land and/or multiple lots with a single builder within an approved residential subdivision/master planned community, including both single-family and multi-family for sale products.

Temporary Sign. A sign not constructed or intended for long-term use. Typically, temporary signs are not physically suitable for display longer than 30 days. If a sign does not qualify as a "structure" under the Building Code, it is presumably a temporary sign, but subject to the interpretation of the Planning Director consistent with the interpretations policy in Section 6.13.020.B (Interpretations)

Time/Temperature Sign. An electronic or mechanical device that shows time and/or temperature but contains no business identification or advertising.

Under Canopy Sign. See Blade/Bracket Sign.

Vehicle Sign. A sign that is attached to and is an integral part of a motorized vehicle or bicycle used directly for the purpose of a particular business and not used primarily as a sign base or for general advertising.

Wall Sign. A sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in such a way as to be substantially parallel to such exterior building wall to which it is attached or supported by.

Window Sign. A sign attached to, suspended behind, placed, or painted upon the window or glass door of a building and is intended for viewing from the exterior of such building. This definition does not include merchandise offered for sale on-site, when on display in a window.

6.13.040 Sign Permit Requirements and Exemptions

A. **Sign Permit Required.** To ensure compliance with the regulations of this Chapter and except as otherwise exempted, no person shall erect, move, alter, replace, or maintain any sign within the City of Rancho Cordova without first obtaining a Sign Permit from the designated Approving Authority as established in Chapter 3.4 (Sign Permit). A Sign Permit shall not be required for the maintenance of an existing sign, such as repainting, which does not result in a change or alteration in the size, shape, illumination, or text of said sign.

B. **Uniform Sign Program**

1. Purpose. The purpose of the Uniform Sign Program is to adopt unique and specific design and development standards for individual multi-tenant and mixed use developments. The intent is to integrate a project's signs with the design of the structures to achieve a unified architectural statement. A Uniform Sign Program provides a means for defining common sign regulations for multi-tenant projects, to encourage maximum incentive and latitude in the design and display of multiple signs and to achieve, not circumvent, the intent of this Chapter.

2. Applicability. A Uniform Sign Program shall be required for:

   a. All new multi-tenant shopping centers, office parks, and other multi-tenant or mixed use developments of three or more separate tenants/uses that share either the same parcel or structure and use common access and parking facilities; and

   b. All redesign, remodel, or redevelopment of existing uses identified in (a) above if not already covered by a Uniform Sign Program adopted after the effective date of this Chapter. The requirement of a new Uniform Sign Program shall be a condition of approval as part of Design Review application for the development and should be reviewed concurrently with the Design Review.

3. Approval of a Uniform Sign Program. The designated Approving Authority for Uniform Sign Programs, and amendments or revisions thereto, shall be as identified in Chapter 3.5 (Uniform Sign Program).

4. Standards. The Uniform Sign Program shall include criteria for building-attached and freestanding signs for tenants, anchors, and the integrated development itself to establish consistency of sign type, location, logo and/or letter height, lines of copy, illumination, and construction details of signs for the project. All signs within the development shall be consistent with the Uniform Sign Program as the adopted program is the sign standards for the development. The message substitution policy of this Chapter shall be deemed incorporated in every sign program, even if the sign program documents do not explicitly so state.

C. **Exempt Signs.** The following sign types are exempt from the permit requirements of this Chapter and Title but still must satisfy any and all other applicable permit requirements (e.g., building, electrical, plumbing, grading, encroachment, etc.). Any exception to the limitations for exempt signs listed herein shall require a Variance pursuant to Chapter 3.2 (Variance). However, consideration of the Variance request shall not evaluate the message or graphic design of a sign.

1. Exempt signs without limitations. The following signs are exempt from a Sign Permit and City review:

   a. All devices which are excluded from the definition of a sign;

   b. Approved highway directional signs;

   c. Railroad signal signs;

   d. Signs prohibiting trespassing and hunting;

   e. Warning signs required by law or erected by public agencies;

   f. Utility company signs identifying cables, conduits, danger, and so forth;

   g. Public notices and announcements authorized by courts and public officials, including neighborhood watch signs (e.g., governmental/civic signs);

   h. Signs on buses, light rail, or other mass transit vehicles and taxis;

   i. Signs on vehicles and vessels, including license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business for which the vehicle or vessel is an instrument or tool (not including general advertising), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel;

   j. Signs located entirely within a building or other enclosed structure and not visible from the exterior, or located at least five feet from the window, provided the building or enclosed structure is otherwise legal;

k. Signs erected out of doors within courtyards and mall spaces (below the height of enclosed buildings) within the buildable portion of the lot where signs are not visible from a public street or adjacent parcel;

l. Signs on shopping carts, golf carts, and horse-drawn carriages;

m. Name plates and incidental signs;

n. Vending machines which do not display off-site commercial messages or general advertising messages;

o. Graphic images which are only visible from above, such as those visible only from airplanes or helicopters, only if not visible from the street surface or public right-of-way;

p. On residential uses, holiday, and cultural observance decorations that are displayed for not more than 45 calendar days per year (cumulative, per parcel or use) and that do not include commercial advertising messages; and

q. Change of copy that does not alter the size, location, or illumination of a sign (see Section 6.13.020.D, Message Substitution) (e.g., face change).

2. Exempt signs with limitations. The following signs are exempt from a Sign Permit provided that they meet the size, height, duration, and/or maximum number limitations listed:

a. Freestanding street address identification signs. Freestanding signs which only indicate the street address of the property on which the sign is located, provided that it does not exceed an area of four square feet and is located with a setback of at least five feet with a height no greater than 30 inches.

b. Public telephone identification. Signs attached to a telephone booth, projecting wall sign to identify interior or wall-mounted public telephone, and signs attached to a legal freestanding sign, providing that sign surface does not exceed four square feet, and when attached to freestanding signs, said sign does not increase maximum height allowed for said freestanding sign. Prohibited from being attached to nonconforming signs, illegal signs, and lighting standards.

c. Window display signs limited to painted signs on glazing, poster paper signs, and place cards attached to the inside of glazing of store fronts, provided that no more than ~~50~~ 25 percent of the store front window area is covered. In the case of convenience stores and other similar retail establishments views from the public right-of-way to the cash register area shall not be impeded. The intent is to provide visibility of the sales counter for increased public safety.

d. ~~The flag of the United States, the State of California, and the official flag of any government or nonprofit organization~~Flags, provided they meet the following standards. Generally, flags may not be illuminated, except non-commercial flags may be illuminated in times of officially declared or commemorated emergency,

mourning, or memorial. The minimum setback from the public right-of-way for all poles is ten feet.

1. Agricultural and Residential Zones and uses. A maximum of one pole, allowing for a maximum area for all flags of 15 square feet. The pole may be a maximum of 20 feet tall.

2. Mixed Use, Automotive, and Industrial Zones. A maximum of two poles, allowing for a maximum area for all flags of 24 square feet. The maximum height of the pole(s) is 30 feet.

3. All other properties. A maximum of two poles, allowing for a maximum area for all flags of 15 square feet. The maximum height for the pole(s) is 30 feet.

e. Temporary construction signs provided there is no more than one sign per site, not exceeding 32 square feet in area, it is setback ten feet from the public right-of-way, it is a maximum of ten feet tall, and it is not illuminated. The sign may be attached to a building, provided it does not exceed the roof line or parapet wall of the building. The sign must be stationary and must be removed at the time of the final inspection.

f. Political, religious, and civic campaign signs. Such signs are authorized in any zone for a period not to exceed 90 days provided such signs are removed within ten days following the conclusion of the campaign.

g. Electronic time and temperature signs as part of an on-site advertising sign are permitted as regulated by development standards.

h. On-site directional signs. Exit, entrance, or other on-site traffic directional signs are permitted, provided: maximum height of 30 inches in required front yard, four square feet, no advertising or message other than for traffic directional, and subject to review and enforcement authority. The height may be increased to a maximum of five feet if signs are located within the buildable area of the project.

i. Community interest group signs (e.g., fraternal, benevolent, social services and religious organizations) displaying a non-commercial message, such as time and place/location of meetings, provided said signs are combined onto a common sign structure, the overall area of which does not exceed 100 square feet, and the area devoted to any one organization does not exceed 20 square feet. Such signs may be located off-site of where the activity takes place; however no more than four locations for such signs will be permitted within the City. Such signs must be set back a minimum of 25 feet from the public right-of-way in residential districts and ten feet in non-residential and mixed use districts and must be located a minimum of 75 feet from any other freestanding sign.

j. Portable off-site real estate signs. Real estate signs located off-site from the property advertised, for purposes of directing traffic to the property in question, may be allowed, provided they do not exceed an overall size of nine square feet each, including supports, and do not exceed a height of 30 inches. Such signs may not be located within the public right-of-way and may only be displayed on

weekends and holidays when open house sales activities are ongoing (e.g., the home is open to the public for viewing and inspection). One sign may be placed for each change in direction of travel to a maximum of five signs.

6.13.050 Prohibited Signs

This signs listed in this Section are inconsistent with the purposes and standards of this Chapter as described below and as such are prohibited in all Zoning Districts, unless specifically authorized by another provision of this Chapter.

A. Moving or rotating signs, except barber poles at barbershops.

B. Signs with flashing, moving, or animated illumination (e.g., flashing signs), except barber poles at barbershops and electronic readerboards.

C. Any sign displaying any obscene, indecent, immoral, or untruthful matter.

D. Signs located within the clear vision triangle.

E. Signs which imitate or resemble official traffic warning devices or signs, that by color, location, content, or lighting may confuse or disorient vehicular or pedestrian traffic, excluding on-site directional signs as specified in Section 6.13.040.

F. Portable signs, except as provided for real estate signs as provided in Section 6.13.040.C.2.j

G. Temporary signs, except when a valid Sign Permit has been issued or as otherwise exempted in Section 6.13.040.

H. Inflatable or lighter than air devices of any kind when attached or secured from the ground or to any object on the ground.

I. Portable readerboard advertising devices.

J. Signs projecting over roofs and roof signs except where specifically provided for under the provisions of signs attached to buildings.

K. Signs projecting from buildings except where provided for in special sign district ordinance or otherwise specifically provided for.

L. Banners, pennant flags, and string pennant flags.

M. Wind signs.

N. Any other advertising device attached to a building, fence, pole, or vehicle on display not specifically mentioned, unless otherwise provided for in this Code.

O. Signs on portions of a structure exempted from the height requirements as described in Section 6.1.050 (Height Exceptions) when said features exceed the height limit of the underlying zone.

6.13.060 Allowed Permanent On-Site Sign Standards

Table 6.13-1 (Allowed Permanent On-Site Sign Standards) lists the development standards for all on-site permanent signs. These regulations are based on use type, rather than by Zoning District, except as otherwise described herein. Only those signs that are permitted are listed. As provided in Section 6.13.040.A, all signs require issuance of a Sign Permit prior to construction/instillation, unless otherwise exempted. The purpose of these regulations is to regulate commercial message signs consistent with the intent of this Chapter. Regulations for temporary signs are listed in Section 6.13.070. Regulations for off-site signs are listed in Section 6.13.080.

The following rules and standards apply to permanent signs regulated by this Section:

A. **Collective Sign Area.** The total sign area allowed herein for each sign type may be distributed among the maximum number of signs permitted for that sign type.

B. **Minimal Illumination.** Signs that may be illuminated may be done by any method that minimizes glare onto neighboring property, such as from behind the sign (e.g., light source behind the face of the sign, such as with the opaque, non-transparent face of a "can" sign or channel letters; silhouette spotlight behind letters) or low-level spotlight.

C. **Sign Area Allowance.** Allowable sign area is either a set square footage per establishment or is based on a ratio of sign area to primary building frontage. It is calculated as described in Section 6.13.090 (General Development, Maintenance, and Removal Provisions for All Sign Types). Where a ratio is described, it applies up to the listed maximum sign area.

D. **Building Frontage for Multiple Story Buildings.** For multi-story office buildings, the maximum sign area for building-attached signs is based on the primary building frontage of the building, not of the tenants. The total area allowed may be distributed among the tenants at the owner's discretion.

E. **Signage for Mixed Use and Integrated Developments.** Generally, the standards listed are applicable to the use of the individual establishment or tenant. When multiple use types are present within one development (e.g., commercial and office, office and institutional, etc.), the development standards for signs applicable to that site shall be those applicable to the majority of uses in the development. For instance, if the predominant use in a development is commercial, then sign(s) for any other use type located with that same development (except as regulated in D above) shall also be governed by those same regulations (e.g., an office use in a commercial development shall be held to the standards for commercial developments). Additionally, the following rules shall apply:

   1. Commercial uses on the ground floor of a multi-story building where non-retail uses (e.g., office, residential) are located above the retail, regardless of the Zoning District of predominant use, shall solely be regulated by the commercial sign standards. Building-attached signs must be located on the same story as the commercial use anywhere within the tenant space's building frontage.

2. Office uses above the first floor of a multi-story building where the ground floor uses are predominantly commercial in character shall be solely regulated by the office sign standards for building attached signs.

Table 6.13-1: Allowed Permanent On-Site Sign Standards

Sign Type		Maximum Number Permitted	Maximum Area	Maximum Height	Illumination Allowed	Minimum Setback from ROW	Other Standards
Home Occupations							
Building Sign	All types	1/home occupation	4 sf	roofline	No		
Agricultural Uses							
Freestanding Sign	All types	1/establishment	Parcels < 5 ac, 16 sf; Parcels > 5 ac, 24 sf	6 ft	No	10 ft	
Permanent Subdivision Identification Signs							
Freestanding Sign	Monument or on fence/wall, not in ROW	1/entrance	24 sf	6 ft	Yes	10 ft	
	Monument, w/in ROW	1/entrance	24 sf	6 ft	No	[1]	
Multi-family Dwellings and Complexes							
Freestanding Sign	Monument	1/site/complex	24 sf	6 ft	Yes	10 ft	
Commercial Uses							
Building Signs	All Types	No maximum	< 50 ft from ROW: 2:1; ≥ 50 ft from ROW: 3:1; max 300 sf	roofline	Yes		
Freestanding Signs	All types, < 3 establishments	1/75 ft public street frontage, max 1/parcel[2, 3]	1 sf/ft street frontage, max 200 sf	10 ft[4]	Yes	10 ft	[5]
	All types, ≥ 3 establishments	1/75 ft public street frontage, max 1/parcel[2, 3]	200 sf/sign	25 ft[4]	Yes	10 ft	[5]
	Parcels adjacent to Highway 50[6]	1/parcel or development	24 sf	~~6~~15 ft[7]	Yes	10 ft	[5]
Office Uses							
Building Signs	All types	1/establishment /building frontage	1:1, max 200 sf	roofline	Yes		

Sign Type		Maximum Number Permitted	Maximum Area	Maximum Height	Illumination Allowed	Minimum Setback from ROW	Other Standards
Freestanding Signs	All types	1/parcel	24 sf	6 ft	Yes	10 ft	[5]
Industrial Uses							
Building Signs	All Types	No maximum	< 50 ft from ROW: 2:1; ≥ 50 ft from ROW: 3:1; max 250 sf	roofline	Yes		
Freestanding Signs	Monument only	1/parcel	40 sf	5 ft	Yes	10 ft	
Automotive Service Stations							
Building Signs	All Types	No max	125 sf all signs; 36 sf for freestanding signs, 52 sf including pricing signs		Yes		
Freestanding Signs	~~Pole~~Pylon	1/75 feet frontage, max 1 per street		10 ft[8]	Yes	10 ft	
	Monument	2		16 ft	Yes	10 ft	
Institutional and Public/Quasi-Public Uses							
Building Signs	All Types	1	24 sf	roofline	Yes		
Freestanding Signs	All Types	1/major entrance	24 sf	6 ft	Yes	10 ft	
Parks							
Building Signs	All Types	1/building	24 sf	roofline	Yes		
Freestanding Signs	Monument, 0-5 ac site	1/site	1 sf /ft primary site frontage, max 24 sf	6 ft	Yes	10 ft	
	Monument, 5-15 ac site	1/major entrance, max 2 per site	1 sf /ft primary site frontage, max 40 sf each ~~24 sf~~	6 ft	Yes	10 ft	
	Monument 15+ ac site	1/major entrance	1 sf /ft primary site frontage, max 100 sf each ~~24 sf~~	10 ft	Yes	10 ft	
Religious Institutions							
Building Signs	All Types	1	36 sf total; 24 sf for	roofline	Yes		

Sign Type		Maximum Number Permitted	Maximum Area	Maximum Height	Illumination Allowed	Minimum Setback from ROW	Other Standards
Freestanding Sign	All Types	1	freestanding sign	6 ft	Yes	10 ft	

Notes:

1. *Within median island, sign must be set back three feet from sides and 12 feet from ends.*
2. *Where a parcel has more than 300 feet of public street frontage, one additional sign may be allowed for each additional 300 feet of frontage.*
3. *For corner lots, one additional sign may be allowed for the secondary street frontage, provided there is a minimum of 50 feet of frontage.*
4. *Height may be increased one foot for each foot the setback is increased to a maximum of 25 feet.*
5. *Must be located a minimum of 50 feet from all other freestanding signs.*
6. *Parcels or developments adjacent to Highway 50 may have one freestanding sign fronting onto the local street serving the site and one addition freestanding sign facing the highway, except that the sign facing the local street may not exceed 25 feet in height. The local street facing sign may be allowed to exceed the 25-foot height restriction in exchange for the freeway facing sign.*
7. *For parcels where the highway is elevated more than 15 feet above the finish grade of the parcel, the freeway facing freestanding sign may be allowed to exceed the height limit a maximum of 15 feet above the elevation of the freeway roadbed. No additional setback shall be required.*
8. *Height may be increased one foot for each foot the setback is increased to a maximum of 16 feet.*

6.13.070 Allowed Temporary On-Site Sign Standards

This Section describes standards for temporary on-site signs. All temporary signs require a Sign Permit prior to their establishment. Temporary signs may include, but are not limited to, commercial signs for grand openings, special product, sale, or event advertising. All temporary signs must comply with the standards listed in Table 6.13-2 (Allowed Temporary On-Site Sign Standards) and are subject to the following:

A. **Time Duration.** Display periods for temporary on-site signs shall be limited to a maximum of three 30-day periods per calendar year. Each display period shall be separated by a minimum of ten days. Longer time periods may be permitted with issuance of a Limited Use Permit.

B. Illumination. Temporary signs may not be illuminated.

C. Message. Temporary signs displaying a commercial message shall be limited to on-site signage only. Off-site signage displaying a commercial message shall not be permitted.

Table 6.13-2: Allowed Temporary On-Site Sign Standards

Type	Maximum Temporary Number Permitted	Maximum Area	Maximum Height	Minimum Setback from ROW[1]
On-Site Subdivision Directional Signs	1/subdivision entrance, max 6	32 sf	10 ft	10 ft
On-Site Subdivision Flags	10 poles / subdivision	15 sf / pole	20 ft	10 ft

Type	Maximum Temporary Number Permitted	Maximum Area	Maximum Height	Minimum Setback from ROW[1]
Commercial, Office, and Industrial uses, Building Signs	1/establishment	6 sf	roofline	
Commercial, Office, and Industrial uses, Freestanding Signs	1/establishment	6 sf	5 ft	5 ft
Multifamily Dwelling Complexes (e.g. apartments)	3/complex	< 10 units: 10 sf > 10 units: 30 sf.	roofline if on building; otherwise 10 ft	5 ft.
Agricultural Uses	1/establishment	5 sf	5 ft	5 ft
Public/Quasi-Public Uses	1/use	5 sf	5 ft	5 ft

Notes:

1. *Must be located outside of the clear vision triangle*

6.13.080 Allowed Off-Site Sign Standards

Generally, all new off-site commercial message signage is prohibited within the City. Existing off-site commercial message signs (e.g., billboards) are considered non-conforming signs as regulated by Section 6.13.120. However, consistent with State law, the City does permit off-site subdivision directional signs. As described in Section 6.13.030, these are temporary and limited-term signs that provide direction/location information to motorists and pedestrians for initial home sales of multiple lots with a single builder within a master planned community, including both single-family and multi-family for sale products. Off-site subdivision directional signs shall be regulated as follows:

A. **Weekend Directional Stake Signs.** Weekend directional stake signs are those signs customarily displayed on the weekends, measuring less than nine square feet in area, and mounted on wooden stakes. Based on their very temporary nature, tendency for being located within the public right-of-way or on private property without the owner's permission, inherent nature of distracting motorist and ability to promote unsafe driving conditions, and general ability to erode the aesthetic quality of the community, the City prohibits the use of weekend directional stake signs.

B. **Multi-Development Kiosk:** Temporary multisectioned directional subdivision signs are permitted, ~~in the Agricultural-Residential, Residential, M-1, and M-2 zones (except they are not permitted in the Special Sign Corridors),~~ subject to the issuance of a temporary Sign Permit and conformance with the following development standards:

1. Location. The kiosk shall be located outside of the clear vision triangle and within the buildable area of the lot as defined by the setback regulations of the underlying zoning district. The sign shall only be located a minimum of 75 feet from another freestanding sign. It shall only be located on streets with an ultimate design of four travel lanes or more.

2. Height. The maximum height of the kiosk shall be 14 feet.

3. Area. The maximum area of one face of the kiosk shall be 32 square feet. The maximum area for any one subdivision per face shall be 12 square feet.

4. Number of Faces. Kiosk may have up to four faces with the angle between the faces no more than 90 degrees.

5. Illumination. Kiosks may not be illuminated.

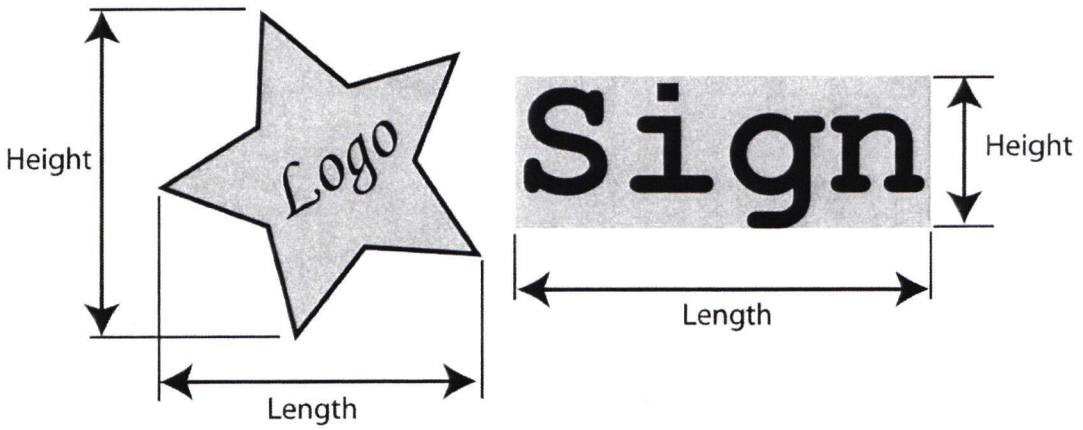
6.13.090 General Development, Maintenance, and Removal Provisions for All Sign Types

This Section describes the standards applied to the development, maintenance, and removal of signs within the City.

A. Measurement of Sign Area

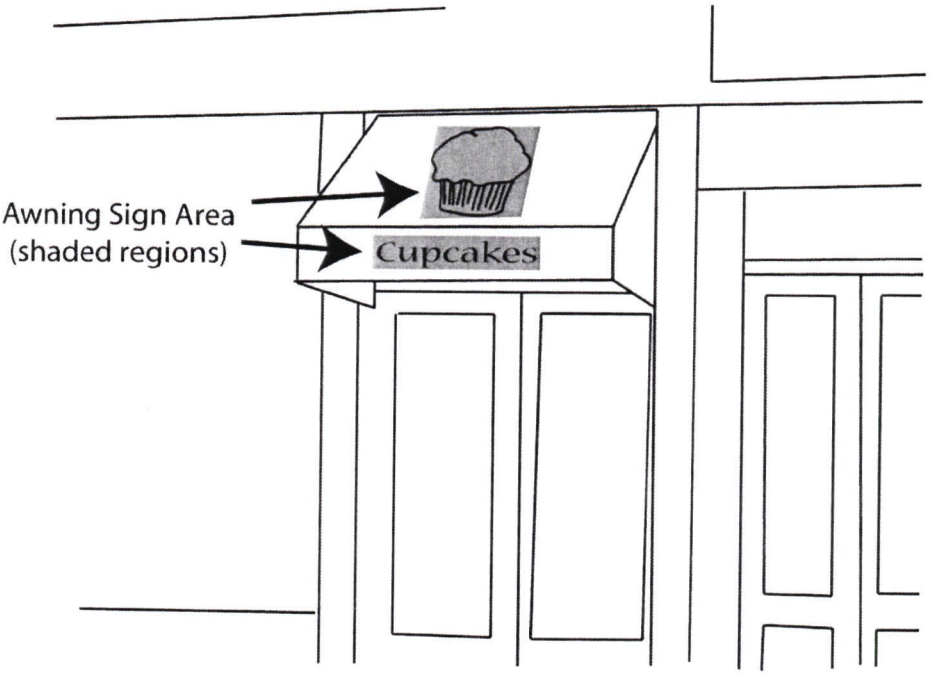
1. Generally. When the sign is composed of letters applied to the building without a distinctive background (e.g., channel letters), the area of the sign may be measured by the height of the letters times the length of each line of letters and may be computed at 75 percent; otherwise, the area of the sign shall be measured to the outside perimeter of the sign, including the area of any voids within a simple bounding perimeter. See Figure 6.13-5 (Sign Area).

Figure 6.13-5: Sign Area



2. Awning or Canopy Signs. Sign copy which is applied to an awning or canopy shall be computed at 100 percent of the area within a single rectangle enveloping the sign copy. See Figure 6.13-6 (Awning or Canopy Sign Area).

Figure 6.13-6: Awning or Canopy Sign Area

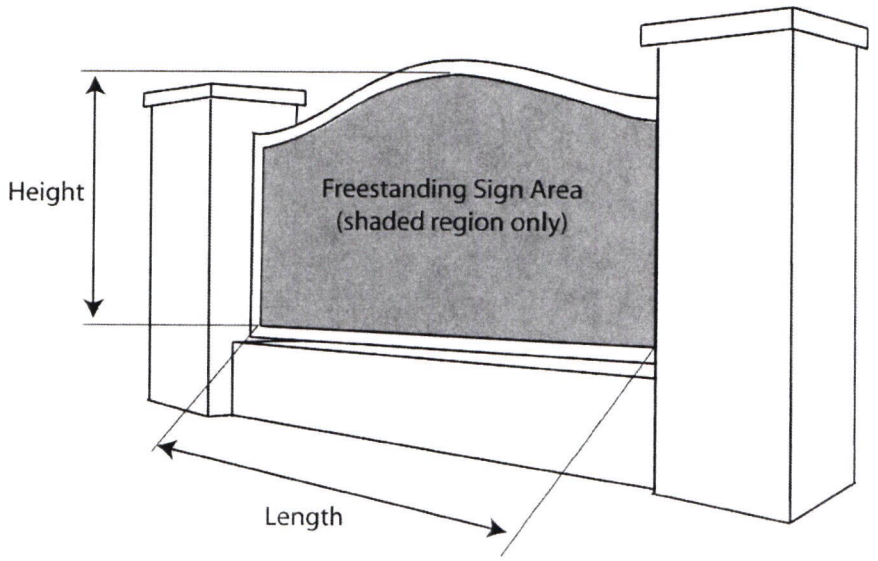


3. Freestanding Signs. Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double-faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood, stucco, or masonry. See Figure 6.13-7 (Freestanding Sign Area). Freestanding signs that are spread with two faces shall be computed by the greatest between the area of one side or the projected area of two sides.

   a. Freestanding signs that are spread with three faces shall be computed by the greatest between the area of one side or the projected area of two sides or three sides.

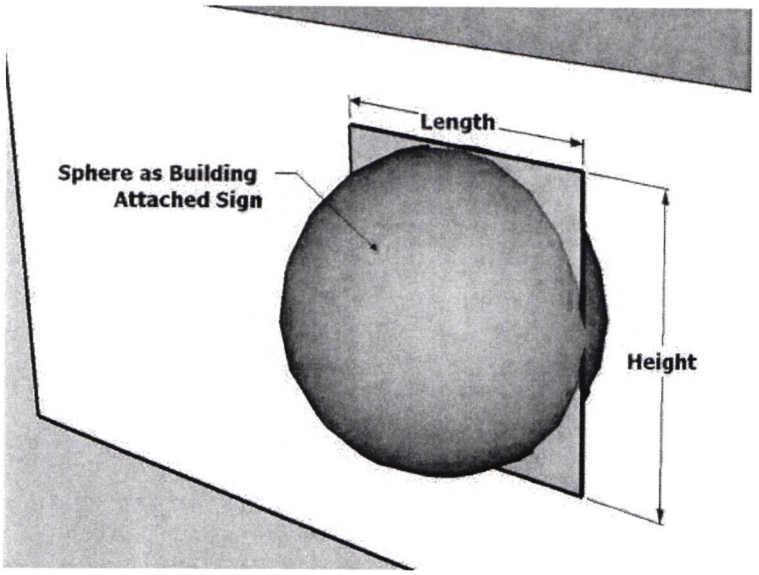
   b. Freestanding signs that are four-sided shall be computed by the greatest between the area of two sides or the projected area of two sides.

Figure 6.13-7: Freestanding Sign Area



4. Three-Dimensional Objects. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured at their maximum projection upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See Figure 6.13-8 (Area of Three-Dimensional Objects).

Figure 6.13-8: Area of Three-Dimensional Objects



B. **Measurement of Sign Height**. Sign height shall be measured from the uppermost part of the sign used in determining the area of the sign to the lowest elevation at the base of the sign.

C. **Maintenance of Signs.** All signs shall comply with the following criteria:

1. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign.

2. All permanent signs shall be constructed of quality, low-maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.

3. All signs shall be constructed in compliance with any applicable building, electrical, or other code in effect at the time of construction or maintenance, with particular respect to wind and seismic loads and overturning moment.

4. All freestanding signs that incorporate lighting shall have underground utility service.

5. Signs shall be cleaned, updated, and/or repaired as necessary to maintain an attractive appearance and to ensure safe operation of the sign. Unacceptable sign conditions include: broken or missing sign faces, broken or missing letters, chipped or peeling paint, water damage, missing or inoperative lights, exposed mechanical or electrical components, and missing or broken fasteners. Failure to respond to a written request from the City to perform maintenance work shall result in revocation of the sign's permit or status as exempt from permit, subject to the appeal provisions of this Code.

6. All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed.

7. All illuminated signs shall be of such intensity or arranged in such a manner so as to avoid unreasonable glare for abutting properties or vehicular traffic.

D. **Illumination Standards.** The artificial illumination of signs, either from an internal or external source, shall be designed to minimize negative impacts on surrounding rights-of-way and properties. The following standards shall apply to all illuminated signs:

1. External light sources shall be directed and shielded to limit direct illumination of an object other than the sign;

2. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impact on residential properties in direct line of sight to the sign;

3. Unless otherwise permitted by another provision of this Chapter, signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color;

4. Colored lights shall not be used in a manner so as to be confused or constructed as traffic control devices;

5. Reflective type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property; and

6. Light sources shall utilize energy efficient fixtures to the greatest extent possible.

E. **Sign Removal or Replacement.** When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure. This provision does not apply to routine maintenance.

F. **Setback and Spacing of Freestanding Signs**

1. The minimum setback distance for signs shall be measured from back of the public right-of-way, unless an encroachment permit is granted.

2. Except as provided herein, setback for signs shall be measured from the future right-of-way as provided by Section 6.5.090.F.1 above to the closest edge of the sign. For streets which are improved to a width less than the future right-of-way, setback for signs may be measured from the existing improvements meeting current City standards, provided that a relocation agreement shall be recorded at the owner's expense which guarantees that the property owner agrees to relocate the sign at his/her own expense to the required setback from the right-of-way at such time that the City widens (or causes to be widened) the street to the future right-of-way. For parcels where improvements are not complete to meet present City standards, setback shall be measured from that point which would abut City standard improvements if they were installed. For parcels that do not have existing improvements and where other parcels within the same block have improvements, the setback may be measured from a projection of existing street improvements within the same block. In no case shall a sign be located within the dedicated right of way.

G. **Location of Building Signs.** Building signs may be located along any frontage of a building that faces directly onto a public right-of-way or an internal circulation path of the site. Orientation of signs such that the face directly onto residential property is to be avoided and is allowed only when there is no practical alternative and the visibility of the sign from the residence is minimized.

6.13.100 Standards for Special Types of Signs

This Section describes the standards for certain types of signs as defined in Section 6.13.030 (Definitions) of this Chapter. These provisions are consistent with the development standards for signs as listed in Table 6.13-1 (Allowed Permanent On-Site Sign Standards).

A. **Awning and Canopy Signs.** Awning or canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied. Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.

B. **Blade/Bracket Signs.** All signs projecting over walks, halls, corridors, passageways, or aisles shall be installed in compliance with the Handicapped Access Regulations, California Code of Regulations, Title 24, State Building Code, Part 2, Section 2 1721, entitled "Protruding Objects."

C. **Freestanding Signs.**

1. Location. A freestanding sign may be located only along a site frontage adjoining a public street and not within the clear vision triangle. It shall be set back a minimum of ten feet from the right-of-way. The minimum spacing distance between permanent freestanding signs (e.g., monument signs, pylon signs), excluding on-site directional signs, shall be 50 feet.

2. Design. The mass/scale of a freestanding sign shall be consistent with the overall design of the building. The design and placement of the sign shall not interfere with the required clear vision triangle.

3. Landscape Requirements. See Section 6.4.060.H (Signs)

4. Construction. Only monument and pylon signs are permitted types of permanent freestanding signs in the City. Signs constructed with exposed metal poles that are not architecturally integrated into the design of sign are considered pole signs and are prohibited. Freestanding signs may be constructed with poles as a sub-structure, provided that the poles are covered with architectural cladding or coverings so they appear to be architecturally integrated.

D. **Menu/Order Board Signs.** A Sign Permit shall be required for all new menu/order board signs. A maximum of one menu/order board sign shall be permitted for each drive-in or drive-through establishment, provided that the sign does not exceed a maximum of 40 square feet in sign area and that the sign be limited in height to eight feet. The menu/order board sign does not count toward the total allowed signage for the establishment as described in Table 6.13-1 (Allowed Permanent On-Site Sign Standards). Additional area and/or height may be permitted through issuance of a Limited Use Permit, provided that the location of the sign does not interfere with on-site vehicle circulation or traffic in the public right-of-way (e.g., line of sight).

E. **Readerboards.** Electronic type readerboards as part of an on-site sign are permitted provided that the message is for on-site message, except for public information messages, and shall be programmed so ~~as not to be a flashing, moving, or animated illuminated sign as prohibited by Section 335 09(b), and shall be subject to review and approval by the Zoning Enforcement Program of the Sacramento County Department of Planning and Community Development~~that the message does not change more than once every four seconds (scrolling messages are prohibited). The maximum area for electronic readerboards shall be 50 percent of the maximum sign area for the sign structure. Electronic readerboards may exceed this limitation through a Limited Use Permit.

F. **Time/Temperature Signs.** A time and/or temperature sign does not count toward the otherwise applicable limits as to number and size of sign for the property on which it is located, provided:

1. Maximum Area and Height. The sign shall have a maximum area of 36 square feet and shall comply with the height requirements established in Table 6.13-1 (Allowed Permanent On-Site Sign Standards) for the type of sign (building/freestanding) to which it is attached.

2. Design. The sign shall be designed in a manner that is architecturally compatible with other signs and with the structure on which it is placed.

G. **Building Signs.** Where allowed, a building sign shall comply with the following development standards:

1. Location. The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.

2. Maximum Area and Height. The sign shall not project above the edge of a structure and shall comply with the height requirements established in Table 6.13-1 (Allowed Permanent On-Site Sign Standards). It shall not make up more than 75 percent of the building frontage on which it is placed.

3. Projection from Wall. The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than 18 inches. See Section 6.13.090 (General Development, Maintenance, and Removal Provisions for All Signs) for three-dimensional elements on all signs.

6.13.110 Special Sign Districts

Nothing within this Chapter shall prohibit the City from establishing Special Sign Districts for specific areas or districts of the City. The intent of these Special Sign Districts is to provide a uniform and consistent branding and identification for areas of the City which would benefit from such regulations. Examples may include, but are not limited to, the Downtown and the Convention District. As part of the Special Sign District, the City may adopt special development standards for private party signs that apply to property within the Special Sign District. The designated Approving Authority for adoption of Special Sign Districts shall be the City Council and the process for adoption shall be the same as for text amendments to this Zoning Code. Upon adoption, each Special Sign District shall be listed herein for reference and the boundaries and title of the Special Sign District shall be added to or otherwise designated on the City Zoning Map. Applications for Sign Permits under the regulations of a Special Sign District shall be reviewed in the same manner as other Sign Permits.

6.13.120 Nonconforming and Abandoned Signs

A. Except as otherwise provided in this Chapter, any sign lawfully in use on the effective date of this Code, or any amendment thereto, shall be considered a legal nonconforming use and as such may continue to operate and exist, provided: ~~may continue to be used for a period of five years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five years from the effective date of such amendment.~~

~~1. Signs for nonconforming uses of land continuing beyond five years, under the provisions of Chapter 2.700, Nonconforming Uses and Structures, which are now~~

~~located in an Agricultural or Residential Zoning District may have signs subject to a use permit by the Planning Commission.~~

1. Nonconforming signs shall be kept in good repair and visual appearance ~~during the five year period the sign may be used~~. Structural alterations or modifications of any nonconforming sign are prohibited. Structural repair resulting in same size and shape is permitted subject to the provisions of Title 18 of the Municipal Code.

2. Whenever any modifications, alterations, or changes occur or are proposed as provided in Chapter 2.7 (Nonconforming Uses and Structures), the sign shall be brought into conformance with the provisions, standards, and regulations of this Chapter, requiring issuance of a Sign Permit.

B. The City Council, Planning Commission, or other designated Approving Authority, may, as a condition of rezoning, Design Review, Conditional Use Permit, Limited Use Permit, or other development entitlement, require any nonconforming sign on the applicable property to be removed or altered so as to comply with the provisions of this Chapter.

~~C. A directory pole sign which becomes nonconforming because of the removal of advertising copy may be made a conforming non-directory pole sign if a use permit is granted by the Planning Commission after application and public hearing as provided in Article 2 of this Code.~~

~~D. Nonconforming signs in existence beyond five years, as provided for by Section 6.560(A), are hereby illegal signs and a public nuisance and shall be abated as provided for in Title 18 of the City Municipal Code.~~

C. Off-site signs, except off-site subdivision directional signs that were lawfully erected pursuant to the Zoning Code in effect immediately prior to December 26, 1985, and which do not comply with Sacramento County Ordinance No SZC 85-124 shall be nonconforming signs subject to the remedies in Business and Professional Code Section 5412. The failure to have a Conditional Use Permit for an off-site sign as of December 26, 1985, shall not, by itself, cause a sign to become nonconforming.

D. Sign structures which have no message attached to them for more than 90 days shall be considered abandoned signs and as such may be abated by the City. For regulatory purposes, any factors indicating abandonment shall not begin occurring until 90 days after this Chapter first goes into effect.

Article 7

Special Use Regulations

Overview

This Article includes special provisions for certain land use categories and activities. These regulations are in addition to other development standards and regulations in other parts of this Code, such as Article 6 (Site Planning and Development Standards). The intent of this Article is to ensure that the uses regulated are compatible with the surrounding uses.

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Draft Zoning Code Notes:

7A. New regulations for caretaker housing have been added. The regulations require the housing to be associated with a permitted non-residential use, limit occupancy to the caretaker and his/her household, and require the design of the housing to be consistent and uniform with the associated use.

7B. The Home Occupation Section has been revised and includes updated performance standards that include the following: 1) Can have more than one home occupation at a residence; 2) The number and types of deliveries allowed are identified; 3) The home occupation now has hours that it can be used, which is from 8:00am to 7:00pm.

7C. New regulations for live/work facilities have been added. The regulations are focused on compatibility of uses, integration of the live and work components, occupancy requirements, and employees.

7D. This is a new Section to the Zoning Code. This Section includes definitions as well as development standards for mobile homes and mobile home parks.

7E. The Second Dwelling Unit Chapter has been updated to be consistent with state law. This Section now includes a definitions Section as well updated development standards that include the following: 1) The minimum lot size for a second dwelling unit is 5,000 square feet; 2) The owner must occupy either the primary or the second dwelling unit; 3) The second dwelling unit shall not exceed 1,200 square feet.

7.1.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwellings units. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by applying special design requirements, regulation of activities within the use, and establishing special setback and other development standards.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwelling units as expressly identified in the

corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with, the permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.1.020 Caretaker Housing

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to caretaker housing as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new caretaker housing shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as with other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.

B. **Associated Use.** One caretaker housing unit may be permitted in conjunction with an otherwise permitted non-residential use on the same property. The caretaker unit must be associated with and directly support the non-residential use of the property (e.g., night watchman or site superintendent for an industrial use).

C. **Occupancy.** Occupancy of the caretaker unit shall be limited to the caretaker or superintendent of the associated non-residential use of the site and his or her household.

D. **Design.** The design of the caretaker unit shall be consistent and uniform with the design of the associated use. Temporary trailers as caretaker units may be permitted with issuance of a Temporary Use Permit (see Chapter 3.3, Temporary Use Permit) for a period of not more than six months as described in Chapter 7.8 (Temporary Uses).

7.1.030 Home Occupations

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to home occupations to ensure the compatibility of the home occupations with the principle residential uses in order to protect the integrity and character of neighborhoods,

B. **Definition.** A home occupation is an accessory, non-residential business activity that is conducted within a dwelling by its inhabitants, incidental to the residential use of the dwelling, which does not change the character of the surrounding area by generating more traffic, noise, or storage of material than would be normally associated with a residential zone.

C. **Permit Required.** A home occupation shall not be conducted prior to approval of Zoning Certification (see Chapter 3.2, Zoning Certification)

D. **Business License.** A business license from the City is required for any home occupation.

E. **Performance Standards.** It is the intent of the following standards to reduce the impact of the home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity. These standards shall be incorporated as conditions of the Zoning Clearance. Failure to comply with these standards will result in revocation of the home occupation permit and/or business license.

1. Number of Home Occupations. No more than two home occupations shall be allowed at the subject property. In the event of a partnership or corporation, at least one of the members must be a resident of the subject property.

2. Employees. Off-site employees or partners are permitted as part of the home occupation so long as they do not report for work at the subject property.

3. Habitable Floor Area. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed 20 percent of the habitable floor area of the principal dwelling.

4. Off-Site Effects. There shall be no mechanical equipment or operation used which creates or makes dust, odor, vibration, or other effects detectable at the property line. Noise level at the property line shall not exceed 65 dBA and shall comply with the City's Noise Ordinance. No process shall be used which is hazardous to public health, safety, morals, or welfare;

5. On-Site Sales. There shall be no products sold on the premises except artist's originals or products individually made to order on the premises.

6. Products which are not "artist's originals" or "individually made to order" may be constructed on-site, using equipment normally found in a residence; however, these products may only be sold at a permitted commercial location.

7. Display. There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.

8. Traffic/Vehicles. The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor in any case require the parking of more than two additional vehicles at any one time. No motor vehicle that is used or kept on the premises in conjunction with the home occupation shall exceed two axles or a length of 20 feet.

9. Storage. There shall be no storage of material or supplies out-of-doors.

10. Exterior Appearance. There shall be no remodeling or construction of facilities especially for the home occupation which changes the external appearance of the residence from a residential to a more commercial appearing structure when viewed from the front of the building.

11. Signs. Signs shall be allowed for the home occupation in accordance with Chapter6.13 (Signs).

~~12.No process is used which is hazardous to public health, safety, morals, or welfare;~~

12. Visitors and Customers. Visitors and customers shall not exceed those normally and reasonably occurring for a residence, including not more than one business visitor an hour and eight a day, during the hours of 8:00 a.m to 7:00 p.m.

13. Deliveries. Deliveries shall not exceed those normally and reasonably occurring for a residence and not more than one delivery of products or materials a week. Deliveries of materials for the home occupation shall not involve the use of commercial vehicles except for Fed Ex, UPS, or USPS-type home pick-ups and deliveries.

~~14.No more than one home occupation shall be permitted per residence.~~

14. Hazardous Materials. Storage of hazardous materials is limited to below those thresholds as established by the local Fire District which does not require any special permits or licenses.

7.1.040 Live/Work Facility

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to live/work facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new live/work facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.

B. **Limitations on Use.** The non-residential component of a live/work facility shall be a use allowed within the applicable Base Zoning District; however the uses and activities described below shall be prohibited:

1. Any automobile and vehicle uses as listed in Chapter 11.1 (Land Use Descriptions).

2. Any special regulated uses as listed in Chapter 11.1 (Land Use Descriptions).

3. Any activity which involves:

   a. Storage of flammable liquids or hazardous materials beyond those normally associated with a residential use;

   b. Welding, machining, or any open flame work; and/or

   c. Major manufacturing as defined in Chapter 11.1 (Land Use Descriptions).

4. Any other activity or use, as determined by the Planning Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.

C. **Density.** Live/work units shall comply with the density regulations of the applicable Base Zoning District.

D. **Design Standards.**

1. Floor Area Requirements. The minimum net floor area of a live/work facility shall be 1,000 square feet. No more than 50 percent of the floor area shall be reserved for living space. All other floor area shall be dedicated to working space.

2. Separation and Access. Each live/work facility shall be separated from other units and other uses in the structure. Access to each unit shall be provided from common access areas, corridors, or halls, and the access to each unit shall be clearly separate from other live/work facilities or other uses within the same structure.

3. Facilities to Accommodate Commercial or Industrial Activities. A live/work facility shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity.

4. Integration of Living and Working Space. The living space within the live/work facility shall be designed as an integral part of the unit and not with separate access from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this Section, and living and working space may be separated by interior courtyards or similar private space.

5. Mixed Occupancy Buildings. If a building contains mixed occupancies of live/work facilities and other non-residential uses, occupancies other than live/work shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the live/work and other occupancies, as determined by the Chief Building Official.

6. Parking. Each live/work facility shall comply with the parking standards of Chapter 6.5 (Parking and Loading).

E. **Occupancy and Sale or Rental of Portions of Unit.** A live/work unit shall be occupied and used only by the operator of the business within the unit or a household of which at least one member shall be the business operator. Individual portions of the live/work unit may not be separately rented or sold as a commercial space for someone not living in the facility or as a residence not occupied by someone working in the facility.

F. **Notice to Occupants.** The owner or developer of the live/work facility shall provide written notice to all occupants and users as to the character of the site and surrounding community, including the potential presence of noise, dust, fumes, or other effects associated with commercial and/or industrial development that would not otherwise be expected in a typical residential neighborhood.

G. **Non-Resident Employees.** Up to two persons who do not reside in the live/work unit may work in the unit at any one time. Additional employment may be permitted through issuance of a Limited Use Permit based on findings that the employment will not adversely affect traffic and parking conditions in the vicinity of the site.

H. **Changes in Use.** After approval, a live/work facility shall not be converted to entirely residential use, nor shall the ratio of living space to working space be changed, unless authorized through Limited Use Permit approval. As part of the approval of the Limited Use Permit, the designated Approving Authority must find that the exclusive residential use will not impair the ability of non-residential uses on and adjacent to the site to continue operating because of potential health or safety concerns or nuisance complaints raised by the exclusively residential use and/or its occupants.

7.1.050 Mobilehomes and Mobilehome Parks

A. **Purpose and Applicability.** The Chapter applies to new and existing mobile homes and mobile home parks within the City. The purpose of this Chapter is to establish standards for the development, modification, and operation of mobilehome parks.

B. **Definitions.** For purposes of this Section, the following terms shall have the definitions set forth herein.

Mobile/Manufactured Home. A trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including a recreational vehicle, commercial coach, or factory-built (modular) housing (single-family dwelling). A mobilehome on a permanent foundation is included under the definition of single-family dwellings.

Mobilehome Park. A residential facility arranged or equipped for the accommodation of two or more mobile homes, with spaces for such mobilehomes available for rent, lease, or purchase, and providing utility services and other facilities either separately or in common to mobile home spaces herein.

C. **Special Standards for Mobilehomes.** Mobilehomes outside of a mobilehome park shall comply with the standards set forth for single-family homes in Article 4 of this Zoning Code, as well as the following criteria.

1. A mobilehome must be built on a permanent foundation as approved by the Building Department.

2. It must have been constructed after June 15, 1976, and must be certified under the National Manufactured Home Construction and Safety Act of 1974.

3. The unit's skirting must extend to the finished grade.

4. Exterior siding must be compatible with adjacent residential structures, and shiny and metallic finishes are prohibited.

D. **Mobilehome Parks.** Mobilehome parks are permitted in the RMH zone and with a Conditional Use Permit in all other Residential Land Use Zones and shall be constructed in the following manner.

1. Setbacks. Individual mobilehome spaces shall be measured from the edge of internal streets and shall be set back a minimum of five feet from the boundary lines of each mobilehome site.

2. Landscape Areas. Landscaping shall be required in compliance with Section 6.4 (Landscaping).

3. Recreation Areas. Recreation areas that are landscaped and maintained dust-free shall be provided as follows:

   a. Family park. 250 square feet of recreation area per mobilehome space for the first through 100th space and 200 square feet of recreational space per mobilehome space for each space in excess of the 100th space.

   b. Adult park. 200 square feet of recreational area per mobilehome space.

4. Parking. Parking shall comply with the requirements of Section 6.5 (Parking and Loading).

5. Streets and Access Drives. The design of streets and access drives shall comply with applicable state standards for mobilehome parks and the requirements established by the Conditional Use Permit for the mobilehome park.

E. **Management and Maintenance.** Every mobilehome park community shall be properly managed to ensure maintenance of common facilities and to ensure individual home sites are developed and maintained in accordance with recorded rules and regulations for the park.

7.1.060 Second Dwelling Units

A. **Purpose and Applicability.** This Chapter applies to second dwelling units within the City. Second dwelling units are permitted by right in the agricultural, residential, and residential mixed use zoning districts subject to the standards of this Section. The purpose of this Chapter is to regulate second dwelling units in residential zoning districts and on residential property consistent with state law (California Government Code Sections 65852.1 through 65852.2). Implementation of this Section is intended to expand housing opportunities for low income and moderate income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.

B. **Definitions**. For purposes of this Section, the following terms shall have the definitions set forth herein.

Primary Dwelling Unit. An existing single-family residential structure on a single parcel with provisions for living, sleeping, eating, a single kitchen for cooking, and sanitation facilities occupied and intended for one household.

Second Dwelling Unit. An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats. This definition shall also include:

- Efficiency unit as defined in Section 17958.1 of the California Health and Safety Code;
- Manufactured home as defined in Section 18007 of the California Health and Safety Code.

Guest House/Pool House. An attached or detached habitable structure with only sleeping, living, and bathroom provisions, exclusive of kitchen or cooking facilities. Such structures shall not to be used or rented as a separate dwelling for permanent living quarters unless a Conditional Use Permit is granted to do so.

C. **Development Standards.** Pursuant to Government Code Section 65852.2, second units shall be permitted on agricultural, residential, and residential mixed use parcels when the following conditions are met:

1. Second units shall only be located on lots with an area of ~~5,200~~5,000 square feet or larger.
2. Second units shall be compatible with the architectural style, materials, and colors of the primary dwelling unit.
3. No more than one second unit shall be allowed per parcel.
4. The property owner shall occupy either the primary unit or second unit. The property owner shall record a declaration acknowledging owner occupancy, recorded with the property as a condition of the administrative permit.
5. A second unit shall not exceed ~~400~~ 1,200 square feet, excluding garage area.
6. The maximum building coverage, including a second unit, is five percent above the maximum lot coverage as set forth in this code for the underlying Zoning District.
7. Building setbacks for attached second units shall comply with all required building setbacks for the primary unit. Building setbacks for detached second units shall be the same as the underlying zoning district for front and street side yards, five feet from interior and rear yard property lines, with a minimum distance of ten feet between structures.

8. The maximum height of a detached second unit shall not exceed the height of the primary dwelling unit within the building envelope.

9. No second unit may be sold separately from the primary dwelling unit.

10. Parking. See Chapter 6.5 (Parking and Loading).

Chapter 7.2 Agricultural, Resource, and Open Space Uses

Sections in this Chapter

7.2.010 Chapter Purpose and Applicability 7.2-1
7.2.020 Agricultural Activities 7.2-1

Draft Zoning Code Changes:

7F. Special provisions for agricultural activities, such as animal keeping and stables, are included in this Chapter. These standards are intended to limit the nuisance from the use on adjacent property.

7.2.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for agricultural, resource and open space land uses and/or activities that are allowed by Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) within individual or multiple Zoning Districts. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to those uses expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described herein and shall only be authorized in concert with the permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). Specifically, this Chapter covers those uses within the agricultural, resource and open space land use categories.

7.2.020 Agricultural Activities

A. Chapter Purpose and Applicability. The purpose of this Section is to establish development and operating standards for incidental agricultural activities. The intent of these provisions is to mitigate the potential adverse impacts of these activities on adjacent and surrounding land uses. Uses subject to these standards include:

1. Incidental agricultural uses, including row crop cultivation and animal husbandry other than kennels, hog farms, feedlots, and the keeping of domestic pets, provided the activity is conducted on a hobby-type basis for personal use or consumption and that such activity is not a primary use of the premises; and

2. Riding stables, boarding stables, and riding academies, whether private or commercial.

B. **Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards apply to all incidental agricultural activities:

1. Yards and Height. All buildings and structures erected or maintained on any lot or parcel for uses set forth in Section 7.2.040(B) shall have yards and height limitations as follows:

   a. All barns, stables, and other structures used for the housing of animals on any lot or parcel used as a commercial or public stable shall be located not less than 30 feet from all property and street right-of-way lines, except as otherwise herein provided. Said buildings or structures shall not exceed two stories nor be greater than 30 feet in height.

   b. All barns, stables, and other structures used for the housing of animals, on any lot used as a private stable or for incidental agricultural uses, shall be located not less than ten feet from any property line and not less than 25 feet from the front property line, except as otherwise herein provided. Said buildings or structures shall not exceed one story, except for storage loft, nor be greater than 24 feet in height with plate line not exceeding 12 feet.

   c. Any barn, stable, or other structure used for the housing of animals may be located not less than three feet from the rear or side property line, provided:

      i. The building or structure is constructed with solid walls with no openings of any kind (excluding doors facing the interior of the property) within ten feet of the property line.

      ii. The floor area of any building or structure used as a private stable, barn, or for the housing of animals shall not exceed 1,000 square feet.

      iii. Height is limited to the height outlined in Section 7.2.020(1)(b).

   d. Any barn, stable, or other structure used for the housing of animals may be located not less than five feet from the rear or side property line, provided such property line is contiguous with a freeway, railroad, or levee right-of-way, or a property line of a public park or parcel which, at the time the building or structure is erected, is used for or occupied by a public or private stable. Said buildings or structures shall not exceed one story nor be greater than 16 feet with plate line not exceeding ten feet.

2. Building Area. The maximum area of buildings or structures used for incidental agricultural uses shall be limited to 1,000 square feet, unless a use permit is first obtained from the Planning Commission.

3. Lot Area. The minimum lot area for any lot used for any use set forth in Section 7.2.020(B), whether such use is a principal use of the property or is incidental to another principal use, shall be the area specified in this Code applicable to the zone in which the property is located or the area hereinafter specified, whichever is the greater:

a. For any commercial or public stable, the minimum lot area shall be the area specified in this Code applicable to the zone in which the property is located, or three acres, whichever is the greater.

b. For any private stable, the minimum lot area shall be the area specified in this Code applicable to the zone in which the property is located, or 20,000 square feet, whichever is the greater.

c. The minimum lot area for the keeping of small animals (with a weight of less than 75 pounds at maturity), other than pets as defined in Chapter 11.1, on a non-commercial scale as an incidental use, shall be the area specified in this Code applicable to the zone in which the property is located, or 10,000 square feet, whichever is the greater, except that the Planning Commission may approve the keeping of small animals on a lot of less than 10,000 square feet, subject to the provision of Section 7.2.040(5), and a Conditional Use Permit by the Planning Commission.

d. For any other incidental agricultural use, the minimum lot area shall be 20,000 square feet.

4. Riding Stables and Corral Standards. In addition to the requirements set forth in this Article, riding stables, boarding stables, and riding academies, whether private or commercial, shall not be erected, located, enlarged, or maintained without complying with the following standards:

a. Any corral, riding ring, or exercise yard used for keeping horses shall be enclosed by fence or other enclosure; and no part of any such corral, riding ring, or exercise yard shall be located closer than 20 feet from any door, window, or other opening of any building or structure on the same or any other parcel used or designed to be used for human habitation.

b. All fences which enclose livestock shall be designed, constructed, and maintained as provided in Section 6.9.080.H (Agricultural Fencing).

c. An operator of a commercial or private stable shall not allow dust, odor, or flies to cause nuisance or annoyance to any considerable number of persons in the neighborhood or the public and at a minimum shall comply with the following:

i. All areas shall be maintained so as to be sufficiently dust-free that no visible quantity of dust is observable at the property lines of the parcel. This shall be done by maintaining sufficient natural vegetation, by watering down the corral area as often as necessary to prevent dust problems, or by utilizing other more effective dust prevention methods.

ii. The operator of a stable shall take every reasonable precaution to prevent the breeding of flies or the emission of dust or odors into the neighborhood. Reasonable precautions shall include:

a. Routine manure and bedding clean out of stalls and routine cleanup of manure deposited on the property.

b. Disposal of animal wastes in a manner and location approved by the Department of Health, such as:

i. Properly drying or composting, away from neighboring properties;

ii. Burying (two feet minimum); and/or

iii. Removal to approved disposal site.

iii. All areas shall be maintained in a sanitary condition and in compliance with the following standards:

a. Water usage and drainage shall not mix with manure accumulations and shall not be disposed of contrary to local and state requirements.

b. Animal feed shall be stored and utilized in a manner that will not encourage rodent populations.

5. Incidental Keeping of Animals. Animals may be kept on any parcel or lot as an incidental agricultural use subject to the provisions of the zone in which the property is located and the following standards:

a. The conditions, standards, and requirements of Rancho Cordova Municipal Code are met to the satisfaction of the Chief of Animal Control.

b. All areas devoted to such uses shall comply with standards adopted by the Department of Public Health relative to noise, dust, odor, and pests, and shall be maintained to the satisfaction of the Director of Public Health.

c. The keeping of animals on lots smaller than 10,000 square feet shall be conducted in accordance with a development plan and management plan approved by the Planning Commission at public hearing for a Conditional Use Permit.

d. The provisions of this Section shall not apply to public or private stables, or where such animals are kept as a general agricultural use.

Chapter 7.3 Utility, Transportation, and Communication Uses

Sections in this Chapter

7.3.010 Chapter Purpose and Applicability 7.3-1
7.3.020 Telecommunication Facilities 7.3-1
7.3.030 Utility Facility and Infrastructure 7.3-7

Draft Zoning Code Changes:

7G. The Telecommunications Facilities Section has been revised to be consistent with state law. The Section now includes definitions, enhanced screening requirements and operation and maintenance standards. Collocations are now approved administratively per state law if the wireless facility received a public hearing and had CEQA review on or after January 1, 2007. Rooftop and building mounted antennas that are fully screened and collocations (for towers approved prior to January 1, 2007) that do not require a height increase for the additional antennas are also administratively approved.

7H. The regulations for utility facilities and infrastructure have been expanded to apply to not only electrical substations but also treatment plants, water storage facilities, and communication substations. Regulations focus on appropriate locations for the facilities and screening of use from adjacent property. The siting requirements have been updated to reflect current development patterns.

7.3.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for utility, transportation, and communication uses, including telecommunication facilities and utility facility and infrastructure. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by regulating the size, scale, and location of these uses, as well as requiring additional setbacks, landscaping, and other buffering between the subject use and surrounding property.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to telecommunication facilities and utility facility and infrastructure as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.3.020 Telecommunication Facilities

A. **Purpose and Applicability.** This Section establishes standards for placement of telecommunications facilities within the City and regulates the installation of antennas

and other wireless communication facilities consistent with federal law. The City promotes and protects the public safety and public welfare while protecting the visual character of the City to minimize potential impacts of wireless telecommunication facilities' development and installation.

B. **Definitions.** For purposes of this Section, the following terms shall have the definitions set forth herein.

Antenna. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure, or is portable or movable. Antennas shall include devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

Antenna, Amateur Radio. Any antenna which is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, Directional (also known as a panel antenna). An antenna that transmits and/or receives radio frequency signals in a directional pattern of less than 360 degrees.

Antenna, Building-Mounted. Any antenna, directly attached or affixed to a building, tank, tower, or other structure. Building-mounted antenna are identified in two distinct categories herein as follows:

- Wall-Mounted. Attached or affixed to the elevation of the structure.
- Roof-Mounted. Attached or affixed to the rooftop or top of the structure.

Antenna, Ground-Mounted. Any antenna with its base (either single or multiple posts) placed directly on the ground or a mast 12 feet or less in height and six inches in diameter.

Antenna, Parabolic (also know as satellite dish antenna). Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, bowl, or cornucopia shaped and is used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern from orbiting satellites or ground transmitters. This definition is meant to include what are commonly referred to as television receive only (TVRO) and satellite microwave antennas.

Collocation. A wireless communication facility owned and operated by a communication service provider which is located on the same tower, building, accessory structure, or property as another communication facility owned or operated by a different communication service provider.

Direct Broadcast Satellite Service (DBS). A system in which signals are transmitted directly from a satellite to a small home receiving dish.

Electromagnetic. An electrical wave propagated by an electrostatic and magnetic field of varying intensity.

NIER. Non-ionizing electromagnetic radiation (e.g., electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum).

Related Equipment. All equipment ancillary to the transmission and reception of voice and data by means of radio frequencies. Such equipment may include cable, conduit, connectors, equipment pads, equipment shelters, cabinets, buildings, and access ladders.

Satellite Earth Station. A facility consisting of more than a single satellite dish or parabolic antenna that transmits to and/or receives signals from an orbiting satellite.

Tower. A mast, pole, monopole, lattice tower, or other structure designed and primarily used to support antennas. This definition includes ground-mounted structures 12 feet or greater in height and building mounted structures that extend above the roofline, parapet wall, or other roof screen with a mast greater than six inches in diameter supporting one or more antenna, dishes, arrays, or other associated equipment.

Wireless Communication Facility. A facility that transmits and/or receives electromagnetic signals for the purpose of transmitting analog or digital voice or data communications. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.

C. A Conditional Use Permit is required for the following wireless facilities:

1. Any new telecommunication tower that is not part of a collocation.

2. Any collocation that increases the overall height of an existing tower in order to add antennas.

3. Any building-mounted or roof-mounted antennas that are not screened from view.

D. **Exemptions.** The following wireless communication facilities are exempt from the requirements of this Chapter as specified below and are subject to compliance with other provisions of this Title.

1. A wireless communication facility shall be exempt from the provisions of this Section if and to the extent that a permit issued by the California Public Utilities Commission (CPUC) or the rules and regulations of the Federal Communication Commission (FCC) specifically provide that the antenna is exempt from local regulation.

2. Satellite earth station (SES) antennas, which are two meters (6.5616 feet) or less in diameter or in diagonal measurement, located in any non-residential zoning district. In order to avoid the creation of an attractive public nuisance, reduce accidental tripping hazards and maximize stability of the structure, such antennas shall be

placed whenever possible on top of buildings and as far away as possible from the edges of rooftops.

3. Parabolic antennas, direct broadcast satellite (DBS) antennas and multi-point distribution service (MDS) antennas, which are one meter (3.2808 feet) or less in diameter or diagonal measurement and television broadcast service (TVBS) antennas, so long as said antennas are located entirely on private property and are not located within the required front yard setback area.

4. Amateur radio antenna structures provide a valuable and essential telecommunication service during periods of natural disasters and other emergency conditions and are therefore exempt from permit provisions of this Chapter in compliance with the following standards.

   a. Height limits. Amateur radio antennas in any district may extend to a maximum height of 75 feet, provided that the tower is equipped with a lowering device (motorized and/or mechanical) capable of lowering the antenna to the maximum permitted height when not in operation.

   b. Location parameters. All antenna structures shall be located outside of required front and street side yard areas. Antenna structures shall also be set back a minimum distance of five feet from interior property lines.

   c. Tower safety. All antenna shall be located within an enclosed fenced area or have a minimum five-foot high tower shield at the tower base to prevent climbing. All active elements of antennas shall have a minimum vertical clearance of eight feet.

5. Collocation on an existing telecommunications structure. This collocation is allowed if the structure obtained a Conditional Use Permit after January 1, 2007, and was subject to environmental review and a public hearing.

6. Antennas placed on a building or roof top that are completely screened from view.

E. **General Development Standards.** Unless otherwise exempt pursuant to Subsection D (Exemptions), the following general development standards shall apply to all wireless communication facilities:

1. All wireless communication facilities shall comply with all applicable requirements of the current Uniform Codes as adopted by the City and shall be consistent with the General Plan and this Code, as well as other standards and guidelines adopted by the City.

2. To minimize the overall visual impact, new wireless communication facilities shall be co-located with existing facilities, with other planned new facilities, and with other facilities such as water tanks, light standards, and other utility structures whenever feasible and aesthetically desirable. To facilitate co-location when deemed appropriate, conditions of approval for Conditional Use Permits shall require all service providers to cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site when found to be

feasible and aesthetically desirable. The applicant shall agree to allow future co-location of additional antennas and shall not enter into an exclusive lease for the use of the site.

3. At least ten feet of horizontal clearance shall be maintained between any part of the antenna and any power lines unless the antenna is installed to be an integral part of a utility tower or facility.

F. **Development Standards for Antennas** (excluding amateur radio antennas). Unless otherwise exempt pursuant to subsection D (Exemptions), the following development standards shall apply to receive-only antennas (ground- and building-mounted), parabolic antennas, and satellite earth stations as defined in this Section.

1. Antenna Location. Parabolic antenna and satellite earth stations shall be ground-mounted in residential zoning districts. In all non-residential zoning districts, the preference is for building-mounted antenna. No antenna shall be located in the required front or street side yard of any parcel unless entirely screened from pedestrian view of the abutting street rights-of-way (excluding alleys). In all Zoning Districts, ground-mounted antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function, and all portions of the structure/antenna shall be set back a minimum of five feet from any property line.

2. Height Limit. The height limit for ground-mounted antenna is six feet. However, the height may be increased to a maximum of 12 feet if the setback distance from all property lines is at least equal to the height of the antenna and if the structure is screened in accordance with subsection iv. (Screening) below. Building-mounted antenna shall not extend above the roofline, parapet wall, or other roof screen or project beyond a maximum of 18 inches from the face of the building or other support structure.

3. Screening. Ground-mounted antennas shall be screened consistent with the provisions of Section 6.9.080.A.4 (Screening of Ground-Mounted Antennas).

G. **Development Standards for Amateur Radio Antennas.** Amateur radio antennas as defined in subsection B (Definitions) may exceed the height limit and/or amend the setback provisions of the exempt amateur radio antenna structures only when said regulation will result in unreasonable limitations on, or prevent, reception or transmission of signals.

H. **Development Standards for Towers.** The following development standards shall apply to towers (including co-location facilities).

1. Site Design. All facilities (including related equipment) shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening, camouflage, to be compatible with existing architectural elements, landscape elements, and other site characteristics. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objective. A visual impact analysis is

required to demonstrate how the proposed facility will appear from public rights-of-way (including public trails).

2. Safety Design. All facilities shall be designed so as to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions which would result in hazardous conditions, visual blight, or attractive nuisances.

3. Location. Towers shall not be located in any required front or street side yard in any Zoning District. The setback distance from any abutting street right-of-way, residential property line, or public trail shall be equal to the height of the facility (tower and related equipment). Otherwise, the minimum setback distance from all other property lines shall be at least equal to 20 percent of the height of the tower. In order to facilitate collocations, setbacks distance will be waived for placement of antennas on existing towers when there is no increase in the overall height of the tower.

4. Height Limit. The height limit for towers shall be consistent with the maximum building height of the Zoning District of the subject parcel. Exceptions to the height limit may be granted when the designated Approving Authority finds that reasonable alternatives do not exist to provide the necessary service. There is no height limit specified for co-locations on existing structures, provided facilities are screened from view of abutting street rights-of-way or camouflaged by matching the color(s) and/or material(s) of the structure to which it is attached.

5. Lighting. Towers and related equipment shall be lit consistent with the provisions of Section 6.7.070.K (Telecommunication Towers).

6. Landscape. Towers shall be landscaped consistent with the provisions of Section 6.4.060.E (Telecommunication Towers).

7. Design/finish. The tower and related equipment shall have subdued colors and non-reflective materials that blend with the colors and materials of surrounding areas.

8. Advertising. The tower and related equipment shall not bear any signs or advertising devices other than certification, warning or other required seals or signs.

I. **Operation and Maintenance Standards**

1. **Noise.** All wireless communication facilities shall comply with the City's Noise Ordinance.

2. **Non-ionizing Electromagnetic Radiation (NIER) Exposure.** No wireless communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To this end, no facility or combination of facilities shall produce, at any time, power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the City or by the county, state, or federal government.

J. **Removal Provisions.** In the event one or more antennas, towers, or related equipment are not operated for the provision of wireless telecommunication services for a continuous period of three months or more, such antenna, tower, and/or related equipment shall be deemed abandoned. The owner of same shall remove all such items within 30 days following the mailing of written notice that removal is required. If two or more providers of wireless telecommunication services use the antenna support structure or related equipment, the period of non-use under this Sction shall be measured from the cessation of operation at the location by all such providers. Failure to remove shall constitute a public nuisance and shall be enforced as such.

K. **Effects of Development.** The City shall not be liable if development within the City, after installation of the antenna, impairs antenna reception.

7.3.030 Utility Facility and Infrastructure

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to Utility Facility and Infrastructure as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new Utility Facility and Infrastructure shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The intent of these provisions is to minimize the visual and physical impacts of the use on surrounding property by balancing the need for the facilities with a desire to minimize the visual impact.

B. **Definitions.** For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Communication Substation. A telephone switching station or similar facility use to route telecommunication signals from their origin to their destination. Wireless communication facilities (e.g., cellular towers) are included in the use listing "Telecommunication Facility" and are regulated in Section 7.3.020 (Telecommunication Facilities).

Electrical Substation. For the purposes of this Zoning Code, means any structure with 100,000 volts or greater incoming capacity which either:

1. Converts electrical energy to a lesser voltage for the purpose of subregional or localized distribution;

2. Functions as a transition point from overhead to underground electrical transmission lines; or

3. Acts as the point of convergence for two or more transmission lines.

Fixed Based Structures and Facilities. Fixed based structures and facilities shall include substations (both communication and electrical), portable water storage facilities, public water system wells, natural gas regulating and distribution facilities, and treatment plants.

Potable Water Storage Facility. A water tank or similar structure that collects and/or stores potable water, either just prior to or after treatment to make the water safe for human consumption.

Transmission Lines and Pipelines. Those facilities that transmit or transport electricity, potable water, reclaimed water, natural gas, sewage, and telephone, telegraph, cable television, and other communication transmission facilities that utilize direct physical conduits.

Treatment Plants. A facility used to treat water into potable water suitable for human consumption or used to treat sewage/waste water so that it may be reclaimed for use as irrigation water or otherwise released back into the natural environment. It may also include settling ponds and disposal fields related to the operation of the treatment plant.

C. **Permit Requirements and Exemptions.** To the extent allowed by State or Federal law, the uses regulated by this Section shall be subject to the allowed use and permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). In addition, such facilities may be subject to Design Review as required by Chapter 3.12 (Design Review) and allowed by State and Federal law.

D. **Location Requirements for Transmission Lines and Pipelines.**

1. General Location. Generally, transmission lines and pipelines shall be located within public rights-of-way (with approval of the Public Works Director) or within dedicated easements for transmission lines (e.g., public utility easement).

2. Electrical Transmission Lines. Electrical transmission lines of 100,000 volts or greater capacity may be located in any zone and shall be located in easements or rights of way which permit access for maintenance with minimal disruption to surrounding properties. Preference shall be given to the location of transmission lines in the rank order specified below; every reasonable effort shall be exerted to avoid established residential areas. In the event SMUD determines that it has no alternative but to route a 100,000 volt or greater capacity transmission line through an established residential area, such lines shall be installed underground except when SMUD can demonstrate that it is not feasible to do so. Feasible shall be as defined in California Government Code, Section 53096 (c).

   a. Within existing SMUD transmission rights of way or those anticipated for other projects proposed subject to this Code.

   b. Adjacent to railroads or adopted freeway routes.

   c. Along or adjacent to major arterial streets where existing or planned uses are commercial or industrial.

   d. Adjacent to or through existing or planned commercial, industrial, or agricultural uses.

   e. Along arterial streets where residential uses designated in an adopted plan are RD 20 or greater density.

f. Through areas where land uses in an adopted plan are predominately commercial, but include residential uses.

g. Through residential areas, including side and rear yards, irrespective of density.

E. **Location Requirements for Fixed Based Structures and Facilities.** In siting fixed based structures and facilities, the City shall place preference on the locations listed below in the order listed. In any case, siting fixed based facilities within Residential Zoning Districts, particularly those intended for multi-family housing, shall be a last resort. All new subdivisions and land planning (e.g., Specific Plans) shall include provisions for siting fixed based facilities in dedicated, reserved locations that are identified with assistance from the utility service provider.

1. ~~Areas designed for industrial or commercial land uses in an adopted plan.~~Sites zoned Community Service (CS), Transportation Corridor (T), or Parks and Open Space (POS);

2. ~~Undeveloped areas designated for residential use in an adopted plan.~~Areas within Specific Plans or Special Planning Areas specifically identified for utility facility and infrastructure uses;

3. ~~Areas designated for Agricultural Urban Reserve in an adopted plan.~~Sites zoned Automobile Commercial (AC) or Heavy Industrial (M-2);

4. ~~Sites designed for residential use in an adopted plan and surrounded by existing residential uses.~~Sites zoned any Mixed Use Zoning District, provided the facility is not located at the intersection of two major streets;

5. Any other portion of a Mixed Use Zoning District not otherwise described above; or

6. Within a Residential or Agricultural Zoning District.

F. **Development Requirements for Fixed Based Structure and Facilities.**

1. Communication Substations. Communication substations shall be entirely located within an enclosed building, the design of which shall be consistent with the standards of the underlying Zoning District and the Citywide Design Guidelines, the intent being to integrate the design of the facility into the area in which it is located.

2. Electrical Substations

   a. Overhead electrical transmission lines of 100,000 volts or greater capacity shall be installed in such a manner as to minimize adverse visual impacts. When feasible, SMUD shall relocate and combine existing overhead transmission poles and lines with new installations.

   b. Substations shall be designed and constructed in such a manner as to minimize off site visual and noise impacts. Planted or landscaped setbacks of at least 25 feet shall be provided on all property lines.

3. Potable water storage facility. Potable water storage facilities shall observe all development standards of the underlying Zoning District. Additionally, such facilities shall be screened consistent with the provisions of Section 8.9.080.A.7 (Fences, Walls, and Screening)

4. Treatment plant. Treatment plants shall observe all development standards of the underlying Zoning District, except that any treatment ponds or other structures that may emit an odor shall be located a minimum of 200 feet from a Residential Zoning District or residential use. The use shall also provide landscaping along the perimeter of the use, including a minimum 25 foot wide landscape area and evergreen trees planted 30 feet on center.

Chapter 7.4 Retail, Service, and Office Uses

Sections in this Chapter

7.4.010 Chapter Purpose and Applicability 7.4-1
7.4.020 Convenience Stores 7.4-1
7.4.030 Drive-In and Drive-Through Sales and Service 7.4-3

Draft Zoning Code Notes:

7I. The convenience store regulations have been carried over from the existing Zoning Code. A provision on window coverings has been added to limit the coverage to 15 percent of the window.

7J. Several additional dimensional requirements have been added to the Drive-in and drive-through Section. These include minimum drive-through lane widths and location requirements relative to intersections. In addition, the Section provides pedestrian access and crossing provisions. Pedestrian access, avoiding drive-through lanes whenever possible, shall be provided from all abutting streets to the primary entrance. The Section also establishes standards limiting the hours for drive-through and drive-in operations within proximity (300 feet) to residences.

7.4.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for retail, service, and office uses within individual or multiple Zoning Districts. Specifically, this Chapter applies to convenience stores and drive-in and drive-through sales and service. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by requiring additional setbacks, screening, lighting, and specific security measures beyond those otherwise required in the underlying Zoning District.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to convenience stores and drive-in and drive-through sales and service as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.4.020 Convenience Stores

A. **Purpose.** The purpose of this Section is to provide additional design and operational standards for Convenience Stores for increased security and safety for employees and patrons of the convenience store and compatibility with surrounding businesses and residents.

B. **Applicability.** The regulations contained in this Section shall apply to all new convenience stores as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new convenience stores shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.

C. **Outdoor Lighting.** New convenience stores shall maintain the special lighting standards listed in Section 6.7.070.D (Level of Illumination).

D. **Property Maintenance and Litter Removal.** Property management shall be responsible for the removal of litter from adjacent property and streets that results from the convenience store developed after the date of adoption of this Section (with adjacent property-owner consent).

E. **Security Measures.** Convenience stores shall incorporate the following features:

1. Store Windows. Window placement and design shall allow for window surveillance by employees of all outside areas from the employee's primary work position. No more than 15 percent of a window may be covered by displays, posters, or other coverings.

2. Building Security. Building security systems shall be installed to resist crime attempts by incorporating the following improvements:

   a. Raised cashier stations to give an advantage of height against would-be criminals.

   b. Display counter low enough that the cashier has visibility throughout the store. Install mirrors to increase visibility in any corners or hidden areas;.

   c. Buzzer on doors of the coldbox so that the clerks will know when someone has removed merchandise from the refrigerator areas;.

   d. The cashier station shall be designed to be visible from the parking area. Windows or doors shall not be blocked with posters or signs. Counters shall be maintained free from excess displays to enhance visibility of the cashier station.

   e. Inside doors to storage, utility, and office areas shall be provided with two-way mirrors to create uncertainty as to how many people are in the store and to deter criminals.

   f. A timed drop safe shall be provided adjacent to the cashier station. Premises shall be posted accordingly.

   g. Height tape installed next to the exit.

h. A prominently displayed video camera for identifying criminals. The video camera should include a device that records 24 hours of video.

F. **Required Signs.** Signs shall be posted prohibiting loitering and the consumption of alcoholic beverages in the business or in the parking areas, and any other signs as required by the City. This signage requirement shall not count toward the maximum signage allowed by Chapter 6.13 (Signs).

G. **Hours of Operation.** The hours of operation for all new convenience stores shall be limited to between the hours of 6:00 a.m. and 11:00 p.m. daily.

7.4.030 Drive-In and Drive-Through Sales and Service

A. **Purpose.** The purpose of this Chapter is to regulate drive-through windows and remote tellers with development standards that address the mitigation of traffic, congestion, excessive pavement, pedestrian connections, litter, and noise.

B. **Applicability.** Development standards herein shall apply to all new facilities with drive-in and drive-through sales and services and will be reviewed in conjunction with the required Conditional Use Permit and/or Design Review application.

C. **Permit Requirements.** Pursuant to Article 4 (Zoning districts, Allowable Uses, and General Development Standards) a Conditional Use Permit is required for all drive-in and drive-through sales and services.

D. **Required Findings.** All of the findings below shall be made in order for the designated Approving Authority to approve a Conditional Use Permit for a drive-in and drive-through sales and service use.

1. The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.

2. The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility, nor impair normal circulation within the parking lot.

3. The design and location of the facility will not create a nuisance for adjoining properties.

E. **Development and Design Standards**. The following standards shall be the minimum requirements for all drive-through windows and remote tellers.

1. Drive-Through and Remote Teller Aisles. The minimum standards for drive-through aisles are as follows:

a. Aisles shall have a 12-foot minimum width on curves and an 11-foot minimum width on straight sections.

b. Aisles shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive-up lane. Non-food and/or non-beverage businesses may reduce the stacking space

to a minimum of 60 feet. Exceptions may be granted by the designated Approving Authority when an applicant demonstrates that the required reservoir space is unnecessary.

c. Each aisle entrance and exit shall be at least 50 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the curb-cut on an adjacent property. When an aisle encroaches into the front yard and side street setbacks, 25 feet of landscaping shall be provided, with at least ten feet of landscaping between the aisle and right-of-way. Exceptions may be granted by the designated Approving Authority when aisle pull-out spaces are provided.

d. Each aisle shall be separated from the site's ingress and egress routes or access to a parking space.

e. Landscaping of Drive-Through Aisles. Landscaping of drive-through aisles shall be consistent with the requirements of Section 6.4.060.C (Screening of Drive-Through Aisles).

2. Pedestrian Access and Crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous, minimum four-foot-wide sidewalk or delineated walkway. Generally, pedestrian walkways should not intersect the drive-through aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving and shall be clearly signed to alert vehicles in the drive-through aisles

3. Hours of Operation. When located on a site within 300 feet of any residential property (measured from the nearest property lines), hours of operation for the drive-up/drive-through service shall be limited from 7:00 a.m. to 10:00 p.m. daily. In the use is located greater 300 feet from a residential use, then there are no restrictions on the hours of operations.

4. Parking. Drive-up windows, remote tellers, and drive-through aisles shall be designed and constructed to be consistent with the requirements of Chapter 6.5 (Parking and Loading). The placement of a drive-up windows, remote tellers, and drive-through aisles shall not be considered as justification for reducing the number of parking spaces which are otherwise required.

5. Congestion. The Conditional Use Permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot and the management cannot alleviate the situation.

6. Noise. Drive-up windows and their order stations with amplified sound shall be 300 feet from residential zones. Drive-up windows or remote tellers without amplified sound may reduce the separation distance to a minimum of 75 feet from residential zones.

7. Signs. Signage for drive-up windows and remote tellers shall be consistent with the requirements of Chapter 6.13.

Chapter 7.5 Automotive and Vehicle Uses

Sections in this Chapter

7.5.010 Chapter Purpose and Applicability 7.5-1
7.5.020 Automobile Dismantling 7.5-1
7.5.030 Service Stations 7.5-2

Draft Zoning Code Notes:

7K. New regulations for automobile dismantling have been added to require screening from adjacent uses and the public right-of-way.

7L. The service station regulations have been carried over from the existing Zoning Code. The permit process has been modified to only require Planning Commission approval of the Conditional Use Permit (where required), rather than City Council. Additional landscaping adjacent to single-family residential is required.

7.5.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for automotive and vehicle uses within individual or multiple Zoning Districts. Specifically, this Chapter includes regulations for automobile dismantling and service stations. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by applying special location and design requirements beyond those otherwise required in the underlying Zoning District.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to automobile dismantling and service stations as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.5.020 Automobile Dismantling

A. **Purposed and Applicability.** The regulations contained in this Section shall apply to new or expanded automobile dismantling uses as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new automobile dismantling uses shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The intent of these provisions is to promote compatibility between automobile dismantling and adjacent uses through the application of special screening provisions.

B. **Location.** Automobile dismantling uses may only be located in those Zoning Districts as described in Article 4 (Zoning Districts, Allowed Land Uses, and Development Standards).

C. **Screening.** All outdoor storage areas of the automobile dismantling use shall be screened from public view consistent with the standards of Section 6.9.080.A.7 (Screening for Special Uses).

7.5.030 Service Stations

A. **Purpose.** The purpose of this Section is to establish requirements for the location and construction of new service stations (as defined in Chapter 11.1, Land Use Descriptions). The intent of these provisions is to ensure that new service stations are compatible with surrounding uses and activities by mitigating associated problems with traffic, congestion, excessive pavement and lighting, litter, and hazardous materials.

B. **Applicability.** The regulations contained in this Section shall apply to service stations as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new service stations shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.

C. **Special Requirements for Use Permit Approval**

1. Approval Authority. In those instances where a Conditional Use Permit is required by Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) for the establishment of a new service station, the designated Approving Authority shall be the Planning Commission.

2. Conditions of Approval. In addition to any other conditions which may be imposed, any Conditional Use Permit issued pursuant to this Section shall include the following conditions:

   a. If the operation of the service station is discontinued for any reason for a continuous period in excess of 180 days, such discontinuance of operation shall be grounds for revocation or modification of the Conditional Use Permit, consistent with Section 2.8.070 (Permit Revocation or Modification);

   b. Upon the revocation of the Conditional Use Permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station; and

   c. The applicant to whom a Conditional Use Permit has been granted shall post on the premises for public display the use permit or a copy thereof when issued.

D. Location Requirements

1. Abutting Residential Zones or Uses. No new service stations shall be permitted or located on lots abutting property in any Agricultural or Residential Zoning District or residential use, unless the designated Approving Authority can make the finding that the design of the service station, along with the conditions placed upon the Conditional Use Permit, will mitigate any adverse effects the station may have on the abutting property. In the event that the property adjacent an existing service station is subsequently rezoned to an Agricultural or Residential Zoning District, such rezoning shall not cause the service station to be nonconforming with regard to this location requirement.

2. Location Near Non-Operational Service Stations. In deciding whether a service station shall be permitted pursuant to this Section, the designated Approving Authority shall consider, in addition to any other limitation provided by this Section, whether there are any vacant or unoccupied service stations within a half-mile radius of the proposed service station site and, if so, shall determine whether the area immediate to such proposed service station suffers from an overconcentration of service stations. If it is determined that the area does suffer from an overconcentration of service stations, then the application for a Conditional Use Permit shall be denied.

E. Development and Design Standards. The following special standards apply to all new service stations and qualifying expansions/improvements to existing service stations. Service station uses shall also comply with all applicable State and Federal regulations regarding site design, pricing signs, containment, maintenance, and operations.

1. Frontage. The minimum public street frontage shall be 135 feet on each public street for all new service stations.

2. Pump Islands. Service station pump islands may be placed in required yards provided they are no closer than 15 feet to the street right-of-way.

3. Access Driveways. Driveway design shall be consistent with the City of Rancho Cordova Public Works Improvement Standards, except that the minimum width for driveways shall be 35 feet. The width shall be expanded to 45 feet whenever the driveway accesses a street with a width of, or with a planned ultimate width of, 84 feet or greater. Driveways shall be no closer than 40 feet from the nearest intersecting point of street right-of-way lines, or as otherwise determined by the Public Works Director for traffic safety.

4. Landscaping. Landscape shall be provided consistent with the provisions of Section 6.4.060.D (Service Stations).

5. Signs. Signs shall be consistent with the standards of Chapter 6.13 (Signs).

6. Fences and Walls. A wall shall be provided between service stations and abutting residential zoning or uses consistent with the provisions of Section 6.9.080.A.7 (Screening for Special Uses).

7. Structure Height. Structures shall observe the height limits of the underlying Zoning District, except that canopies constructed over pump islands located outside the buildable area of the lot shall not exceed a maximum height of 17 feet. Deviations from these standards may be allowed in conjunction with Design Review.

Chapter 7.6 Industrial, Manufacturing, and Processing Uses

Sections in this Chapter

7.6.010 Chapter Purpose and Applicability 7.6-1
7.6.020 Junk Tire Facility 7.6-1

Draft Zoning Code Notes:

7M. The existing regulations for junk tire facilities have been carried over.

7.6.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for industrial, manufacturing, and processing uses within individual or multiple Zoning Districts. Specifically, this Chapter includes regulations for junk tire facilities. It is the City's intent, in establishing these standards, to mitigate the potential adverse visual impacts of this use on adjacent and surrounding property by requiring additional setbacks, screening, and other location standards.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to junk tire facilities as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). This use may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.6.020 Junk Tire Facility

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to junk tire facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new junk tire facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to ensure compatibility with surrounding land uses by limiting the amount and duration of tire storage, requiring special siting of storage areas, and requiring additional screening of storage areas from public view.

B. **Fire Department Review.** No Conditional Use Permit to allow junk tire facilities shall be approved unless the designated Approving Authority has considered any recommendations concerning potential fire hazards associated with the proposed use made by the Chief of the Fire District.

C. Development Standards. The following special standards apply to all new junk tire facilities and qualifying expansions/improvements to existing junk tire facilities.

1. Junk tires shall be removed from the site within 30 days after their receipt or acquisition.

2. An approved site shall contain no more than one acre of junk tire storage area.

3. All equipment necessary to conduct the proposed junk tire handling activities shall be at the site and in operating condition before operations (including collection, receipt, or storage of junk tires) commence. Any shredder to be used shall be capable of shredding at least 250 passenger tires an hour.

4. The approved junk tire operation shall comply with all federal, state, and local statutes or ordinances, including nuisance laws and noise and air quality standards. The granting of a Conditional Use Permit under this Section shall not be deemed to indicate that all such statutes have been obeyed.

5. Junk tires storage shall be screened consistent with the provisions of Section 6.9.080.A.7 (Screening for Special Uses).

6. Junk tires located on properties approved pursuant to this Section shall be located at least 500 feet from property zoned or used for residential or agricultural/residential purposes.

7. If junk tires are to be stored within areas subject to flooding, no storage is to be permitted during the winter flood season from November 1 through March 31.

8. No junk tires shall be stored within 100 feet of any area where any material is burned, including, but not limited to, farming activities, vehicle dismantling yards, welding shops, or any other activity utilizing flame or fire.

Chapter 7.7 Special Regulated Uses

Sections in this Chapter

7.7.010 Chapter Purpose and Applicability 7.7-1
7.7.020 Card Room 7.7-2
7.7.030 Check Cashing Business 7.7-2
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7.7.070 Smoke Shop 7.7-8
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Draft Zoning Code Notes:

7N. Regulations for card rooms have been added to limit overconcentration through spacing requirements and require additional lighting and site maintenance.

7O. Regulations for check cashing businesses have been added to address location and proximity to surrounding uses, property maintenance, and additional on-site security.

7P. Regulations for pawn shops have been added to address potential overconcentration, hours of operation, and reference business license requirements.

7Q. Regulations for recycling collection facilities address adjacency to neighboring residential uses, requirements for weather-proof containers, limitations on mechanical equipment, and relationship of the use to the site's parking lot.

7R. Existing regulations for sexually oriented businesses have been carried over from the existing Zoning Code, including the current moratorium.

7S. Smoke shop regulations include spacing requirements to limit overconcentration of the use.

7T. Regulations for tattoo parlors limit overconcentration through spacing requirements.

7U. Regulations for thrift stores address overconcentration through spacing requirements. Provisions also require additional maintenance and clearly identifiable collection areas.

7.7.010 Chapter Purpose and Applicability

A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for special regulated uses within individual or multiple Zoning Districts. These provisions apply to card rooms, check cashing businesses, pawn shops, recycling facility (collection), sexually oriented businesses, smoke shops, tattoo parlors, and thrift stores. It is the City's intent, in establishing these

standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by requiring special siting and location standards.

B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to those uses expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). Specifically, this Chapter covers those uses within the Special Regulated Uses land use category. Other land use categories are addressed in other Chapters of this Article.

7.7.020 Card Room

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to all new and qualifying expansion of existing card rooms as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new card rooms shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to prevent the overconcentration of card rooms within the City and ensure compatibility with surrounding uses by requiring additional lighting and site maintenance.

B. **Business License.** All new card rooms shall comply with the business license requirements of Chapter 4.22 of the City's Municipal Code.

C. **Location.** All new card rooms shall be located consistent with the following standards:

1. Located a minimum of 1,000 feet from another card room;

2. Located a minimum of 500 feet from a public school, community center, or library

D. **Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards apply to all new card rooms:

1. Lighting. Card rooms shall maintain lighting consistent with the provisions of Section 6.7.070.D (Level of Illumination)

2. Site Maintenance. Management shall be responsible for the removal of litter from adjacent property and streets that results from the card room (with adjacent property-owner consent).

7.7.030 Check Cashing Business

A. **Purpose and Applicability.** The standards of this Section shall apply to all new and qualifying expansion of existing check cashing facilities as defined in Chapter 11.1 (Land Use Descriptions) and as permitted in those Zoning Districts as described in Article 4

(Zoning Districts, Allowed Uses, and Development Standards). The provisions of this Section shall apply in addition to other regulations of this Zoning Code. In those instances where there are conflicts between other sections and this Section, the provisions of this Section shall apply. The purpose of these regulations is to prevent the overconcentration of check cashing businesses and ensure compatibility with surrounding uses by requiring additional lighting, security, and maintenance, as well as limiting the hours of operation.

B. **Location.** All new check cashing establishments shall be located consistent with the following standards:

1. Located a minimum of 1,000 feet from another check cashing establishment;

2. Located a minimum of 500 feet from all of the following uses:

   a. Public school, community center, or library;

   b. State or federally chartered bank, savings association, credit union, or industrial loan company; and

   c. Alcoholic beverage sales, excluding restaurants, grocery stores/supermarkets, and neighborhood markets.

C. **Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards apply to all new check cashing businesses:

1. Lighting. Card rooms shall maintain lighting consistent with the provisions of Section 6.7.070.D (Level of Illumination)

2. Days and Hours of Operation. Operation of check cashing establishments shall be limited to Monday through Saturday, from 7:00 a.m. to 7:00 p.m.

3. Site Maintenance. Management shall be responsible for the removal of litter from adjacent property and streets that results from the check cashing business (with adjacent property owner consent).

4. On-Site Security. A minimum of one certified uniformed security guard shall be on duty at all times the establishment is open. The guard shall patrol both the interior and exterior portions of the property under control of the owner or lessee including, but not limited to, parking lots and any open public spaces such as lobbies.

7.7.040 Pawn Shop

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to all new and qualifying expansion of existing pawn shops as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new pawn shops shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the

standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to limit the overconcentration of pawn shops within the City by applying minimum distance standards between pawn shops and other sensitive land uses and ensuring compatibility with surrounding uses by limiting the hours of operation.

B. **Business License.** All new pawn shops shall comply with the business license requirements of Chapter 4.30 of the City's Municipal Code.

C. **Location and Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards shall apply to all new pawn shops:

1. Location. New pawn shops shall not be located closer than 1,000 from an existing pawn shop and no closer than 250 feet from a public school, park, community center, or library.

2. Hours of operation. The hours of operation of pawn shops shall be limited to between 8:00 a.m. and 9:00 p.m. daily.

7.7.050 Recycling Facility, Collection

A. **Purpose and Applicability**. The regulations contained in this Section shall apply to all new and qualifying expansion of existing recycling collection facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new recycling collection facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to provide for compatibility with surround uses by requiring additional setbacks, limitation on mechanical equipment, and special parking provisions.

B. **Location.** New recycling collection facilities shall not be located within 75 feet of a residential use or Residential Zoning District.

C. **Development Standards.** All new recycling collection facilities shall observe all development standards of the underlying Zoning District, except that they shall also comply with the following additional standards:

1. Power-driven processing equipment shall not be used except for reverse vending machines;

2. Containers must be constructed with durable waterproof and rustproof material(s), secure from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule;

3. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present; and

4. Use of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the main use unless a parking study shows that existing capacity is not fully utilized during the time the mobile recycling facility would be on the site.

7.7.060 Sexually Oriented Business

A. Purpose

1. As defined in this Section, sexually oriented businesses include adult book stores, adult motion picture theaters, adult live theaters, and adult video tape stores. Subparagraph (g) of Government Code Section 65850 provides that the City may regulate, pursuant to a content-neutral ordinance, the time, place, and manner of operation of sexually oriented businesses. As hereinafter set forth, the City Council has determined that the regulations of this Section serve a substantial governmental interest and do not unreasonably limit alternative avenues of communication and are based on narrow, objective, and definite land use standards.

   In adopting this Section, the City Council relied upon the experience of the City of Renton and the City of Seattle and the findings of federal and state court decisions in establishing the reasonableness and the constitutionality of the provisions of this Section and the reliance thereto the specific effects such adult businesses may have on the residents and businesses of Rancho Cordova, and the proximity of such businesses to other land uses, including but not limited to churches, schools, parks, places frequented by children, and other sexually oriented businesses.

2. The City Council, as a result of concerns regarding the harmful secondary effects of sexually oriented businesses, finds that such establishments require special regulations to restrict the location, operation, and concentration of these businesses.

3. Increasing urbanization, changing community standards, and evolving legal standards for the regulation of such sexually oriented businesses dictated that the City of Rancho Cordova address its regulations of such establishments so as to provide for such uses, taking into consideration the compatibility thereof with existing land uses and land use regulations, and to minimize the cumulative impacts and harmful secondary effects.

4. The City Council recognizes that the land uses regulated by this Section constitute protected expressions of speech and that said uses must be permitted, and reasonably available to potential patrons, within certain areas of the City of Rancho Cordova. The Council also recognizes that the nature of such uses, and the activities of patrons on or near the premises on which the adult uses are located, can be a threat to the public health and safety and the welfare of the citizens of the City of Rancho Cordova. The Council is fully aware that the activities conducted in such businesses are provided protection under the federal and state constitutions. Accordingly, the Council finds that the regulations of this Section are based on narrow, objective, and definite standards that are intended to provide a reasonable number of available sites for such uses while minimizing the harmful secondary effects of these uses.

B. **Definitions.** For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Adult Bookstore. A building or portion thereof used by an establishment under either of the following circumstances:

- Where 25 percent or more of the floor space of the area of the building open to the public, and actually used for the display of books, magazines, or other publications, is devoted to the sale of books, magazines, or other publications which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18; or

- Where 25 percent or more of the total number of books, magazines, or other publications offered for sale to the public consist of books, magazines, or other publications which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18.

Adult Motion Picture Theater. A building or portion thereof or area, open or enclosed, which regularly features motion pictures distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities as defined in this Section or specified anatomical areas as defined in this Section.

Adult Live Theater. A building or portion thereof or area, open or enclosed, which regularly features live performances distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities as defined in this Section or specified anatomical areas as defined in this Section for observation by patrons or customers.

Adult Uses. As used in this Zoning Code, adult uses shall mean sexually oriented businesses.

Adult Video Tape Store. A building or portion thereof used by an establishment under either of the following circumstances:

- Where 25 percent or more of the floor space of the area of the building open to the public, and actually used for the display of video tapes, is devoted to the sale or rental of video tapes which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18; or

- Where 25 percent or more of the total number of video tapes offered for sale or rental to the public consist of video tapes which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually

explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18.

Sexually Oriented Business. As used in this Zoning Code, a sexually oriented business is an adult bookstore, adult video tape store, an adult motion picture theater or a live adult theater, or any establishment that consists of any combination of such uses.

Specified Anatomical Areas. Specified anatomical areas are:

- Less than completely and opaquely covered human genitals; pubic region, buttock, and female breast below a point immediately above the top of the areola; and
- Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Specified sexual activities are:

- Display of manipulation of human genitals in a state of sexual simulation or arousal;
- Acts of human masturbation, sexual intercourse, or sodomy;
- Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

C. **Location Conditions.**

1. The zoning conditions set forth in subsection (2) below 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. The City is also undertaking a comprehensive update of its Zoning Code, which includes this Section. Therefore, notwithstanding the zoning conditions set forth in subsection (2), for a period of ten months and 15 days beginning March 19, 2007, 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.

2. Sexually oriented businesses are permitted subject to compliance with the following conditions:

   a. Such use is more than 1,000 feet from any property zoned in an Agricultural or Residential Zoning District.

   b. Such use is situated more than 1,000 feet from any other sexually oriented business.

   c. Such use is located more than 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 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 such uses shall be permitted within the boundary of the planning area for a community planning advisory council established by the City Council pursuant to Chapter 2.36 of the Rancho Cordova Municipal Code.

f. Such use is situated in either a LIBP or M-2 land use zone.

7.7.070 Smoke Shop

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing smoke shops as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new smoke shops shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of smoke shops within the City by applying minimum distance standards between smoke shops and ensuring compatibility with the surrounding community by limiting the location of smoke shops near schools, parks, community centers, and libraries.

B. **Location.** Smoke shops shall not be located closer than 1,000 feet from another smoke shop and no closer than 250 feet from a public school, park, community center, or library.

7.7.080 Tattoo Parlor

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing tattoo parlors as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new tattoo parlors shall be consistent with the

allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of tattoo parlors within the City by applying minimum distance standards between tattoo parlors and ensuring compatibility with the surrounding community by limiting the location of tattoo parlors near schools, parks, community centers, and libraries.

B. **Location.** Tattoo parlors shall not be located closer than 1,000 feet from another tattoo parlor and no closer than 250 feet from a public school, park, community center, or library.

7.7.090 Thrift Store

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing thrift stores as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new thrift stores shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of thrift stores within the City by applying minimum distance standards between thrift stores and ensuring compatibility with surrounding uses by requiring special standards for collection/receiving and refuge areas and requiring additional property maintenance.

B. **Location.** Thrift stores shall not be located closer than 1,000 feet from another thrift store.

C. **Development Standards.** All new thrift stores shall observe all development standards of the underlying Zoning District, except that they shall also comply with the following additional standards:

1. Enclosed Activities. All activities shall be completely enclosed within the building for the use.

2. Collection/Receiving Area. The collection area shall be located on the side or rear of the building. Adequate directional signage shall be provided from the main entrance to the use to direct individuals to the collection area. The collection area shall be noticed to prohibit depositing goods when the store is closed.

3. Property Maintenance. Management shall be responsible for the removal of litter from the subject property, adjacent property, and streets that results from the thrift store (with adjacent property owner consent).

Chapter 7.8 Temporary Uses

Sections in this Chapter

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7.8.030 Temporary Use Regulations 7.8-2
7.8.040 Similar Uses 7.8-3

Draft Zoning Code Notes:

7V. Regulations for temporary uses have been carried over from the existing Code. Requirements for fireworks stands in the business license ordinance have been referenced. New regulations for farmers markets have been added.

7W. Time limits for temporary uses may be exceeded through approval of a Limited Use Permit.

7X. New standards for Farmers Markets have been added.

7.8.010 Chapter Purpose

The purpose of this Chapter is to establish regulations for uses of private property that are temporary in nature. These provisions place restrictions on the duration of the temporary use, its location, and other development standards. The intent of these regulations is to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or impact the general health, safety, and welfare of persons residing within the community.

7.8.020 Permit Required

A. Except as otherwise provided in this Zoning Code, the temporary uses listed in this Chapter shall require the issuance of a Temporary Use Permit from the designated Approving Authority prior to establishment of the use. The process for accepting, reviewing, and approving or denying a Temporary Use Permit shall be as described in Chapter 3.3 (Temporary Use Permit). Additionally, the designated Approving Authority may impose conditions on the approval of a temporary use consistent with the standards of Chapter 3.3 (Temporary Use Permit).

B. Applicants seeking a Temporary Use Permit for a time period longer than otherwise allowed by this Chapter may submit for a Limited Use Permit for said activity, provided that it complies with all other relevant development and operational standards (other than time duration) for the use as provided in this Chapter. Approval of the Limited Use Permit shall be in accordance with the standards of Chapter 3.8 (Limited Use Permits).

7.8.030 Temporary Use Regulations

A. **Exempt Temporary Uses.** The following temporary uses are exempt from the permit requirements of this Chapter, provided they comply with the development standards listed herein.

1. Garage sales are permitted on any parcel where the sale operator resides, not to exceed three sales per calendar year and two consecutive days for each sale.

2. Construction yards and storage sheds for the storage of materials and equipment used as part of a construction project provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.

3. Fireworks stands, except that other permit(s) may be required by the Fire District and/or other regulatory agencies and a valid Business License has been issued, consistent with the requirements of Chapter 4.54, Article 7 (Fireworks) of the City's Municipal Code

B. **Regulated Temporary Uses**. The following temporary uses may only be established after first obtaining a valid Temporary Use Permit as described in Section 7.8.020 (Permit Required).

1. Expositions, concerts, carnivals, clinics, amusement rides, and flea markets may be conducted for a period not to exceed ten days within a calendar year (either consecutive or intermittent). The use must be located on Mixed Use, Automotive, and Industrial zoned land and shall be under the supervision of a public agency or an organization, school, or church which qualifies for an exempt fee license pursuant to the Business License ordinance (Chapter 4.06, General Business Licenses, of the City's Municipal Code). Temporary uses of a similar nature when located within an entirely enclosed building are exempt from the permit requirement.

2. Farmers' market may be permitted, provided such markets qualify as Certified Farmers' Market and all producers/vendors qualify as Certified Producers under the California Department of Food and Agriculture. The market must be located within the buildable portion of the lot on which it is to be located. The Temporary Use Permit may impose conditions limiting the length of the permit, days and hours of operation, and other development factors as deemed appropriate

3. Outdoor sales and display of goods, including promotional sales, may be conducted as part of an otherwise lawfully permitted or allowed permanent use, provided all activities are conducted within the buildable portion of the lot and limited to 30 days within the first 180 days of business and for other businesses shall be limited to one period not exceeding ten days within a given year. Sales and display may not occupy more than ten percent of the parking area and shall not substantially alter the existing circulation pattern of the site. Temporary sales shall and display shall not obstruct any existing handicap accessible parking space.

4. Seasonal sales (e.g., Christmas tree sales, pumpkin sales, etc.) may be permitted in any non-residential Zoning District upon issuance of a Temporary Use Permit. The term of permit shall not exceed 45 days per calendar year.

5. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one year.

6. Temporary sales and construction offices used for the sale of lots and/or homes as part of a new residential subdivision may be permitted. Parking shall be provided as required by Chapter 6.5 (Parking and Loading). In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the Temporary Use Permit.

7.8.040 Similar Uses

When a temporary use is not specifically listed in this Section, the Planning Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use, consistent with the provisions for Similar Use Determination in Chapter 3.7 (Similar Use Determination).

Article 8

Special Housing Standards and Development Incentives

Overview

This Article contains all of the City's special housing standards and development incentives, such as the Density Bonus Ordinance and Condominium Conversion Ordinance. It also includes a process to grant reasonable accommodations for housing for persons with disabilities. The standards and provisions contained herein are in addition to the standards elsewhere in the Zoning Code.

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Chapter 8.1 Housing Incentives/Density Bonus Provisions

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Draft Zoning Code Notes:

8A. This Chapter contains the City's Density Bonus Ordinance. It has been updated to be consistent with recent amendments to state law. It allows for an increase in the density of a project (to a maximum) when a certain number of units are dedicated for very low and low income persons. In addition, certain incentives or concessions may be granted as part of the density bonus.

8.1.010 Chapter Purpose

The purpose of this Chapter is to provide incentives for the production of housing for very low, lower income, and senior households in accordance with Government Code Sections 65915 through 65918. In enacting this Chapter, it is the intent of the City Council to facilitate the development of affordable housing and to implement the goals and policies of the City's General Plan Housing Element.

8.1.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Affordable Rent. Affordable rent means monthly housing expenses, including a reasonable allowance for utilities (30 percent of gross monthly income), for rental target units reserved for very low or lower income households, not exceeding the following calculations:

- Very low income: Fifty percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.
- Lower income: Sixty percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.

Affordable Sales Price. Affordable sales price means a sales price at which lower or very low income households can qualify for the purchase of target units, calculated on the basis of underwriting standards of mortgage financing available for the development.

Child Care Facility. Child care facility means a facility installed, operated, and maintained for the nonresidential care of children as defined under applicable state licensing requirements for the facility. Such facilities include, but are not limited to, infant centers, preschools, extended day care facilities, school age child care centers, or family day care homes as defined in this Title.

Density Bonus. Density bonus means a density increase over the otherwise Maximum Allowable Residential density under the applicable Zoning District and Land Use Element of the General Plan.

Density Bonus Housing Agreement. Density bonus housing agreement means a legally binding agreement between a developer and the City to ensure that the requirements of this Chapter are satisfied.

Density Bonus Units. Density bonus units means those residential units granted pursuant to the provisions of this Chapter which exceed the otherwise Maximum Residential Density for the development site.

Equivalent Financial Incentive. Equivalent financial incentive means a monetary contribution, based upon a land cost per dwelling unit value, equal to one of the following:

- A Density Bonus and an Incentive(s); or
- A Density Bonus, where an Incentive(s) is not requested or is determined to be unnecessary.

Housing Cost. Housing cost means the sum of actual or projected monthly payments for all of the following associated with for-sale target units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities. Adjustments should be made as necessary for down payment assistance.

Housing Development. Housing development means one or more groups of projects for residential units planned for construction in the City. It includes a subdivision or common interest development as defined in Section 1351 of the Civil Code, residential units or unimproved residential lots, the rehabilitation of existing multi-family dwellings where the rehabilitation would result in a net increase in available units, and the conversion and rehabilitation of an existing commercial building to residential use.

Incentive and Concession. Incentive and concession means such regulatory concessions as specified in subdivision (l) of Government Code Section 65915 which include, but are not limited to, the following:

- The reduction of site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission including, but not limited to, a reduction in setback and square footage requirements and in the

ratio of vehicular parking spaces that would otherwise be required that results in identifiable financially sufficient and actual cost reductions.

- Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

- Direct financial assistance.

- Other regulatory incentives or concessions which result in identifiable cost reductions or avoidance.

Lower Income Household. Lower income household means households whose income does not exceed the lower income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50079.5

Maximum Residential Density. Maximum residential density means the maximum number of residential units permitted by the City's General Plan Land Use Element and Zoning Ordinance at the time of application.

Non-Restricted Unit. Non-restricted unit means all units within a housing development excluding the target units.

Persons and Families of Moderate Income. Persons and families of moderate income shall mean households whose income does not exceed the moderate limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

Qualifying Housing Development. Qualifying housing development is a housing development where the applicant or developer of the housing development agrees to provide one or more of the following:

- At least 20 percent of the total units of the housing development as target units affordable to lower income households;

- At least 10 percent of the total units of the housing development as target units affordable to very low income households; or

- Senior citizen housing.

Qualifying Resident. Qualifying resident means senior citizens or other persons eligible to reside in a senior citizen housing development.

Senior Citizen Housing Development. Senior citizen housing development means a residential development developed, substantially rehabilitated, or substantially renovated

for senior citizens that has at least 35 dwelling units and complies with the requirements of California Civil Code Section 51.3.

Target Unit. Target unit means a dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low or lower income households, or qualifying residents.

Very Low Income Household. Very low income household means households whose income does not exceed the very low income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

8.1.030 Eligibility for Incentives and Bonuses

The City of Rancho Cordova shall grant one density bonus, with concessions or incentives, as specified in Section 8.1.050 (Number and Types of Incentives and Bonuses Allowed), or provide other incentives or concessions of equivalent financial value based upon the land cost per dwelling unit, when the applicant for the housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this Chapter, that will contain at least one of the following:

A. Ten percent of the total units of a housing development for lower income households;

B. Five percent of the total units of a housing development for very low income households;

C. A senior citizen housing development; or

D. Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the California Civil Code for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.

8.1.040 General Provisions for Incentives and Bonuses

The following general provisions apply to the application and determination of all incentives and bonuses:

A. All density calculations resulting in fractional units shall be rounded up to the next whole number.

B. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan Amendment, Rezone, or other discretionary approval.

C. The density bonus shall not be included when determining the number of housing units that is equal to five or ten percent of the total.

D. Upon request by the applicant, the City shall not require that a housing development meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) provide a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following:

1. Zero (studio) to one bedrooms: one on-site parking space per unit

2. Two to three bedrooms: two on-site parking spaces per unit

3. Four and more bedrooms: two and one-half parking spaces per unit

If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide "on-site parking" through tandem parking or uncovered parking, but not through on-street parking.

E. The City shall not apply any development standard that would have the effect of precluding the construction of a housing development meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) at the densities or with the incentives permitted by this Chapter. An applicant may submit to the City a proposal for the waiver or reduction of development standards. Nothing in this subsection, however, shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the target units economically feasible.

8.1.050 Number and Types of Incentives and Bonuses Allowed

A. **General Project Density Bonus.** A housing development that satisfies all applicable provisions of this Chapter shall be entitled to the following density bonus:

1. For developments providing lower income target units, a 20 percent base density bonus plus a one-and-a-half percent supplemental increase over that base for every one percent increase in low income units above ten percent. The maximum density bonus allowed including supplemental increases is 35 percent.

2. For developments providing very lower income target units, a 20 percent base density bonus plus a two-and-a-half percent supplemental increase over that base for every one percent increase in very low income units above five percent. The maximum density bonus allowed including supplemental increases is 35 percent.

3. For senior citizen housing developments, a flat 20 percent density bonus.

4. For common interest developments providing moderate income target units, a five percent base density bonus plus a one percent increase in moderate-income units above ten percent. The maximum density bonus allowed including supplemental increases is 35 percent.

B. **Number of Incentives or Concessions.** In addition to the eligible density bonus percentage described in this Section, an applicant may request one or more incentives or concessions in connection with its application for a density bonus as follows:

1. A reduction in the site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 Section 18907 of Division 13 of Health and Safety Code, including but not limited to a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions.

2. Approval of mixed-use development in conjunction with the housing development if the non-residential land uses will reduce the cost of the housing development and the non-residential land uses are compatible with the housing development and surrounding development.

3. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.

4. Priority processing of a housing development that provides income-restricted units.

C. **Available Incentives and Concessions.** The following incentives and concessions are available for compliance with this Chapter.

1. A reduction in the site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 Section 18907 of Division 13 of Health and Safety Code, including but not limited to a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions.

2. Approval of mixed-use development in conjunction with the housing development if the non-residential land uses will reduce the cost of the housing development and the non-residential land uses are compatible with the housing development and surrounding development.

3. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.

4. Priority processing of a housing development that provides income-restricted units.

D. **Additional Density Bonus and Incentives and Concessions for Donation of Land to the City**

1. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City and agrees to include a minimum of ten percent of the total units before the density bonus for very low income households, as provided for in this subsection, the applicant shall be entitled to a 15

percent base density bonus plus a one percent supplemental increase for each additional percentage of very low income units to a maximum density bonus of 35 percent.

2. The density bonus provided in this subsection shall be in addition to any other density bonus provided by this Chapter to a maximum combined density bonus of 35 percent.

3. The applicant shall be eligible for the increased density bonus described in this subsection if all of the following conditions are met:

   a. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application;

   b. The developable acreage and Zoning designation of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than ten percent of the number of residential units of the proposed development;

   c. The transferred land is at least one acre in size or is of sufficient size to permit development of at least 40 units, has the appropriate General Plan Land Use and Zoning designations, and is or will be served by all required public utilities;

   d. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with the requirements of this Chapter;

   e. The land is transferred to the City or to a housing developer approved by the City; and

   f. The transferred land shall be within the boundary of the proposed development or, at the City's approval, within one-quarter mile of the boundary of the proposed development.

4. Nothing in this subsection shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.

E. **Additional Density Bonus and Incentives and Concessions for Development of Child Care Facility**

1. Housing developments meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) and including a child care facility that will be located on the premises of, as part of, or adjacent to the housing development shall receive either of the following:

   a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square footage in the child care facility.

b. An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.

2. The density bonus housing agreement for the housing development shall ensure that:

   a. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the target units are required to remain affordable; and

   b. Of the children who attend the childcare facility, the children of very low income households, lower income households, or persons or families of moderate income shall equal a percentage that is equal to or greater than the percentage of target units that are required pursuant to Section 8.1.030 (Eligibility for Incentives and Bonuses).

3. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.

F. **Condominium Conversion Incentives for Low Income Housing Development**

1. When an applicant for approval to convert apartments to a condominium project agrees to the following, the City shall grant either a density bonus of 25 percent over the number of apartments (to be provided within the existing structure or structures proposed for conversion) or provide other incentives of equivalent financial value.

   a. Provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income; or

   b. Provide at least 15 percent of the total units of the proposed condominium project to lower income households; and

   c. Agree to pay for the reasonably necessary administrative costs incurred by the City.

2. For purposes of this subsection, "other incentives of equivalent financial value" shall not be construed to require the City to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the City might otherwise apply as conditions of conversion approval.

3. Nothing in this subsection shall be construed to require the City to approve a proposal to convert apartments to condominiums.

4. An applicant shall be ineligible for a density bonus or other incentives under this subsection if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentive was previously provided.

8.1.060 Location of Bonus Units

As required by State law, the location of density bonus units within the housing development may be at the discretion of the developer. However, the inclusionary units shall be dispersed throughout the development (where feasible), shall contain, on average, the same number of bedrooms as the non-inclusionary units in the development, and shall be compatible with the design or use of the remaining units in terms of appearance, materials, and quality finish.

8.1.070 Continued Availability

A. If a housing development providing lower or very low income target units receives only a density bonus, the target units must remain restricted to lower or very low income households for a minimum of 30 years from the date of issuance of the Certificate of Occupancy.

B. If a housing development providing lower or very low income target units receives both a density bonus and an additional incentive, the target units must remain restricted to lower or very low income households for a minimum of 50 years from the date of issuance of the Certificate of Occupancy.

C. In the case of a housing development providing moderate income target units, the initial occupant of the target unit must be a person of family of moderate income. Upon resale, the seller of the target units shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation, which shall be used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the California Health and Safety Code that promote homeownership. The City's "proportionate share" shall be equal to the percentage by the initial sale price to the moderate income household was less than the fair market value of the home at the time of the initial sale.

8.1.080 Process for Approval or Denial

A. **Process for Approval.** The density bonus and incentive(s) and concession(s) request shall be considered in conjunction with any necessary development entitlements for the project. The designated Approving Authority for density bonuses shall be the City Council. In approving the density bonus and any related incentives or concessions, the City and applicant shall enter into a density bonus agreement. The form and content of the density bonus agreement shall be determined by the City.

B. **Approval Required Unless Denial Findings Made.** The City shall grant the density bonus, incentive(s), and concession(s) requested by the applicant unless the City makes a written finding, based upon substantial evidence, of either of the following:

1. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.

2. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the

City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.

Chapter 8.2 Condominium Conversion

Sections in this Chapter

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Draft Zoning Code Changes:

8B. This Chapter contains the City's updated Condominium Conversion Ordinance.

8C. This revised ordinance includes definitions, the requirement for a Development Agreement, application submittal requirements (including vacancy rates), tenant relocation assistance, and the property must be inspected and upgraded to current building code and standards.

8.2.010 Chapter Purpose

The provisions of this Section shall apply to the development of all residential condominiums and stock cooperatives including the conversion of existing dwelling units to condominiums, row houses, town houses, and stock cooperatives. The purpose of the ordinance is to establish procedures for the conversion as well as to maintain the availability of rental housing stock and to ensure that rental apartments being converted meet applicable physical standards.

8.2.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Applicant. The owner(s) or subdivider(s) with a controlling interest in the proposed project and any successors in interest.

Condominium. Means and includes the items below. The term "condominium" specifically includes, but is not limited to, the conversion of any existing structure for sale pursuant to a method described in subsections (1) through (4) of this definition:

1. Condominium as defined by Section 783 of the Civil Code;

2. Community apartment project as defined by Section 11004 of the Business and Professions Code;

3. Stock cooperative as defined by Section 11003.2 of the Business and Professions Code; and

4. Planned development as defined by Section 11003 of the Business and Professions Code.

Condominium Conversion or Conversion. A change in the ownership of a parcel or parcels of property, together with structures thereon, whereby the parcel or parcels and structures previously used as rental units are changed to condominium ownership. Condominium conversion includes projects which have previously obtained final map approval, but have not proceeded to sell any of the apartment units to individual unit owners.

Condominium Project or Project. Includes the real property and any structures thereon, or any structures to be constructed thereon, which are to be divided into condominium ownership.

Condominium Unit or Units. The individual spaces with a condominium project owned as individual estates.

Eligible Tenant. Any tenant who was a resident of the project proposed for conversion on the date of notice of intent to convert is given as required by state law.

Low Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 80 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

Moderate Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 81 percent to 120 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

Notice of Intent to Convert. A notice required to be served upon tenants or prospective tenants pursuant to the requirements of Sections 66427.1, 66452.8, 66452.9, or 66459 of the Subdivision Map Act. The definition includes both 60- and 180-day notices as further defined in the applicable Section.

Special Category Tenants. Refers to persons or tenants who fall within one or more of the following categories:

1. Elderly means individuals 62 years of age or older;

2. Handicapped or permanently disabled as defined in Section 50072 of the California Health and Safety Code or 42 USC 423 and 24 C.F. R. 8.3;

3. Low income or very low income as defined in this Section.

Vacancy Rate. The actual physical vacancy rate of non-rented apartments in the project.

Very Low Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 50 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

8.2.030 Application Acceptance

An application for a condominium conversion permit will only be accepted when the City-wide vacancy rate for multiple family housing, as determined by the Director, is more than five percent averaged over the previous four quarters. Additionally, no application shall be accepted if the current percentage of multi-family rental units (within complexes of three or more units) is currently at or below fifteen percent of the total number of housing units for the City or if the conversion would reduce that percentage to below fifteen percent. An application for conversion shall apply to the whole multi-family housing project and partial conversions shall not be permitted.

8.2.040 Permit and Development Agreement Required

All condominium conversion projects require a Condominium Conversion Permit and Development Agreement as outlined in Chapter 3.10 (Condominium Conversion). The Development Agreement may require such items as park renovation fees, mixed income housing requirement, or other items as determined by the designated Approving Authority. At a minimum, the Development Agreement with the City shall provide the following:

A. The maintenance and preservation of a minimum of ten percent of all units (in complexes of more than nine units) to be affordable to low income households. Smaller project of nine units or less may develop alternate strategies to on-site requirements.

B. Addresses in a manner satisfactory to the City, the needs of all special needs households (elderly, disabled, large, single-parent, and female-headed households) currently in residence as renters in the units to be converted.

8.2.050 Application Content

Recognizing that the conversion of existing structures which have been previously occupied and constructed as rental units presents unique problems to present tenants and future buyers, the application for a use permit for a condominium conversion project shall include the following information:

A. The proposed organizational documents, including the Covenants, Conditions and Restrictions, to be recorded pursuant to Section 1350 et seq. of the Civil Code. The organizational documents shall provide for the following:

1. Transfer of title to each unit;

2. Assignment of parking for each owner, and provisions for parking of recreational vehicles;

3. The management of common areas within the project and the complex generally;

4. The anti-discrimination provisions set forth in this Chapter;

5. A copy of the maintenance program and proposed budget by a homeowners association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.

B. A property report. The property report prepared by an licensed engineer shall describe the condition and structural integrity, and estimate the remaining useful life of each of the following elements of each structure situated within the project proposed for conversion: roofs, foundations, exterior paint, insulation, paved surfaces, mechanical systems, electrical systems, plumbing systems, sewage systems, sprinkler systems for landscaping, utility delivery systems, central or community heating and air conditioning systems, fire protection systems including any automatic sprinkler systems, alarm systems, or standpipe systems, structural elements, and drainage systems.

The property report shall state what the Sound Transmission Class and Sound Impact Class of the existing floor-to-ceiling and wall-to-wall assemblies of sample units are. The report shall also explain, in nontechnical terms, what the class ratings mean and state what measure, if any, the applicant will take to improve sound attenuation between units.

The property report shall list each fixed appliance to be contained in each or any unit offered for sale and shall state whether the appliance is or will be new or used when the unit is first offered for sale. The report shall also state the terms and nature of the warranty offered by the applicant on each such appliance.

Each portion of the property report shall be prepared by an appropriately licensed engineer, and each unit shall be fully inspected. Upon completion and submittal of the report, the City's Neighborhood Services Rental inspection team shall confirm the findings of the property report in writing subsequent to their independent review of conditions.

The property report should include an estimate of the cost to improve all of the systems so that a new buyer could reasonably expect a 30-year life from the structure and grounds involved.

C. A structural pest control report.

D. A building history report identifying the date of construction of all elements of the project.

E. A report identifying all characteristics of the building not in compliance with this ordinance or applicable building or housing codes. The report shall also indicate how the buidings and/or units will be brought into compliance with the existing Building Code.

F. A rental history report detailing the size, in square footage, of the building or buildings and each unit; the current or last rental rate; the name and address of each present

tenant; the monthly rental rate for the preceding ~~three years~~four quarters for each unit; the average monthly vacancy over the preceding ~~three years~~four quarters; and the number of evictions over the preceding ~~three years~~four quarters. In addition, evidence shall be submitted that tenants have been notified and have acknowledged the applicant's intent to file a request for conversion for a period of at least 90 days prior to the initial filing of an application for a conversion use permit or tentative subdivision map.

Failure to provide any information required by (b) through (f) above shall be accompanied by an affidavit or declaration given under penalty of perjury setting forth in detail all efforts undertaken to discover the information and all reasons why the information could not be obtained.

G. A detailed report describing the relocation and moving assistance information to be given to each tenant, and the steps the applicant will take to ensure the successful relocation of each tenant. The report should state in detail what assistance will be provided for special category tenants, including a discussion of long-term or life-term leases and provisions to allow such tenants to continue renting after conversion until comparable housing are available.

H. A survey of all the tenants in the conversion project indicating the tenants' household income, how long each tenant had been a resident of the project, how long each tenant had planned to live in the project, whether or not each tenant would be interested in purchasing a unit, to which City area each tenant would choose to relocate if the conversion took place and the tenant did not purchase a unit, and the extent of tenant approval in principle of the conversion. The survey must include an estimate of the sales price for each unit, not including inflation and adjustments that would take place during conversion.

To comply with this provision, the applicant shall provide a tenant rights handout and a questionnaire, in a form approved by the City, to each tenant with an envelope, postage prepaid, addressed to the City Planning Department. The questionnaire shall direct the tenant to return the completed form directly to the City Planning Department. The Planning Director may require additional information necessary to assist in evaluating said conversion project in order to make proper findings in accordance with the purposes and objectives set forth in the adopted City General Plan. Such information may include, but shall not be limited to:

1. A report comparing the units in the conversion project, as both rentals and ownership units, with housing available within the City as affected by the project.

2. A report on availability of comparable rental units at similar rental rates remaining within the City, including vacancy rate information.

3. A report outlining the available low and moderate income housing units (rental and sales housing) within the City.

~~I. **Ownership Association.** The developer shall submit to the Planning Commission a copy of the maintenance program and proposed budget by a homeowner's association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.~~

8.2.060 Building Code Requirements

All converted units shall be retrofitted to the standards required of new residential condominiums as required by the Chief Building Inspector, including energy conservation.

~~A building proposed for conversion, and each unit within the building, shall comply at a minimum with all applicable Building Code standards in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, necessitating compliance with the Building Code, or, if none, at the time of first construction.~~

~~No building shall be permitted to be converted to condominium ownership unless the building was constructed and subject to a building permit issued under the provisions of the 1952 Uniform Building Code, or subsequently adopted Uniform Building Code, unless it is found by the Appropriate Authority that the building constructed prior to 1952 is decent, safe, and sanitary based upon property report review by building inspector.~~

~~No building constructed after May 10, 1980 shall be permitted to be converted to condominium ownership unless the building was constructed in full compliance with all applicable building codes and the development standards applicable to new condominium construction, in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, or, if none, at the time of first construction.~~

~~After reviewing the property report required pursuant to Section 305-91 (b-e) and after inspecting the structures within the project when deemed necessary, the Chief of the Building Inspections Division shall identify and make available to the Planning Commission and Board all items evidenced by such reports or inspection to be in noncompliance with applicable building and housing codes or to be hazardous to the life, health or safety of any occupant of the units within the project or the general public. All such items shall be corrected to the satisfaction of the Chief of Building Inspections Division. An appropriate fee to cover the cost of the Building Inspection Division's review and inspection may be collected.~~

~~If the proposed project does not comply with the provisions relating to utilities, personal safety and Building Code compliance, or if the Chief of the Building Inspections Division identifies items to be corrected as provided in Section 305-96, any use permit issued pursuant to this part shall require the developer to furnish a performance bond or other means of security approved by the County Counsel in an amount to be determined by the Chief of Building Inspections to be the reasonable estimated cost to bring the project into compliance with said codes and to make all necessary repairs. The bond shall run in favor of individual purchasers and the Association, and the bond shall provide for reasonable attorney's fees in the event of default by the principal.~~

8.2.070 Consumer Protection Provisions

In addition to the tenant protection provisions set out in the Subdivision Map Act, the applicant shall comply with the provisions in Sections 305-101 through 305-104 below, as conditions of any use permit for a condominium conversion project approved pursuant to this Article..

A. **Sales and Lease Termination.** The tenants of the project on the date of application shall be offered the first right of refusal to purchase units. The offer shall run for 90 days from the date of issuance of subdivision public report by the State Department of Real Estate unless the tenant gives prior written notice of intention not to exercise the right. A

tenant of any project proposed for conversion on the date of application for each conversion may terminate any lease after giving 30 days notice. The required relocation assistance shall be applicable to all units from the date of final approval of the use permit to the closing of escrow for the final unit in the project.

B. **Relocation Assistance.** The applicant shall offer to each eligible tenant a plan for relocation to comparable housing, as approved by the Planning Commission.

The relocation plan shall provide, at a minimum, for the following:

1. Assistance to each eligible tenant in locating comparable housing, including but not limited to, providing availability reports and transportation, where necessary.

2. Payment of a relocation fee to each tenant who does not choose to stay. At a minimum, such payment shall be equal in amount to two months rent and the security deposit amount paid by the tenant for the existing apartment unit. ~~The payment shall be a cash payment of at least $300.00 if the tenant is relocating from an unfurnished apartment, or $200.00 if the tenant is relocating from a furnished apartment.~~ A tenant is not entitled to a relocation fee pursuant to this subsection if the tenant has been evicted for just cause. ~~Cash payment minimums will be adjusted annually. In addition, up to $50.00 cash payment shall be made for utility deposits and hook-up costs.~~

3. In the case of eligible tenants who are elderly, handicapped, low income, or single heads of households living with one or more minor children, the following additional provisions must be made:

   a. Payment of the first month's rent in the new complex and refund of all key, utility, and pet deposits to which the tenant is entitled upon vacating the unit. Cleaning and security deposits, minus damages, shall be refunded to the tenant upon vacating the unit.

   ~~b. In lieu of the transfer of deposits to the new complex, the tenant may, at his or her option, elect to be refunded all deposits to which he or she is entitled.~~

   b. If the amount of deposits and other fees required upon moving into the new complex exceed the amounts refunded to the tenant plus damages, the applicant shall pay the difference.

   c. If amount of damage to any unit exceeds the deposit, the excess may be subtracted from the relocation assistance payment.

   d. Residents with school-age children shall not be required to relocate during the school year.

4. In the case of eligible special category tenants, the following additional provisions must be made:

a. Subsidy. Where the rent for the comparable unit is higher than the rent for the current unit, the applicant shall pay the difference for a period of one year from the date of relocation.

b. Evictions. Until each tenant is successfully relocated, the tenant shall not be unjustly evicted.

c. Life-Term and Long-Term Leases. The applicant shall offer eligible tenants leases for a term of:

   i. Fifty-nine years when the tenant is elderly or handicapped and who also qualifies as low income. Such leases shall provide that annual rent increase shall not exceed the percent of change in HUD's defined fair market rent.

   ii. Fifty-nine years when the tenant is elderly or handicapped with a moderate income or greater. Rents may be increased at the prevailing market rate.

   iii. An annually renewable lease for a term not to exceed five years for low income households when the appropriate authority finds that comparable units are not available for the relocation of low income persons. Such agreements shall be certified for tenant eligibility each calendar year. Qualification for the federal Section 8 program or its successor shall constitute certification.

5. The offer to each eligible tenant of a plan for relocation shall be free of any coercion, intimidation, inducement, or promise not herein specified and shall not cause the tenant to vacate in advance of, or prior to, a timetable or schedule for relocation as approved in the application for approval of conversion.

8.2.080 Anti-Discrimination

The applicant or owner of any condominium unit within a project shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person who is or was a lessee or tenant of any such dwelling unit because such person opposed, in any manner, the conversion of such building into a condominium. In a like manner, the applicant or owner shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person or household based upon age or household size, when household size does not exceed the Uniform Housing Code standard which states, "Every dwelling unit shall have at least one room which shall have not less than 150 square feet of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant in excess of two (Uniform Housing Code Section 503(b)." This anti-discrimination Section shall be included in the conditions, covenants, and restrictions for the project.

8.2.090 Preconversion Protection

From the date of application for a permit to convert, or until relocation takes place or the application is denied or withdrawn, but in no event for more than two years, no tenant shall be unjustly evicted and no tenant's rent shall be increased (1) more frequently than once every six

months nor (2) in an amount greater than the annual increase in utility costs and insurance costs, plus increased operating costs not to exceed two percent per year. This limitation shall not apply if rent increases are expressly provided for in leases or contracts in existence prior to the filing date of the use permit.

8.2.100 Appliance Warranties

The applicant shall provide free of charge to the first individual purchaser of each unit a one-year warranty on each fixed appliance contained in the unit, whether new or used.

8.2.110 Development Standards

The following development standards shall apply to all applications for a use permit for condominium conversion and new construction.

A. **Gas.** Each condominium unit shall have a separate gas service where gas is a necessary utility. If this provision places unreasonable economic burden on the applicant, the designated Approving Authority may approve an alternative.

B. **Electricity.** Each condominium unit shall have a separate electrical service, with separate meters and disconnects, and with ground fault interrupters where ground fault interrupters are required by present building codes.

C. **Telephone Company Access.** The telephone company serving the location under conversion shall have the right to construct and maintain (place, operate, inspect, repair, replace, and remove) communication facilities as it may from time-to-time require (including access) in or upon any portion of the common area, including the interior and exterior of the buildings as necessary to maintain communication service within the project. This provision may not be amended or terminated without the consent of the serving telephone company.

8.2.120 Lapse of Use Permit

An approved condominium conversion permit, if not used for the purpose for which it was granted, shall lapse three years following the date on which the permit became effective. Since the regulations related to condominium conversions are unique in that (1) measures come into place with the filing of the application for the use permit; (2) in terms of the financial obligations related to eligible tenants; and (3) rental limitations, the following provision shall apply to use permits for condominium conversions:

A use permit shall be deemed in effect if, within three years from the date of approval, one of the following occurs:

A. A final subdivision map is recorded for all or a portion of the property involved in the use permit, or

B. Pursuant to the approved relocation assistance plan, written evidence has been filed with the Planning Director that more than ten percent of eligible tenants have been relocated.

8.2.130 Right to Terminate Conversion

Within three years of the approval of a use permit for a condominium conversion or pursuant to Chapter 3.10 (Condominium Conversion) after the use permit is in effect, the applicant may elect not to pursue the completion of all or part of the approved conversion. Upon the acceptance of a notice of termination by the designated Approving Authority, along with evidence that all remaining eligible tenants have been notified in writing, the condominium conversion permit shall be deemed lapsed and void. Acceptance of the notice of termination shall be an administrative authority of the Planning Director. Such acceptance shall be by a written notice of acceptance which may be withheld until such time as the Director is assured that any required tenant obligations incurred during the preconversion process have been satisfied.

Chapter 8.3 Reasonable Accommodations for Housing for Persons with Disabilities

Sections in this Chapter

8.3.010 Chapter Purpose 8.3-1
8.3.020 Requesting Reasonable Accommodation 8.3-1
8.3.030 Required Information 8.3-2
8.3.040 Approving Authority and Approval Process 8.3-2
8.3.050 Group Homes 8.3-3
8.3.060 Required Findings for Reasonable Accommodations 8.3-3
8.3.070 Appeals 8.3-3

Draft Zoning Code Notes:

8D. *This* Chapter contains a new process to provide reasonable accommodations for housing for persons with disabilities. The process allows persons with disabilities, as defined in the Federal Fair Housing Act, to be granted reasonable accommodations, such as waivers from setback and height standards to allow of installation of ramps, handrails, or other necessary features. This process is required under recent SB2 legislation.

8.3.010 Chapter Purpose

The purpose of this Chapter is to provide a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or rules, policies, practices, and/or procedures of the City. It is the policy of the City, pursuant to the Federal Fair Housing Act (as amended), to provide people with disabilities reasonable accommodation in rules, policies, and procedures that may be necessary to ensure equal access to housing.

8.3.020 Requesting Reasonable Accommodation

A. In order to make specific housing available to an individual with a disability, a disabled person or representative may request reasonable accommodation relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the City.

B. If an individual needs assistance in making the request for reasonable accommodation or appealing a determination regarding reasonable accommodation, the Planning Department will endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant or representative.

C. A request for reasonable accommodation in laws, rules, policies, practices, and/or procedures may be filed on an application form provided by the Planning Department at the time that the accommodation may be necessary to ensure equal access to housing.

8.3.030 Required Information

The applicant shall provide the following information:

A. A completed City application indicating, among other things, the applicant's name, address, and telephone;

B. Address of the property for which the request is being made;

C. The current actual use of the property;

D. The zoning code provision, regulation, or policy from which reasonable accommodation is being requested;

E. The basis for the claim that the person(s) for whom reasonable accommodation is sought is/are considered disabled under the Fair Housing Act and why the accommodation is reasonably necessary to make specific housing available to the person(s);

F. Such other relevant information as may be requested by the Planning Director or his or her designee.

8.3.040 Approving Authority and Approval Process

Notwithstanding any other provision of this Zoning Code, the Planning Director shall be the designated Approving Authority to consider and take action on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the Planning Department, it will be referred to the Planning Director for review and consideration as a ministerial action unless determined otherwise by the Planning Director. A request for reasonable accommodation shall be considered ministerial in nature when it is related to a physical improvement that cannot be constructed to conform to the City' s setbacks or design standards. Typical improvements considered to be "ministerial" in nature would include ramps, walls, handrails, or other physical improvements necessary to accommodate a person's disability. The Planning Director shall issue a written determination of his or her action within 30 days of the date of receipt of a completed application and may:

A. Grant or deny the accommodation request; or

B. Grant the accommodation request subject to specified nondiscriminatory condition(s); or

C. Forward the request to the Planning Commission for consideration as a Limited Use Permit as prescribed in Chapter 3.8 (Limited Use Permit) and subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

In the event the Planning Director determines that the request for reasonable accommodation(s) is non-ministerial in nature, such request shall be forwarded to the Planning Commission in accordance with Section 2.3.030 (Elevation of Level 2 to Level 3) and shall be subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

All written determinations of actions of the Planning Director shall give notice of the right to appeal and the right to request reasonable accommodation on the appeals process (e.g., requesting that City staff attempt to schedule an appeal hearing as soon as legally and practically possible), if necessary. The notice of action shall be sent to the applicant by mail.

If necessary to reach a determination or action on the request for reasonable accommodation, the Planning Director may request further information from the applicant consistent with the Planning Department' s specifying in detail what information is required. In the event a request for further information is made, the 30-day period to issue a written determination shall be stayed until the applicant fully and sufficiently responds to the request.

8.3.050 Group Homes

All requests for reasonable accommodation relating to increased occupancy of a group home shall be filed first with the Planning Director. At his/her sole discretion, the Planning Director can act upon the request as described in Section 8.3.040 (Approving Authority and Approval Process) or such request shall be forwarded to the Planning Commission. If a request is forwarded to the Planning Commission, it shall be processed as a Limited Use Permit in accordance with Chapter 3.8 (Limited Use Permits) and shall be subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

8.3.060 Required Findings for Reasonable Accommodations

In making a determination regarding the reasonableness of a requested accommodation, the Designated Approval Authority shall make the following findings:

A. The housing which is the subject of the request for reasonable accommodation will be used for an individual protected under the Fair Housing Act.

B. The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Fair Housing Act.

C. The requested reasonable accommodation does not impose an undue financial or administrative burden on the City and does not fundamentally alter City zoning, development standards, policies, or procedures.

8.3.070 Appeals

Appeal of the Planning Director or Planning Commission action on the request for reasonable accommodation shall be made in accordance with the procedures specified in Chapter 2.6 (Appeals and Council Elevations).

Chapter 8.4 Executive Housing Standards

Sections in this Chapter

8.4.010 Chapter Purpose 8.4-1

Draft Zoning Code Notes:

8E.

8.4.010 Chapter Purpose

The purpose of…

CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 3, 2007

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers
&
***Hilton Americas Houston, 1600 Lamar Street, Houston, Texas**

DRAFT MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Sander called the regular meeting to order in the Dave B. Roberts Council Chambers at 5:37 p.m.

Present: Council Members Cooley (Council Member Cooley joined the meeting via teleconference from Houston, TX), McGarvey, Skoglund, Budge and Mayor Sander

Staff Present: Gaebler, Chinn, Lindgren, Lehr, Oliver, Abhar, Campbell, Silva, Haven, Meeks, and

2. METRO CABLE TV TELECAST ANNOUNCEMENT

The Mayor announced the video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

Ernie Vance led the pledge.

4. INVOCATION

Pastor Josiah Watters, First Covenant Church, gave the invocation.

5. PRESENTATIONS

5.1. Mayor Sander presented a Certificate of Recognition to Cordova High School Art Teacher Kristy Kraushar, Region 3 Nominee for the California League of High Schools Educator of the Year Award.

5.2. Economic Development Director Curt Haven gave a presentation on Rancho Cordova's Presence on Foreign Soil.

5.3. Folsom Cordova Unified School District (FCUSD) Chief Financial Officer Debbie Bettencourt, Director of Facilities Matt Washburn, Mark Covington, Marcher Covington Architects, Teri Jamison, Rainforth Grau Architects, gave a presentation on Master Planning for School Facilities and Demonstration of Smart Classroom Board.

5.4. Presentation by the Rancho Cordova Chamber of Commerce was delayed until December 17th.

6. PUBLIC COMMENT

The following individuals addressed the Council:

- Bruce Risley on upcoming Community Events.
- Walt Myers on status of American River Parkway and suggestion to Council to make upcoming meetings regarding the parkway, open to the public.

7. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Skoglund second by Budge and carried by a 5:0 roll call vote the Consent Calendar was approved.

7.1. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Chapter 16.20, Updating the Chapter and Establishing a Rental Housing Inspection Program.
Recommendation: Waive second reading and adopt Ordinance No. 26-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will update Chapter 16.20 of the City's Municipal Code , "Rancho Cordova Housing Code," and establish a Rental Housing Inspection Program. The purpose of this Program will be to ensure that all rental housing complies with State mandated minimum housing requirements.
Staff Report: Curt Haven and Kerry Simpson, Economic Development Department and Jose Sanchez, City Attorney's Office

7.2. **Subject:** Resolution Awarding Contract to Mark Thomas & Company for Engineering Services Associates with Phase 2 of the Folsom Boulevard Streetscape Enhancement Project in the amount of $835,165.00. Subject to Satisfactory Pre-Award Audit of Mark Thomas & Company's Procedures by Caltrans and Subsequent Contract Modifications as may be Necessary to Satisfy Federal-aid Requirements.
Recommendation: Adopt Resolution No. 98-2007.
Result of Recommended Action: Upon adoption of this resolution and satisfactory completion of the Caltrans pre-award audit process, the City Manager will execute the contract with Mark Thomas & Company and the project team will move forward with preparing conceptual design alternatives for Phase 2 of the Folsom Boulevard Streetscape Enhancements Project.
Staff Report: Cyrus Abhar, Public Works Department

7.3. **Subject:** Resolution Awarding Contract to Sunridge Anatolia LLC for Application of Contingency Funds for Infrastructure Improvements Associated with Anatolia I Major Roads Improvements in the amount of $135,847.43.
Recommendation: Adopt Resolution No. 138-2007.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a contract with Sunridge Anatolia, LLC for reimbursement of costs incurred through specific change orders for additional work requested by City staff.
Staff Report: Cyrus Abhar, Public Works Department

7.4. **Subject:** Resolution Awarding 2nd Amendment to the Credit/Reimbursement Agreement with Sunridge Anatolia LLC for Anatolia I Major Roads.
Recommendation: Adopt Resolution No. 139-2007
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a first amendment to the Credit/Reimbursement Agreement with Sunridge Anatolia, LLC (the Developer) to allow the release of progress payments for costs covered by the agreement.
Staff Report: Cyrus Abhar, Public Works Department

7.5. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Section 4.54.375(b), Relating to the Permitting and Sale of Fireworks in the City.
Recommendation: Waive first reading and introduce Ordinance No. 28-2007 **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will clarify the requirements for organizations selling fireworks to submit a financial statement to the City demonstrating that the particular organization used the net proceeds from fireworks sales derived from its operations for non-profit charitable purposes only.
Staff Report: Adam Lindgren, City Attorney's Office

7.6. **Subject:** Resolution and Ordinances Adopting 2007 California Mandated Building Codes.
Recommendation: That Council:
1. Adopt Resolution No. 141-2007; and
2. Waive first reading and introduce Ordinance Nos. 29-2007, 30-2007, 31-2007, 32-2007, 33-2007, 34-2007 and 35-2007. **(Roll Call Vote)**

Result of Recommended Action: Adoption of the resolution and ordinances will bring the City's building codes current with state-mandated codes effective on January 1, 2008.
Staff Report: Adam Lindgren, City Attorney's Office and Tom Trimberger, Building & Safety Department

8. CONSENT PUBLIC HEARING ITEMS – ROLL CALL VOTE

Mayor Sander opened the Consent Public Hearing comment period. There were no speakers. Mayor Sander closed the Consent Public Hearing comment period.

ACTION: Motion by Cooley second by McGarvey and carried by a 5:0 roll call vote the Consent Public Hearing Items were approved.

8.1. **Subject:** Resolution Approving Mills Shopping Center Pad E Design Review, Conditional Use Permit, and Non-Conforming Use Permit, Project No. RC-07-313, Located at 10359 Folsom Boulevard. **(Continued from November 19th)**
Recommendation: Adopt Resolution No. 133-2007.
Result of Recommended Action: Adoption of this resolution will approve the following entitlements:
1. Design Review for the renovation and addition to Pad E of the Mills Shopping Center;
2. Conditional Use Permit for a drive-up window and improvement of the commercial viability of the Mills Shopping Center; and
3. Non-conforming Use Permit (NUP) to allow for expansion of the commercial use in the Medium Density Residential Zone of the Folsom Boulevard Specific Plan (FBSP). Pad E is one of the last buildings in the center to be renovated and its completion will complement the Folsom Boulevard corridor.

Staff Report: William Campbell, Planning Department

8.2. **Subject:** Urgency Resolution Extending the City's Authority to Continue Current Development Impact Fees for the Provision of Transportation Improvements.
Recommendation: Adopt Urgency Resolution No. 140-2007. **(Roll Call and 4/5ths Vote)**
Result of Recommended Action: Adoption of this urgency resolution will extend the authority to continue the current transportation impact fees on new development, as imposed by Resolution No. 127-2005, for thirty (30) days. These fees will be used to offset traffic impacts created by new development.
Staff Report: Cyrus Abhar, Public Works Department

8.3. **Subject:** Resolution Approving Sacramento County of Environmental Management Building, Project No. RC-07-310, Design Review, Located at the Southeast Corner of Armstrong Avenue and Bullard Street within the Mather Field Special Planning Area.
Recommendation: Adopt Resolution No. 143-2007.
Result of Recommended Action: The proposed project will continue to set the tone for future developments in the Campus District of the Mather Field Special Planning Area. Its scale and site layout will continue to promote the office campus, with convenient pedestrian paths linking the building to the parking fields and surrounding buildings. The architectural design blends the elements of glass, metal and concrete in a timeless form and will provide and attractive new home for a needed County agency.
Staff Report: William Campbell, Planning Department

9. PUBLIC HEARING ITEM

9.1. **Subject:** Resolution and Ordinances Approving North Douglas II, Project No. RC-05-185, Rezone, Tentative Subdivision Map, Special Development Permit, and Development Agreement, Located within the North Grantline Planning Area of the Adopted General Plan, and Bordered by the North Douglas Subdivision to the South, West of Grant Line Road and South of Aerojet.
Recommendation: Council continue item to January 22, at the request of the applicant.
Result of Recommended Action: Adoption of the resolution and ordinances will allow for necessary road and trail connections to the surrounding developments, North Douglas to the south and a future adult only project to the north. It will also contribute to the ultimate construction of Douglas Road, linking Sunrise Boulevard to Grant Line Road. The project additional provides for non-vehicular connections for pedestrians and bicycles within and to the exterior of the neighborhoods, and the project will also extend the connection to a very important wetland area through the Rio del Oro Specific Plan and projects to the east.
Staff Report: William Campbell, Planning Department

- Mayor Sander opened the public hearing on Item 9.1. There were no speakers. Mayor Sander closed the public hearing on Item 9.1

ACTION: Discussion item only; No action taken.

10. REGULAR CALENDAR ITEMS

10.1. **Subject:** Ordinance Amending the City's Codes in Preparation for Codification of the City's Municipal Code.
Recommendation: Waive first reading and introduce Ordinance No. 38-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will make a substantial number of housekeeping changes to the City's codes, as adopted via adoption of Sacramento County's provisions following incorporation. The housekeeping changes include cleaning up reference errors and eliminating unneeded provisions.
Staff Report: Anna Olea-Moger, City Clerk's Department and Joseph Chapman, City Attorney's Office

Mayor Sander opened the public comment period on Item 10.1. There were no speakers. Mayor Sander closed the public hearing on Item 10.1

ACTION: Motion by McGarvey second by Budge and carried by a 5:0 roll call vote, Council waived the first reading and introduced Ordinance No. 38-2007, including supplemental report to add "r. All references to Government Code section 25132 shall be changed to Government Code section 36900."

10.2. **Subject:** Selection of Mayor and Vice Mayor.
Recommendation: That Council selects its next Mayor and Vice Mayor.
Result of Recommended Action: That Council appoints its leadership officers, per Resolution No. 05-2004. The ceremonial seating of the new Mayor and new Vice Mayor will take place at the next Council Meeting on December 17th.
Staff Report: Anna Olea-Moger, City Clerk's Department

Mayor Sander opened the public comment period on Item 10.2. There were no speakers. Mayor Sander closed the public hearing on Item 10.1

ACTION: Motion by Skoglund and failed for lack of second, David Sander to be reappointed as Mayor and Dan Skoglund appointed as Vice Mayor.

AMENDED ACTION: Motion by Cooley and second by McGarvey, Council appointed Linda Budge as Mayor and Dan Skoglund as Vice Mayor.

11. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

12. COUNCIL REPORTS

Council Members reported on various events since the last Council meetings.

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler announced that the quarterly issue of the Rancho Cordova City Views Newsletter is in the mail to residents, and annual holiday cards are available for Council to sign.

14. CLOSED SESSION

Council adjourned to Closed Session at 8:34 to discuss the following item:

Present: Council Members Cooley (left meeting at 8:34), McGarvey, Skoglund, Budge and Mayor Sander

Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(a). Name of Case: *California Native Plant Society v. City of Rancho Cordova et al.;* Case No. 06CS01311.

15. OPEN SESSION – REPORT FROM CLOSED SESSION

Assistant City Attorney Joe Chapman reported there was no reportable action.

16. ADJOURNMENT

Mayor Sander adjourned the meeting at 9:10 p.m. to Tuesday, December 4, 2007 at 7:00 p.m., located at Sunrise Elementary School, Multipurpose Room, 11821 Cobble Brook Drive, Rancho Cordova.

_____
Brenda Lehr, Deputy City Clerk

ADJOURNED CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)

Tuesday, December 4, 2007
7:00 p.m.

Sunrise Elementary School
Multipurpose Room
11821 Cobble Brook Drive, Rancho Cordova

DRAFT MINUTES

SPECIAL MEETING – CALL TO ORDER / ROLL CALL

Mayor Sander called the special meeting to order in the Multipurpose Room at 7:15 p.m.

Present: Council Members McGarvey, Budge and Mayor Sander
Absent: Council Members Cooley and Skoglund
Staff Present: Gaebler, Olea-Moger, Abhar, Haven, Junker, Simpson, Miller, Borba, Harriman, Grilley

AGENDA ITEMS

1. **Subject**: Urgency Item Addition to the December 3rd City Council Agenda – Item is: Discussion on Public Services, Community Amenities and Community Issues South of Douglas Road.
   Recommendation: Council approval of findings to add the urgency item is based upon findings that: (a) the item came to the City Council's attention after the posting of the December 3rd City Council meeting agenda; and, (b) the matter requires immediate attention as the City Council's input may be critical to community members. Council must approve adding the item by a 2/3rd's vote of members present.

ACTION: Motion by Budge second by McGarvey and carried by a 3:0 vote (Council Members Cooley and Skoglund absent) Urgency Agenda Item 2 was added to the December 3, 2007 Regular City Council Meeting.

2. **Subject:** Discussion on Public Services, Community Amenities, and Community Issues South of Douglas Road.
   Recommendation: Discussion only; no action to be taken.

ADJOURNMENT

Mayor Sander adjourned the meeting at 9:00 p.m.

CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/ RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 17, 2007

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers

MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Outgoing Mayor Sander called the regular meeting to order in the Dave B. Roberts Council Chambers at 5:34 p.m.

Present: Council Members Cooley, McGarvey, Incoming Vice Mayor Skoglund, Incoming Mayor Budge and Outgoing Mayor Sander
Staff Present: Gaebler, Chinn, Lindgren, Olea-Moger, Lehr, Oliver, Leitner, Abhar, Junker, Silva, Haven, Snyder, Meeks, Trimberger, Salerno, Stricker, Flory, Simpson, Sparkman, Harriman and Runner

2. METRO CABLE TV TELECAST ANNOUNCEMENT

The Mayor announced the video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

Shelly Blanchard led the pledge.

4. INVOCATION

Chaplain Bob Benton, Rancho Cordova Law Enforcement, Emergency Responders, gave the invocation.

5. SPECIAL CEREMONIES

5.1. City Clerk Anna Olea-Moger administered the Oath of Office to Incoming Mayor Linda Budge.

5.2. Mayor Linda Budge presented a plaque and "Ship of the State" ship to Outgoing Mayor David Sander.

5.3. City Clerk Anna Olea-Moger administered the Oath of Office to Incoming Vice Mayor Dan Skoglund.

Mayor Budge added the following Item 5.4 to the agenda:

5.4. Reports from Outgoing Mayor Sander and Incoming Mayor Budge

6. PRESENTATIONS

6.1. The following staff introduced new City Employees:

- Neighborhood Services Supervisor Kerry Simpson introduced Michael Rodriguez, Code Enforcement Officer and Randy Cagle, Animal Services Officer;
- Finance Director Donna Silva introduced Rebecca Santini, Senior Finance Analyst
- Planning Director Paul Junker introduced Shannan Loveless, Associate Planner

6.2. Police Chief Reuben Meeks and City Attorney Adam Lindgren reported on Alcohol Awareness and Underage Drinking.

7. PUBLIC COMMENT

The following individuals addressed the Council:

- Joy Moon regarding request for City support to improve living standards in her neighborhood.
- Lee Frechett on upcoming Community Council events.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Skoglund second by Cooley and carried by a 5:0 roll call vote the Consent Calendar was approved, except Items 8.2, 8.5, 8.7 and 8.8, which were pulled for separate discussion.

8.1. **Subject:** Special and Regular Meeting Minutes of November 19, 2007.
Special Meeting Minutes of November 27, 2007.
Recommendation: Adopt Minutes.

8.3. **Subject:** Ordinance Amending the City's Codes in Preparation for Codification of the City's Municipal Code.
Recommendation: Waive second reading and adopt Ordinance No. 38-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will make a substantial number of housekeeping changes to the City's codes, as adopted via adoption of Sacramento County's provisions following incorporation. The housekeeping changes include cleaning up reference errors and eliminating unneeded provisions.

Staff Report: Anna Olea-Moger, City Clerk's Department and Joseph Chapman, City Attorney's Office

8.4. **Subject:** Resolution Awarding Contract to Wildan, Inc. for Construction Management and Plan Review Services in the Amount of $800,000.
Recommendation: Adopt Resolution No. 135-2007.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a contract with Wildan, Inc. for Construction Management and Plan Review Services.
Staff Report: Cyrus Abhar, Public Works Department

8.6. **Subject:** Resolution Authorizing Transition Agreement with the County of Sacramento for Transition of Miscellaneous Extended Transportation Services for the Detachment of County Service Area (CSA) No. 10 in the Amount of $922,000.00
Recommendation: Adopt Resolution No. 144-2007
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute the Transition Agreement with the County of Sacramento in order that the following be addressed:
Timing of the transfer of funds collected in CSA No. 10;
Continuation of the provision of miscellaneous extended services; and
Will complete the final action of the detachment from CSA No. 10 from the County.
Staff Report: Cyrus Abhar, Public Works Department

8.9. **Subject:** Resolution Authorizing Agreement with the County of Sacramento for Household Hazardous Waste Collection Program in the Amount of $25.00 per Vehicle for a Period of 5 Years.
Recommendation: Adopt Resolution No. 150-2007.
Result of Recommended Action: Adoption of this resolution will authorize the execution of an Agreement with Sacramento County to allow City residents and small businesses to continue to deliver hazardous wastes to the County's Permanent Household Hazardous Waste Collection Facility ("PHHWCF"), located at the North Area Recovery Station ("NARS"), at 4450 Roseville Road, North Highlands. This action will contribute to the safe and efficient collection, transportation, recycling and disposal of hazardous wastes generated in the City.
Staff Report: Cyrus Abhar, Public Works Department

The following items were pulled for separate discussion:

8.2. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Section 4.54.375(b), Relating to the Permitting and Sale of Fireworks in the City.
Recommendation: Waive second reading and adopt Ordinance No. 28-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will clarify the requirements for organizations selling fireworks to submit a financial statement to the City demonstrating that the particular organization used the net proceeds from fireworks sales derived from its operations for non-profit charitable purposes only.
Staff Report: Adam Lindgren, City Attorney's Office

ACTION: Motion by Cooley second by McGarvey and carried by a 5:0 roll call vote, Council waived second reading and adopted Ordinance No. 28.2007.

8.5. **Subject:** Resolution Authorizing Memorandum of Agreement with the Cordova Recreation and Park District (CRPD) for Pass Through of Sunrise Douglas Park Impact Fees for the Anatolia I & II Bike/Pedestrian Trail, Eagle's Nest Park, Sandpiper Park and Argonaut Park.
Recommendation: Adopt Resolution No. 137-2007.
Result of Recommended Action: Adoption of this resolution will allow the Finance Department to process reimbursement requests totaling $5,684,890.
Staff Report: Donna Silva, Finance Department

ACTION: Motion by Sander second by McGarvey and carried by a 5:0 vote, Council adopted Resolution No. 137-2007.

8.7. **Subject:** Community Redevelopment Agency Resolution Authorizing Replacement Housing Plan for Grandee Apartments Acquisition.
Recommendation: Adopt Agency Resolution No. CRA-148-2007.
Result of Recommended Action: Adoption of this resolution will require the agency to submit a replacement housing plan to the Board for any action that will lead to the destruction or removal of dwelling units from the low and moderate income housing market. Approval of the plan is required before the Agency can finalize the acquisition of the Grandee Apartments.
Staff Report: Reed Flory, Housing Administration Department

8.8. **Subject:** Community Redevelopment Agency Resolution Authorizing Agreement with Kevin M. Powell and Maryam Novbakhtian, Owners of Grandee Apartments, Located at 10545-10591 Folsom Boulevard, in the Amount of $1,340,000.
Recommendation: Adopt Agency Resolution No. CRA-149-2007.
Result of Recommended Action: Adoption of this resolution will authorize the Agency Executive Director to execute an Agreement with the owners of Grandee Apartments.
Staff Report: Micah Runner, Economic Development Department

ACTION: One motion by Sander second by Cooley and carried by a 5:0 vote for Agenda Items 8.7 and 8.8, Council adopted Resolution Nos. CRA 148-2007 and CRA-149-2007.

9. COUNCIL REPORTS

Council Members reported on various events since the last Council meeting.

10. CONSENT PUBLIC HEARING ITEMS – ROLL CALL VOTE

Mayor Budge opened the Consent Public Hearing comment period. The following individual addressed the Council:

- Leslie Botos in support of Consent Calendar Item 10.5.

Mayor Budge closed the Consent Public Hearing comment period.

ACTION: Motion by McGarvey second by Skoglund and carried by a 5:0 roll call vote with Council Member Sander recusing himself from Item 10.5 only, the Consent Public Hearing Items were approved.

10.1. **Subject:** Ordinances Adopting 2007 California Mandated Building Codes.
Recommendation: Waive second reading and adopt Ordinance Nos. 29-2007, 30-2007, 31-2007, 32-2007, 33-2007, 34-2007 and 35-2007. **(Roll Call Vote)**

Result of Recommended Action: Adoption of the ordinances will bring the City's building codes current with state-mandated codes effective on January 1, 2008.
Staff Report: Adam Lindgren, City Attorney's Office and Tom Trimberger, Building & Safety Department

10.2. **Subject:** Urgency Ordinance Extending a Temporary Moratorium on the Establishment, Expansion or Relocation of Recycling Businesses, Check Cashing Businesses, Pawn Shops, Resale Shops, Smoke Shops and Tattoo Parlors Pending the Review and Possible Amendment of Zoning Regulations Applicable to Such Businesses.
Recommendation: Adopt Urgency Ordinance No. 27-2007. **(Roll Call and 4/5ths Vote Required)**
Result of Recommended Action: Adoption of this Urgency Ordinance will prohibit the establishment, expansion, or relocation of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors in Rancho Cordova, for a period of one (1) year, pending the City's review and amendment of zoning regulations applicable to such businesses.
Staff Report: Adam Lindgren and Jose Sanchez, City Attorney's Office, Curt Haven, Economic Development Department, and Jeff Beiswenger, Planning Department

10.3. **Subject:** Resolution Authorizing a Two-Year Extension to the Non-Exclusive Commercial Solid Waste and Recyclables Collection Franchise Agreements and an Ordinance Amending Ordinance No. 22-2005 Relating to the Regulation of Commercial Solid Waste Collection Franchises.
Recommendation: That Council:
Adopt Resolution No. 147-2007; and
Waive first reading and introduce Ordinance No. 41-2007.
Result of Recommended Action: Adoption of this resolution and ordinance will authorize the City Manager to execute a two year extensions to the Non-exclusive Commercial Solid Waste and Recycling Collection Franchises, executed by the City in December of 2005 and amended in December of 2006.
Staff Report: Cyrus Abhar, Public Works Department

10.4. **Subject:** Resolution Approving Design Review for Fite Corporate Center, Buildings B and C, Project No. RC-07-306, Located at 10101 & 10121 Old Placerville Road. **(Continued from November 19th)**
Recommendation: Adopt Resolution No. 134-2007.
Result of Recommended Action: Adoption of this resolution will complete development of Buildings B and C of the Fite Corporate Center, adding about 145,000 square feet. The final two buildings will complement Building A, which was constructed under the County entitlements, and will also complement the office development occurring in the Mather Field Redevelopment area nearby.
Staff Report: Katja Irvin, Planning Department

10.5. **Subject:** Resolution Approving Design Review for BloodSource Laboratory Building, Project No. RC-07-324, Bordered by Schirra Avenue, Bleckely Street, Armstrong Avenue, and Bullard Street.
Recommendation: Adopt Resolution No. 151-2007.
Result of Recommended Action: Adoption of this resolution will continue to set the tone for future developments in the Campus District of the Mather Field Special Planning Area. The architectural design blends the elements of glass, metal and concrete to provide an attractive new home for one of the premier blood research organizations in the world.
Staff Report: Shannan Loveless, Planning Department

Mayor Budge re-ordered the agenda to take Item 12 before Public Hearing Items.

12. BREAK

AT THIS POINT Mayor Budge requested City Manager Gaebler say a few words on the resignation of City Clerk Anna Olea-Moger and asked that her service to the City be honored at the break along with honoring the new Council officers. Mayor Budge recessed the meeting. The full Council reconvened.

11. PUBLIC HEARING ITEMS

11.1. **Subject:** Ordinance Amending Title 22.40.035 of the Rancho Cordova Municipal Code Relating to the Household Population Factors for Purposes of Calculating Park Dedication Requirements, as Provided in Government Code § 66477 (Quimby Fee).
Recommendation: Waive first reading and introduce Ordinance No. 40-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will amend the household population factors that are the basis for calculating park dedication requirements for new development. Adoption of accurate population factors will ensure that an appropriate amount of park land is provided within future development.
Staff Report: Paul Junker, Planning Department

Mayor Budge opened the public hearing on Item 11.1. The following individuals addressed the Council:

- Martha Lofgren regarding grandfathering in certain projects and providing optional language for developers to negotiate standards.
- Ardie Zahedani regarding open space performance standards, inventory of parks, need for a fee to be put into place, flexibility of single family higher density, and age restrictions.
- Jim Miller regarding inaccurate data if used from 2000 census and calculations on single family category does not work.
- Bob Shaddock in support of the item.

Mayor Budge closed the public hearing on Item 11.1.

ACTION: Motion by Cooley second by Skoglund and carried by a 5:0 vote, Council continued item to February 4th.

11.2. **Subject:** Ordinance Amending Chapter 9.96, Title 9, of the City of Rancho Cordova Municipal Code Relating to Emergency Alarms.
Recommendation: Waive first reading and introduce Ordinance No. 42-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of the ordinance should result in the reduction of the number of false alarms that require a response by the Rancho Cordova Police Department. This will lead to a reduction in the costs associated with alarms.
Staff Report: Donna Silva, Finance Department
Mayor Budge opened the public hearing on Item 11.2. The following individuals addressed the Council:

- Meada Cashatt in support of the item.
- Rich Jordan in opposition to the item.

- Mark Snider in opposition to the item.
- Andy Anderson in opposition to the item.

Mayor Budge closed the public hearing on Item 11.2.

ACTION: Motion by Cooley second by Sander and carried by a 5:0 roll call vote, Council continued the item.

13. REGULAR CALENDAR ITEMS

13.1. **Subject:** Rancho Cordova Chamber of Commerce Regarding Fiscal Circumstances for Which the City May Provide Interim Solutions.
Recommendation: Consider request and direct appropriate action.
Result of Recommended Action: Council demonstrates its leadership by considering a request from a key membership organization that supports and promotes the economic vitality of Rancho Cordova.
Staff Report: Joe Chinn, City Manager's Office
Advances Goals: 11 and 13

Mayor Budge opened the public comment period on Item 13.1. There were no speakers. Mayor Budge closed the public comment period on Item 13.1.

ACTION: By general consensus, Council Members agreed to delay action on this item at the request of the Chamber. This item will return for formal Council action.

13.2. **Subject:** Council Member Appointments to Regional Boards and Commissions for 2008.
Recommendation: That Council Member appointments for 2008 be determined for the listed Boards and Commissions, reflected in the attachment to the staff report.
Result of Recommended Action: Action on this item will confirm the 2008 Rancho Cordova City Council Member appointees and alternates to various boards and committees within the region to which Rancho Cordova provides leadership representation.
Staff Report: Anna Olea-Moger, City Clerk's Department
Advances Goals: 1 through 13

Mayor Budge opened the public comment period on Item 13.2. There were no speakers. Mayor Budge closed the public comment period on Item 13.2.

ACTION: By general consensus, Council Members agreed to indicate any changes desired; Mayor Budge expressed her desire for another member to serve on the Sacramento Public Library Authority Governing Board. This item will return for formal Council action.

13.3. **Subject:** 2008 City Council Meeting Schedule.
Recommendation: That Council determine its meeting schedule for 2008.
Result of Recommended Action: Action on this item will confirm the 2008 meeting schedule for Rancho Cordova City Council Members.
Staff Report: Brenda Lehr, City Clerk's Department
Advances Goals: 1 through 13

Mayor Budge opened the public comment period on Item 13.3. There were no speakers. Mayor Budge closed the public comment period on Item 13.3.

ACTION: By general consensus, Council Members agreed to submit their comments on the 2008 calendar to staff by January 7th. Adoption of the 2008 City Council Meeting Schedule will return to Council for formal action.

14. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

15. CITY MANAGER'S REPORT

City Manager Ted Gaebler announced

16. CLOSED SESSION

The City Attorney advised Council that there was no longer a need to conduct a closed session; therefore, Council did not meet in Closed Session to discuss the following:

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a) – (one case) – Name of case: *California Native Plant Society v. City of Rancho Cordova et al;* Case No. 07CS01311.

17. OPEN SESSION – REPORT FROM CLOSED SESSION

Not applicable for this meeting.

18. ADJOURNMENT

Council Member Cooley requested the meeting be adjourned in honor of retiring City Clerk Anna Olea-Moger and that the City Manager prepare a formal resolution of appreciation on behalf of the Council to present to her. Mayor Budge adjourned the meeting at 10:35 p.m.

_____
Anna Olea-Moger, CMC, City Clerk

CALL & NOTICE OF CITY COUNCIL SPECIAL MEETING

City Hall
Community Board Room
2729 Prospect Park Drive, Rancho Cordova

Wednesday, December 19, 2007
9:00 a.m. – Special Meeting

DRAFT MINUTES

1. CALL TO ORDER / ROLL CALL

Mayor Budge called the special meeting to order in the Community Board Room at 9:08 a.m.

Present: Council Members McGarvey, Skoglund, Mayor Budge
Absent: Council Members Sander and Cooley
Staff Present: Gaebler, Chinn, Lindgren, Lehr, Silva, Cuppy, and Leitner

2. PUBLIC COMMENT

None

3. AGENDA ITEM

Subject: Resolution Regarding the Exchange of Property Tax Revenues for the City of Rancho Cordova Annexation – Annexation of the Sphere of Influence (LAFCo 07-09).
Recommendation: Adopt Resolution No. 146-2007.
Staff Report: Ted Gaebler and Joe Chinn, City Manager's Office
Advances Goal: 12

ACTION: Motion by Skoglund second by McGarvey, Council adopted Resolution No. 146-2007.

4. ADJOURNMENT

Mayor Budge adjourned the meeting at 9:16 a.m.

_____
Brenda Lehr, Deputy City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 41-2007

AN ORDINANCE OF THE CITY COUNCIL OF RANCHO CORDOVA AMENDING CITY ORDINANCE 22-2005 RELATING TO THE REGULATION OF COMMERCIAL SOLID WASTE COLLECTION FRANCHISES

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

Section 1. Purpose and Declarations.

WHEREAS, on November 21, 2005, the City adopted Ordinance 22-2005 regulating commercial solid waste collection, transportation and disposal, and establishing the authority of the City to issue non-exclusive commercial solid waste collection franchises; and

WHEREAS, this Ordinance amends Ordinance 22-2005 by providing the City with the authority to extend the term of the Commercial Solid Waste Collection Franchises through December 31, 2009; and

WHEREAS, the City requires all haulers providing commercial solid waste services in the City to obtain a non-exclusive Franchise in order to regulate this business, ensure its orderly operation and to minimize the potential for adverse effects on the local environment; and

WHEREAS, the City and the haulers acknowledge that commercial waste reduction and recycling efforts are important components of the City's overall efforts to comply with the 50% waste diversion mandates of AB 939; and

WHEREAS, City Staff is currently working with the haulers and the local business community on a new Commercial Recycling Ordinance to increase waste reduction and ensure compliance with AB 939. The ability to extend current Solid Waste Collection Franchises through December 31, 2009 will allow Staff sufficient time to prepare such Ordinance.

Section 2. Amendment

Rancho Cordova Ordinance 22-2005, Section 14, "Termination or Suspension of Franchise," Subsection (A) is hereby amended to read as follows:

"A. Franchises granted pursuant to this ordinance shall terminate on December 31, 2009. The franchise may be terminated for cause prior to that date. The City and the Franchisee may also enter into an agreement to terminate the franchise prior to that date."

Section 3. Severability

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance that can be given effect without the invalid provision 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 4. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 22nd day of January 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **A RESOLUTION CREATING SPECIAL TAX AREA ZONE 7 AND AN ORDINANCE ESTABLISHING A SPECIAL TAX FOR TRANSIT-RELATED SERVICES FOR THE BLOODSOURCE LABORATORY BUILDING**

RECOMMENDATION

Adopt **Resolution No. 1-2008 (Attachment 1)** and waive the first reading and introduce **Ordinance No. 2-2008 (Attachment 2)** establishing a Special Tax for Transit-Related Services for the BloodSource Laboratory Building.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution and ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the BloodSource Laboratory Building.

BACKGROUND

The City has determined that the cost of providing City transit-related services will exceed existing municipal revenues. The City Council adopted Resolution No. 141-2005 at the November 7, 2005 City Council meeting providing for a special tax for transit-related services to be imposed upon new development within the City. Pursuant to that resolution, a property owner must approve a special tax on the parcels within a subdivision or project as a condition of approval by the City. The City Council must then adopt a resolution establishing a zone including the subdivision or project and an ordinance creating the special tax.

For the BloodSource Laboratory Building project, an application for design review for construction of a single-story laboratory building, with a total gross floor area of 45,000 square feet to be constructed in two phases, has been submitted for City approval and the applicant/developers have agreed to the special tax. Sacramento Medical Foundation (BloodSource) and Mather Development Partners III (Mather Partners) have entered into a binding purchase/sale agreement wherein BloodSource will close escrow on the purchase of the site no later than April 21, 2008. In addition, BloodSource and Mather Partners have entered into an Early Occupancy Agreement wherein Mather Partners will allow BloodSource to commence construction of improvements on the approximate 2 acre site prior to close of escrow on the purchase/sale agreement.

The City Council, on December 17, 2007, adopted Resolution No .151-2007 approving the Design Review, subject to the findings within the staff report and Conditions of Approval. The provision of funding to provide transit-related services by voting to approve a special tax was made a condition of approval for the design review. This item will establish Tax Area Zone No. 7, the boundaries of which will be contiguous to the boundaries of the BloodSource Laboratory Building project. In addition to creating the special tax, the Ordinance will also set the date for the transit-related services tax election, which will be held on March 17, 2008, at which time the ballot(s) will be tabulated by the City, and the results declared at the City Council meeting.

MOTION

"I move that the City Council adopt Resolution 1-2008 creating Special Tax Area Zone 7, and waive the first reading and introduce Ordinance No. 2-2008 establishing a special tax for transit-related services subject to voter approval within the BloodSource Laboratory Building project."

ATTACHMENTS

1. Resolution No. 1-2008 Creating Special Tax Area Zone 7 with Exhibit A – Description of Property and Exhibit B – Boundary Map.

2. Ordinance No. 2-2008 Establishing a Special Tax for Transit-Related Services Subject to Voter Approval within the BloodSource Laboratory Building Project with Exhibit A – Description of Property, Exhibit B – Boundary Map and Exhibit C – Property Land Use Category.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 1-2008

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA CREATING SPECIAL TAX AREA ZONE 7 WITHIN THE RANCHO CORDOVA TRANSIT-RELATED SERVICES SPECIAL TAX AREA FOR THE BLOODSOURCE LABORATORY BUILDING

WHEREAS, it is the intention of the City Council to create Zone 7 within the City of Rancho Cordova Transit-Related Services Special Tax Area and authorize an election; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for transit-related services within Zone 7; and

WHEREAS, the City recognizes the need for increased transit-related services in Zone 7 and the difficulty of funding the current or increased level of services with revenues now available; and

WHEREAS, it is the intention of the City Council to direct the City Clerk to conduct an election by mail ballot pursuant to Elections Code Section 4000 and to be held on the earliest date permitted by law; and

WHEREAS, On December 17, 2007, the City Council adopted Resolution No. 151-2007 approving Design Review for the BloodSource Laboratory Building, Project No. R-07-324) (the "Project"). The project is for the construction of a single-story laboratory building. The provision of funding to provide transit-related services was made a condition of approval for the project. Condition No. 17 of Resolution No. 151-2007 requires the property owner/applicant to participate in the provision of funding to provide transit-related services by voting to approve a special tax. This will be accomplished by the voters voting to approve a special tax for the new laboratory building to be constructed by the approval; and

WHEREAS, the transit-related services tax as inflated to Fiscal Year 2007/2008 is $84.20 per low density residential dwelling unit or low density residential dwelling unit equivalent, $67.34 per medium density residential dwelling unit or medium density residential dwelling unit equivalent, $50.51 per high density residential dwelling unit or high density residential dwelling unit equivalent, $2,158.33 per retail and service commercial acre, $1,855.25 per commercial mixed use or office acre, and $774.64 per light industrial acre, subject to an annual inflator formula based on the Consumer Price Index for the San Francisco-Oakland-San Jose Area, or six percent, whichever is less (Multi-family residential units on a single parcel shall be assessed on a proportionately equivalent basis (e.g., a two-unit attached housing structure, such as a duplex, would be deemed to consist of two residential parcels for purposes of the transportation tax); and

WHEREAS, for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 7 is a person who owns real property within Zone 7, as shown on the last equalized assessment role prepared by the Sacramento County Assessor's Office, at the time that the City Council submits an ordinance authorizing the imposition of a

transit-related services tax to the voters of Zone 7. At the time that the Council adopted this Resolution, there were zero (0) registered voters residing within Zone 7 and one (1) property owner. Because the Transit-Related Services Special Tax will be imposed on property in Zone 7 and paid by the owners of the property, the Council finds that restricting the vote on the Transit-Related Services Special Tax to property owners in Zone 7 is appropriate and consistent with the principles and requirements of California Constitution article XIIIC (Proposition 218).

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council

Section 1. That portion of the City of Rancho Cordova as described in **Exhibit A** and shown on the Map, **Exhibit B** hereto, is established as Zone 7 of the Rancho Cordova Transit-Related Services Special Tax Area.

Section 2. That Ordinance No. 2-2008, reviewed and approved by the City Council on the same date as this resolution, is to be presented for approval of the voters of Zone 7 by a mail ballot election, to be held on March 17, 2008. The ballot proposition shall read as follows:

> "Shall Ordinance No. 2-2008 of the City Council of the City of Rancho Cordova be approved so as to authorize a special tax on property located in Zone 7 of the Rancho Cordova Transit-Related Services Special Tax Area to maintain the present level of transit-related services and provide additional funding for increased transit-related services?"

Section 3. The City Clerk is directed to take all steps necessary to conduct the election required by this order. Said election shall be conducted by mailed ballot pursuant to Elections Code Section 4000 and shall be held on a date other than the same date as a statewide direct primary election on statewide general election, or on a date mutually agreed upon by City and the voters, as specified above.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

EXHIBIT A

Description of Property

The land referred to herein is situated in the State of California, County of Sacramento, City of Rancho Cordova, and is described as follows:

A PORTION OF THE LANDS CONTAINED WITHIN THE BOUNDARY OF THAT CERTAIN RECORD OF SURVEY ENTITLED "A PORTION OF TRACT WM. E. BRYAN 2129.33 AC. OF RANCHO RIO DE LOS AMERICANOS, FILED FOR RECORD IN BOOK 1 OF MAPS, AT PAGE 2, OFFICIAL RECORDS OF SACRAMENTO COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

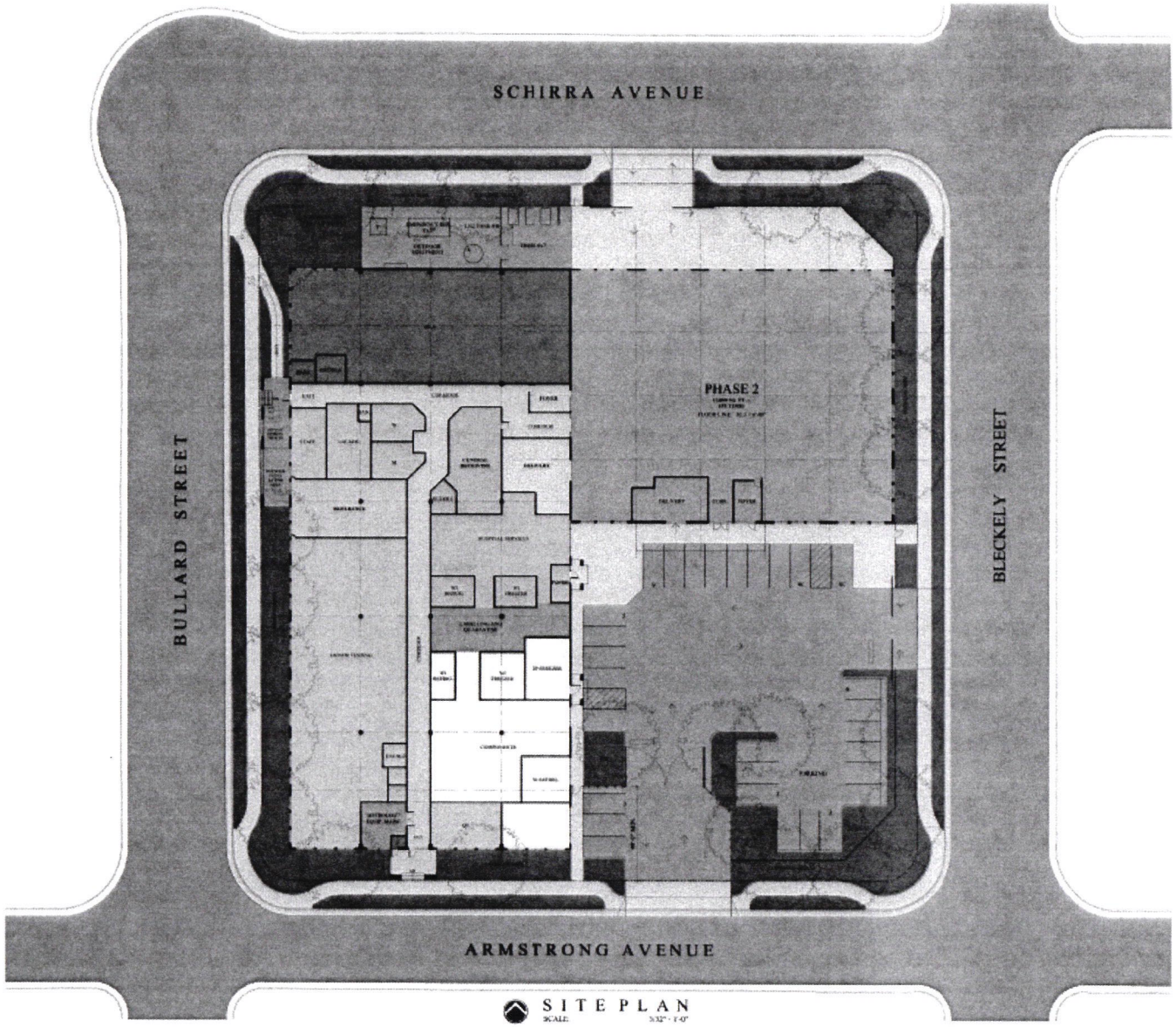
BEGINNING AT A ¾" IRON PIPE TAGGED SACRAMENTO COUNTY PUBLIC WORKS SITUATE AT THE INTERSECTION OF THE CENTERLINES OF BULLARD STREET AND ARMSTRONG AVENUE, AS SAID MONUMENT IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD IN BOOK 57 OF SURVEYS, AT PAGE 20 OF SAID OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING, NORTH 04 DEGREES 47 MINUTES 50 SECONDS WEST ALONG THE CENTERLINE OF BULLARD STREET A DISTANCE OF 355.0 FEET TO AN INTERSECTION WITH THE CENTER LINE OF SCHIRRA AVENUE; THENCE LEAVING SAID CENTERLINE OF BULLARD STREET AND PROCEEDING ALONG THE CENTERLINE OF SAID SCHIRRA AVENUE, NORTH 85 DEGREES 26 MINUTES 59 SECONDS EAST A DISTANCE OF 337.60 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BLECKELY STREET; THENCE LEAVING SAID CENTERLINE OF SCHIRRA AVENUE A PROCEEDING ALONG THE CENTERLINE OF SAID BLECKELY STREET, SOUTH 04 DEGREES 30 MINUTES 43 SECONDS EAST A DISTANCE OF 355.40 FEET TO AN INTERSECTION WITH THE CENTERLINE OF ARMSTRONG AVENUE; THENCE LEAVING SAID CENTERLINE OF BLECKELY STREET AND PROCEEDING ALONG THE CENTERLINE OF SAID ARMSTRONG AVENUE, SOUTH 85 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 335.83 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE MINERAL INTEREST AS RESERVED BY THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE SECRETARY OF THE AIR FORCE IN THAT CERTAIN QUITCLAIM DEED RECORDED FEBRUARY 9, 2003, IN BOOK 20000209 PAGE 755, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERAL RIGHTS IN THE HEREIN DESCRIBED PARCEL OF REAL PROPERTY AS RESERVED BY THE COUNTY OF SACRAMENTO IN THAT CERTAIN GRANT DEED DATED JANUARY 21, 2004, RECORDED JANUARY 23, 2004, IN BOOK 20040123 PAGE 2065, OFFICIAL RECORDS.

A.P.N. 067-0010-060

BLOODSOURCE LABORATORY BUILDING



SITE PLAN
SCALE: 1/32" = 1'-0"

HOSHIDA & REYES ARCHITECT

SIGNATURE

CONSULTANT

REVISIONS

PROJECT TITLE

BloodSource

BLOODSOURCE LABORATORY BUILDING

SHEET TITLE

SITE PLAN

DATE:	22 NOV 07
DRAWN BY:	ARIS/MARK
JOB NO.	972000

SHEET NO.

A2.1

OF

Transit-Related Services Special Tax Area – Zone 7

EXHIBIT B

CITY OF RANCHO CORDOVA

ORDINANCE NO. 2-2008

AN ORDINANCE OF THE CITY OF RANCHO CORDOVA ESTABLISHING A SPECIAL TAX FOR TRANSIT-RELATED SERVICES FOR THE BLOODSOURCE LABORATORY BUILDING SUBJECT TO VOTER CONFIRMATION

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

Section 1. Purpose, Intent and Authority.

It is of critical importance to the City Council of the City of Rancho Cordova that residents of and employees working in the City receive high quality transit-related services. In carefully reviewing the City's budget and revenue projections, it has become clear to City staff that the City budget does not contain adequate funding to ensure the continued delivery of adequate high quality transit-related services unless additional revenues are obtained.

It is the purpose and intent of this Ordinance to generate additional funds to pay for transit-related services by authorizing the levy of a tax on improved parcels of real property on the secured property tax roll of Sacramento County that are within Zone 7 of the Rancho Cordova Transit-Related Services Special Tax Area (the "Zone").

This tax is a special tax within the meaning of Section 4 of the Article XIIIA of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law. This tax is not an ad valorem property tax; it is an excise tax on the use of property. Because the revenue from the tax may be used only to fund transit-related services, it is also a special tax.

The revenues raised by this tax are to be used solely for the purpose of providing transit-related services as are deemed necessary by the City Council for the benefit of the residents and/or employees of Zone 7.

At the time that the Council adopted this Ordinance, there were zero (0) registered voters residing in Zone 7 and one (1) property owners. Because the Transit-Related Services Special Tax will be imposed on property in Zone 7 and paid by the owners of the property, the Council finds that restricting the vote on the Transit-related Services Special Tax to property owners in Zone 7 is appropriate and consistent with the principles and requirements of California Constitution article XIIIC (Proposition 218).

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price as the base amount in first fiscal year dollars as measured by the Consumer Price Index. The base amount shall be the amount of tax per parcel as specified in Section 3(A) herein. The adjustments from actual to constant dollars shall be made by use of the Consumer Price Index, as specified in Section 3(B) herein.

B. "Consumer Price Index" means the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Consumer Price Index had not been discontinued or revised.

C. "Fiscal year" means the period of July 1 through the following June 30.

D. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Sacramento County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 7 nor any land or improvements owned by any governmental entity.

E. "Rancho Cordova Transit-Related Services Special Tax Area" means all the properties within the jurisdictional limits of the City of Rancho Cordova.

F. "Rancho Cordova Transit-Related Services Special Tax Area Zone 7" (the "Zone") means that portion of the incorporated area of the City of Rancho Cordova located within the boundaries described in **Exhibit A** hereto and as shown on the map **Exhibit B** hereto.

G. "Transit-Related Services" means providing, operating, maintaining and subsidizing transit services and all supporting facilities, infrastructure, programs and incentives that benefit the residents of the Rancho Cordova Transit-Related Services Special Tax Area, and shall be calculated and set according to the methodology described in Engineer's Report County Service Area No. 10 and Benefit Zone No. 2 County of Sacramento, September 7, 2004, which established the methodology for the original service charge for Benefit Zone No. 2.

H. "Voter" means a person who owns real property within Zone 7, as shown on the last equalized assessment role prepared by the Sacramento County Assessor's Office, at the time that the City Council adopts an ordinance authorizing the imposition of a transit-related services tax to the voters of Zone 7.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year.

The tax per year for the first fiscal year (July 1, 2007 through June 30, 2008) shall be the amount of Tax per Parcel for a Land Use Code Category as set forth on **Exhibit C** hereto. The use code assigned to each parcel shall be reviewed and updated periodically. Rates in **Exhibit C** shall be calculated and set according to the methodology described in Engineer's Report County Service Area No. 10 and Benefit Zone No. 2 County of Sacramento, September 7, 2004, which established the methodology for the original service charge for Benefit Zone No. 2.

B. For Subsequent Fiscal Year.

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Consumer Price Index beyond the first fiscal year the tax is levied.

In June or July of each year, City Council shall determine the amount of taxes to be levied upon the parcels in Zone 7 for the then current fiscal year, as set forth below.

For each Land Use Category on **Exhibit C**, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

Tax Per Parcel For then Current Fiscal Year	=	Tax Per Parcel For Immediately Preceding Fiscal Year	X	Consumer Price Index from April of immediately Preceding Fiscal Year to April of then Current Fiscal Year **OR** 6 percent, whichever is less

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

C. Nature of Tax Levy.

The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which Sacramento County

collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedures regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes (as established by Sacramento County) shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

1. The secured roll tax bills shall be the only notices required for this tax, and

2. The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

D. Use of Tax Revenue.

The revenue collected from the tax imposed by this ordinance shall be placed into a separate account and may be used only to fund transit-related services, including the costs of administering and collecting the tax and enforcing the provisions of this ordinance. Revenue from the tax may be used for transit-related services citywide.

E. Refunds.

1. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City pursuant to this ordinance, it may be refunded as provided in this Section.

2. No refund may be made except upon a written claim verified by the person who paid the tax or by his or her guardian or conservator or the executor or administrator of his or her will or estate and stating the grounds upon which the claim is made. All claims filed pursuant to this subsection must be presented within one year after payment of the amount for which the claimant is seeking a refund.

3. No order of a refund may be made until a written claim therefor has been presented in accordance with this subsection. No suit for money, damages or a refund may be brought against the City until a written claim therefor has been presented to the City and has been acted upon or has been deemed rejected by the City, in accordance with this subsection. Only the person who filed the claim may bring such a suit, and if another person should do so, judgment shall not be rendered for the plaintiff.

F. Initiatives to Affect Tax.

Consistent with the California Constitution (art. XIIIC, § 3) the tax imposed by this ordinance may be affected by initiative. The procedures for qualification of such an initiative and the election on a qualified initiative shall be consistent with the California

Constitution (art. 2, sec. 8), the California Elections Code (Chapter 3 of Division 9), and the Municipal Code. The minimum number of signatures necessary to qualify an initiative to affect the tax approved by this ordinance shall be equal to 5 percent of the votes in the City for all candidates for Governor at the last gubernatorial election. The election on a qualified initiative to affect the tax shall be a regular citywide election. An initiative affecting the tax shall be approved only if at least two-thirds of the votes cast on the measure are in favor of its approval.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase of clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of Zone 5 hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its approval by two-thirds of the voters voting within the Zone in an election to be held on March 17, 2008 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2008.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of _____, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

EXHIBIT A

Description of Property

The land referred to herein is situated in the State of California, County of Sacramento, City of Rancho Cordova, and is described as follows:

A PORTION OF THE LANDS CONTAINED WITHIN THE BOUNDARY OF THAT CERTAIN RECORD OF SURVEY ENTITLED "A PORTION OF TRACT WM. E. BRYAN 2129.33 AC. OF RANCHO RIO DE LOS AMERICANOS, FILED FOR RECORD IN BOOK 1 OF MAPS, AT PAGE 2, OFFICIAL RECORDS OF SACRAMENTO COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

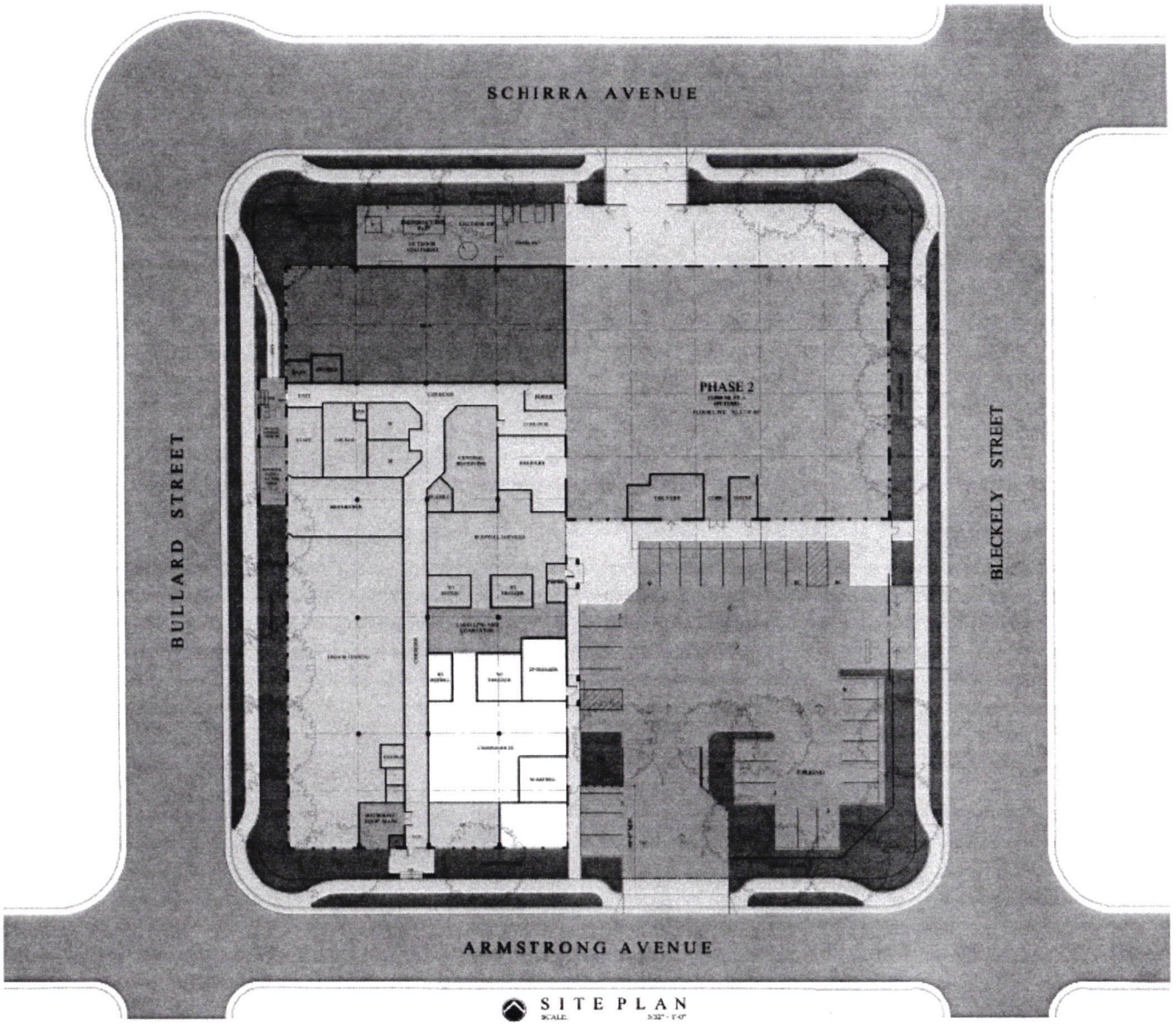
BEGINNING AT A ¾" IRON PIPE TAGGED SACRAMENTO COUNTY PUBLIC WORKS SITUATE AT THE INTERSECTION OF THE CENTERLINES OF BULLARD STREET AND ARMSTRONG AVENUE, AS SAID MONUMENT IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD IN BOOK 57 OF SURVEYS, AT PAGE 20 OF SAID OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING, NORTH 04 DEGREES 47 MINUTES 50 SECONDS WEST ALONG THE CENTERLINE OF BULLARD STREET A DISTANCE OF 355.0 FEET TO AN INTERSECTION WITH THE CENTER LINE OF SCHIRRA AVENUE; THENCE LEAVING SAID CENTERLINE OF BULLARD STREET AND PROCEEDING ALONG THE CENTERLINE OF SAID SCHIRRA AVENUE, NORTH 85 DEGREES 26 MINUTES 59 SECONDS EAST A DISTANCE OF 337.60 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BLECKELY STREET; THENCE LEAVING SAID CENTERLINE OF SCHIRRA AVENUE A PROCEEDING ALONG THE CENTERLINE OF SAID BLECKELY STREET, SOUTH 04 DEGREES 30 MINUTES 43 SECONDS EAST A DISTANCE OF 355.40 FEET TO AN INTERSECTION WITH THE CENTERLINE OF ARMSTRONG AVENUE; THENCE LEAVING SAID CENTERLINE OF BLECKELY STREET AND PROCEEDING ALONG THE CENTERLINE OF SAID ARMSTRONG AVENUE, SOUTH 85 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 335.83 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE MINERAL INTEREST AS RESERVED BY THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE SECRETARY OF THE AIR FORCE IN THAT CERTAIN QUITCLAIM DEED RECORDED FEBRUARY 9, 2003, IN BOOK 20000209 PAGE 755, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERAL RIGHTS IN THE HEREIN DESCRIBED PARCEL OF REAL PROPERTY AS RESERVED BY THE COUNTY OF SACRAMENTO IN THAT CERTAIN GRANT DEED DATED JANUARY 21, 2004, RECORDED JANUARY 23, 2004, IN BOOK 20040123 PAGE 2065, OFFICIAL RECORDS.

A.P.N. 067-0010-060

BLOODSOURCE LABORATORY BUILDING



HOSHIDA & REYES
ARCHITECT

SIGNATURE

CONSULTANT

REVISIONS

PROJECT TITLE

BloodSource

BLOODSOURCE LABORATORY BUILDING

SHEET TITLE

SITE PLAN

DATE:	22 NOV 07
DRAWN BY:	ARIS/MARK
JOB NO.	972000

SHEET NO.

A2.1

OF

Transit-Related Services Special Tax Area – Zone 7

EXHIBIT B

EXHIBIT C

Amount of Tax per Parcel by Land Use Category

A. Residential Dwelling Units

As adjusted for inflation from the original base year, the amount of Tax per Parcel for fiscal year 2007/2008 for Residential Land Use Categories shall be $84.20 per low density residential dwelling unit or low density residential dwelling unit equivalent, $67.34 per medium density residential dwelling unit or medium density residential dwelling unit equivalent, $50.51 per high density residential dwelling unit or high density residential dwelling unit equivalent, (Multi-family residential units on a single parcel shall be assessed on a proportionately equivalent basis (e.g., a two-unit attached housing structure, such as a duplex, would be deemed to consist of two residential parcels for purposes of the Transit-Related Services Special Tax).

B. Non-Residential

As adjusted for inflation from the original base year, The amount of Tax per Parcel for fiscal year 2007/2008 for Non-Residential Land Use Categories (except Recreational and Agricultural) shall be $2,158.33 per retail and service commercial acre, $1,855.25 per commercial mixed use or office commercial acre, and $774.64 per light industrial acre.

C. Inflator Formula

The tax is subject to an annual inflator formula based on the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area, or six percent, whichever is less.

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **APPROVAL OF MEASURE A TRANSPORTATION EXPENDITURE PLANS**

RECOMMENDATION

1. Approve the FY2007/2008 Interest Allocation to the FY2007/2008 Expenditure Plan **(Attachment 1)** allocating Measure A revenues to City programs and maintenance, and direct staff to submit the plan to the Sacramento Transportation Authority (STA).

2. Approve the FY2008/2009 Expenditure Plan **(Attachment 2)** allocating Measure A revenues to City transportation projects, programs and maintenance, and direct staff to submit the plan to the STA.

RESULT OF RECOMMENDED ACTION

Approval of the Measure A Transportation Expenditure Plans will allocate funding to City projects and programs and allow the City to expend Measure A Sales Tax revenues. Upon approval, the recommended Expenditure Plans will be submitted to STA for review and final approval by the STA Board.

BACKGROUND

FY2007/2008 Interest Allocation to the FY2007/2008 Expenditure Plan

At the November 8, 2007, STA Board meeting the board approved distribution of interest earnings on the money held in agency funds for the City. A total of $144,275 was distributed and has been allocated to construction and maintenance programs in Attachment 1.

FY2008/2009 Expenditure Plan

On November 8, 2007, the STA Board approved the Measure A Sales Tax revenue estimates for FY 2008/2009. The STA Administrative Code and the Measure A Transportation Expenditure Agreement require Measure A entities to submit expenditure plans detailing how the funds will be allocated. The STA reviews the submittals for conformance with the Countywide Transportation Expenditure Plan (CTEP). Expenditure Plans will be presented to the STA Board for final approval in May 2008. Funding from the FY 2008/2009 allocation will be available for expenditure July 1, 2008.

The total Measure A revenue estimate for FY2008/2009 is $94,980,750, which reflects a no growth rate and a shortfall from the FY2007/2008 projections. In order to keep the current fiscal year shortfall from negatively impacting ongoing projects and programs the shortfall will be covered by the July and August revenues. Based on the voter-approved Measure A distribution formula, the City's total allocation is $2,449,623, including $1,360,902 for road construction projects and programs and $1,088,721 for roadway maintenance. The FY2008/2009 Expenditure Plan is attached to this report as **Attachment 2.**

Attachment 3 provides specific project or program descriptions and the allocation amounts for each plan described above.

The following summarizes staff recommendation allocating Measure A revenues to specific transportation projects and programs.

Local Transportation Construction Projects and Annual Transportation Programs: Local transportation construction project allocations are project specific and are based on FY2007/2008 total project cost estimates and funding needs for FY2008/2009. Annual programs have been established to provide funding for improvements in various locations throughout the City including bikeways, pedestrian, elderly and disabled, neighborhood traffic management, and traffic safety. All programs included in the requests have received Measure A allocations regionally and locally in previous years. All specific projects and programs are consistent with the CTEP.

Local Transportation Maintenance Program: The FY2008/2009 Expenditure Plan allocates $1,088,721 for next fiscal year's road maintenance. A description of the maintenance activities funded by Measure A is provided in **Attachment 4**.

ATTACHMENTS

1. FY2007/2008 Measure A Interest Allocation Request
2. FY2008/2009 Measure A Allocation Request
3. Annual Transportation Programs
4. Transportation Maintenance Programs

ATTACHMENT 1

City of Rancho Cordova
Interest Allocation to the Measure A Expenditure Plan
FY2007/2008

Construction		
STA Allocation - Measure A Construction Interest	$	74,275
Total Interest Allocation - Construction	**$**	**74,275**
City Project/Program		
Traffic Signal Program - Various Locations	**$**	**15,000**
Street Safety Improvements - Various Locations	**$**	**35,000**
Streetscape Program	**$**	**20,275**
ROW & Contingency	**$**	**4,000**
	$	**74,275**
Maintenance		
STA Allocation - Measure A Maintenance Interest	$	70,000
Total Interest Allocation - Maintenance	**$**	**70,000**
City Project/Program		
Transportation Maintenance Program	**$**	**70,000**

ATTACHMENT 2

City of Rancho Cordova
Measure A Expenditure Plan
FY2008/2009

Construction		
STA Allocation - Measure A Construction	**$**	**1,360,902**
City Project/Program		
Streetscape Program	$	150,000
Bikeway Improvements - Various Locations	$	100,000
Elderly and Disabled Access Improvements - Various Locations	$	100,000
Pedestrian Safety Improvements - Various Locations	$	150,000
Street Safety Improvements - Various Locations	$	200,000
Neighborhood Traffic Management Program	$	150,000
Transportation Master Plan	$	100,000
Traffic Signal Program - Various Locations	$	200,000
ROW & Contingency	$	210,902
	$	**1,360,902**
Maintenance		
STA Allocation - Measure A Maintenance	**$**	**1,088,721**
City Project/Program		
Transportation Maintenance Program	**$**	**1,088,721**

Annual Transportation Programs (Construction)

Program Name	Description	Interest Allocation to the FY2007/2008 Expenditure Plan	2008-2009 Measure A Expenditure Plan
Streetscape Improvements - Various Locations	This Citywide program designs and constructs streetscape improvements include frontage landscaping with some curb, gutter and sidewalk improvements, median improvements with landscaping and hardscaping, irrigation and some pedestrian improvements.	$ 35,000	$ 150,000
Bikeway Improvements	This Citywide program implements bikeways at locations specified in the Bikeway Master Plan and the County project priority list for pedestrian walkways and bikeways. Projects consist primarily of sliver widening, overlays, signage and striping required to provide bikeways.	$ -	$ 100,000
Elderly and Disabled Program	This Citywide program provides for the construction of handicapped-accessible ramps, the installation of audible pedestrian devices, and other amenities at various locations, to provide safe access for the elderly and disabled. Project selection and prioritization is determined in cooperation with the Advisory Committee for Persons with Disabilities.	$ -	$ 100,000
Pedestrian Safety Improvements Various Locations	This Citywide program provides for Pedestrian Master Plan/ADA Transition Plan Development and for the construction of new sidewalks, curbs, and gutters at various sites; construct asphalt walkways; install pedestrian signals, safety lighting facilities, warning signage, and pedestrian push buttons identified in the Plans.	$ -	$ 150,000
Safety Improvements	This Citywide program provides for the installation of miscellaneous safety improvements in various locations, including flashing beacons, guardrails, median channelization, and various signing and striping based on traffic engineering warrants.	$ 20,275	$ 200,000
Neighborhood Traffic Management Program	This Citywide program provides for development and implementation of the City's Neighborhood Traffic Management Program. Implementation of this program will include installation of various traffic calming measures to reduce speeds at various locations throughout the City. The candidate sites will be identified using the criteria that will be developed and established as part of the Neighborhood Traffic Management Program.	$ -	$ 150,000
Traffic Signal Program Various Locations	This program provides for the design and construction of new traffic signals at locations identified on the City project priority list for traffic signals, and upgrades and modifications to existing traffic signals, including Fiber Optic Networking. New signals are only part of this program after they have been added to the CTEP via a CTEP amendment. A CTEP amendment was approved last fiscal year for the Data Drive and International Drive Traffic Signal which will receive the additional FY08/09 funding.	$ 15,000	$ 200,000
Transportation Master Plan Program	This program implements concepts set forth in the City's General Plan Circulation Element. This includes detail roadway sizing, implements the Transit Master Plan, provides for the development of the Bicycle, Pedestrian and ITS Master Plans, and coordinates with other regional planning efforts initiated by SACOG and the 50 Mobility Corridor Coalition.	$ -	$ 100,000
ROW / Contingency	These funds are reserved at STA for cost overruns and federal and state grant match requirements.	$ 4,000	$ 210,902
	Totals	**$ 74,275**	**$ 1,360,902**

2008-2009 MEASURE A EXPENDITURE REQUEST

Transportation Maintenance Programs

The Measure A Transportation Expenditure Agreement requires that 28 percent of the annual sales tax revenue distributions for public transit and public roadways be allocated for maintenance of existing local streets, roads and highways. The Measure A Maintenance Programs includes the following maintenance activities:

- AC Overlays
- Chip Seal
- Crack Sealing
- Curb and Gutter Repair/Replacement
- Fence Repair
- Fixed Bridge Maintenance
- Graffiti Removal
- Guardrail Repair
- Landscape Maintenance
- Leaf Pickup
- Mechanical Ditch Cleaning
- Miscellaneous Maintenance Activities
- Pavement Survey
- Paving
- Roadside Mowing
- Roadside Shoulder Grading
- Roadside Spraying
- Sidewalk Repair/Replacement
- Slurry Seal Program
- Street Sign Program
- Sweeping
- Trash Cleanup
- Tree Trimming

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director
Adam Lindgren, City Attorney

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ADOPTING A REAL ESTATE ACQUISITION PROGRAM**

RECOMMENDATION

Staff recommends that City Council adopt the attached Resolution 6-2008 **(Attachment 1)** approving the Real Estate Acquisition Program for the City as described in **Exhibit A.**

RESULT OF RECOMMENDED ACTION

Adoption of this Resolution will establish a Real Estate Acquisition Program and provide policy guidance to enable City staff with contracted real estate consultants to move forward on projects where real estate acquisition is needed. The program is designed to implement best practices for governmental real estate activity, and has been approved as to legal aspects by the City Attorney.

The program represents a professional and cost-effective approach to handling real estate appraisals, acquisitions, and relocation assistance. It relies primarily on real estate professionals who are experts in governmental real estate, but would also include legal consultation wherever necessary, especially in the early stages as detailed processes are decided and documented, and standard forms and agreements are developed.

BACKGROUND

Since incorporation, real estate transactions have been handled on a case-by-case as the situation arises. With the projected growth in the City, the establishment of a redevelopment area, and the need for significant transportation improvements on the horizon, a programmatic approach for handling real estate transactions is essential.

On August 6, 2007, the Council authorized staff to retain the Thurston Company, Interwest Consulting Group, and Bender Rosenthal, Inc. for on-call right-of-way acquisition services through June 30, 2010. These three existing on-call contracts provide the City with expertise in real estate program management and real estate transactions.

The Real Estate Acquisition Program, attached as Exhibit A, is a document that provides the program description, including key policies and procedures. The document was prepared by Craig Thurston of the Thurston Company in collaboration with City staff and Claudia Gorham in the City Attorney's office. Mr. Thurston is the former head of real estate for both the City of Sacramento and later the County of Sacramento and Ms. Gorham is in the Eminent Domain Group of the City Attorney's office. The program document is a modified version of a manual prepared by Bender Rosenthal, the largest public acquisition consulting firm in Sacramento. The program document was reviewed by and has been prepared in consultation with the City Attorney.

Key features of this proposed Real Estate Acquisition Program include:

- Implementation would allow the City to move toward achieving "best practice" standards in public real estate acquisition policy and practices.

- The program will allow the City to rely on the use of professional appraisal, acquisition, and relocation consultants, to produce coordinated high-quality services that are timely, cost-effective, and fair to all affected property owners.

- The use of consultants, as shown on the organization chart on the last page of the program description attachment, will insure that the City will receive professional real estate services, that are only used as needed, and represent no increase in City staff.

- The program presents an approach that is expected to be approved by Caltrans, which will assist the City in obtaining eligibility for State and Federal funding for transportation projects where Caltrans oversight is a factor.

- The program presents an approach that is fully compliant with the Uniform Relocation Act of the Federal government, the Code of Federal Regulations, and applicable State statutes and regulations relating to public acquisitions.

- The program will allow for the City to acquire property by eminent domain only under limited circumstances, after the City has exhausted opportunity for voluntary sale.

ATTACHMENT

Resolution 6-2008 Approving the Real Estate Acquisition Program with Exhibit A - Real Estate Acquisition Program document

CITY OF RANCHO CORDOVA

RESOLUTION NO. 6-2008

A RESOLUTION OF THE CITY COUNCIL ADOPTING A REAL ESTATE PROGRAM DESCRIPTION

WHEREAS, the City is presently absent a documented Real Estate Program **(Exhibit A)** outlining policy for handling real estate acquisitions for City projects; and

WHEREAS, the Council recognizes the need for such a program to facilitate professional, legal, and cost-effective acquisitions for City projects; and

WHEREAS, the outline of a Real Estate Program meeting City needs has been presented to Council and is found to be acceptable;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council hereby approves the Real Estate Program included with this Resolution.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

EXHIBIT A

CITY OF RANCHO CORDOVA
Department of Public Works

REAL ESTATE

ACQUISITION

PROGRAM

By

Craig Thurston
&
Bender Rosenthal, Inc.

January 22, 2008

INTRODUCTION

This document provides the program description, including key policies and procedures, for the City of Rancho Cordova Real Estate Acquisition Program.

The program has been designed for the City in consideration of successful established programs in other California cities and counties. It is also designed to be in concert, when applicable, with the California Department of Transportation (Caltrans) guidelines for local agencies involved in transportation projects where State or Federal monies are involved.

The appraisal and acquisition processes involving the acquisition of private property for public projects are regulated by the Uniform Relocation Act of the United States, and by the laws of the State of California.

The objective of this Real Estate Acquisition Program manual is to summarize how the City will conduct its real estate acquisition program, thus allowing approval of the program by City Council, followed by the implementation of the program by staff and consultants. This approach allows the City Council to set policy, and then allows staff the ability to administer such policy in a manner which is correct under established laws and procedures. This approach to real estate acquisition is professional, cost-effective, and also insures the fair treatment of property owners affected by City projects.

This manual summarizes the conduct of the Real Estate Acquisition Program including real estate project management, appraisals, acquisitions, relocation assistance, construction monitoring, and eminent domain support, for the typical City public acquisition project. The manual has been developed to provide real estate policy guidelines for staff and consultants assigned to all aspects of real estate acquisition for City projects, allowing the City the ability to acquire the real estate necessary for the construction, operation, and maintenance of those projects .

The Real Estate Team, which would vary in composition from project to project as determined by the Real Estate Program Director, shall take all of the following actions reasonably necessary and prudent to:

(1) Acquire the parcels needed for a project, either as full or partial acquisitions, in fee title or in easement title, as appropriate for the particular project.
(2) Insure full and fair compensation of each property owner for such acquisitions, paid in a timely manner, and in accordance with all applicable State and Federal laws.
(3) Insure that the real estate policies and procedures in this document are followed.
(4) Complete the acquisition process on schedule to allow the City project to proceed.
(5) Insure that acquisition is completed in a manner that will qualify for any applicable State or Federal reimbursements.
(6) Insure that acquisition is completed in a manner that will optimize the transition to the eminent domain process when and if such becomes necessary.

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TITLES

This table identifies key entities and individuals described in this Real Estate Acquisition Program description, and specifies their designated involvement in the program.

TITLES	ENTITIES and INDIVIDUALS
City	City of Rancho Cordova
City Council	City Council of the City of Rancho Cordova
Project	Various Present and Future City Projects
Real Estate Program Director	City Department Director
Real Estate Program Manager	Consultant – yet to be selected
Real Estate Program Consultants	Thurston Company Bender Rosenthal, Inc. Interwest Consulting Group, Inc.
Project Survey Company	Consultant – to be selected project by project
Real Estate Project Consultants • Project Management • Appraisals • Acquisitions • Relocations	Consultants – to be selected project by project
Legal Services	City Attorney's office (staff real estate attorneys)

ROLES AND RESPONSIBILITIES

City of Rancho Cordova, R/W Acquisition Program

Program Director

The City Council will delegate authority to the Real Estate Program Director, a city staff member, who is responsible for:

- Authorizing the commencement of the appraisal process, including authorizing mailing of the Notice of Intent to Appraise letter to affected property owners.
- Insuring that the entire acquisition process includes necessary legal advice as to the legally required steps in the process and the use of legally correct forms and templates.
- Approving appraisals, establishing just compensation based on an appraisal, obligating funds for acquisition and relocation, and providing authorization to acquire.
- Approving the presentation of the First Written Offers of just compensation.
- Approving requests for Appraisal Revisions, Administrative Settlements, and any decision to request a Resolution of Necessity from the City Council.
- Accepting deeds for the City and approving and accepting Agreements for Purchase.
- Creating a Relocation Appeals Board to hear appeals from displaced persons regarding the adequacy of relocation assistance.
- Approving the overall Real Estate Acquisition process, including Relocation Assistance, and certifying projects as having the property rights acquired that are necessary for construction of the project to begin.
- Ensuring project is approriately budgeted and that funding is available.

Program Manager

The Real Estate Program Manager is responsible for:

- Recommending selection and approval of real estate consultants to the Program Director.
- Reviewing and recommending approval of appraisals to the Program Director.
- Reviewing and recommending approval of settlements to the Program Director.
- Drafting letters to City Council recommending adoption of a Resolution of Necessity. Such letter to be approved by both the Program Director and City Attorney staff.
- Preparing letters advising affected property owners of the schedule for any City Council hearing for adoption of a Resolution of Necessity.
- Presenting the real estate aspects of the Resolution of Necessity to City Council.

Real Estate Consultants

As determined by the Real Estate Program Manager, under general direction of the Real Estate Program Director, consultants will be selected to provide those necessary real estate services as dictated by the nature and scope of each City project where real estate acquisition is necessary. Such services could include real estate project management, appraisal, acquisition, relocation assistance, property management, construction monitoring, and eminent domain support. The services are described below:

Project Manager Consultant

Manage the day-to-day appraisal, acquisition, relocation, property management, and construction monitoring services provided for a specific large-scale City project.

Appraisal Consultant(s)

The Appraiser(s), upon receiving appraisal maps, preliminary title reports, and approval to proceed with appraisals will:

- Insure that each owner has received a City letter titled Notice of Intent to Appraise.
- Provide each property owner with an Invitation to Accompany the Appraiser during inspection of the property.
- Provide each property owner, and other parties with interest in the ownership, with a project booklet that outlines the public acquisition process and the owner's rights within that process.
- Investigate property use restrictions and the terms of all rental agreements or leases on the property.
- Determine if there are items of business inventory, machinery, or equipment that should be considered part of the real property and advise the Program Manager of the need for a separate appraisal for "Improvements Pertaining to Realty".
- Prepare a Fair Market Value appraisal as the basis for Just Compensation for the required real estate from each larger parcel affected by the proposed project.
- Prepare a Statement of and Summary of the Basis for Appraisal.
- When requested, consult with, assist, and provide expert witness services to legal counsel, during the eminent domain process, for those parcels where legal action is necessary.

Acquisition Consultant(s)

The acquisition consultant, following the appraisal process, will contact affected property owners and attempt to achieve settlement of the acquisition. This phase will normally utilize at least 6 weeks, to allow the property owners adequate time to consider and discuss the City offer.

The acquisition agent(s), upon receipt of authority to acquire from the City, will review the approved appraisal for negotiation issues and proceed with the attempt to purchase the required property rights by agreed settlement. These responsibilities include, but are not limited to the following activities:

- Prepare an offer letter, appraisal summary statement, and booklet describing the City acquisition and relocation assistance process for consideration by property owners. The offer letter will include the statutory offer to allow the property owner to select a second appraiser to complete an appraisal for a City cost not to exceed $5000.
- Present such as the First Written Offer of just compensation to the property owner in person, or when necessary, by mail. Such offer is to be based upon, and is not to be less than, the approved appraisal. When appropriate, the acquisition agent will either advise the relocation agent that the offer has been made, or the two consultants will meet jointly with the property owner when the offer is made.
- Keep a Parcel Diary of all contacts with property owner, and others with a property interest, regarding the acquisition of the parcel.
- If settlement can be achieved, obtain signatures of all owners of record on purchase agreement, deed or other conveyance document, and escrow instructions.
- On business property, determine if compensable Loss of Goodwill may need to be considered, and provide a Goodwill Information Sheet to business owners if appropriate.
- Request an invoice for title insurance and escrow fees from the title company. Transmit purchase documents to City for approval and acceptance. Arrange for recording of deed and any other conveyance documents by the title company.
- If requested, assemble data that justifies a recommendation for an Administrative Settlement where negotiations at the appraised value are unsuccessful, or a counter offer has been made by the owner, and where a revised offer can reasonably be recommended by the Real Estate Program Manager.
- Work in conjunction with the title company to obtain partial release and reconveyance, consent to easement, subordination agreement, or other documents necessary to secure good title and allow escrow to close.
- Advise the Real Estate Program Manager if negotiations with the property owner reach an impasse, and if it appears likely that it will be necessary to initiate eminent domain action, in which case the Real Estate Program Manager may choose to make a final attempt to reach settlement.
- Upon approval to initiate condemnation, provide the documentation required for the Resolution of Necessity package, and initiate close coordination with City attorneys.

- Provide 30 days notice in advance of the hearing, to advise property owners of the date, time, and location of the City Council hearing to adopt a Resolution of Necessity.
- With prior authorization from City's attorney and owner's attorney, continue contacts and negotiations with owners even though suit has been filed.
- When requested, consult with, assist, and provide documentation to the City's attorney during the eminent domain process.

Relocation Consultants

The City Relocation Assistance Program will be implemented by relocation consultants. The purpose of the Relocation Assistance Program is to ensure that all persons displaced as a result of a public project are treated fairly, consistently, and equitably, so that they will not suffer avoidable disproportionate injuries as a result of projects designed for the benefit of the public as a whole. The relocation consultant will assist the City in implementing the Uniform Relocation Act, State Relocation Act, and 49 CFR 24 in a manner that is efficient, cost-effective, and fair to all eligible displacees.

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 U.S.C. 2000d, et seq.).

A relocation study to determine the scope of the displacements, identify possible replacement resources, and determine a preliminary estimate of relocation assistance benefits and displacee eligibility, will be prepared prior to the initiation of any acquisition activities, and the results of that study will be reported in a Relocation Plan for projects with displacements.

The relocation consultant, after the first written acquisition offer has been presented to the affected property owner, will proceed to administer the Relocation Assistance Program for displaced residents and businesses. These responsibilities include, but are not limited to the following activities:

- Prepare a General Information Notice, an Eligibility Notice, a Certificate of Occupancy, and claim forms for displacees.
- Meet with occupants to be displaced to deliver a City Relocation Brochure, Notice of Eligibility, Certificate of Occupancy, and provide information about the City Relocation Assistance Program.
- Keep a Parcel Diary of all contacts with displacees regarding relocation activities.
- Obtain moving cost estimates.
- Provide a Notice To Vacate as appropriate, when approved by the Real Estate Program Director.
- Prepare a transmittal to City to accompany Claim(s) for Relocation Assistance, together with any supporting documentation to support the claim for payment.

- Assist with the relocation of persons displaced by the City project to "decent, safe, and sanitary" (DS&S) housing that meets their needs and is within their financial means, and assist business and farm operators in finding suitable replacement locations to continue operations.

- City will form a Relocations Appeals Board, chaired by the Real Estate Program Director, to hear appeals from displacees regarding the adequacy of the relocation assistance benefits. When appropriate, City will advise displacees of the date, time and location of the Relocation Appeals Board meeting.

Legal Services

Legal Services are provided by real estate attorneys from the City Attorney's office and will be in the support role during the acquisition phase:

- During the acquisition phase of a project, the Real Estate Program Director will have the lead in acquiring the real estate needed, as described in the preceding sections. In the eminent domain phase, beginning with the presentation of the Resolution of Necessity to City Council, the City attorneys will have the lead in filing and prosecuting the legal action.

- The Real Estate Program Director will develop template forms, and optional clauses, for agreements and conveyances. Those forms will be submitted for their approval by City attorneys. After approval, those forms will be used to acquire real estate without individual legal review.

- For complex situations requiring extraordinary clauses to be added to the template forms, or where the template forms are not applicable, the City attorneys will prepare the form to be used, and will approve the use by individual approval as to form.

- The Real Estate Program Director will be responsible for business issues during the acquisition phase, and the City attorneys will be responsible for legal issues, including the rendering of legal opinions requested by said Director.

- City attorneys will prepare the legal documents necessary to file suits in eminent domain when so directed by the Real Estate Program Director.

- City attorneys will request funds needed to support any Order(s) of Possession to be obtained, and shall deposit the funds in the State Condemnation Fund.

- City attorneys will file suits and obtain and serve Order(s) For Possession and related documents as needed to acquire properties when negotiations have failed to produce a settlement by contract.

- City attorneys will conduct negotiations, case management conferences, and settlement conferences with attorneys representing property owners.

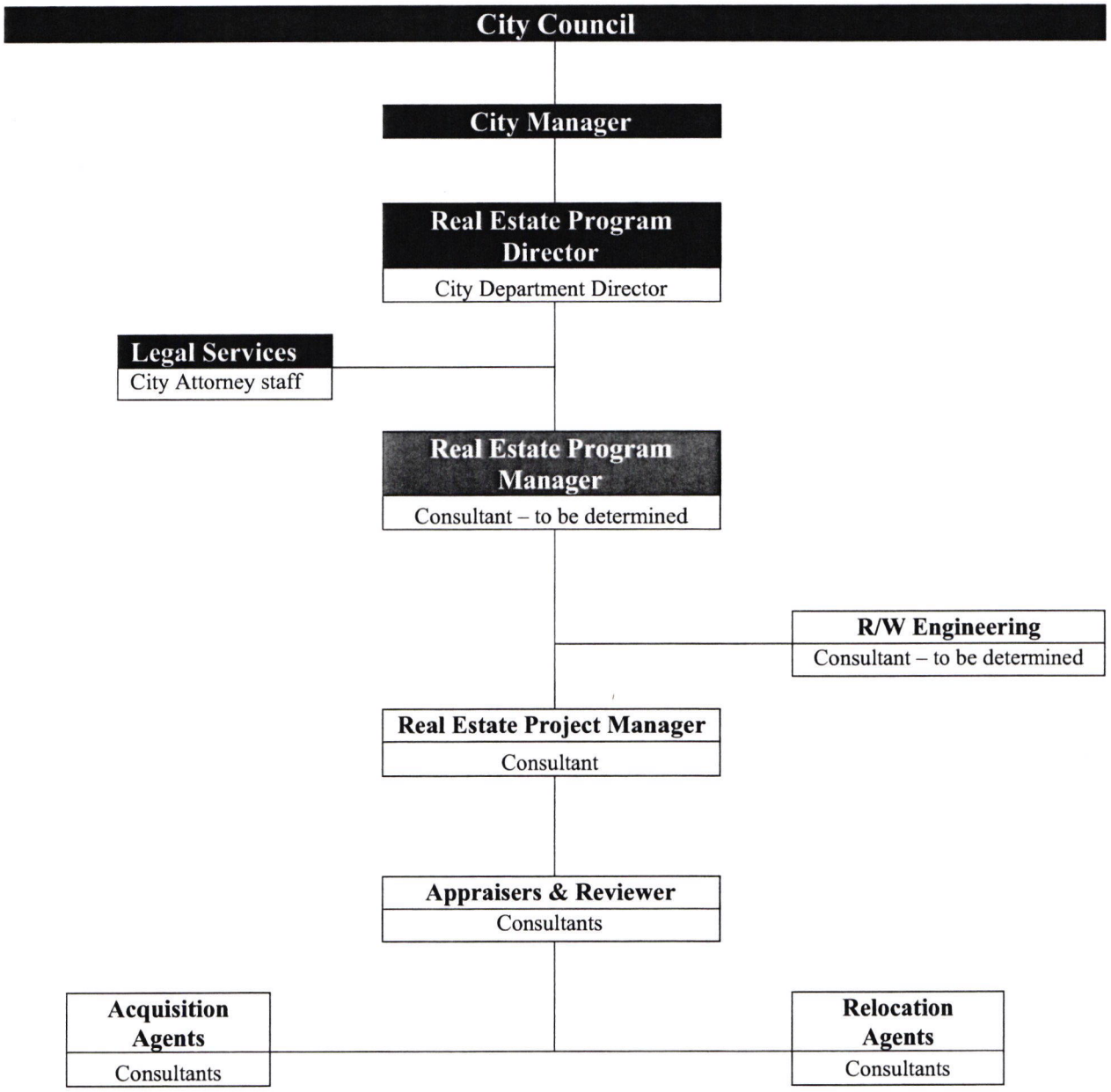
- City attorneys will request condemnation appraisals as needed.

- City attorneys will pursue litigation, including taking depositions and presenting final offers for settlements, to obtain Final Order(s) of Condemnation, if a settlement by contract cannot be accomplished. All settlement offers shall be approved by the Real Estate Program Director.

- After a Final Order Of Condemnation is obtained, City attorneys shall provide for the release of any remaining funds and the obtaining of title insurance.

The following Organization Chart presents an overview of the parties described above:

City Real Estate Acquisition Team



MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **AWARD OF PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR SUNRISE BOULEVARD IMPROVEMENTS: KIEFER BOULEVARD TO JACKSON ROAD**

RECOMMENDATION

Adopt **Resolution No. 5-2008** authorizing the City Manager to execute an Agreement with Jacobs Carter Burgess in the amount of $674,621.38 for the first phase of engineering services associated with the Sunrise Boulevard Improvements: Kiefer Boulevard to Jackson Road Project.

RESULT OF RECOMMENDED ACTION

Upon adoption of this resolution the City Manager will execute the contract with Jacobs Carter Burgess and the project team will move forward with design of the Sunrise Boulevard Improvements: Kiefer Boulevard to Jackson Road Project.

BACKGROUND

Sunrise Boulevard is currently a two lane rural highway south of Kiefer Boulevard. This project will widen Sunrise Boulevard between Jackson Road and the improvements north of Kiefer currently under construction by the Anatolia developers. The City's General Plan identifies this roadway as a six lane arterial by 2035. This project will construct the first phase of these improvements, which at this time conceptually includes the inside four lanes of the ultimate six lane roadway along with paved shoulders for bicycle lanes and raised landscaped medians where possible. The frontage lanes, which will include sidewalks and additional landscaping, will be constructed as development occurs south of Kiefer Boulevard. This project will also include reconstruction of the intersection of Sunrise Boulevard and Jackson Road as well as widening of the Jackson Road bridge over Laguna Creek in order to provide the desired level of service for current and projected traffic volumes through this intersection.

The design of this project requires consideration of other nearby projects, utilities and environmental concerns. These include the Sacramento Regional County Sanitation District Mather Interceptor project, future land development along the east side of Sunrise Boulevard south of Kiefer Boulevard, planned multi-use trail crossing of Jackson Road, possible hydraulic issues with Laguna Creek (including the abandoned Jackson Road bridge and Sacramento County's bridge on Sunrise Boulevard), vernal pool impacts, future widening of Jackson Road, and the proximity to the Folsom South Canal.

The engineering firm of Jacobs Carter Burgess was selected through an open and competitive process. On August 3, 2007, a Request for Qualifications (RFQ) for this project was published

in the Grapevine, posted on the City's website, and also mailed to high-ranking firms listed on the City consultant roster. Through evaluation of the ten proposals received, Jacobs Carter Burgess was chosen as the firm best suited for this project based on their strong experience with similar projects.

Public Outreach and Agency Coordination

Throughout the design process, City staff and the project design team will work with adjacent property owners and affected stakeholders, including the US Bureau of Reclamation, Caltrans, and Sacramento County. In addition, nearby residents and businesses will be kept informed of the project through periodic informational mailings that will include City staff contact information.

Project Funding

This project will be funded by developer traffic impact fees and New Measure A funds from the renewal of the Sacramento County ½-cent transportation sales tax. Full funding for construction has not been secured yet.

Next Phase

This contract is for completion of preliminary engineering, utility and agency coordination, and preparation of 65% plans. With Council approval, design work will begin in February. Staff will return to City Council later this year for authorization to proceed with the second and final phase of design of this project which will consist of preparing the final design documents and support during bidding and construction. Design, environmental approval and right-of-way acquisition is expected to take approximately 18 months. Staff has established a target date of mid-2009 to advertise for construction bids. Construction of this project is expected to take two construction seasons.

ATTACHMENT

Resolution 5-2008 including Exhibit A – Scope of Work & Cost Proposal

CITY OF RANCHO CORDOVA

RESOLUTION NO. 5-2008

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH JACOBS CARTER BURGESS TO PROVIDE ENGINEERING SERVICES ASSOCIATED WITH THE SUNRISE BOULEVARD IMPROVEMENTS: KIEFER BLVD TO JACKSON ROAD PROJECT

WHEREAS, the City of Rancho Cordova wishes to contract with a professional engineering firm to provide the first phase of design services for the Sunrise Boulevard Improvements Project between Kiefer Boulevard and Jackson Road; and

WHEREAS, the City of Rancho Cordova wishes to contract with Jacobs Carter Burgess for these services in an amount not to exceed $674,621.38 (**Exhibit A**); and

WHEREAS, the cost of those services will exceed the maximum amount that the City Manager has authorization to approve; and

WHEREAS, the Council of the City of Rancho Cordova, in the 2007-2008 Adopted Budget has budgeted sufficient funds to cover the cost of this contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a contract with Jacobs Carter Burgess, Consultant, in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

Understanding of Project

The City of Rancho Cordova (City) is proposing to widen and reconstruct Sunrise Blvd, between Kiefer Blvd and Laguna Creek, 500 feet south of Jackson Hwy (SR 16). This 1 1/2-mile (7700 feet) roadway will be developed as a two phased project and will include the widening/reconstruction of approximately ½ mile (1700 to 2400 feet) of SR16, construction/widening of the SR16 Bridge over Laguna Creek, and reconstruction of the intersection and traffic signal at the Sunrise Blvd and SR16 Intersection.

Sunrise Blvd is both a City and Sacramento County (County) street with ownership as follows: South of SR16 is in the County and north of SR16 is in the City. SR16 is a state highway controlled by Caltrans (CT). The design of each segment will be in accordance with the City, County and CT guidelines.

Sunrise Blvd is a two-lane major arterial within the project limits. At its northern connection with Kiefer Blvd, it widens to a five lane channelized intersection approach. SR16 is a two and three-lane state highway within the project limits. Sunrise Blvd is to be planned as a 6-lane major arterial in the ultimate condition. .In the interim condition, the 10 year horizon, Sunrise Blvd is anticipated to be widened to a 4-lane facility with a center median. The interim design will be coordinated with the ultimate street layout and scaled back to provide the necessary lane and intersection configurations. The widening in the interim condition is planned to be entirely to the west of the existing roadway and generally follow the existing horizontal and vertical alignments. This is to minimize impacts to existing utilities along the east side of the roadway.

Laguna Creek meanders through the project diagonally just east of the SR16 intersection. The creek crossing on SR16 is a three-span concrete "slab-on-pile" bridge. This structure is currently shown to be completely replaced in the latest preliminary plans provided by the City. We will plan to replace the structure as part of the project but will make every effort to pursue a widening on existing alignment in lieu of replacement. No improvements are planned for the Laguna Creek Channel.

There are two additional structures within the project limits; the Sunrise Blvd Bridge over Laguna Creek and the SR16 Bridge over the Folsom South Canal. The Sunrise Blvd Bridge is a County Bridge and is not planned to be widened. The preliminary plan shows that the roadway widening can be transitioned to existing prior to the bridge. The SR16 Bridge is a US Bureau of Reclamation (USBR) owned structure located approximately 600 feet west of the Sunrise Blvd – SR16 intersection. This bridge is not planned to be widened. However the intersection configuration and proposed channelization has not been discussed or approved by Caltrans, District 03 (CT) and appears to be far short of CT standards for this facility. Because of this we feel that this structure may require widening in order to accommodate the required channelization on the state owned facility. This scope includes the widening of the SR16 over the Folsom South Canal Bridge as an optional task in the event it becomes necessary.

For planning and design of the Sunrise Blvd widening improvements, the project will be developed as follows:

> **Ultimate Footprint -** Sunrise Blvd and SR16 will be preliminarily planned to accommodate the 20 year traffic volumes conforming to the City's General Plan Update. This will set a footprint for future development needs in the area and define improvements to be accommodated by those developments. This will complete the planning for the major arterial within the City limits and ensure consistency between the ultimate and interim projects. This Ultimate Footprint will not be constructed as part of this project.

Interim Footprint – Sunrise Blvd and SR16 will be planned and designed to accommodate the 10 year traffic volumes conforming to the City's General Plan Update. This will provide a level of design adequate for the needs of the area within the 10 year design life. This Interim Footprint will be constructed by this project.

Preliminary and Final Design Services

This scope of services includes preliminary research, project management, community involvement, surveys and topographic mapping, right of way engineering, right of way acquisition, geotechnical investigations, hydrologic and hydraulic analysis, traffic analysis, utility coordination, preliminary and final design, a Caltrans Encroachment Permit and Preliminary Engineering Evaluation Report (PEER), NPDES permitting and permit support, bidding assistance, construction assistance, quality control, and the preparation of plans, specifications and estimates for the widening of Sunrise Blvd from Kiefer Blvd to 500 feet south of SR16 at Laguna Creek.

The City will provide topographic mapping (Wood Rodgers), traffic forecasting and operational analyses for the 10 and 20 year periods (DKS), environmental documentation and permitting (PMC), title reports, cooperative agreements and other services not otherwise defined in this scope of services.

For design development of this scope of work and for providing support services to the City during bidding and construction of the project, this design scope of work will be phased as follows:

- **Project Phase 1** – Perform preliminary engineering and develop the project design through 65% PS&E, and
- **Project Phase 2** – Develop final design documents and provide bidding, right of way appraisal, and design support during construction.

A complete breakdown of tasks between the phases is shown on the fee proposal.

Task 1 – Project Management

Task 1A – Kick-off Meeting and Preliminary Research

The Jacobs Carter Burgess Team (JCB) will meet with the City of Rancho Cordova (City) to review the project and further define the roles of the project participants. Key issues will be discussed and the project scope and schedule will be finalized.

A Project Guide will be prepared for project team members that include the scope of services, schedule, budget, invoicing procedures, QA/QC program and project contact list. These will be distributed to members following the kickoff meeting.

Available data will be collected from the City, the County of Sacramento (County), and Caltrans (CT), including topographic mapping, schematic layout plans, private improvement plans, right of way and parcel

maps, utility and drainage plans, traffic data, environmental studies, as-built plans, survey monumentation, maintenance records and other applicable documents and data.

JCB will conduct a field review of the proposed project with meeting participants. The field review will include meeting in the field, taking photos, and discussing the proposed improvements. JCB will conduct a follow-up field review to walk the site and look at the project in more detail to provide the team with a clear understanding of the project issues.

Deliverable:

- One copy of the Project Guide including scope of services, schedule, fee, invoicing procedures, QA/QC program and project contact list

Task 1B – Project Management

JCB will manage the project through a combination of schedule and budget tracking. Coordination and status meetings will be held monthly to review project status, address design issues, obtain any necessary approvals, and monitor costs. Close contact will be maintained between the JCB Project Manager, the City Project Manager, the County, CT, USBR, and subconsultant personnel.

Each month, progress reports will be prepared and submitted to the City together with invoices. The progress reports will identify work completed to date, work anticipated for the next month, utility coordination information, CT and USBR coordination information, and action items necessary to keep the project on track and moving forward. JCB will also prepare a CPM schedule to track and control work on the project including design, right of way, permitting and construction. A revised schedule will be prepared and submitted at each monthly project status meeting.

JCB will provide internal quality control on products submitted to the City and outside agencies. Quality control will be accounted for and shown on the project schedule.

Deliverable:

- Monthly progress report with schedule updates and invoice

Task 1C – Project Status Meetings

JCB will facilitate project status meetings for a maximum of 12 meetings. The meetings will include a discussion of project issues, schedule, budget and scope. For each meeting, JCB will arrange for the appropriate participants to attend, prepare a meeting agenda in consultation with the City Project Manager, and distribute the agenda to attendees prior to the meetings. JCB will distribute meeting minutes to each of the attendees for review and comment within one week of each meeting.

Deliverable:

- Agendas and meeting minutes for a maximum of 12 meeting

Task 1D – City Council and Community Involvement Support

The JCB team will coordinate, attend and present project information at one City Council meeting and provide supporting information for two informational mailers to the public. JCB will prepare a power point presentation, exhibit(s) and informational write-ups as required for each event. JCB will prepare a maximum of four (4) presentation quality exhibits for the meeting including the layout of the major features of the project along with existing topography, typical cross sections with existing and proposed features, and a landscape concept plan. The conceptual exhibits will be prepared on currently available aerial photography. No new aerial photography is planned.

JCB will be responsible for producing minutes and follow-up action items, including public or agency comments warranting further response. JCB will provide responses to public comments and furnish them to City staff.

The City will be responsible for preparing, using information provided by JCB, and distributing all public information associated with the informational mailers. No formal public meeting is planned.

Deliverable:

- PowerPoint presentation, handouts, and information write-ups for one City Council presentation and two informational mailers to the public
- One (1) hard copy of up to four (4) presentation quality exhibits
- A Response to Public Comments Letter

Task 1E – County, USBR and Private Development Coordination

There are known studies, projects, and developments within the limits of the Sunrise Blvd Widening projects. These are as follows:

The Elk Grove – Rancho – El Dorado Connector Project – A multi-jurisdictional JPA project that may potentially use this segment of roadway as part of the Connector Project, including a limited access facility, potential interchanges, future uses by transit and Class I non-motorized trails.

Jackson Highway Visioning Document – A study by the County to plan for potential land uses along the SR16 corridor. This document envisions the SR16 and Sunrise Blvd intersection as a major hub for future development.

Traffic Update for the City General Plan – DKS is under contract to develop traffic data for the City. This information will form the basis for this project, including 10 and 20 year forecasting, operational analyses, queuing analyses, etc.

Private Development – Land areas to the east of Sunrise Blvd have been in planning stages of development. There are possible projects with street improvements and connections that would result from the developments. Dependent upon timing, these would need to be included in the ultimate footprint for Sunrise Blvd. There are also possible hydraulic studies on Laguna Creek for the developments. These will require coordination with this project should the studies be underway concurrently. There is the potential to accommodate the SR16 Bridge over Laguna Creek in its

existing condition dependent upon what is determined by the studies and the onsite detention/retention facility requirements of the development.

JCB will coordinate with these agencies and projects regarding proposed improvements to Sunrise Blvd and SR16. Improvements to be incorporated into the project that are proposed by the agencies and developments will be reviewed and approved by the City prior to being incorporated.

Deliverable:

- Agendas and meeting minutes for each meeting held

Task 1F – QA/QC Reviews

QA/QC reviews will be performed periodically throughout the design process. These include independent review checks of the designs at the various stages of completion and with each stage of the preparation of a deliverable. The reviews will occur during development of each aspect of a deliverable and prior to finalizing submittals. The reviews will provide comments that will require addressing by the designer/author and responses will be made, with all appropriate revisions being incorporated. Reviews and revisions will be complete prior to any deliverable being distributed.

Deliverable:

- Reviews, comments, responses and revisions to the project files

Task 2 — Field Surveys, Topographic Mapping, and Right of Way Engineering

Task 2A - Compile Existing Information

JCB will compile information regarding existing utilities, property boundaries, rights-of-way, easements, and other pertinent information to form a comprehensive body of knowledge from which the project design can proceed. The city of Ranch Cordova will provide the existing 1 foot contour topographic mapping prepared by Wood Rodgers. Consultant will conduct research with the Sacramento County and the city of Rancho Cordova to obtain all of the maps of record for the project area. Right-of-way information contained in the record maps will be reviewed and a field reconnaissance map will be prepared showing the established right-of-way widths. Monuments of record will be noted on the preliminary map to aid in the field search. The city of Rancho Cordova and controlling utility companies that have facilities within the project area will be contacted to obtain utility plans and as-built drawings to aid in the field survey and office mapping.

Deliverables

- Reconnaissance Map
- Utility Plans

Client Provided Items

- As-built and Utility Plans
- Existing Topography Mapping in digital AutoCAD format including the photo control coordinates.

Task 2B - Perform Control Surveys and Boundary Ties

Field surveys will be conducted to tie into the existing project control and to establish a land network of survey control points and boundary ties. Control points will be established at approximate 1000 foot intervals along the project alignment with GPS double tie methods and digital level loops for elevations. The control will be adjusted to the existing horizontal and vertical datum as specified in the topographic mapping provided by the city. The control points will serve as a basis for all topographic and boundary surveys for the project.

Task 2C - Perform Field Surveys

Field surveys will be conducted to augment the existing 1 foot contour mapping. Field surveys will be required to locate the existing roadway features, utility locations and to update the mapping for the Kiefer and Sunrise interchange improvements.

The extents of the topographic surveys are as follows:

- Sunrise Boulevard from a point 200 feet northerly of Kiefer Boulevard to a point 900 feet southerly of Highway 16.
- Kiefer Boulevard to a point 200 feet easterly and westerly from the intersection of Sunrise Boulevard
- Highway 16 to a point 1300 feet easterly and westerly from the intersection of Sunrise Boulevard.

Topographic features will be collected in cross sectional format at 50-foot intervals along road alignments and at all horizontal and vertical angle points along the centerlines of the project streets. The cross sections will generally include the hard surface features within the design limits such as back of walk, back of curb, flowline, lip of gutter or edge of pavement, lane striping, AC grade break, and centerline shots. Cross sections will terminate at the outside edge of the improvements. Survey crews will utilize conventional survey methods to accurately locate the horizontal and vertical positions of the existing improvement and utilities. Visible utilities and USA paint markings and pin flags within the design limits such as manholes, catch basins, water valve boxes, fire hydrants, street lighting service boxes and poles, meter pedestals, and communication equipment boxes will be located. Sewer manholes, storm manholes, drop inlets and catch basins will be dipped for their flowline elevations and approximate pipe diameters if accessible. Exact pipe diameters will be based on as-built plans provided by the city of Rancho Cordova or controlling utility companies. Invert elevations will not be measured on utilities with bolted down lids. Lane striping, traffic signals, detector loops and controller boxes will also be located within the recently constructed Kiefer and Sunrise intersection improvements. Possible conform points within the design limits such as, driveways, intersection streets, curb gutter and sidewalk and visible utility crossings will also be located. A separate move in will be provided to locate the approximate 30 pot hole utility locations.

Hydraulic Channel Cross Sections and Bridges: A maximum of 8 hydraulic cross-sections will be provided along Laguna Creek. The cross-sections will generally include shots at the flowline, top and toe of banks and ground shots 20 feet beyond the top of bank. The piers, abutments and bottom the Highway 16 Bride over Laguna Creek will be tied at the time of the channel cross sections. The top of bridge deck and abutment

locations for the Sunrise Bridge over Laguna Creek and the Highway 16 Bridge over the Folsom South Canal will also be located and shown on the base map.

For the safety of the public and survey personnel, survey crews will not enter any manholes.

Trees 6" or larger will be numerically tagged by the city's arborist. The tagged trees will be field located and shown on the plans. The arborist will provide the tree trunk size and other data. Reviews will be performed throughout the field data collection process to insure accuracy and completeness. The tree location and information will be included in the base map.

Task 2D - Survey Base Mapping

A design base map will be prepared from the field surveys in AutoCAD format combining the existing topographic data with the field survey items listed above. The one-foot contour base map will show the existing improvements, contours, spot elevations, existing right-of-ways, approximate property lines, owner name and address, and assessor's parcel numbers. Right-of-way data will be maintained on a separate AutoCAD layer. As-built drawings showing sewer, storm, water and other utilities will be reviewed and shown on the base map. The centerline right-of-way and intersecting streets will be determined from found monumentation. The monuments will enable boundaries of adjacent parcels to be geo-referenced on the same project datum. The determination of right-of-way where no mapping or monumentation exist or the resolution of any boundary conflicts is not included in this scope of services. Lot line adjustments, boundary line agreements, etc are not included in this scope. Carter & Burgess will negotiate a separate scope and fee, if such services are required. The field check of the design base map will be made to insure accuracy. Additional office review by senior level surveyors will be performed to eliminate errors. The digital terrain model and mapping will be submitted to the city in AutoCAD format on CD-ROM.

Deliverables

- CD of base mapping in AutoCAD Format
- CD of digital terrain model
- Survey Control Data Sheet

Client Provided Items

- Site access
- The city shall provide notification to all affected property owners that engineers and survey crews will need to access their properties
- City will provide the existing 1' contour mapping complete with the survey control used to establish the mapping.
- City will provide all arborist information

Task 2E - Title Reports from Title Companies

The city of Rancho Cordova will provide the title reports for all properties affected by the future construction of this roadway project. These reports will be used during determination of existing rights-of-way, easements, property lines. The title reports will also be required as part of the right of way acquisition and appraisal process.

Client Provided Items

- Copies of title reports

Task 2F - Plats and Legal Descriptions

This proposal allows for a maximum of 25 legal descriptions for right of way takes and easements across a maximum of 10 parcels. The following documents will be prepared in advance of the appraisal process.

Right-of-Way and Public Utility Easement – A legal description and plat will be created where right-of-way and public utility easement (PUE) is to be acquired. Generally utilities want to maintain a 12.5-foot public utility easement behind the right-of-way. There appears to be ten parcels in which a right-of-way and public utility easement will need to be prepared. The descriptions will be based on the alignment established by the record of survey. The width of the easement descriptions will be based on the design limits and city standards and the necessary utility width for this project. The areas for the right-of-way take and the public utility easement will be included in the description. A total of ten right of way plat maps and legal descriptions and ten public utility easements plat maps and legal descriptions will be prepared.

Temporary Construction Easement – A plat and description will be prepared defining the areas to be dedicated as temporary construction easement (TCE) behind the right-of-way on each parcel on the project. The easements are to be a uniform width for simplicity. In lieu of preparing a plat and legal description, the city should investigate the use of a plat without a description along with an easement document which is signed by the property owner. This process was used by the County of Sacramento for the Franklin Boulevard project and saved the cost of preparing the temporary construction easement legal description for every lot. A total of 5 temporary construction easements will be prepared.

Right-of-Way Appraisal and Acquisition Exhibit – A plat map will be prepared defining the areas to be dedicated as right-of-way, PUE and TCE for each of the ten affected parcel. The appraisal maps will delineate the existing and proposed right-of-way and will include the gross parcel area and the amount of right-of-way take. Easements shall be shown along with the existing topographic data, and closures shall be prepared for the right-of-way area. These maps are to be used for appraisal purposes and for review with the property owner. Closures will be used to verify acreages/square footage and data.

A spreadsheet is kept up to date showing the status of the easements and exhibits. This allows us to inform the client and right-of-way agent as to the status of the preparation of all right-of-way documents.

Deliverables

- Right-of-way, public utility and temporary construction easements and exhibits
- Right-of-way appraisal and acquisition exhibit
- Status spreadsheet

Client Provided Items

- The city shall provide notification to all affected property owners that engineers and survey crews will be accessing their properties
- City will provide current title reports for all affected parcels.

Task 2G – Record of Survey

Record of Survey: A record of survey map will be prepared and submitted to Sacramento County for checking and recordation. The record of survey will define the centerline of Sunrise Boulevard, Kiefer Boulevard and Highway 16 within the project area. Field surveys will be required throughout the mapping process to tie centerline monuments, monuments for parcels shown on recorded maps, and accessory information as needed. County field notes, record maps, and grant deeds may be used to determine existing street centerlines. The centerlines of intersecting side streets will also be shown. Individual lot line boundaries and deed parcels will only be determined or shown on the record of survey if they are a necessary component of the boundary resolution. A maximum of ten monuments will be set at locations agreed upon by the city surveyor or engineer. The purpose of the record of survey is to define the centerlines of streets within the project which will be used as a basis for preparing the right-of-way conveyances.

Deliverables

- Record of Survey

Client Provided Items

- County checking fees

Task 3 — Geotechnical Report

The JCB team will perform a geotechnical exploration program in order to prepare a report suitable for the design of the proposed Sunrise Blvd Widening. Preparation of this report will consist of the following subtasks.

Review of Existing Data - We will review any available data on the current roadway alignment and existing bridge geometry.

Subsurface Field Exploration - To adequately characterize the subsurface conditions for design, we propose to explore the site by drilling borings at various locations. We will retain a drilling subcontractor to drill approximately 17 borings (spaced about every 500 to 600 feet) along the roadway alignment to depths of approximately 5 to 15 feet below existing grade with a truck-mounted drill rig. We anticipate our borings will be located along the west side of Sunrise Boulevard and on both the north and south sides of Jackson Road, near the intersection with Sunrise. Additionally, we will drill two borings, one on each side of the Laguna Creek crossing of Jackson Road, to characterize the bridge foundation soil. We estimate these two borings will extend to a depth of between 25 and 30 feet below the existing roadway elevation. We summarize our anticipated subsurface investigation program below.

Table 1: Subsurface Investigation Program

Type and Number of Explorations	Exploratory Method/Purpose	Approximate Depth (ft.)
17 Borings	Solid auger drill rig/ Structural pavement design	5 to 15
2 Borings (at Jackson & Laguna Creek)	Hollow stem auger drill rig/ Bridge foundation design	25 to 30

We will obtain bulk and undisturbed soil samples from our exploratory locations at various intervals for visual observation and laboratory testing. Our field representative will log the subsurface conditions at each location. At least 48 hours prior to drilling the borings, we will mark the site for an Underground Service Alert (USA) utilities check. Borings will be permitted and backfilled in accordance with Sacramento County requirements.

Laboratory Testing - We will test representative soil samples from our exploratory locations in our laboratory to determine some of their engineering properties. We plan to perform moisture-density, plasticity index, corrosion, and resistance value testing for this project. The final laboratory testing schedule may vary depending on soil conditions encountered during our subsurface explorations.

Engineering Analysis and Report Preparation - We will analyze the subsurface conditions and laboratory test results, and prepare a geotechnical report with conclusions and recommendations for:

Earthwork

- Site Clearing and Original Ground Preparation
- Treatment of Over-optimum Soil Moisture Conditions
- Acceptable On-site and Imported Fill Materials
- Sub grade and Fill Compaction Requirements
- Fill Construction on Slopes
- Permanent Slope Gradients

Seismic Considerations

- Caltrans ATC-32 Seismic Design Criteria and design ARS curves.

Bridge Foundations

- Minimum Dimensions
- Maximum Allowable Bearing Capacity
- Allowable Lateral Passive Earth Pressure and Coefficient of Sliding Friction
- Estimated Total and Differential Foundation Settlement

Portland Cement Concrete Sidewalk Recommendations

Pavements

- Minimum Asphalt Concrete Pavement Structural Sections
- Asphalt Concrete Overlay Recommendations

The Geotechnical Report will contain discussions of site, soil, and groundwater conditions, seismicity, laboratory test data, boring log data, and a site plan showing our exploratory locations and improvement limits. Our report will be signed by a licensed California Geotechnical Engineer.

Deliverables:

- Five (5) copies of the Geotechnical Report

Task 4 — Preliminary Design

Task 4A – Prepare Design Criteria Memorandum

JCB will prepare a Design Criteria Memorandum (DCM) that will establish controlling design criteria for project approval prior to proceeding with detailed design. This memorandum will establish the standards to be adhered to including the design speed, typical section, and alternative widening concepts. A review of the City, County and Caltrans design criteria and guidelines will be performed and guidelines warranting consideration/integration into the project will be noted. A draft of the memorandum will be provided to City for comments and approval. Final comments will be incorporated and the final DCM will be prepared. This will serve as the basis for the development of PS&E.

Deliverables:

- One (1) hard copy of the DCM
- One (1) PDF format electronic file copy of the DCM

Task 4B —Environmental Study Limits (ESL) Map

The City of Rancho Cordova will provide environmental documentation for the project through its Environmental Consultant, Pacific Municipal Consultants (PMC). Preparation of technical studies for the environmental document is underway using preliminary design and mapping information provided to the City by others. This preliminary design information will be obtained from the City and updated as detailed in the preliminary plans task. JCB will also identify proposed right of way takes and easements that would impact the study. The ESL will be updated based upon this information to ensure that there is adequate project coverage in the study limits. The map will define the project footprint and will be presented to the City for approval.

Deliverables:

- Two (2) hard copies of the ESL Map
- One (1) PDF format electronic file copy of the ESL Map

Task 4C — Tree Exhibit

A tree exhibit will be prepared depicting the trees within the project limits by its respective station, offset from centerline, number label, trunk diameter at breast height (dbh), extents of the drip line and whether it is to be removed or protected due to impacts of construction operations. This exhibit will be used to document the impacts to the existing trees for the environmental document.

Deliverables:

- Two (2) sets of half-size (11x17) copies of the Tree Exhibits for the environmental document
- One (1) PDF format electronic file copy of the Tree Exhibits

Task 4D – Conceptual Landscaping and Irrigation Plan

The JCB team will obtain all related documents from the City and County. We will identify all agencies with permitting authority with respect to landscape and maintain communication and coordination efforts with each agency throughout the design phase of the work. A review of the landscaping and irrigation requirements for Sunrise Blvd and adjoining areas will be performed and the findings documented. We will investigate any particulars on the existing trees through the project limits. Where existing trees are noted as being significant, efforts shall be taken to preserve the trees, where practical.

A conceptual landscaping and irrigation plan will be prepared for Sunrise Blvd, including layout and typical cross-section. Conceptual plans will include the median area only and will maintain conformity with the bordering landscape areas, north of the project. Sources of irrigation water and power will be identified. In addition, any landscaping and irrigation plans developed as part of adjacent development, will be reviewed and accounted for in the design of the proposed median facilities.

Deliverables:

- Five (5) sets of half-size (11x17) copies of the Conceptual Landscape and Irrigation Plans to be included as part of the Preliminary Plans.

Task 4E – Traffic Analysis Coordination

The City of Rancho Cordova will provide all traffic projections and operational analyses for the project. The JCB team will coordinate with the City's traffic consultant, DKS and Associates, to obtain all information necessary for the 10 and 20 year design periods. JBC will meet to coordinate timing and the information needed within the project limits. The obtained traffic data will include projections for the 10 and 20 year design periods, the operational analyses of the intersection providing number of lanes and storage lengths of left and right turn lanes. The traffic information provided will be used for the layout and design of the intersection channelization in the interim and ultimate phases. This information will be provided to CT and the County as part of the documentation of the design for approval.

No additional traffic investigations are included in this scope of work.

Task 4F —Preliminary Plans & Estimate

JCB will prepare preliminary plans at a scale conforming to City format requirements. One set of preliminary plans will be prepared with the Ultimate and Interim Phases shown separately. JCB will submit the preliminary plans to the City for distribution and review. The submittal of preliminary plans will include the following anticipated plan sheets:

- Cover/Title Sheet
- Typical Cross Sections
- Survey Control Diagram
- Layout Plans and Profiles (including conceptual drainage and utilities)
- Conceptual Landscaping and Irrigation Plans
- Striping Plans
- Structure General Plan

The JCB team will prepare an itemized preliminary engineers estimate of construction cost for the preliminary design. The unit costs will be determined by reviewing similar recent project bid summaries in the City and County, Caltrans Contract Cost Data, and the California Highway Construction Cost Index information.

JCB will meet with City to discuss the preliminary plans and review comments. All comments received will be summarized and addressed in a "Response to Comments" letter. These comments will be incorporated into the preliminary plans and an approved set of preliminary plans will be provided.

Deliverables:

- Five (5) sets of half-size (11x17) draft preliminary plans and engineers estimate
- One (1) copy of the "Response to Comments"
- Five (5) sets of half-size (11x17) approved preliminary plans with comments incorporated
- One (1) PDF format electronic file copy of the preliminary plans

Task 5 – Drainage Report

A drainage analysis will be performed for the areas adjacent to and within the project limits. Meetings will be held with the City and County to identify all existing and future flows that will are to be accommodated in this system. A review of all available record information involving rainfall, stream, flood and maintenance will be done to establish existing drainage conditions and problem areas. Onsite storm drainage design flows and hydraulic grade lines will be determined and documented for all systems. Each system will be designed based upon the ultimate roadway configuration of Sunrise Blvd. Then the system designs will be modified to accommodate the interim condition to minimize the amount of facility constructed as part of this project.

The drainage systems for this project have been previously planned as part of the preliminary engineering done for the City. This work will be obtained and reviewed. Where applicable, the design will be used and documented as part of the Drainage Report.

An analysis of Laguna Creek through the project will be done for both the existing and proposed condition. The Laguna Creek hydrology and hydraulics analyses will include:

- Research existing hydrologic and hydraulic modeling for Laguna Creek performed in the reach location and assess adequacy of existing information to perform a scour analysis at the proposed bridge widening at Jackson Road.
- Update and/or create HEC-RAS model of Laguna Creek and perform scour analysis in general conformance with Federal Highway Administration standards for the Jackson Road bridge improvements based on foundation geometry furnished to us by the project bridge engineer.
- Complete a bridge scour report based on hydraulic modeling and geomorphic evaluation and consult project bridge engineer as appropriate.
- Respond to comments from public agencies.

The project drainage systems will be developed in conjunction with the City and the project team. This will form the basis of the project drainage system and the final watershed characteristics, design flows, hydraulic grade lines, and specific flow conditions will be documented in the Drainage Report.

The Report will include the following:

- Review existing drainage reports
- Calculated runoff based upon available hydrologic data
- HECRAS analysis of Laguna Creek
- A check of potential scour at the bridge location
- Hydrologic and hydraulic analysis of the storm drainage improvements
- Preparing an updated drainage plan including revised water surface elevations along the project

No rehabilitation needs are planned for the existing storm drainage systems or channel areas. Costs associated with any rehabilitation identified, will be determined separately and are not included in this scope of work.

Deliverables:

- Five (5) copies of the Drainage Report
- One (1) PDF format electronic file copy of the Drainage Report

Task 6 — Mitigation Monitoring and Reporting Program (MMRP) Coordination

The City of Rancho Cordova will provide the MMRP for the Project. JCB will meet with the City and their consultant, Pacific Municipal Consultants (PMC), to coordinate the project improvements with adopted mitigation measures identified in the environmental document.

Task 7 – Utility Coordination

Task 7A – Utility Research and Information Request

JCB will prepare Utility Information Request Letters (Utility "A" Letters), for City approval, to be sent to the various utility companies, along with the base plans, requesting the utility facility maps within the project limits. The base plans will consist of the available preliminary mapping (conceptual plan on the provided mapping) and a project strip map.

Deliverables:

- One (1) copy of each Utility Information Request Letter (Utility "A" Letters) with attachment.

Task 7B – Utility Verification Letters and Conflict Identification

JCB will identify conflicts between the design and the utility facilities. Potholing requirements will be developed with the Utilities and the City and the potholing for a maximum of 30 locations will be performed.

Utility "B" letters requesting final verification of facilities and identification of conflicts with the proposed design will be prepared for City approval and sent to the various utility companies along with the plans (at a 65% completion level). JCB will identify the utility conflicts on the plans.

Deliverables:

- One (1) copy of each Utility Verification and Conflict Identification Letter (Utility "B" Letters) with attachment.
- One (1) copy of the Pothole Data.

Task 7C – Utility Relocation Request

Utility "C" letters identifying final relocation requirements based upon the Final Plans will be prepared for distribution by the City to the affected companies.

Deliverables:

- One (1) copy of each Utility Relocation Request Letter (Utility "C" Letters) with attachments for distribution to the affected agencies by the City.

Task 7D – Utility Coordination Meetings

JCB, in conjunction with the City, will facilitate utility coordination meetings for the proposed project as required for a maximum of 3 meetings. These meetings will include a discussion of utility issues including utility company reviews, and utility relocations. For each meeting, JCB will arrange for the appropriate participants to attend, prepare a meeting agenda in consultation with the City Project Manager, and distribute the agenda to attendees prior to the meetings. JCB will distribute meeting minutes to each attendee for review and comment within one week of each meeting.

Deliverable:

- Agendas and meeting minutes for a maximum of three (3) meeting.

Task 8 — Final Design

JCB will perform the detailed design and coordinate between the various participants for the Sunrise Blvd widening project. JCB will obtain design approval from the appropriate agencies, including the City, County, and CT, and will produce the plans, specifications, and a construction cost estimate for the proposed project. The package will include any on-site and/or off-site environmental mitigation, traffic signals, street lighting at the intersection, landscaping and irrigation, bridges, an RCBC extension, best management practices for storm water mitigation, project staging, traffic handling, and permitting conditions.

Task 8A – Design Plans, Specifications and Estimate (PS&E)

The PS&E submittal is anticipated to include the following:

SUNRISE BOULEVARD WIDENING

Description	Anticipated Number of Plan Sheets
Cover Sheet	1
Typical Cross Sections	4
Survey Control Plan	2
Removal Plans	6
Layout Plans and Profiles	11
Construction Details	4
Drainage Profiles and Details	6
Laguna Creek Channel Plans and Details	3
Utility Plans	6
Water Main Plans and Details	10
Construction Traffic Control and Staging	21
Temporary Traffic Signals (3 ea)	3
Signing and Striping	12
Landscaping & Irrigation	30
Traffic Signal Plans & Schedules	3
SR16 over Laguna Creek Bridge	16
Specifications	N/A
Estimate	N/A
Total Plan Set	**126**

The following is an itemized discussion of the anticipated improvements for the interim design to be included as part of the construction documents:

Roadway Improvements – Final Design will include the widening of Sunrise Blvd and SR16 for the interim (10 year) condition. The widening will generally follow the existing alignments with minor adjustments for horizontal and vertical conditions. No curb, gutter or sidewalk is included in the interim condition, with exception of the median islands and at intersection curb returns if required. MBGR protection will be provided where necessary at the bridge approaches.

Drainage Improvements – A storm drain main line will be installed in Sunrise Blvd and Jackson Highway to accommodate the future conditions. Where future inlet laterals are required, the pipe stubs and interim drainage connections will be provided. Where existing cross culverts a located, they will either be incorporated into the system design or extended to accommodate the interim drainage condition. Roadside swales will be perpetuated with the interim design.

Laguna Creek Channel – The existing channel is a natural meandering creek through the project limits. It is anticipated that the design of rock slope protection and channel modifications (re-contouring) will be required in the vicinity of the bridge abutments and storm drain outfalls. No work on Laguna Creek is included outside of the conform areas of the structure and storm drain systems. Laguna Creek will not be realigned or re-graded as part of the project.

Utility Improvements – The existing and proposed utility facilities will be shown on the plans. Any modifications to existing utilities will be done by others.

Water Main Improvements – A 16-inch water line will be installed in Sunrise Blvd and a 12–inch waterline in Jackson Highway. The 12-inch waterlines providing connections to the 16-inch water main in Sunrise Blvd for fire hydrant connections will not be designed. Where future connections are anticipated, tees and valves will be installed.

No sewer facility design for new facilities or relocations due to conflicts are anticipated or included.

Construction Traffic Control – Staging plans to accommodate up to three stages of traffic is anticipated to construct the bridge replacement at SR 16 over Laguna Creek and to raise the pavement surface adequately to account for the future sidewalk and adjacent property conditions. This will include up to three temporary signal layouts at the Sunrise and SR16 intersection.

No staging of traffic or temporary signals are included at the Kiefer Blvd Intersection. Adequate space appears to be available to stage traffic south of the intersection.

Signing and Striping – Plans to provide for adequate channelization, delineation and signage will be prepared based upon the interim design.

Landscape and Irrigation Plans – Plans to provide for the landscaping and irrigation of the median island and to provide for irrigation crossovers for the future conditions will be prepared. Direct connection to the water main will not be allowed. A separate waterline, looping from the 16-inch main, is required to feed the irrigation system. Approximately four connection points from the 16-inch

water main to a parallel system (12-inch stubs for future fire hydrant connections) is planned allowing for a "looped" irrigation system.

Traffic Signal Plans and Schedules – Plans to provide for the expansion of the Sunrise Blvd and SR16 intersection traffic signal system to accommodate both the interim and ultimate condition, including lighting at the intersection.

Lighting and Signal Interconnect Plans and Schedules – No plans will be provided for Sunrise Blvd or SR16 in the interim condition. These facilities are anticipated in the future condition. Sunrise Blvd and SR16 Intersection lighting is included with the traffic signal design.

At the discretion of the City these facilities can be added. See the Optional Services section of the Scope of Work.

SR16 over Laguna Creek Bridge – Due to horizontal and vertical alignment differences from the existing conditions shown in the preliminary design, this bridge is anticipated to be replaced. The replacement structure is planned to be the same type construction, slab on pile foundation.

SR16 over Folsom South Canal Bridge – It is the intent of the City to not widen this bridge as part of this project and no work is anticipated or included in the interim design documents.

At the discretion of the City this bridge can be added. See the Optional Services section of the Scope of Work.

Sunrise Blvd over Laguna Creek Bridge – It is the intent of the City to not widen this bridge as part of this project and no work is anticipated or included in the interim design documents.

Task 8B — Specifications

Specifications consisting of contract boilerplate and special provisions will be prepared from a combination of the City, County and CT guidelines. With the bridge being an integral part of the construction package, the CT specifications format combined with the City standard boilerplate and provisions will be used. County provisions are generally the same as the City, but where different requirements are found, the appropriate provisions will be incorporated. Notes on the plans will be kept to a minimum to avoid conflicting information between documents. The City will provide the completed boilerplate for JCB to combine into a complete set of project specifications.

Task 8C — Construction Cost Estimates

Estimates of construction cost will be generated from the best available bid information from the City, County and CT cost data. The preliminary estimate for the preliminary plans submittal will be a project report/planning level estimate. Estimates following the beginning of final design will be based upon the quantity takeoffs for the construction documents.

Task 8D – Plan Submittals

Prepare 65% Roadway PS&E Submittal- Following approval of the Environmental Document, JCB will prepare 65% PS&E conforming to City format requirements. This submittal will include the roadway plans, the first draft of the specifications, and the engineer's estimate. JCB will conduct a QA/QC review of the 65% Plans and incorporate all appropriate revisions prior to submitting to the City.

Any comments that arise from the City 65% review will be responded to and incorporated as appropriate prior to beginning the 95% PS&E.

Deliverables:

- Five (5) sets of half-size (11x17) copies of the 65% PS&E.
- One (1) copy of "65% PS&E Response to Comments"

Prepare 95% PS&E Submittal - Following completion of the 65% review and comments, JCB will proceed to the 95% submittal. Plans, quantities and the itemized construction cost estimate will be updated along with general and technical specifications. JCB will conduct a QA/QC review of the 95% PS&E and incorporate all appropriate revisions prior to submittal to the City.

Any comments that arise from the City 95% review will be responded to and incorporated as appropriate prior to beginning the Final PS&E.

Deliverables:

- Five (5) sets of half-size (11x17) copies of the 95% PS&E.
- One (1) copy of "95% PS&E Response to Comments"

Prepare 100% PS&E Submittal - Following completion of the 95% review and comments, JCB will proceed to the 100% submittal. Plans, quantities and the itemized construction cost estimate will be completed along with general and technical specifications, with all comments incorporated and ready for final checking and concurrence. JCB will conduct a QA/QC review of the 100% PS&E to ensure all appropriate revisions have been incorporated.

Deliverables:

- Five (5) sets of half-size (11x17) copies of the 100% PS&E.
- One (1) copy of "100% PS&E Response to Comments"

Prepare Final PS&E Submittal - Following completion of the 100% review and comments, JCB will make all final clean up and house-keeping revisions to the plans. Plans, quantities and the itemized construction cost estimate will be completed along with general and technical specifications, with all comments incorporated and ready for advertising and bidding. JCB will conduct a QA/QC review of the 100% PS&E to ensure all final revisions have been incorporated.

Deliverables:

- One set of half-size (11x17) signed original final plans and specifications for bidding purposes by the City
- One (1) hardcopy of the Final Engineers Estimate
- One (1) PDF format electronic file copy of the Final PS&E
- One (1) electronic copy of the Final PS&E design and plan files in AutoCAD format on CD or DVD

Task 9 – Final Bridge Design

The bridge design for the replacement of SR16 over Laguna Creek will be controlled by Caltrans Structures Review Process. This design will now be required to follow Load Resistance Factor Design (LRFD) methodology and the design table used previously for slab on pile type structures is no longer applicable. With the new criteria, this bridge will follow all design procedures for a bridge design.

Task 9A - Structure Type Report and Type Selection Meeting

The JCB Team will follow the Caltrans format for the bridge type selection process that will culminate in a general plan for the preferred alignment and select a conventional structure type that has the ability to accommodate the alignment and construction constraints for each proposed bridge crossing. Appropriate bridge structure types will be considered, including conventionally reinforced and post-tensioned concrete structures, precast concrete I girder, structural steel I girder.

Alternative Evaluation: After selection of the preferred structure types for the two bridges crossings, a general plan will be prepared for each structure type considered for the project in accordance with Caltrans Division of Structures standards. Alternative bridge types will be evaluated in terms of their constructability, construction cost, seismic performance, and compatibility with the alignment and site constraints. A maximum of three (3) general plans will be developed.

Prepare and submit Type Selection Report: The Structure Type Selection Report will consist of a vicinity map, General Plan, discussion of design standards used and compatibility with land uses, construction cost estimate, and bridge site data list. A Type Selection Meeting with Caltrans Division of Structures will then be scheduled.

Attend Type Selection Meeting: Caltrans will require a Type Selection Meeting for this project. The JCB Team will coordinate and schedule the Type Selection Meeting with Caltrans Division of Structures and the City. The JCB Team will be ready to represent the City's interests at this meeting.

Deliverables:

- General Plans (Up to 3 conventional bridge types)
- Type Selection Memo
- General Plan Estimates
- Structure Type Selection Meeting

Task 9B - Bridge Design

The project will be prepared in accordance with the current edition of the following Caltrans manuals:

- Information and Procedures Guide
- Specifications and Estimates Manual
- Bridge Design Specifications (AASHTO LRFD Bridge Design Specification, Third Edition with 2005 and 2006 Interim Revisions and Caltrans Amendments, v 3.06.01)
- Memo to Designers
- Bridge Design Aids
- Bridge Design Details
- Standard Plans
- Standard Specifications
- Standard Special Provisions

Bridge Design - Construction documents will be prepared in accordance with Caltrans and City procedures, standards, and according to the approved bridge design criteria.

Bridge Specifications and Estimate - A set of edited standard Caltrans bridge special provisions utilizing English units of measure (2007 Specifications) will be prepared. An Engineer's Estimate of Construction Costs will be prepared using the appropriate contingency factors as well as state and local cost data. It is anticipated that the City will provide as-bid summaries for recent construction projects for projects for similar work.

65% Complete Bridge PS&E (Unchecked Details) - Bridge plans will be prepared to the 65% level of completion. A set of 65% Bridge Items and Standard Special Provisions List will be prepared.

All 65% submittal review comments from the City and Caltrans will be reviewed. Reviewing agencies comments will be addressed with written responses. Mutually agreed upon changes will be made to the contract document package.

Deliverables:

- 65% Complete Bridge Plans (Unchecked Details)
- 65% Bridge Items and SSP List
- Written responses to review comments with 90% submittal.

Prepare 90% Complete Bridge PS&E (Initial PS&E Submittal-Checked Details) - An the independent check of the bridge structures will be done utilizing the unchecked details (65%), the approved bridge design criteria, Hydraulic Report and the Foundation Report. The independent design check of the bridge designs will be performed in accordance with Caltrans Memo to Designer 1-3 by an independent engineer. Two independent sets of quantity take-offs will also be prepared and independently checked to the tolerances defined in the Caltrans Bridge Design Aid 11-25. Bridge standard special provisions, marginal estimate of construction cost and Suggested Working Day Schedule will be prepared in Caltrans format. All documents will be signed and sealed as appropriate by a Civil Engineer registered in the state of California.

After all comments from the reviewing agencies have been incorporated and the plans have been changed based on the independent check conclusions the bridge PS&E package will be prepared for submittal in the 90% complete form.

All 90% submittal review comments from the City, Caltrans, and County will be reviewed. Reviewing agencies comments will be addressed with written responses. Mutually agreed upon changes will be made to the contract document package.

Deliverables:

- 90% Complete Bridge Plans (Checked Details)
- Bridge Design and Independent Check Calculations
- Edited Bridge SSP's
- Bridge Quantity and Independent Quantity Check Calculations
- Written responses to review comments with 95% submittal.

Prepare 95% Complete PS&E (Intermediate PS&E Submittal) - This submittal to Caltrans constitutes the Intermediate PS&E submittal and the PS&E now contains the changes to the PS&E as a result of the Checked Details review. All mutually agreed upon changes will be incorporated and the PS&E resubmittal to Caltrans for review.

All 95% submittal review comments from the City, Caltrans, and County will be reviewed. Reviewing agencies comments will be addressed with written responses. Mutually agreed upon changes will be made to the contract document package.

Deliverables:

- 95% Complete PS&E (Intermediate PS&E)
- Written responses to review comments with 99% submittal.

Prepare 99% Complete PS&E (OSFP final review) - This submittal to Caltrans represents the final review of the PS&E by the OSFP.

All 99% submittal review comments from the City, Caltrans, and County will be reviewed. Reviewing agencies comments will be addressed with written responses. Mutually agreed upon changes will be made to the contract document package.

Deliverables:

- Complete PS&E (OSFP final review)
- Written response to review comments

100% complete PS&E (Final Approved PS&E) - Any final review comments and house keeping issues will be resolved at this time.

Deliverables:

- Written review changes
- 100% Complete Bridge PS&E (Final Approved PS&E)

Resident Engineer File - The Resident Engineer (RE) File will be prepared and submitted to Jacobs Carter Burgess. Bridge items to be furnished include the following:

- Quantity Calculations
- A Reduced Copy of the PS&E Submittal
- Joint Seal Movement Ratings
- As-Built Information
- Design Memo's to RE

Deliverable:

- Resident Engineer's File

Task 10 — Right of Way Acquisition

A review of land acquisition procedures for the project will be completed and any forms to be utilized for the required services will be assembled and an Acquisition and/or Relocation brochure, summarizing the land acquisition and relocation process will be prepared. The relocation brochure will be provided to residential occupants affected by the project.

JCB will coordinate the right-of-way appraisal and acquisition process with the City and County. All services will be performed in full conformance with Federal and State laws, the City and County's procedures, and the Uniform Relocation Assistance and Real Property Acquisition Properties Act.

Appraisal and Appraisal Review

All appraisals will fully meet accepted professional appraisal standards. The appraisals will conform to the requirements of the Office of Real Estate Appraisers of the State of California.

An appraisal will be completed for each property in accordance with Federal and State policy. Each property owner will be contacted and offered the opportunity to accompany the appraiser during the inspection of the property. An appraisal report will be prepared for each parcel including, at a minimum, the following information:

- The purpose and function of the appraisal, including limiting factors and conditions.
- Description of the physical characteristics of the property being acquired in addition to the highest and best use of property.
- A discussion of all relevant and reliable approaches to value. In most cases this will necessitate the use of the sales comparison approach only.
- A description of comparable sales used in the determination of value.
- A statement of the value of the property rights to be acquired, including damages to the remainder.

- A signed certification of the appraiser, and the effective date of the valuation.

An appraisal review will be completed for each acquisition in accordance with Federal and/or State policy. The appraisal review shall include a check of all mathematical calculations and a determination that all relevant and appropriate appraisal methodologies have been employed. The reviewed appraisal shall be forwarded to City for the purpose of establishing the amount of just compensation in accordance with Federal and State laws.

Deliverables:

- One (1) copy of each completed appraisal for ten (10) parcels.

Title and Closing Services

The JCB team will insure that all closings are accomplished in a timely manner through continued coordination with the title company handling the escrows. These services include:

- Review updated title.
- Open escrow, deposit funds and documents, prepare escrow instructions, and monitor closing of escrows.
- Assist Title Company in obtaining releases of liens, mortgages and encumbrances of record.
- Prepare warrant requests to City with proper supporting documentation including recommended resolution of title issues.
- Verify and coordinate the clearing or prorating of taxes and assessments.
- Coordinate closings and attend to all meetings.
- Review the final title policy to make sure that it reflects only those title exceptions that City had agreed to accept.
- Submit a completed property acquisition report for each property, including transfer of all pertinent correspondence and files to City.

Deliverables:

- One (1) copy of each completed property acquisition report for each parcel, including pertinent correspondence and files for ten (10) parcels.

Acquisition Process

Acquisition services include all contacts with the property owner for the purpose of negotiating for the purchase of the real property interest. Services to be provided include:

- Prepare the offer letter and other related documents based upon the review appraiser's accepted fair market value.
- Prepare purchase agreement and conveyance documents.
- Meet with property owners to discuss the project in general, review right-of-way maps and legal descriptions, confirm information about occupants/owners, and make the official first written offer.

- Explain the offer; maintain follow up contacts and to secure the necessary documentation upon acceptance of the offer for closing.
- Respond to property owner inquiries verbally and in writing.
- Maintain contact reports for each parcel with all pertinent information and contacts concerning the parcel.
- Maintain parcel files of original documentation related to the purchase of the real property.
- Provide recommendation and supporting documentation for consideration during the administrative review process.
- Continue personal negotiations with property owner until agreement is reached with the owner, or impasse is reached. Negotiations shall consist of a minimum of three personal contacts.
- Transmit signed purchase agreements to the City promptly for acceptance and processing.

Condemnation Support

When impasse is reached and condemnation is being pursued, JCB will provide the City or its legal counsel with a complete parcel file including the appraisal, negotiation records and all other correspondence for each condemnation parcel. Services provided to the condemnation attorneys include:

- Appear as an expert witness in eminent domain proceedings as directed by the City and the assigned legal counsel.
- Deliver the complete parcel file, including the title report, legal description, appraisal, negotiation records and all correspondence.
- Assist the attorney with locating property owners and other interest holders.

Deliverables:

- Following impasse, any court preparation or testimony work performed by the JCB team shall be authorized by the City and is not included in this scope of work. The assistance authorized shall be negotiated separately on a time and materials basis.

Task 11 – Environmental Permitting Requirements

JCB will identify permits, in conjunction with the City and PMC, needed for construction of the project.

Permits being prepared by the City as part of the environmental processing will be coordinated with the design. Project plans and mapping will be provided for use in the application preparation. The following pre-construction permits are anticipated:

- U.S. Army Corps of Engineers (Corps), Section 404 Permit
- State Water Resources Control Board (SWRCB), 401 Water Quality Permit
- California Department of Fish & Game, Section 1601 Streambed Alteration Agreement

This project will require a permit from the SWRCB for the NPDES General Construction Permit for Construction Disturbances. A Notice of Intent (NOI) will be prepared for the City to submit to the Regional

Water Quality Control Board (RWQCB) for review and approval of the project as part of the permitting process. JCB will coordinate and prepare the permit for processing by the City. JCB will meet with the RWQCB and the City to determine the permitting and project requirements. The project requirements will be incorporated into the design, as agreed upon by the City, and the NOI will be prepared for submittal to the RWQCB. The City will pay the fees required for the NOI to the State Water Resources Control Board.

Deliverables:

- Three (3) sets of half-size (11x17) copies of the PS&E for the USCOE, SWRCB and CDFG 1601 Permits
- Two (2) copies of the completed NOI application, including attachments

Task 12 – Caltrans Encroachment Permit

Task 12A – CT Special Funded Projects and Permit Coordination

JCB will meet with CT Permits and Special Funded Projects to establish the requirements and responsible parties for the preparation and approval of the project by CT. We anticipate that this project will follow the encroachment permit process for a project construction cost ranging in value from $1 to $3 million (within the state right of way). This process requires submittal and approval through CT Special Funded Projects with reviews performed by the functional units (traffic, design, maintenance, construction, etc). The meetings will be held at the start of the project, using the current preliminary plan for the intersection, and will continue with meetings prior to each key submittal.

Deliverables:

- Agendas and meeting minutes for each meeting held

Task 12B – CT Encroachment Permit and Preliminary Engineering Evaluation Report (PEER)

In preparation for approval of the project for the encroachment permit, a PEER will be prepared. JCB will meet with the Permits office to address specific items to fully comply with the requirements of the encroachment permit and PEER. The permit forms will be prepared along with the PEER forms and provided to the City and CT for final approval of the project and preparation of the encroachment permit.

If the cost of the project with CT right of way expands beyond the limits of the encroachment permit process, the project development process will be required and a Project Study Report/Project Report (PSR/PR) would need to be prepared. No provisions for the preparing a PSR or PR or processing for approval is included in this scope of work.

Deliverables:

- Two (2) hard copies, including attachments of the encroachment and PEER
- One (1) PDF format electronic file copy of the encroachment permit and PEER

Task 13 - Bidding Assistance

JCB will provide assistance to the City during the bidding phases of the project. This will include consultation and interpretation of the contract documents during the advertising of the project, assisting City in preparing addenda to the PS&E package during the advertisement period, and attending the pre-bid meeting and bid opening.

Deliverables:

- Personnel support not to exceed eighty (80) hours to provide assistance. If additional assistance is required it shall be negotiated separately on a time and materials basis.

Task 14 - Construction Assistance

A Resident Engineer (RE) File will be prepared and submitted. Items to be furnished include the following:

- Quantity calculations
- Survey and monumentation data
- A reduced copy of the PS&E submittal
- As-built Information
- Design memo's to RE

The JCB team will prepare the AutoCAD design files encompassing horizontal and vertical control and design data, including changes in horizontal and vertical alignment such as beginning of curves, end of curves, angle points grade breaks, flow lines, grading catch points and bridge grades, necessary for the construction staking of the Project.

In addition, JCB will assist the City in the review and approval of shop drawings and submittals, preparation of contract change orders, responding to requests for information, provide interpretation of construction documents and producing as-built drawings.

Deliverables:

- Resident Engineer's File
- One (1) electronic copy of the Final PS&E design files in AutoCAD format on CD or DVD
- Personnel for design support assistance not to exceed two hundred and forty (240) hours. If additional assistance is required it shall be negotiated separately on a time and materials basis.

Task X - Optional Services

Task X1 - Lighting Design

In the event the City elects to provide lighting along Sunrise Blvd and SR 16, the JCB team will perform additional lighting design to incorporate the areas not covered by the traffic signal lighting. Design will be in accordance with the requirements provided for in Task 8, "Final Design".

This effort would be incorporated into the Final PS&E package for advertising and bidding. Proposed fees will be developed separately and are not included.

Task X2 — Geotechnical Evaluation and Report @ Folsom South Canal Bridge

In the event the widening of the SR16 over the Folsom South Canal Bridge is necessary, the JCB team will perform additional investigations to expand the proposed exploration program for the project.

Review of Existing Data - We will review any available data on the current roadway alignment and existing bridge geometry.

Subsurface Field Exploration - Include two additional borings at the Folsom South Canal crossing of Jackson Road. We summarize our anticipated subsurface investigation program below.

Table 1: Subsurface Investigation Program

Type and Number of Explorations	Exploratory Method/Purpose	Approximate Depth (ft.)
Optional 2 Borings (at Jackson and Folsom Canal)	Hollow stem auger drill rig/ Bridge foundation design	25 to 30

We will obtain bulk and undisturbed soil samples from our exploratory locations at various intervals for visual observation and laboratory testing. Our field representative will log the subsurface conditions at each location. At least 48 hours prior to drilling the borings, we will mark the site for an Underground Service Alert

(USA) utilities check. Borings will be permitted and backfilled in accordance with Sacramento County requirements.

Laboratory Testing - We will test representative soil samples from our exploratory locations in our laboratory to determine some of their engineering properties. We plan to perform moisture-density, plasticity index, corrosion, and resistance value testing for this project. The final laboratory testing schedule may vary depending on soil conditions encountered during our subsurface explorations.

Engineering Analysis and Report Preparation - We will analyze the subsurface conditions and laboratory test results, and prepare a geotechnical report with conclusions and recommendations for:

Seismic Considerations

- Caltrans ATC-32 Seismic Design Criteria and design ARS curves.

Bridge Foundations

- Minimum Dimensions
- Maximum Allowable Bearing Capacity
- Allowable Lateral Passive Earth Pressure and Coefficient of Sliding Friction
- Estimated Total and Differential Foundation Settlement

This effort would be added to the existing report. Proposed fees will be developed separately and are not included.

Task X3 — SR16 over the Folsom South Canal Bridge

In the event the widening of the SR16 over the Folsom South Canal Bridge is necessary, the JCB team will perform additional investigations and design services necessary to widen the Bridge. Design will be in accordance with the requirements provided for in Task 9, "Caltrans Bridge Design".

This effort would be incorporated into the Final PS&E package for advertising and bidding. Proposed fees will be developed separately and are not included.

SUNRISE BOULEVARD WIDENING PROJECT, KIEFER BLVD TO JACKSON HIGHWAY (SR16)

FEE PROPOSAL

Project Phase 1 - Preliminary Engineering through 65% Plans, Specifications and Estimate Development

Project Phase 2 - Final Design, Bidding and Construction Support

JACOBS Carter Burgess

DETAIL COST BREAK DOWN

Task No	TASK	Project Director	Senior Project Manager	Senior Project Engineer	Project Engineer	Engineer	Senior CADD	Senior Landscape Architect	Survey Manager	Surveyor	Survey Technician	Sruvey Crew (2 person)	Survey Crew (3 Person)	Admin Assistant	Total Hours	Total Cost	Project Phases: Phase 1	Project Phases: Phase 2
		Billing Rate																
		$220	$210	$185	$150	$130	$105	$135	$200	$175	$120	$230	$300	$80				
1	**PROJECT MANAGEMENT**																	
A	Kick-off Meeting and Preliminary Research		8	12	28		32							16	96	$12,740	$ 12,740.00	$ -
B	Project Management	48	160	32										24	264	$52,000	$ 31,200.00	$ 20,800.00
C	Project Status Meetings	24	96		56		56							48	280	$43,560	$ 26,136.00	$ 17,424.00
D	City Council and Community Involvement		24				32							8	64	$9,040	$ 9,040.00	
E	County, USBR and Private Development Coordination		40	24	40									8	112	$19,480	$ 11,688.00	$ 7,792.00
F	Quality Control/Quality Assurance Review		24	96	72									8	200	$34,240	$ 17,120.00	$ 17,120.00
2	**FIELD SURVEYS, TOPOGRAPHIC MAPPING AND RIGHT OF WAY ENGINEERING**																	
A	Compile Existing Information								8	24	50				80	$11,400	$ 11,400.00	$ -
B	Perform Control Surveys and Boundary Ties								2	30	33	17	9		91	$16,220	$ 16,220.00	$ -
C	Perform Field Surveys								3	14	8		72		97	$25,610	$ 25,610.00	$ -
D	Survey Base Mapping								2	24	74				100	$13,480	$ 13,480.00	$ -
E	Title Reports from Title Companies								2	4					6	$1,100	$ 1,100.00	$ -
F	Plats and Legal Descriptions								24	80	145				249	$36,200	$ -	$ 36,200.00
G	Record of Survey								2	42	64	18			126	$19,570	$ -	$ 19,570.00
3	**GEOTECHNICAL REPORT**																	
	Geotechnical Report Coordination (See ENGEO Below)			8	8										16	$2,680	$ 2,680.00	$ -
4	**PRELIMINARY DESIGN**																	
A	Prepare Design Criteria Memorandum			2	24									4	30	$4,290	$ 4,290.00	$ -
B	Environmental Study Limits (ESL) Map			2	16		8								26	$3,610	$ 3,610.00	$ -
C	Tree Exhibit				2		8								10	$1,140	$ 1,140.00	$ -
D	Conceptual Landscaping and Irrigation Plan						24	44							68	$8,460	$ 8,460.00	$ -
E	Traffic Analysis Coordination			4	8										12	$1,940	$ 1,940.00	$ -
F	Preliminary Plans and Estimate	4		80	80	72	160							24	420	$55,760	$ 55,760.00	$ -
5	**DRAINAGE REPORT**																	
	Drainage Report			4	24	152	24							16	220	$27,900	$ 27,900.00	$ -
6	**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) COORDINATION**																	
	Mitigation Monitoring and Reporting Program (MMRP) Coordination			4	36										40	$6,140	$ -	$ 6,140.00
7	**UTILITY COORDINATION**																	
A	Utility Research and Information Request				8		4								12	$1,820	$ 1,820.00	$ -
B	Utility Verification Letters and Conflict Identification			2	24		16								42	$5,650	$ 5,650.00	$ -
C	Utility Relocation Request			2	24		8								34	$4,810	$ -	$ 4,810.00
D	Utility Coordination Meetings		8	12	40		24								84	$12,420	$ 4,968.00	$ 7,452.00
8	**FINAL DESIGN**																	
A	Design Plans																	
	Title, Typical Sections, Survey Control Plans				48	24	72								144	$17,880	$ 8,940.00	$ 8,940.00
	Removal Plans				24	40	64								128	$15,520	$ 7,760.00	$ 7,760.00
	Layout Plans and Profiles			80	112	48	200								440	$58,840	$ 29,420.00	$ 29,420.00
	Construction Details			4	40		48								92	$11,780	$ 5,890.00	$ 5,890.00
	Drainage Profiles and Details			40	40		64								144	$20,120	$ 10,060.00	$ 10,060.00
	Laguna Creek Channel Plans and Details			4	36		24								64	$8,660	$ 4,330.00	$ 4,330.00

SUNRISE BOULEVARD WIDENING PROJECT, KIEFER BLVD TO JACKSON HIGHWAY (SR16)

FEE PROPOSAL

Project Phase 1 - Preliminary Engineering through 65% Plans, Specifications and Estimate Development

Project Phase 2 - Final Design, Bidding and Construction Support

JACOBS Carter Burgess

DETAIL COST BREAK DOWN

Task No	TASK	Project Director	Senior Project Manager	Senior Project Engineer	Project Engineer	Engineer	Senior CADD	Senior Landscape Architect	Survey Manager	Surveyor	Survey Technician	Sruvey Crew (2 person)	Survey Crew (3 Person)	Admin Assistant	Total Hours	Total Cost	Project Phases Phase 1	Project Phases Phase 2
		Billing Rate																
		$220	$210	$185	$150	$130	$105	$135	$200	$175	$120	$230	$300	$80				
	Utility Plans			8	48		56								112	$14,560	$ 7,280.00	$ 7,280.00
	Water Main Plans and Details		2	56			144								202	$25,900	$ 12,950.00	$ 12,950.00
	Construction Traffic Control and Staging		8	24	56	72	144								304	$39,000	$ 19,500.00	$ 19,500.00
	Temporary Signals (3ea) (See Y&C Below)			4	4										8	$1,340	$ 670.00	$ 670.00
	Signing and Striping			8	48	72	96								224	$28,120	$ 14,060.00	$ 14,060.00
	Landscape and Irrigation Plans and Details						112	172							284	$34,980	$ 17,490.00	$ 17,490.00
	Traffic Signal Plans and Schedules (3ea) (See Y&C Below)			4	4										8	$1,340	$ 670.00	$ 670.00
	Laguna Creek Bridge at SR16 (See BRG Below)														0	$0	$ -	$ -
B	Specifications		8	40	120			32						16	216	$32,680	$ 9,804.00	$ 22,876.00
C	Estimate		2	8	64	32	48	32							186	$25,020	$ 12,510.00	$ 12,510.00
D	Plan Submittals																	
	Prepare 65% PS&E Submittal		2		4	24	24	4						4	62	$7,520	$7,520	$ -
	Prepare 95% PS&E Submittal		2		4	24	24	4						4	62	$7,520	$ -	$ 7,520.00
	Prepare 100% PS&E Submittal		2		4	24	24	4						4	62	$7,520	$ -	$ 7,520.00
	Prepare Final PS&E Submittal		2		4	24	24	4						4	62	$7,520	$ -	$ 7,520.00
9	FINAL BRIDGE DESIGN (See BRG Engineering Below)																	
A	Structure Type Report and Type Selection Meeting		2	8	16										26	$4,300	$ 4,300.00	$ -
B	Bridge Design			8	16										24	$3,880	$ 1,164.00	$ 2,716.00
																$0		
10	RIGHT OF WAY ACQUISITION (See Universal Field Services Below)																	
	Right of Way Acquisition		4	8	8										20	$3,520	$	$ 3,520.00
11	ENVIRONMENTAL PERMITTING REQUIREMENTS																	
	Environmental Permit Support and Notice of Intent (NOI) for the NPDES Permit			8	16		8								32	$4,720	$	$ 4,720.00
12	CALTRANS ENCROACHMENT PERMIT																	
A	CT Special Funded Projects and Permit Coordination		2	48	48		24								122	$19,020	$ 11,412.00	$ 7,608.00
B	CT Encroachment Permit and PEER Report		2		24		16								42	$5,700	$ 3,420.00	$ 2,280.00
13	BIDDING ASSISTANCE																	
	Advertising and Bidding Support		8	24	24		24								80	$12,240	$	$ 12,240.00
14	CONSTRUCTION ASSISTANCE																	
	Design Support During Construction		2	24	80		48	32		24				32	242	$32,980	$ -	$ 32,980.00
Totals		76	408	692	1,382	608	1,684	328	41	242	374	35	81	220	6,171	$883,240	$ 482,902.00	$ 400,338.00

SUNRISE BOULEVARD WIDENING PROJECT, KIEFER BLVD TO JACKSON HIGHWAY (SR16)

FEE PROPOSAL

Project Phase 1 - Preliminary Engineering through 65% Plans, Specifications and Estimate Development

Project Phase 2 - Final Design, Bidding and Construction Support

JACOBS Carter Burgess

DETAIL COST BREAK DOWN

Task No	TASK		Project Director	Senior Project Manager	Senior Project Engineer	Project Engineer	Engineer	Senior CADD	Senior Landscape Architect	Survey Manager	Surveyor	Survey Technician	Sruvey Crew (2 person)	Survey Crew (3 Person)	Admin Assistant		Total Hours	Total Cost
			Billing Rate															
			$220	$210	$185	$150	$130	$105	$135	$200	$175	$120	$230	$300	$80			

CLASSIFICATION			TOTAL HOURS	HOURLY RATE		DIRECT LABOR		TOTAL FEE
Project Director			76	$220.00		$16,720		
Senior Project Manager			408	$210.00		$85,680		
Senior Project Engineer			692	$185.00		$128,020		
Project Engineer			1,382	$150.00		$207,300		
Engineer			608	$130.00		$79,040		
Senior CADD			1,684	$105.00		$176,820		
Senior Landscape Architect			328	$135.00		$44,280		
Survey Manager			41	$200.00		$8,200		
Surveyor			242	$175.00		$42,350		
Survey Technician			374	$120.00		$44,880		
Sruvey Crew (2 person)			35	$230.00		$8,050		
Survey Crew (3 Person)			81	$300.00		$24,300		
Admin Assistant			220	$80.00		$17,600		
SUBTOTAL			6,171			$883,240		
	Salary Escalation			@	0.00%	$0		
SUBTOTAL LABOR (DIRECT LABOR + OVERHEAD + PROFIT)						$883,240	$	883,240
DIRECT AND OUTSIDE EXPENSES								
POSTAGE & DELIVERIES						$2,411		
REPRODUCTION SERVICES						$19,037		
EQUIPMENT & MISCELLANEOUS MATERIALS						$2,500		
POTHOLING SERVICES (est. 30 potholes)						$36,000		
MISC SERVICES						$2,500		
SUBTOTAL DIRECT EXPENSES						$62,448	$	62,448
SUBCONSULTANT SERVICES	**Task Description**							
ENGEO	Task 3 "Geotechnical Report"					$32,500		
ENGEO	Task 5 "Drainage Report - Laguna Creek Modeling and Bridge Scour Analysis"					$13,500		
Y&C Consulting Engineering	Task 8 "Final Design - Traffic Signal Plans and Schedules and Temporary Traffic Signals"					$35,500		
BRG Engineers	Task 9 "Caltrans Bridge Design - Structure Type Report and Type Selection Meeting and Bridge Design"					$196,511		
Universal Field Services	Task 10 "Right of Way Acquisition"					$85,000		
						$363,011		
Subconsultant Mark-up (10%)					10%	$36,301		
SUBTOTAL SUBCONSULTANT SERVICES						$399,312	$	399,312
TOTAL FEE							$	**1,345,000**

Project Phases		
	Phase 1	Phase 2
	Phases	
	Preliminary	Final
	$ 482,902.00	$ 400,338.00
	$ 1,205.50	$ 1,205.50
	$ 9,518.50	$ 9,518.50
	$ 1,250.00	$ 1,250.00
	$0	$ 36,000.00
	$ 1,250.00	$ 1,250.00
	$ 13,224.00	$ 49,224.00
	$ 32,500.00	$ -
	$ 13,500.00	$ -
	$ 17,750.00	$ 17,750.00
	$ 98,518.52	$ 97,992.48
	$ -	$ 85,000.00
	$ 162,268.52	$200,742
	$ 16,226.85	$ 20,074.25
	$ 178,495.38	$ 220,816.72
	$ 674,621.38	$ 670,378.72

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Paul Junker, Planning Director

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE DEPARTMENT OF THE ARMY, TO EXPEDITE THE EVALUATION OF PERMITS UNDER THE ARMY'S JURISDICTION, AND GRANTING THE CITY MANAGER AUTHORITY TO SIGN FOUR EXTENSIONS OF THE MEMORANDUM OF AGREEMENT**

RECOMMENDATION

Adopt Resolution No. 07-2008.

RESULT OF RECOMMENDED ACTION

Approval of Resolution No. 07-2008 will authorize the City Manager to renew the City's MOA for U.S. Army Corps of Engineers WRDA staff assistance and will allow the Corps to expedite review of permit applications for projects within the city limits.

BACKGROUND

Through the broad federal legislation of the Water Resources Development Act (WRDA) the Secretary of the Army established the authority for the Department of the Army/ Corps of Engineers (Corps) to accept and expend funds contributed by non-federal public entitles to expedite the evaluation of permits under the jurisdiction of the Corps. The WRDA authorization provided a mechanism for local agencies to fund additional Corps staff positions that would then be dedicated to expedited review of a specific agency.

Rancho Cordova first entered into a Memorandum of Agreement (MOA) with the Corps for a WRDA staff person in late 2006 and has received priority attention through our staff person throughout calendar year 2007. The MOA requires annual renewal by both the City and the Corps and Resolution 07-2008 **(Attachment 1)** would authorize the City Manager to annually renew the WRDA MOA for this year and three additional years.

Summary for 2007 WRDA Staffing

While the MOA authorizes a full-time staff person to be dedicated to Rancho Cordova projects, in reality the staffing level has been substantially less than full time. This

reflects both overall staff shortages at the Corps' Sacramento District and the overall amount of staff time required to process Rancho Cordova permit applications.

City staff has received work statements from the Corps for work efforts from January through October 2007. Over the ten month period, the City received 373.5 hours of service from our WRDA staff person.

Due to on-going staff shortages at the Corps, it is likely that Corps staff available to fulfill expedited processing of City permit applications will be reduced during early 2008. Reduced WRDA staff availability is related primarily to the departure of Anna Sutton, Rancho Cordova's WRDA person, from the Corps for a new position with the Bureau of Reclamation. Discussions are on going between the City and the Corps on how Corps staffing will be adjusted and how the City WRDA position will be filled, but no immediate resolution is clear at this time.

Fiscal Implications to the City

The City's resolution authorizes expenses of up to $250,000 per year for WRDA services and the WRDA MOA contemplates a full-time dedicated staff person, and therefore a total annual cost for services in excess of $180,000. However, actual WRDA hours worked have been and will likely continue to be significantly less than full time. Estimates for total cost of Corps WRDA services for the first ten moths of 2007 were approximately 400 hours service ($22,500). Additionally, during the first ten months of 2007, the City's WRDA services focused primarily on projects that received funding through developer reimbursements, with only 24 hours service related to City sponsored projects (key road projects). Therefore, direct fiscal impacts to the City have been relatively minor. While it is anticipated that City sponsored projects will enter more active review phases in the future, it appears these City projects will remain a lesser portion of overall WRDA efforts.

The MOA for 2008 has been modified (at the City's request) to require more active reporting and reconciliation of City WRDA funds by the Corps. Specifically, the Corps is now obligated to provide a year-end summary of all WRDA efforts funded by the City in the previous year and reconcile cost of services with quarterly payments made by the City. Additionally, any City funds provided on deposit to the Corps not expended in 2007 will be credited to future City deposits, until such time as the past deposits have been expended on WRDA work efforts.

Financial Impacts

Financial impacts to the City will be minimal as the majority of work performed under the MOA will be directly funded by private developers and the remaining work on City sponsored projects will generally be funded through the City's CIP.

REQUESTED MOTION

The City Council adopt Resolution No. 07-2008 **(Attachment 1)** authorizing the City Manager to execute a Memorandum of Agreement between the City and the Department of the Army, to expedite the evaluation of permits under the Army's jurisdiction and granting the City Manager authority to sign four extensions of the Memorandum of Agreement.

ATTACHMENT

Resolution No. 07-2008, Exhibit A, City/Corps of Engineers Memorandum of Agreement

CITY OF RANCHO CORDOVA

RESOLUTION NO. 07-2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE DEPARTMENT OF THE ARMY, TO EXPEDITE THE EVALUATION OF PERMITS UNDER THE ARMY'S JURISDICTION, AND GRANTING THE CITY MANAGER AUTHORITY TO SIGN FOUR EXTENSIONS OF THE MEMORANDUM OF AGREEMENT

WHEREAS, Section 214 of the federal Water Resources Development Act of 2000 ("WRDA") provides the authority for the Secretary of the Army, after public notice, to accept and expend funds contributed by non-federal public entitles to expedite the evaluation of permits under the jurisdiction of the Department of the Army; and

WHEREAS, Public Law 109-434, was signed into law on December 20, 2006, extending the sunset clause for Section 214 of the WRDA 2000 to December 31, 2008; and

WHEREAS, the Secretary of the Army has delegated the responsibility of carrying out Section 214 of the WRDA 2000 to the Chief of Engineers and his delegated representatives; and

WHEREAS, the Chief of Engineers by memorandum dated July 17, 2001, has authorized the Sacramento District's District and Division Engineers to accept and expend funds contributed by non-federal entitles subject to certain limitations including the publishing of public notices; and

WHEREAS, the City of Rancho Cordova requires expedited and priority review of certain projects in the City boundaries by the Sacramento District; and

WHEREAS, the Sacramento District issued an initial Public Notice dated October 1, 2004, regarding its intent to accept and expend funds contributed by non-Federal public entities for such purposes; and

WHEREAS, the Sacramento District has determined that expenditure of funds received from the City of Rancho Cordova will be in compliance with Section 214 of WRDA 2000, and a public notice regarding the District Engineers' decision has been issued; and

WHEREAS, it is understood and acknowledged by all Parties that Sacramento District's review of City projects will be completely impartially and in accordance with all applicable Federal laws and regulations; and

WHEREAS, the City of Rancho Cordova is a non-Federal public entity; and

WHEREAS, the City of Rancho Cordova previously entered into a similar Memorandum of Agreement with the Department of the Army in 2006; and

WHEREAS, the City Council finds that it is likely that the City will need to extend the Memorandum of Agreement one or more times;

NOW THEREFORE, the City Council of the City of Rancho Cordova resolves as follows:

1. The City Manager or his designee is authorized to execute a Memorandum of Agreement in substantially the form set forth in Attachment A and in an amount not to exceed two hundred fifty thousand dollars ($250,000).

2. The City Manager or his designee is authorized to execute up to four extensions of the Memorandum of Agreement set forth in Attachment A and in an amount not to exceed two hundred fifty thousand dollars ($250,000) per extension. Any extension may take the form of a separate agreement so long as it is in substantially the form set forth in Attachment A.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

EXHIBIT A

MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND THE US ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT

THIS AGREEMENT is entered into as of this _____ day of _____, 2008 between the City of Rancho Cordova, (hereinafter the "City") and the Department of the Army, represented by the United States Army Corps of Engineers, Sacramento District (hereinafter the "District"), collectively referred to as "the Parties."

WITNESSETH THAT:

WHEREAS, Section 214 of the federal Water Resources Development Act of 2000 ("WRDA") provides as follows:

> (a) IN GENERAL. - In Fiscal Years 2001 through 2003, the Secretary (of the Army), after public notice, may accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits under the jurisdiction of the Department of the Army.
>
> (b) EFFECT ON PERMITTING. - In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decision-making with respect to permits, either substantively or procedurally; and

WHEREAS, Public Law 109-434, was signed into law on December 20, 2006, extending the sunset clause for Section 214 of the WRDA 2000 to December 31, 2008; and

WHEREAS, the Secretary of the Army has delegated the responsibility of carrying out Section 214 of the Water Resources Development Act of 2000 (WRDA 2000) to the Chief of Engineers and his delegated representatives; and

WHEREAS, the Chief of Engineers by memorandum dated July 17, 2001, has authorized the Sacramento District' District and Division Engineers to accept and expend funds contributed by non-federal entities subject to certain limitations including the publishing of public notices; and

WHEREAS, the City requires expedited and priority review of certain projects in the City boundaries by the Sacramento District; and

WHEREAS, the Sacramento District issued an initial Public Notice dated October 1, 2004, regarding its intent to accept and expend funds contributed by non-Federal public entities for such purposes; and

WHEREAS, the Sacramento District has determined that expenditure of funds received from the City will be in compliance with Section 214 of WRDA 2000, and a public notice dated October 1, 2004, regarding the District Engineers' decision has been issued; and

WHEREAS, it is understood and acknowledged by all Parties that Sacramento District' review of City projects will be completely impartial and in accordance with all applicable Federal laws and regulations; and

WHEREAS, the City is a non-Federal public entity.

NOW, THEREFORE, the City and the Sacramento District agree as follows:

AGREEMENT

Article I. - PURPOSE AND AUTHORITIES

Pursuant to Section 214 of WRDA (Pub.L 106-541) and Public Law 109-434 (HR 6316), this MOA is entered into by the Parties for the purpose of establishing a mutual framework governing the respective responsibilities of the Parties for the acceptance and expenditure of funds contributed by the City to expedite the evaluation of permits under the jurisdiction of the Army. This MOA is intended to supplement, and not replace typical project review services of the Sacramento District provided for City projects. This MOA is a vehicle by which the City may obtain expedited review of City projects designated as a priority, outside of the ordinary Sacramento District review process.

Article II. - SCOPE

A. The City will provide funds to the Sacramento District to expedite the evaluation of City priority projects under the jurisdiction of the Sacramento District for one year or until the expiration of the authority granted under Section 214 of WRDA 2000 as amended, whichever occurs first. The City may elect to extend the funding beyond the specified term, subject to written amendment to this MOA and appropriate statutory authority. The Sacramento District's regulatory program is funded as a congressionally appropriated line item in the annual Federal budget. Funds received from the City will be used to augment the Sacramento District regulatory budget in accordance with the provisions of WRDA 2000, as amended.

B. The Sacramento District will establish a separate account to track receipt and expenditure of the funds associated with its review of City priority projects. Sacramento District employees will charge their time against the account, recording the hours associated with specific projects and the Sacramento District will provide monthly reports of project charges to the City, when they do work to expedite resolution of City permit requests.

C. Funds contributed by the City hereunder will mainly be expended to defray the costs of additional regulatory staff (including salary, associated benefits, overhead, and travel expenses) and other costs in order to expedite the evaluation of projects within the Corps' jurisdiction so long as the City has designated the project as a City priority project. Such activities will include, but not be limited to, the following: application intake review, permit database entry, drawing correction, jurisdictional determinations, site visits, public notice preparation, preparation of correspondence, public interest review, preparation of permit decision documents, meetings with the City, agencies and applicants, and any other permit evaluation-related responsibilities that may be mutually agreed upon. Funds will *not* be expended for review by supervisors or other persons or elements of the Sacramento District, South Pacific Division, or Headquarters in the decision- making chain of command. Enforcement or compliance activities will not be paid for from the funds contributed by the City, unless such enforcement and/or compliance have been designated as priority projects. Funds will not be used for paying the costs of public hearings and distribution of public notices.

D. Funds may be expended by the Sacramento District to hire contractors to perform select duties, such as site visits, technical writing, copying, reviewing technical materials, flood control proposals, cultural resources assessments, biological assessments, essential fish habitat assessments, programmatic permits for use by the City and others, and other technical documents, including draft environmental documents for the purpose of augmenting the resources available to the Sacramento District regulatory staff for expediting priority permit applications submitted by the City. If such expenditures, when combined with the costs of the regulatory staff, require funding in excess of the amount specified in this MOA, then said contractors shall not be hired until and unless additional funds are approved by the City and memorialized by written amendment to this MOA.

E. If the City's funds are expended and are not renewed, any remaining City priority projects will be handled like those of any other non-participant, in a manner decided by the assigned regulatory project manager and his or her supervisor.

Article III. - INTERAGENCY COMMUNICATIONS

To provide for consistent and effective communication between the Sacramento District and the City, each party will appoint a Principal Representative to serve as its central point of contact on matters relating to this MOA. Additional representatives may also be appointed to serve as points of contact on specific permit actions. Each party will send a letter to each other designating the Principal Representative for each agency.

Article IV. - RESPONSIBILITIES OF THE PARTIES

A. The City shall:

1. Provide adequate information regarding priority projects and other specific activities to initiate permit evaluation. Upon request, the City shall provide supplemental information necessary to assure the Sacramento District can effectively accomplish the required review.

2. Make a reasonable effort to provide the Sacramento District with information on other projects with City involvement that may affect the Sacramento District' workload and staff availability (e.g., schedules for projects with individual permits).

3. In consultation with the Sacramento District, schedule Sacramento District involvement in the priority projects identified by the City.

4. To the best of its ability, ensure the participation of all essential personnel, customers and decision makers during the permit evaluation process.

5. Work closely with the Sacramento District to resolve workload conflicts and adjust priorities and schedules in order to make optimal use of available staff resources.

B. The Sacramento District shall:

1. Expedite permits in accordance with the purpose, terms, and conditions of this MOA. The Sacramento District shall not redirect resources from, or otherwise postpone, other City projects submitted through the standard Sacramento District review process.

2. Consult with the City in the development of schedules for permit processing.

3. Consult with the City regarding an adjustment of priorities or establishment of relative priorities if the current and/or projected workload of priority projects and activities exceeds Sacramento District's ability to provide the services specified in this MOA.

4. Provide the City an annual summary report of progress made under this MOA. This report will describe achievements, including any improvements the Sacramento District has documented in coordinating and improving the efficiency of environmental reviews, and will summarize expenditures to date. The report also will identify any recommendations for improving consultation and coordination among the Parties to this MOA.

5. Designate a Regulatory Project Manager who will make his or her best efforts to attend periodic meetings with the City.

Article V. - IMPARTIAL DECISIONMAKING

It is understood and agreed that in order to ensure that the funds will not impact impartial decision-making with respect to City permit applications, the following procedures,

mandated from Headquarters, U.S. Army Corps of Engineers, will apply to all cases using funds provided by the City as a participating non-Federal public entity:

1. All final permit decisions for cases where these funds are used must be reviewed at least by one level above the decision-maker, unless the decision-maker is the District Engineer. For example, if the decision-maker is the Chief, Regulatory Branch, then the reviewer would be the Chief, Construction-Operations Division.

2. All final permit decisions for cases where these funds are used will be made available on the Sacramento District Regulatory web page.

3. The Sacramento District will not eliminate any procedures or decision criteria that would otherwise be required for that type of project and permit application under consideration.

4. The Sacramento District must comply with all applicable laws and regulations.

5. Funds will only be expended to expedite the final decision on the permit application according to the terms and conditions of this MOA. Funds will not be expended for review of decisions by supervisors or other persons or elements of the Sacramento District in the decision-making chain of command. If contractors are used to develop decision documents, such decision documents must be drafts only and be reviewed and adopted by the Sacramento District regulatory program employees before the final permit decision is made.

Article VI. – FUNDING

The City will pay the Sacramento District an amount not to exceed $187,000 for purposes of funding project manager(s) for one year effective from the date of this agreement, including overhead and associated support personnel for the term of this MOA. Support personnel may include archaeological, legal, and engineering services, as well as clerical services. The City may elect to extend the services of the project manager in accordance with Article II.A. Funding required under this MOA may be increased by the Sacramento District to account for salary increases and locality adjustments. If the term of this MOA is extended, any carry-over funds from the previous year's payments by City will be credited to the following fiscal year's payment, or refunded if this MOA is terminated or expires. District shall provide to City a summary of funds collect, funds expended and remaining balances to be carried forward prior to City making its first payment in any calendar year.

B. Funds will be payable in one lump sum, semi-annually, or quarterly basis no later than ninety (90) days in advance of the Sacramento District incurring any financial obligations under this MOA. Payment will be made to the Finance and Accounting

Officer, U.S. Army Corps of Engineers, Sacramento District. Prior to funds being transferred the City shall coordinate payment efforts with the budget analyst assigned to the Regulatory Branch.

Article VII. - APPLICABLE LAWS

The applicable statutes, regulations, policies, directives, and procedures of the United States will govern this MOA and all documents and actions pursuant to it. Unless otherwise required by law, all expediting of environmental permit applications undertaken by Sacramento District will be governed by Sacramento District regulations, policies and procedures.

Article VIII. - DISPUTE RESOLUTION

The Parties agree that, in the event of a dispute between the Parties, the City and the Sacramento District shall use their best efforts to resolve the dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the Parties. The Parties agree that, in the event such measures fail to resolve the dispute, they shall refer the dispute for resolution to an appropriate forum in accordance with Federal law.

Article IX. - PUBLIC INFORMATION

Justification and explanation of City programs or projects before other agencies, departments and offices will not be the responsibility of the Sacramento District. The Sacramento District may provide, upon request from the City, any assistance necessary to support justification or explanations of activities conducted under this MOA. In general, the Sacramento District is responsible only for public information regarding Sacramento District regulatory activities. The City will give the Sacramento District advance notice before making formal, official statements regarding Sacramento District activities funded under this MOA.

Article X. - MISCELLANEOUS

A. Other Relationships or Obligations

This MOA will not affect any pre-existing or independent relationships or obligations between the City and the Sacramento District.

B. Survival

Under the provisions of Section 214 of Public Law 106-541 as extended by Public Law 109-434, no funds may be expended pursuant to this MOA after December 31, 2008. However, if prior to the lapse of current statutory authority, such authority is extended, then provisions of this MOA shall remain enforce consistent with the provisions of the statutory extension until the expiration date as provided in Article II of this MOA.

C. Severability

If any provision of this MOA is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

Article XI. - AMENDMENT, MODIFICATION AND TERMINATION

A. This Agreement may be modified or amended only by written, mutual agreement of the Parties. Either party may terminate this MOA prior to its expiration date by providing written notice to the other party. Such termination shall be effective upon the sixtieth (60^{th}) calendar day following notice, unless a later date is set forth. In the event of termination, the City shall continue to be responsible for all costs incurred by the Sacramento District under this MOA prior to the effective date of such termination and for the costs of closing out or transferring any on-going City priority projects.

B. This MOA shall remain in force until either December 31, 2008, unless the sunset clause is eliminated, the MOA is terminated pursuant to this Article, or until the funds have been expended and not replenished following notice to the City, whichever occurs first.

C. Within ninety days (90) days of termination, or expiration of the MOA, the Sacramento District shall conduct an accounting to determine the actual costs of the work. Within thirty (30) days of completion of this accounting, the Sacramento District shall return to the City any funds advanced in excess of the actual costs. Funds may be provided to the City either by check or by electronic funds transfer.

Article XII. - EFFECTIVE DATE

This MOA will become effective when signed by both the City and the Sacramento District. This MOA shall expire on December 31, 2008, unless federal law extends the Sacramento District' authority beyond that date.

Article XIV. – INTEGRATION

This MOA, including any documents incorporated by reference or attachments thereto, constitute the entire agreement between the Parties. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

IN WITNESS WHEREOF, this Agreement is executed by the City of Rancho Cordova, acting by and through its City Manager or his designee, pursuant to action taken by the City Council on January 2, 2007, authorizing such execution, and by the U.S. Army Sacramento District of Engineers, through its authorized officer.

For the City of Rancho Cordova:

_____
Ted Gaebler
City Manager
Date: _____

ATTEST:

_____
Stacy Leitner, Interim City Clerk

Date: _____

APPROVED AS TO FORM:

_____
Adam U. Lindgren
City Attorney
Date: _____

For the U. S. Army Sacramento District of Engineers:

Thomas C. Chapman, P.E.
Colonel, US Army
District Engineer
Date: JAN 04 2008

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor Budge and Council Members

FROM: Jay Hadley, IT Manager

SUBJECT: **RESOLUTION AWARDING CONTRACT TO INTERWEST CONSULTING FOR GIS SERVICES**

RECOMMENDATION

Adopt Resolution No. 8-2008

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute Contract No. 195-2007 between the City of Rancho Cordova and InterWest Consulting in the amount of $65,000 to provide internal GIS Services to staff and others related to the City of Rancho Cordova. This will give staff a greater source of information to better service the community.

BACKGROUND

Mark Dumford, InterWest Consulting, had been working with the IT Department to develop a GIS Strategic Plan which was completed in November 2007. Mark Dumford will continue to work in the capacity of a GIS Manager / Sr. Analyst developing GIS Services providing Maps and Analysis Data that will be utilized by staff. Mark will also be working on the Census LUCA Project. The City of Rancho Cordova has raised its involved in the Sacramento Regional GIS Cooperative through participation by internal GIS service representation by having Mark attend these meetings.

ATTACHMENT

Resolution No. 8-2008 including **(Exhibit A)** InterWest Contract No. 195-2007.

AGENDA ITEM 8.8

CITY OF RANCHO CORDOVA

RESOLUTION NO. 08-2008

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ITERWEST CONSULTING GROUP TO PROVIDE GIS ANALYST SERVICE TO IT DEPARTMENT

WHEREAS, the City of Rancho Cordova wishes to contract with InterWest Consulting Group to fill a GIS Analyst Position in the Information Technology Department to begin providing GIS services to staff.

WHEREAS, InterWest has provided services under a previous contract to develop a GIS Strategic Plan. Previous contract was for $60,000 and new contract will add an additional $65,000 for GIS services.

WHEREAS, the Council of the City of Rancho Cordova, in the 2007-2008 Adopted Budget has budgeted sufficient funds to cover the cost of this contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a contract amendment with InterWest Consulting Group, Consultant, attached as **Exhibit A**.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND Interwest Consulting Group

THIS AGREEMENT for consulting services is made by and between the City of Rancho Cordova ("City") and InterWest Consulting Group ("Consultant") as of December 10, 2007

Section 1. **SERVICES**. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the date first noted above and shall end on December 10, 2008, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A prior to that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.

1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.

1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.2 above and to satisfy Consultant's obligations hereunder.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed $65,000, notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit B, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Consultant's signature.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the fee schedule set forth in Exhibit B.

2.6 **Reimbursable Expenses.** Reimbursable expenses, if any, are set forth in Exhibit B, and shall not exceed ($). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Consultant, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such

insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

4.1 **Workers' Compensation.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS ($1,000,000.00) per accident. In the alternative, Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator. The insurer, if insurance is provided, or the Consultant, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.2 **Commercial General and Automobile Liability Insurance.**

4.2.1 **General requirements.** Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 **Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 or GL 0002 (most recent editions) covering comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability. Automobile coverage shall be at least as

broad as Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 8 and 9. No endorsement shall be attached limiting the coverage.

4.2.3 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

a. City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.

b. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

c. An endorsement must state that coverage is primary insurance with respect to the City and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

d. Any failure of Consultant to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, and volunteers.

e. An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.3 **Professional Liability Insurance.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000) covering the licensed professionals' errors and omissions.

4.3.1 Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 An endorsement shall state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, except after thirty (30)

days' prior written notice by certified mail, return receipt requested, has been given to the City.

4.3.3 The following provisions shall apply if the professional liability coverages are written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five years after completion of the Agreement or the work. The City shall have the right to exercise, at the Consultant's sole cost and expense, any extended reporting provisions of the policy, if the Consultant cancels or does not renew the coverage.

d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 Verification of coverage. Prior to beginning any work under this Agreement, Consultant shall furnish City with certificates of insurance and with original endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

4.4.3 Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.4.4 Variation. The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverages, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

4.4.5 **Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Consultant may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Consultant procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

4.4.6 **Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than five days after Consultant is notified of the change in coverage.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

5.1 **General Requirement.** Consultant shall indemnify, defend with counsel selected by the City, and hold harmless the City and its officials, officers, employees, agents, and volunteers from and against any and all losses, liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct or negligent acts or omissions of Consultant or its employees, subcontractors, or agents, by acts for which they could be held strictly liable, or by the quality or character of their work. The foregoing obligation of

Consultant shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Consultant or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

5.2 **PERS Indemnification.** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

5.3 **Design Professionals.** Notwithstanding Sections 5.1 and 5.2, Consultant's duties to indemnify, defend and hold harmless the City shall be limited to the extent the services provided pursuant to this Agreement are "design professional services" subject to Section 2782.8 of the California Civil Code. In accordance with Civil Code Section 2782.8, Consultant shall, to the fullest extent allowed by law, with respect to all design professional services performed in connection with this Agreement, defend with counsel acceptable to City, indemnify, and hold City, its officers, employees, agents, and volunteers, harmless from and against any and all claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, ("Claims"). Consultant will bear all losses, costs, damages, expense and liability of every kind, nature and description that arise out of, pertain to, or relate to such Claims, whether directly or indirectly ("Liability"). Such obligations to defend, hold harmless and indemnify the City shall not apply to the extent that such Liability is caused by the sole negligence, active negligence, or willful misconduct of the City.

Section 6. STATUS OF CONSULTANT.

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant

accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits. Consultant shall not allow any employee to become eligible for a claim for PERS benefits.

6.2 **Consultant No Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws and regulations applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Consultant's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant

in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of

the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS ($10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Sacramento or in the United States District Court for the Eastern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et.seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by Jay Hadley ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:
InterWest Consulting Group
Attention: Mike Kashiwagi
9300 West Stockton Blvd.
Elk Grove, CA 95758

Any written notice to City shall be sent to:
City of Rancho Cordova
Attention: Jay Hadley
2729 Prospect Park Dr.
Rancho Cordova, CA 95670

10.11 **Professional Seal.** Where applicable in the determination of the contract administrator, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility," as in the following example.

_____ Seal and Signature of Registered Professional with report/design responsibility.

10.12 **Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, and the compensation schedule attached hereto and incorporated herein as Exhibit B, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

10.13 **IRS Form W-9.** Consultant shall complete and submit Internal Revenue Service Form W-9 to the City before execution of this Agreement. The City's Finance Director shall have authority to waive this requirement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first set forth above, which date shall be considered by the Parties to be the effective date of this Agreement.

CITY OF RANCHO CORDOVA

_____
Ted A. Gaebler, City Manager

Date: _____

CONSULTANT

_____
Mike Kashiwagi, InterWest Manager

Date: _____

Attest:

_____
Anna Olea-Moger, CMC, City Clerk

Date: _____

Approved as to Form:

_____
Adam Lindgren, City Attorney

Date: _____

EXHIBIT A

SCOPE OF SERVICES

City of Rancho Cordova JANUARY 17, 2008

Interwest Consulting Group
GIS Solutions Team

Information Technology Department GIS Services Proposal
(December 2007 – June 2008)

INTRODUCTION

The City of Rancho Cordova GIS Strategic Plan is close to completion. The document summarizes the variety of GIS requirements across all departments and outlines the steps necessary to build a successful GIS. These future steps are both technical, such as GIS integration with Hansen, and non-technical, such as creating GIS job classifications. These classifications are intended to eventually hold a Sr. level GIS Analyst within the Information Technology Department and a mid-level GIS Analyst within Public Works. The Human Resources process to create the job classification and the actual hiring process will take some time to complete. During this process, Interwest Consulting Group is prepared to offer the services of the GIS Solutions Team to further the GIS efforts for the City of Rancho Cordova.

PROJECT ROLES

An Interwest GIS Manager, *(Mark Dumford),* will provide services related to citywide GIS initiatives and requests. The GIS Manager will work closely with the Rancho Cordova Information Technology Manager to ensure that GIS and IT provide standardized solutions. Other Interwest Sr. level GIS staff may be required to provide high-level technical assistance relating to system integration and database design.

SCOPE OF WORK

The next steps to building the GIS are to continue to work on the implementation steps outlined in the GIS Strategic Plan. Some of the early implementation phases have already begun such as data warehousing and acquiring desktop GIS software for GIS staff. Other important steps, such as customizing a simple GIS desktop tool for delivery to all staff, have not been started.

In addition to following the implementation steps, it is expected that Rancho Cordova will *formally* announce the offering of GIS services. This should happen in December 2007. These GIS services will include a variety of mapping, analysis, and data creation requests. The requests are expected to come from all departments.

The following section outlines the nature of the GIS services that are being offered to the Information Technology Department.

SCOPE OF WORK

ID	INFORMATION TECHNOLOGY DEPARTMENT GIS TASK DESCRIPTIONS
1	Continue to work on Finance map layers such as CFD's, Assessment Zones, and Developer Agreements. The completion of these data layers is the first step in allowing for greater clarity and eventual publication/functionality surrounding this information.
2	Continue working on LUCA Census project.
3	Establish schedule and process to update the monthly GIS parcels and streets available from the Sacramento County Regional Cooperative.
4	Provide support to HR for GIS staffing strategy outlined in the Staffing Strategy section of the GIS Strategic Plan
5	Formally announce the offering of GIS Services. Provide some initial marketing material to assist in the understanding what types of GIS services are available.
6	As a result of above task, provide general GIS service in support of requests that come from working units such as **Economic Development, City Manager Office, and Finance.**
8	Work with ArcPublisher to create a publisher file for all staff to view. Work with IT staff to install ArcReader on a limited set of employees for testing prior to broader delivery of product. This is the short-term low cost map look up tool that focuses specifically on Rancho Cordova geography. Data layers that will be published in this product include parcels, streets, aerial photography, CFD's, Assessment Zones, Developer Agreement boundaries, etc....
9	Create a process to improve data layer quality through reporting and communication with staff when errors are found in the GIS information.
10	Work on producing monthly maps depicting building permit activity. Work with Hansen (Sandy) to retrieve permit information.
11	Begin integration efforts with GIS technology with Hansen. This includes; meeting with Hansen technical team to explore the use of the Hansen GIS module, potential addition of spatial (GIS) information to the land (parcel) update process such as fee district information, and possible integration of other viewer technology integrating Hansen and GIS.
12	Begin work to understand to value of the GIS module that is available for the Comcate system.
13	Prepare hardcopy maps that might be useful in the event of activation of an Emergency Operation Center. These maps should include population information, critical care facilities, shelter locations, localized flooding danger zones, and levee-break inundation zones.
14	Work with Finance to evaluate the need to informally audit any number of their revenue systems with such as business licensing, Community Facility District properties (tax roll), and Rental Tax.
15	Create a master development tracking layer that brings together the vacant land inventory, active development projects, and developed areas into a single dataset. Establish a good maintenance strategy with Planning and Public Works to maintain this going forward. Should be linked to the existing Public Works Access database that is used to track development stages.

DELIVERABLES

The tangible deliverables that will be completed during the time frame of this contract will come in the form of a variety of maps stemming from requests, newly created GIS datasets, GIS desktop software for all staff, and established processes for maintaining and integrating data.

Listed below are the most important tangible deliverables that will be provided:

- Accurate GIS datasets depicting parcels, streets, addresses, Community Fee Districts, Assessment Zones, and Developer Agreement boundaries, and vacant land.
- A simple but very useful GIS desktop tool for all City staff. Functionality will include the ability to overlay a variety of map layers, view tabular information related to map features, make data queries, and print or export simple maps.
- A variety maps and analysis that meet the needs of the individual requestors.
- GIS integration with information contained in Comcate and Hansen. The results of the integration should allow for timely map/spatial views information such as code enforcement cases and permitting activity.
- LUCA material and datasets completed and sent to Census Bureau.

EXHIBIT B

COMPENSATION SCHEDULE

COST ESTIMATES AND SCHEDULE

Interwest will provide GIS consulting services on both a scheduled and on-call flexible basis.

- The *Interwest GIS Manager* working with IT will be on-site for a scheduled minimum of *20 hours per week.*
- Other Interwest *Sr. level GIS Analysts* may be required to work on high level technical tasks. This type of work will be an *on-call basis*.

RESOURCE	LOCATION	RESOURCE HOURS *	HOURLY RATE	RESOURCE COSTS
GIS Manager	Information Technology	450	$120.00	54,000
Sr. GIS Analyst	Information Technology	80	$100.00	$8,000
TOTALS				$62,000

* The time frame used for the above cost estimates is from December 16, 2007 through June 30, 2008.

On specific tasks that will require a larger portion of time, cost estimates will be provided and approved by the Rancho Cordova Information Technology Manager, before work begins. These tasks will be tracked separately in the invoicing process. Non-specific and short duration tasks will fall into broader time tracking/invoicing categories.

EXHIBIT A
CONTRACT NO.: 195-2007

Form **W-9**
(Rev. September 2007)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ _____
☐ Other (see instructions) ▶

☐ Exempt payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
: :

or

Employer identification number
:

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

• The U.S. grantor or other owner of a grantor trust and not the trust, and

• The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,

2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). Check the "Limited liability company" box only and enter the appropriate code for the tax classification ("D" for disregarded entity, "C" for corporation, "P" for partnership) in the space provided.

For a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

For an LLC classified as a partnership or a corporation, enter the LLC's name on the "Name" line and any business, trade, or DBA name on the "Business name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Exempt payees. Backup withholding is not required on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),

2. The United States or any of its agencies or instrumentalities,

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or

5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,

9. A futures commission merchant registered with the Commodity Futures Trading Commission,

10. A real estate investment trust,

11. An entity registered at all times during the tax year under the Investment Company Act of 1940,

12. A common trust fund operated by a bank under section 584(a),

13. A financial institution,

14. A middleman known in the investment community as a nominee or custodian, or

15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over $600 required to be reported and direct sales over $5,000[1]	Generally, exempt recipients 1 through 7[2]

[1] See Form 1099-MISC, Miscellaneous Income, and its instructions.

[2] However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at *www.ssa.gov*. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/businesses* and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting *www.irs.gov* or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: *A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.*

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account [1]
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor [2]
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee [1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner [1]
5. Sole proprietorship or disregarded entity owned by an individual	The owner [3]
For this type of account:	**Give name and EIN of:**
6. Disregarded entity not owned by an individual	The owner
7. A valid trust, estate, or pension trust	Legal entity [4]
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

Call the IRS at 1-800-829-1040 if you think your identity has been used inappropriately for tax purposes.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS personal property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: *spam@uce.gov* or contact them at *www.consumer.gov/idtheft* or 1-877-IDTHEFT(438-4338).

Visit the IRS website at *www.irs.gov* to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

CITY OF RANCHO CORDOVA
2008
COUNCIL MEMBER APPOINTMENTS
TO
OTHER AGENCY BOARDS & COMMISSIONS

Agency	Term	Meeting Schedule	Special Requirements or Comments	2007 Appointments	Recommended 2008 Appointments
City Selection Committee of Sacramento County	Term of serving Mayor	As needed	GC Sec. 50270 – 50279.2 Committee Clerk is Sacramento County Clerk of the Board or designee	Sander Alternate: Budge	Budge Alternate: Skoglund
County Criminal Justice Cabinet	Term of serving Mayor	Quarterly – 2nd Thursday of Month 8 a.m. at County Courthouse	Mayor serves on Full Cabinet Group (vs. Exec. Cabinet Group)	Sander Alternate: Budge	Budge Alternate: Skoglund
Mayors & Board Chair Forum Collaborative	Term of serving Mayor	Meeting schedule published regularly	Mayor serves for Mayors' & Board Chair Forum) & Mayor plus alternate for Core Group	Sander Alternate: Budge	Budge Alternate: Skoglund
League Board of Directors	At Large Sept. 2008	Feb, 8-9 Apr. 17-18 July 25-26 Sept. 24-27		Cooley	Cooley
League Transp., Comm. & P.W. Policy Committee	One year	Jan. 17 Apr. 2 June 26	Sacramento Valley Division Rep	---	McGarvey
League Revenue & Taxation Policy Committee	One year	Jan. 17 Apr. 2 June 26	Sacramento Valley Division Rep	Sander	Sander
League Housing, Com. Dev. & Econ. Dev. Policy Committee	One year	Jan. 18 Apr. 3 June 27	Cooley – Chair Budge – Sacramento Valley Division Rep	Cooley & Budge	Cooley & Budge
California State Seismic Safety Commission	Governor's Appointment In April 2007	February 14 April 10 June 12 August 14 October 9 December 11	Representing state's 478 cities	Cooley	Cooley
Sacramento Transportation Authority (STA)	Term is determined by appointing agency	2nd Thurs. of the month; 1:30 PM at County Board of Sups. Chambers		Cooley Alternate: Budge	Cooley Alternate: Budge

CITY OF RANCHO CORDOVA
2008
COUNCIL MEMBER APPOINTMENTS
TO
OTHER AGENCY BOARDS & COMMISSIONS

Agency	Term	Meeting Schedule	Special Requirements or Comments	2007 Appointments	Recommended 2008 Appointments
Sacramento Area Council of Governments (SACOG)	Term is determined by appointing agency	3rd Thurs. of the month; 9AM at SACOG offices		Budge Alternate: McGarvey	Budge Alternate: McGarvey
Sacramento Local Agency Formation Commission (LAFCo)	*City Seat Alternate until May 2008 City Member Commissioner Seat for two-year term as of May 2008-May 2010 **Terms extended for Commissioiner & Alternate from May 1 to Dec. 31, 2008	1st Wednesday – 5:30 p.m. at the Sacramento County Board of Supervisors Chambers	*Per City Selection Committee Action 3/29/07 Mayor Sander designated Vice Mayor Budge **Per LAFCo Action 12/05/07; Note Rancho Cordova to fill City Member Seat in January 2009 thru December 2010	S. Miklos (City of Folsom) as City Member Commissioner Alternate: Budge	S. Miklos (City of Folsom as City Member Commissioner Alternate: Budge
Sacramento Regional Transit District Board of Directors	No term limit Sander's appt. began January 2004	2nd and 4th Monday at 6:00 p.m.		Sander Alternate: McGarvey	Sander Alternate: McGarvey
Sacramento Metropolitan Air Quality Management District (SMAQMD)	Term is determined by appointing agency	4th Thursday of the month at 9:30 a.m. at the Sacramento County Board of Supervisors Chambers		McGarvey Alternate: Skoglund	McGarvey Alternate: Skoglund
Sacramento Metropolitan Cable Television Commission	Term is determined by appointing agency	1st Thurs. of the month; 2:30 PM at County Board of Supervisors Chambers		McGarvey Alternate: Skoglund	McGarvey Alternate: Skoglund
Sacramento Regional County Sanitation District (Meets with County Sanitation District)	Term is determined by appointing agency	2nd & 4th Wed. of the month; 9:30 a.m. at County Board of Sups. Chambers		Skoglund Alternate: McGarvey	Skoglund Alternate: McGarvey

CITY OF RANCHO CORDOVA
2008
COUNCIL MEMBER APPOINTMENTS
TO
OTHER AGENCY BOARDS & COMMISSIONS

Agency	Term	Meeting Schedule	Special Requirements or Comments	2007 Appointments	Recommended 2008 Appointments
Sacramento County Sanitation Dist. No. 1 (Meets with Regional Sanitation District)	Term is determined by appointing agency	2nd & 4th Wed. of the month; 9:30 a.m. at County Board of Sups. Chambers		Skoglund Alternate: McGarvey	Skoglund Alternate: McGarvey
Sacramento-Yolo Mosquito & Vector Control District Board	Two-year term (determined by appointing agency)	3rd Tuesday – 1:15 p.m. in District Board Room Offices (Elk Grove)	Council Action 2/20/07	McGarvey Alternate: Sander	McGarvey Alternate: Sander
Sacramento Public Library Authority Governing Board	July 1 through December 31, 2007 Per Council action of 03-19-07	4th Thurs. of the month at 3:00 p.m. at the Sacramento County Board of Supervisors Chambers	Prior to RC's inclusion in JPA with one seat on Governing Board, Budge served Past Member appointed to represent Supv. Collin's 2nd District	Budge Alternate: Sander	Budge Alternate: Sander
Sacramento County & Cities Board on Homelessness		Meets at SETA, 925 Del Paso Blvd, Sacramento		McGarvey Alternate: None	McGarvey Alternate: None
Sacramento County Human Rights Housing Commission Governing Board	No term limit; term is determined by appointing agency	TBD	JPA Formed in 2007 Rancho Cordova joined April 2, 2007 via Resolution No. 32-2007	Skoglund Alternate: None	Skoglund Alternate: None
Sacramento-Placerville Transportation Corridor JPA		Quarterly meetings of Board at Folsom City Hall (Staff attends monthly meeting)	Note: David Sander serves on this JPA as Board Member of Regional Transit	Budge Alternate: Cooley	Budge Alternate: None
Elk Grove/Folsom/ RC/ El Dorado Connector JPA	Term is determined by appointing agency Per Council action of 11-20-06 Resolution No. 180-2006	4th Friday of the month at 8:30 a.m. in Rancho Cordova Council Chambers		Budge Alternate: None	Budge Alternate: None

2008 Council Meeting & Conference Calendar
January - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:		1 **New Year's Holiday City Hall Closed** 	2	3 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	4 **8:30am** Sac Co. 2x2	5
6	7 5:30pm **AB1234** Mandated Training in Lieu of Regular Mtg. **BCS College Football Championship Bowl - New Orleans, LA 6:00pm on Fox**	8	9 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	10 **8:00am** Criminal Justice Cabinet **8:30am** FCUSD 2x2 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg **2008 Leadership RC 8 to 4**	11 12:00pm CRPD 2x2	12
13	14 8:00am - 6:00pm CORC Staff Learning Retreat 6:00pm - 10:00pm Council Learning Retreat **Location: CSUS Aquatic Center**	15 8:00am - 6:00pm CORC Staff & Council Learning Retreat	16 **Mayors & Council Members Academy Leadership Institute - Sacramento - Jan 16-18**	17 6:00pm School District **LCC Policy Committee Mtg - Sander (Rev & Tax) / Budge & Cooley (HCED) - Jan 17-18**	18 **9:00am-3:00pm** SACOC Retreat	19
20	21 **ML King Jr. Holiday City Hall Closed** 	22 4:00pm Study Session 5:30pm CC Mtg **CALED: Keys to Successful Economic Development Course - Sacramento - Jan 22-25**	23 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District **United States Conference of Mayors 76th Winter Mtg. - Washington D.C. - Jan 23-25**	24 9:30am SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg **Ran. Cor. Chamber Annual Dinner**	25 **Sac Metro Chamber Annual Dinner**	26 **NLC-LTI Leading Innovation and Change in Local Government - Austin, TX - Jan 24-26** **Citrus Heights Chamber of Commerce 50th Anniversary Dinner**
27	28 6:00pm RT Board	29	30	31	Notes:	

AGENDA ITEM 8.10

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
February - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:					1 8:30am Sac Co. 2x2 Henry Cisneros Dinner - Rancho Cordova Marriott - 6pm - 10pm	2 Housing workshop - Rancho Cordova Marriott - 8am - 4pm
3 Super Bowl 	4 4:00pm Study Session 5:30pm CC Mtg	5 Fat Tuesday - Mardi Gras ends   Presidential Primary	6 Ash Wednesday 5:30pm LAFCO City Managers Conference - La Jolla, CA - Feb 6-8 CEPO Winter Conference - Santa Barbara, CA - La Casa de Maria Retreat - Feb 6-8	7 8:30am FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	8 12:00pm CRPD 2x2 LCC - Board of Dir. Mtg. - San Diego - Cooley - Feb 8-9	9
10	11 6:00pm RT Board	12 12:00 - 5:00pm Work Session - Annual Economic & Fiscal Future Report	13 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	14 8:00am Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg  VALENTINE'S DAY 2008 Leadership RC 8 to 4	15 11:30am Cordova Community Council	16
17 NBA All Star 	18 President's Day Holiday City Hall Closed 	19 5:30pm CC Mtg	20	21 9:00am SACOG 6:00pm School District	22	23
24	25 6:00pm RT Board	26 3:30pm EGUSD 2x2 5:30pm Work Session	27 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	28 9:30am SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg	29 City Talent Show @ City Hall	Notes:

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
March - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						1
2	3 4:00pm Study Session 5:30pm CC Mtg	4	5 5:30pm LAFCO Public Works Officers Institute - La Jolla, CA - Mar 5-7	6 8:30am FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner Tent. RCCOC Women in Business Event	7 8:30am Sac Co. 2x2 HOLD FOR FLYING TO NLC Congressional City Conference ASPA Annual Conference - Dallas, TX - Mar 7-11	8 NLC Congressional City Conference - Washington D.C. - Mar 8-12
9 Daylight Saving Time Begins  NLC Congressional City Conference - Washington D.C. - Mar 8-12 ASPA Annual Conference - Dallas, TX - Mar 7-11	10 6:00pm RT Board	11	12 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	13 8:00am Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg	14 12:00pm CRPD 2x2	15  Air Show - Mar 14-15
16  Air Show - Mar 14-15	17 St. Patrick's Day  Spring Break (EGUSD, FCUSD & SCUSD) Mar 17-21	18 1:15pm Sac-Yolo Mos./Vec. Control	19 2:00pm Metro Fire 2x2	20 9:00am SACOG First Day of Spring 6:00pm School District	21 11:30am Cordova Community Council (TENTATIVE) Good Friday	22
23 Easter Sunday	24 6:00pm RT Board	25 5:30pm Work Session	26 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District Planners Institute - Sacramento, CA - Mar 26-28 CRA Annual Conference - Anaheim, CA - Mar 26-28	27 9:30am SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg	28	29
30	31	Notes:				

Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2008 Council Meeting & Conference Calendar
April - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:		1 **April Fools' Day** 	2	3 **8:30am** FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	4 **8:30am** Sac Co. 2x2	5 **NCAA Men's Final Four Semi-finals**
			LCC Policy Committee Mtg - Sander (Rev & Tax) / Budge & Cooley (HCED) - Apr 2-3			CAP-to-CAP Conference - Washington D.C. - Apr 5-9
6 **NCAA Women's Final Four Semi-finals**	7 5:30pm CC Mtg CANCELLED **NCAA Men's Championship**	8 3:30pm EGUSD 2x2 **NCAA Women's Championship**	9 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	10 **8:00am** Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg	11 12:00pm CRPD 2x2	12
CAP-to-CAP Conference - Washington D.C. - Apr 5-9				2008 Leadership RC 8 to 4		
13	14	15 1:15pm Sac-Yolo Mos./Vec. Control	16	17 **9:00am** SACOG 6:00pm School District	18 **11:30am** Cordova Community Council	19
	City Manager Meetings - Proposed Budget Requests - Apr 14-18					
	6:00pm RT Board	5:30pm Work Session		LCC - Board of Dir. Mtg. - Sacramento - Cooley - Apr 17-18 ICMA West Coast & Mountain Plains Regional Summit - Lake Tahoe, NV - Apr 17-18		
			Legislative Action Days - Sacramento - April 16-18			
20	21 5:30pm CC Mtg	22	23 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	24 **9:30am** SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg	25	26
27	28 6:00pm RT Board	29 5:30pm Work Session	30	Notes:		
			CALED Annual Conference - Anaheim (Disney Resort) Apr 30 - May 2			

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
May - DRAFT

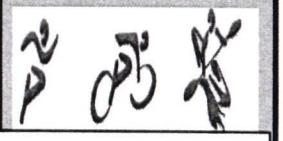
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:				1 **8:30am** FCUSD 2x2 **2:30pm** Sac Metro Cable TV Comm. **6:00pm** School District **6:00pm** 1st Thursday Dinner	2 **8:30am** Sac Co. 2x2	3
			CALED Annual Conference - Anaheim (Disney Resort) Apr 30 - May 2			
4	5 **5:30pm** CC Mtg	6	7 **5:30pm** LAFCO	8 **8:00am** Criminal Justice Cabinet **1:30pm** STA **3:00pm** ARP Gov. **6:00pm** PC Mtg	9 **12:00pm** CRPD 2x2	10
	Public Service Recognition Week - May 5-11		**City Attorneys Spring Conference - La Jolla, CA**	**ASPA Annual Dinner 5:00 PM** **2008 Leadership RC 8 to 4**		
11 **Mother's Day** 	12 **6:00pm** RT Board	13 **5:30pm Work Session**	14 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg.- **7:00pm** Park District	15 **9:00am** SACOG **6:00pm** School District	16 **11:30am** Cordova Community Council **Proposed Budget Distributed to Council and Departments**	17
18	19 **2:00pm Budget Workshop** **5:30pm CC Mtg**	20 **1:15pm** Sac-Yolo Mos./Vec. Control	21	22 **9:30am** SMAQMD **2:00pm** ARP Gov. **3:00pm** Sac Public Library Auth. **6:00pm** PC Mtg **2008 Leadership RC 8 to 4 and Graduation**	23	24
			CSAC Legislative Conf. - Sacramento, CA - May 21-22			
25	26 **Memorial Day Holiday City Hall Closed** 	27	28 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. **7:00pm** Park District	29 Time TBD - Mayor/Bd Chair or Core Group - Followed by Reception & Dinner	30 **Graduation Day**  **Cordova High** **Mills Middle** **Mitchel Middle**	31
Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2008 Council Meeting & Conference Calendar
June - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 **12:00pm-5:00pm** Budget Study Session II (if needed) **5:30pm CC Mtg - (if no changes) Adopt Proposed Budget & GANN Limitation**	3 **State Primary** 	4 5:30pm LAFCO	5 **8:30am** FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	6 **8:30am** Sac Co. 2x2	7
			Mayors & Council Members Exec. Forum & Adv. Leadership Workshops (Squaw Valley) Jun 4-7			
			Transforming Local Government (Alliance for Innovation) - Greenville, SC - Jun 4-6			
8	9 6:00pm RT Board	10	11 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 2:00pm Metro Fire 2x2 7:00pm Park District	12 **8:00am** Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg	13 12:00pm CRPD 2x2	14
Management Retreat - Jun 8-10				**Proposed All Hands Meeting to Discuss Budget - 11:30-1:00 City Hall**		
15 **Father's Day** 	16 5:30pm CC Mtg - Adopt Proposed Budget & GANN Limitation	17 1:15pm Sac-Yolo Mos./Vec. Control	18 **10:00am** Library Authority	19 **9:00am** SACOG 6:00pm School District	20 **11:30am** Cordova Community Council **1st Day of Summer**	21
Government Finance Officers Association Annual Conference - Fort Lauderdale, FL - Jun 15-18					**US Conference**	
22	23 6:00pm RT Board	24	25 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	26 **9:30am** SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth.	27	28
				LCC Policy Committee Mtg - Sander (Rev & Tax) / Budge & Cooley (HCED) - Jun 26-27		
				American Library Association Conference - Anaheim, CA - Jun 26 - Jul 2		
29	30 5:30pm Work Session	Notes:				
American Library Association Conference - Anaheim, CA - Jun 26 - Jul 2						

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
July - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes: **Happy 50th Birthday CRPD**		1 **Happy 5th Birthday Rancho Cordova**  **American Library Association Conference - Anaheim, CA - Jun 26 - Jul 2**	2 5:30pm LAFCO	3 **8:30am** FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	4 **Independence Day** **City Hall Closed** 	5
6	7 5:30pm CC Mtg	8	9 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	10 **8:00am** Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg	11 12:00pm CRPD 2x2	12
13	14 **Nomination Period for Council Candidates** 6:00pm RT Board	15 1:15pm Sac-Yolo Mos./Vec. Control 5:30pm **Work Session** **Major League All Start Baseball Game - Yankee Stadium**	16 **Sister-Cities Annual Conference - Kansas City, MO - Jul 16-19**	17 **9:00am** SACOG 6:00pm School District	18	19 **Eppie's Great Race** 
20	21 **CITY COUNCIL DARK DAY**	22	23 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	24 **9:30am** SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg	25	26
27	28 6:00pm RT Board	29	30	31	Notes: **Go dark in July vs. Aug - possible dates: July 21st and/or August 4th**	

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
August - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:					1 **8:30am** Sac Co. 2x2	2
3	4 **4:00pm** Study Session **5:30pm** CC Mtg	5	6 **5:30pm** LAFCO	7 **8:30am** FCUSD 2x2 **2:30pm** Sac Metro Cable TV Comm. **6:00pm** School District **6:00pm** 1st Thursday Dinner	8 **City Council Closing Date to File** **12:00pm** CRPD 2x2	9
					2008 Olympics - Beijing, China - Aug 8-24	
10	11 **Schools Re-Open:** **Cordova High** **Mills Middle** **Mitchel Middle**	12 **5:30pm Work Session**	13 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. **7:00pm** Park District **Nomination Period Extension for any Qualified Person Other than Incumbent**	14 **8:00am** Criminal Justice Cabinet **1:30pm** STA **3:00pm** ARP Gov. **6:00pm** PC Mtg	15 **11:30am** Cordova Community Council	16
2008 Olympics - Beijing, China - Aug 8-24						
17	18 **5:30pm CC Mtg**	19 **1:15pm** Sac-Yolo Mos./Vec. Control	20	21 **9:00am** SACOG	22	23
2008 Olympics - Beijing, China - Aug 8-24						
CEPO Leadership Conference - Santa Barbara, CA - La Casa de Maria Retreat - Aug 17-22						
24	25 **6:00pm** RT Board	26 **5:30pm Work Session**	27 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. **7:00pm** Park District	28 **9:30am** SMAQMD **2:00pm** ARP Gov. **3:00pm** Sac Public Library Auth. **6:00pm** PC Mtg	29	30
2008 Olympics - Beijing, China - Aug 8-24	Democrat National Convention - Denver, CO - Aug 25-28					
31	Notes:					

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
September - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:	1 **Labor Day Holiday** **City Hall Closed** 	2 5:30pm CC Mtg	3 5:30pm LAFCO	4 **8:30am** FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	5 **8:30am** Sac Co. 2x2	6
	Republican National Convention - St. Paul, MN - Sep 1-4					
7	8 6:00pm RT Board	9 5:30pm **Work Session**	10 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. **2:00pm** Metro Fire 2x2 **7:00pm** Park District **2009 Leadership Day Chair Training - 2-5pm City Hall** **New Participant Reception - 5-7pm City Hall**	11 **8:00am** Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg	12 12:00pm CRPD 2x2	13
					2009 Leadership Retreat - 9/12 (8-9pm) & 9/13 (8-Noon)	
14	15 **4:00pm** Study Session **5:30pm CC Mtg**	16 **1:15pm** Sac-Yolo Mos./Vec. Control	17	18 **9:00am** SACOG 6:00pm School District	19 **11:30am** Cordova Community Council	20 **ICMA Annual Conference - Richmond, VA - Sep 20-24**
21	22 **First Day of Autumn**  6:00pm RT Board	23 5:30pm **Work Session**	24 **9:30am** Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	25 **9:30am** SMAQMD **2:00pm** ARP Gov. **3:00pm** Sac Public Library Auth/ **6:00pm** PC Mtg	26	27
ICMA Annual Conference - Richmond, VA - Sep 20-24			**LCC Annual Conference - Long Beach, CA - Sep 24-27**			
28	29	30	Notes:			

Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2008 Council Meeting & Conference Calendar
October - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:			1 5:30pm LAFCO 10th Annual Sac Metro Chamber Study Mission	2 8:30am FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	3 8:30am Sac Co. 2x2	4
5	6 5:30pm CC Mtg	7	8 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	9 8:00am Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg 2009 Leadership - Local Government Mod. 8-4 City Hall	10 12:00pm CRPD 2x2	11 Salmon Festival - Oct 11-12
12 Salmon Festival - Oct 11-12	13 6:00pm RT Board	14 5:30pm Work Session	15	16 9:00am SACOG 6:00pm School District	17 11:30am Cordova Community Council	18
19	20 4:00pm Study Session 5:30pm CC Mtg	21 1:15pm Sac-Yolo Mos./Vec. Control	22 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	23 9:30am SMAQMD 2:00pm ARP Gov. 3:00pm Sac Public Library Auth. 6:00pm PC Mtg	24	25
26	27 6:00pm RT Board	28	29	30 Time TBD - Mayor/Bd Chair or Core Group - Followed by Reception & Dinner	31 Halloween 	Notes:
Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2008 Council Meeting & Conference Calendar
November - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes						1
2 **Daylight Saving Time Ends** 	3 4:00pm Study Session 5:30pm CC Mtg	4 **GENERAL ELECTION**  **Election Party 5pm-11pm at City Hall**	5 5:30pm LAFCO	6 8:30am FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	7 8:30am Sac Co. 2x2	8 **Possible Council Pre-Flight to NLC Annual Conference**
9 **Possible Council Pre-Flight to NLC Annual Conference**	10 **Possible Council Pre-Flight to NLC Annual Conference** 6:00pm RT Board	11 **Veteran's Day** 	12 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	13 8:00am Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg **2009 Leadership - Land Use/Enviro. Mod. 8-4 City Hall**	14 12:00pm CRPD 2x2	15
		NLC Annual Conference - Orlando, FL - Nov 11-15				
16	17 5:30pm CC Mtg	18 1:15pm Sac-Yolo Mos./Vec. Control	19 **5:30pm Annual City Manager Review - Closed Session**	20 9:00am SACOG 6:00pm School District	21 11:30am Cordova Community Council	22
23	24 2:00pm Library Authority 6:00pm RT Board	25	26 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 7:00pm Park District	27 **Thanksgiving Day Holiday City Hall Closed** 	28 **Day After Thanksgiving Day Holiday City Hall Closed**	29
	FCUSD - Thanksgiving Break - 11/24 through 11/28		**SCUSD - 11/26 through 11/28**	**EGUSD - No dates available at this time. SJUSD - 11/27 through 11/28**		
30	Notes:		**EGUSD - No dates available at this time.**			

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

2008 Council Meeting & Conference Calendar
December - DRAFT

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:	1 4:00pm Study Session 5:30pm CC Mtg	2	3 5:30pm LAFCO	4 8:30am FCUSD 2x2 2:30pm Sac Metro Cable TV Comm. 6:00pm School District 6:00pm 1st Thursday Dinner	5 8:30am Sac Co. 2x2	6
			LCC Seminars - Financial Management Fire Chiefs Leadership, City Clerks New Law & Election - Anaheim, CA - Dec 3-5			
7	8 6:00pm RT Board	9	10 9:30am Co. Sanitation Dist. 1 & Sac. Reg. 2:00pm Metro Fire 2x2 7:00pm Park District	11 8:00am Criminal Justice Cabinet 1:30pm STA 3:00pm ARP Gov. 6:00pm PC Mtg 2009 Leadership - Arts/Culture Mod. 8-4 City Hall	12 12:00pm CRPD 2x2	13
14	15 5:30pm CC Mtg	16 1:15pm Sac-Yolo Mos./Vec. Control	17	18 9:00am SACOG 6:00pm School District	19 11:30am Cordova Community Council	20
21 First Day of Winter	22 6:00pm RT Board	23	24 Christmas Eve Holiday City Hall Closed	25 Christmas Day Holiday City Hall Closed	26 Very Light Work Day	27
28	29	30	31 New Year's Eve	Notes:		

Regular Council Mtg. | Study Sess. w/Reg CC Mtg. | Proposed Work Session | Other Council Related Mtg. | Information Item | Holiday

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Joseph Chapman, Deputy City Attorney

SUBJECT: **URGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW SEXUALLYORIENTED BUSINESSES AND THE EXPANSION OF EXISTING SEXUALLY ORIENTED BUSINESSES PENDING THE REVIEW AND AMENDMENT OF ZONING REGULATIONS APPLICABLE TO SEXUALLY ORIENTED BUSINESSES**

RECOMMENDATION

Adopt Urgency Ordinance 04-2008.

RESULT OF RECOMMENDED ACTION

Adoption of this ordinance will extend, for a period of 1 year, an existing moratorium on the establishment of new, and the expansion of existing, sexually oriented businesses in the City pending the City's update of the Zoning Code and the consideration of new zoning regulations applicable to sexually oriented businesses in the City.

BACKGROUND

On February 5, 2007, the City Council adopted Ordinance No. 05-2007 **(Attachment 3)** imposing a 45-day moratorium on the establishment and expansion of sexually oriented businesses in the City. This moratorium was extended for a period of 10 months and 15 days on March 19, 2007, pursuant to Ordinance No. 08-2007 **(Attachment 2)**. The purpose of the moratorium is to provide staff with time to consider the impacts the City's Zoning Code update may have on existing businesses and on possible new zoning regulations applicable to sexually oriented businesses in the City.

City Activities

Since the City's prior extension of the moratorium on March 19, City staff has continued to undertake the process of updating the Zoning Code. The update is expected to be completed by Spring 2008. The City Attorney's office also met with representatives of local sexually oriented businesses to discuss potential future regulations. In the coming months, staff will continue to analyze the impacts of the Zoning Code update on existing sexually oriented businesses and possible new zoning regulations regarding sexually oriented businesses. Additional meeting(s) with local business owners will also be scheduled.

Extension of Moratorium

The current moratorium expires on February 3, 2008. Since the City's Zoning Code update is still ongoing and the threats to the public health, safety and welfare identified by the Council in Ordinances No. 05-2007 and 08-2007 still exist, staff recommends that the Council extend the moratorium. Per Government Code Section 65858, the Council may, following a public hearing, extend the moratorium for a period of 1 year. In order to allow the City sufficient time to complete the above stated activities, staff recommends that the moratorium be extended for the full 1 year.

This report constitutes the written report required by Government Code Section 65858(d).

REQUESTED MOTION

"I move that the City Council adopt an urgency ordinance extending a temporary moratorium on the establishment of new sexually oriented businesses and the expansion of existing sexually oriented businesses pending the update of the City's Zoning Code and the review and amendment of zoning regulations applicable to sexually oriented businesses."

ATTACHMENTS

1. Ordinance 04-2008
2. Ordinance 08-2007
3. Ordinance 05-2007

ATTACHMENT 1

CITY OF RANCHO CORDOVA

ORDINANCE NO. 04-2008

AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA EXTENDING 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 February 5, 2007, the City Council of the City of Rancho Cordova adopted Ordinance No. 05-2007 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.

B. On March 19, 2007, the City Council adopted Ordinance No. 08-2007 extending the moratorium for a period of 10 months and 15 days. Ordinance No. 08-2007 will, unless extended, expire by its own terms on February 3, 2008.

C. Government Code Section 65858 authorizes the extension of an urgency ordinance, after a noticed public hearing, 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.

D. The City continues to consider and study the issue of sexually oriented businesses in relation to the City's comprehensive update of the City's Zoning Code.

E. The City Council has received and considered a report prepared by staff describing the measures that have been taken to date to alleviate the condition which led to the adoption of Ordinances 05-2007 and 08-2007.

F. The City Council 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.

G. The City Council finds that the current and immediate threat to the public health safety and welfare, as described in the findings adopted pursuant to Ordinance No. 05-2007 still exist, and that a 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 should continue to remain in effect pending completion of the City's review.

H. 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. The City is also undertaking a comprehensive update of its Zoning Code, which includes this Section 325-51. Therefore, notwithstanding the zoning conditions set forth in subsection (B), for a period of one (1) year beginning January 22, 2008, 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 1 year. 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 1 year. 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 City is also undertaking a comprehensive update of its Zoning Code. The Zoning Code update is expected to significantly change the City's land use regulations, including those that directly or indirectly impact sexually oriented businesses. Confusion over existing standards, coupled with the possible confusion caused by the adoption of new zoning provisions as a result of the Zoning Code update, 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. 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 1-year 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 update of its Zoning Code.

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 1 year from the date of adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of _____, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 08-2007

AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA EXTENDING 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 February 5, 2007, the City Council of the City of Rancho Cordova adopted Ordinance No. 05-2007 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.

B. Ordinance No. 05-2007 will, unless extended, expire by its own terms on March 22, 2007.

C. Government Code Section 65858 authorizes the extension of an urgency ordinance, after a noticed public hearing, 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.

D. The City continues to consider and study the issue of sexually oriented businesses in relation to the City's comprehensive update of the City's Zoning Code.

E. The City Council has received and considered a report prepared by staff describing the measures that have been taken to date to alleviate the condition which led to the adoption of Ordinance 05-2007.

F. The City Council 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.

G. The City Council finds that the current and immediate threat to the public health safety and welfare, as described in the findings adopted pursuant to Ordinance No. 05-2007 still exist, and that a 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 should continue to remain in effect pending completion of the City's review.

H. 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. The City is also undertaking a comprehensive update of its Zoning Code, which includes this Section 325-51. Therefore, notwithstanding the zoning conditions set forth in subsection (B), for a period of 10 months and 15 days beginning March 19, 2007, 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 10 months and 15 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 10 months and 15 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 City is also undertaking a comprehensive update of its Zoning Code. The Zoning Code update is expected to significantly change the City's land use regulations, including those that directly or indirectly impact sexually oriented businesses. Confusion over existing standards, coupled with the possible confusion caused by the adoption of new zoning provisions as a result of the Zoning Code update, 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. 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 10 month and 15-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 update of its Zoning Code.

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 ten months and fifteen days from the date of adoption unless extended by the City Council as provided for in the Government Code.

ADOPTED, THIS 19th day of March, 2007, by the following vote:

AYES: Cooley, Skoglund, McGarvey, Budge and Sander

NOES: None

ABSENT: None

ABSTENTIONS: None

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 05-2007

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. In order to protect the community from the harmful and well documented secondary effects associated with sexually oriented businesses, the location, operation, and concentration of sexually oriented businesses are regulated pursuant to Section 325-51 of the Rancho Cordova Zoning Code; and

B. The City Council finds that, based upon the experiences of other communities such as Renton, Washington, Seattle, Washington, and the County of Sacramento, the harmful secondary impacts of sexually oriented businesses include, among other things, increased crime and decreasing property values; and

C. The City Council finds that the County of Sacramento ("County"), pursuant to Section 325-50, "Purpose and Intent," originally drafted and adopted Section 325-51 in order to protect the community from the harmful secondary effects associated with sexually oriented businesses, while at the same time making sure that such regulations did not unreasonably limit alternative avenues of communication, and were based upon narrow, objective and definite land use standards; and

D. The City Council declares that such purpose and intent remains the purpose and intent of the City; and

E. On January 2, 2007, the City Council authorized and directed City staff to undertake a comprehensive update of the City's Zoning Code, which is expected to result in significant modifications to the Zoning Code, including those provisions providing for the regulation of sexually oriented businesses; and

F. The City has adopted two prior moratoriums on the establishment and expansion of sexually oriented businesses in the City. The first was carried out in order to study the viability of the City's continued use of the Sacramento County Code with respect to the regulation of sexually oriented businesses following the City's incorporation on July 1, 2003. The second moratorium was carried out in order to allow the City to complete the adoption of its General Plan and to confer with local business owners regarding potential new regulations for sexually oriented businesses. The second moratorium ended on January 17, 2007; and

G. The City Council finds that the update of the Zoning Code will likely result in significant changes to the City's land use regulations, including those having a direct or indirect

impact on sexually oriented businesses. As a result, the City Council finds that the decision to undertake a comprehensive zoning update constitutes a new set of circumstances pursuant to California Government Code section 65858 justifying the adoption of a new moratorium; and

H. The City Council finds that absent the adoption of a moratorium, the process of updating the City's Zoning Code, coupled with already existing confusion about the proper application of Zoning Code Sections 325-50 and 325-51, may result in confusion as to applicable regulatory standards and the failure to properly apply such standards, which 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; and

I. 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; and

J. The City Council finds that until the City has had sufficient opportunity to undertake its update of the City's Zoning Code questions about the adequacy of the City's sexually oriented business standards to protect the public health, safety and welfare will remain; and

K. 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; and

L. The City Council declares that the findings discussed above establish that a current and immediate threat to the public health, safety and welfare exists 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 update of the Zoning Code; and

M. The City Council also finds that, based upon the above findings, the 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 Zoning Code update 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. The City is

also undertaking a comprehensive update of its Zoning Code, which includes this Section 325-51. Therefore, notwithstanding the zoning conditions set forth in subsection (B), for a period of 45 days beginning February 5, 2007, 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 City is also undertaking a comprehensive update of its Zoning Code. The Zoning Code update is expected to significantly change the City's land use regulations, including those that directly or indirectly impact sexually oriented businesses. Confusion over existing standards, coupled with the possible confusion caused by the adoption of new zoning provisions as a result of the Zoning Code update, 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. 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 update of its Zoning Code.

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 by the City Council of the City of Rancho Cordova this 5th day of February 2007, by the following vote:

AYES: Cooley, McGarvey, Skoglund and Budge

NOES: None

ABSENT: Sander

ABSTENTIONS: None

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: William Campbell, Principal Planner

SUBJECT: **NORTH DOUGLAS II RC-05-185, REZONE, TENTATIVE SUBDIVISION MAP, SPECIAL DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT- CONTINUATION**

OWNER/APPLICANT:	**ENGINEER:**
12525, A California General Partnership Lennar Communities 1075 Creekside Ridge, Suite 110 Roseville, CA 95678	Wood Rodgers, Inc. Donna Pasquantonio/Sean Moss 3301 C Street, Building 100-B Sacramento, CA 95816

PROJECT: The North Douglas II project consists of a Rezone of 17.7 acres from AG-80 to RD-10 (Single Family Residential) and 23.8 acres from AG-80 to Open Space to be consistent with the General Plan, and a Tentative Tract Map, which will create 153 single family residential units on approximately 17.7 acres and a 3.2 acre neighborhood park. This project will be subject to the new 10% affordability policy in the Housing Element (H.1.1.3). Approximately 20 acres is committed to a wetland preserve to protect an endangered species that is unique to this area. The application includes a Special Development Permit to vary building setbacks and minimum lot sizes in the RD-10 Zone. A Development Agreement will accompany the project that provides for economic viability of certain public services, affordable housing opportunities and other amenities to the new development.

RECOMMENDATION

City Council continue this item to the February 19, 2008 Meeting.

RESULT OF RECOMMENDED ACTION

This action will allow the applicant additional time to prepare their project presentation.

ATTACHMENT

Email from Bob Shattuck, Lennar Homes

ATTACHMENT 1

From: Bob.Shattuck@Lennar.com
Sent: Wednesday, January 09, 2008 4:32 PM
To: Bill Campbell
Cc: don.barnett@lennar.com; Brian.Bombeck@Lennar.com; ttaron@hsmlaw.com; tcrush@WoodRodgers.com
Subject: North Douglas 2

Dear Mr. Campbell,

As we discussed today, Lennar would like to ask for a continuance from the January 22, 2008 City Council hearing until the February 18, 2008 hearing for consideration of the North Douglas 2 project.

Thank you for your assistance.

Bob Shattuck
Director of Community Planning
Lennar Communities
(916) 783-3224 fx: (916) 783-3914
bob.shattuck@lennar.com

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Katja Irvin, Assistant Planner

SUBJECT: **AEROTEC COURT DESIGN REVIEW**

PROPERTY OWNER:	**APPLICANT/DEVELOPER:**
Brian Porter P.O. Box 5382 Fair Oaks, CA 95628	HaneyStation, Inc. James L. Haney 7420 High Point Lane Sacramento, CA 95842

PROJECT:	Aerotec Court Design Review
FILE:	RC-07-315
LOCATION:	11515 Luyung Drive & 3501 Aerotec Court
APN:	072-0500-040 & 072-0500-041
PLANNER:	Katja Irvin, Assistant Planner

RECOMMENDATION

City Council find the project categorically exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act and adopt **Resolution No. 04-2008** approving the Design Review for Aerotec Court, Project No. RC-07-315, subject to the findings, evidence, Design Package (Exhibit A), and Conditions of Approval (Exhibit B).

RESULT OF RECOMMENDED ACTION

Approval of this Design Review will allow construction of two 3,487 sq. ft. light industrial buildings, each with adjacent yards and trash enclosures, and with shared parking and access on a .83 acre site.

BACKGROUND

The proposed project will serve as the new location for owner Brian Porter's construction business, which will occupy one of the buildings on the site. The second building is being constructed as a spec building with plans to attract another similar business to the site. The location of the proposed project is shown in Figure 1. The project site is currently vacant, but all adjacent sites are developed for and occupied by light industrial uses. Land farther to the east is in the Rio Del Oro Specific Plan area and is currently designated as an office land use zone.

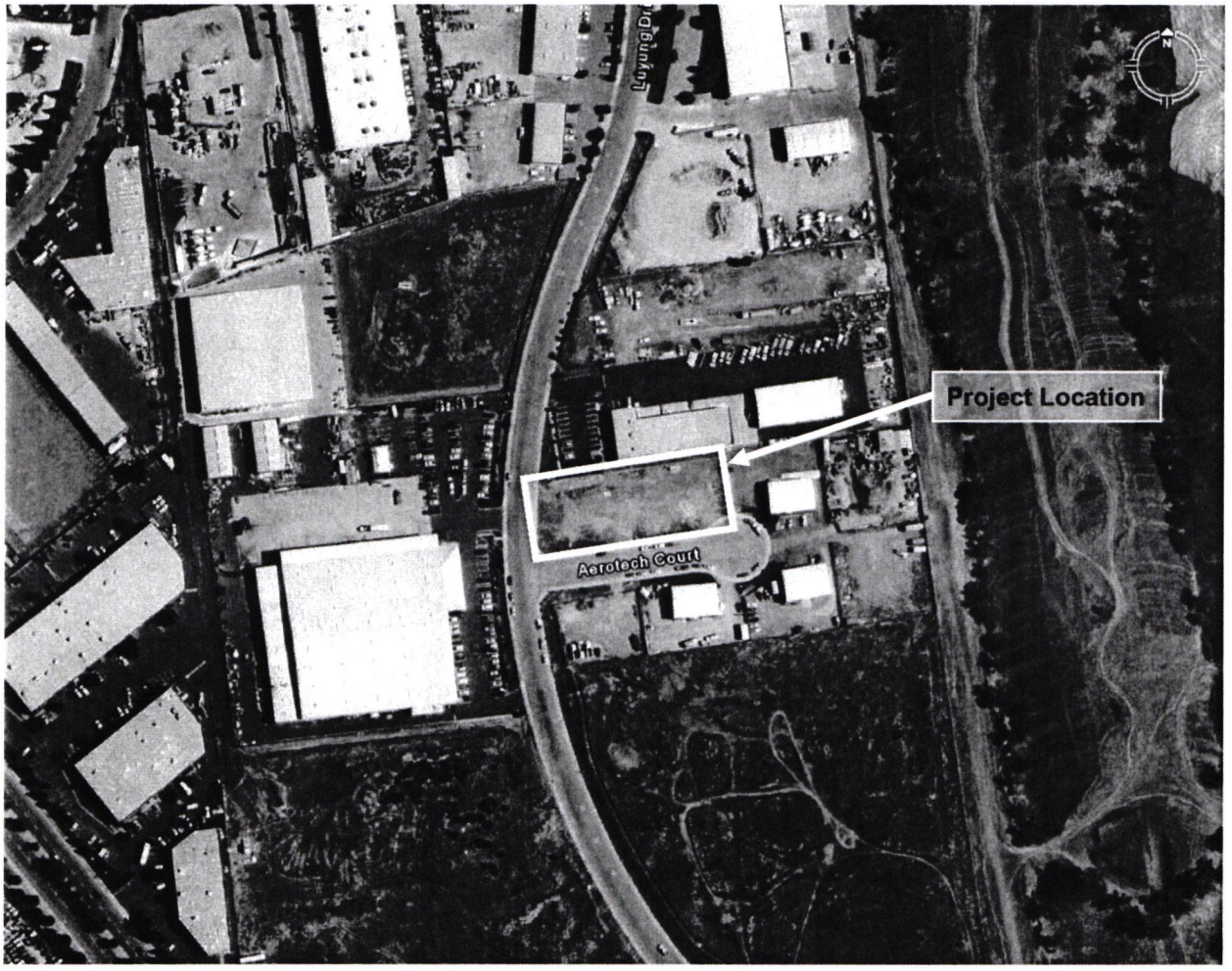


Figure 1. Site Location

Resolution No. 04-2008 enumerates the required findings and evidence showing the proposed project is consistent with the City of Rancho Cordova General Plan, Zoning Code, and Design Guidelines. For more information about the analysis of the building and site design for this project, see **Attachment 2, Checklist for Industrial Projects**.

The proposed project fills in a vacant site and will reinforce the high-quality light-industrial architecture in Rancho Cordova. The concrete tilt-up buildings are appropriate for this area – simple features such as large storefront windows and color accents add architectural detail and human scale to the buildings. The project relates well to Luyung Drive, with a building placed at the setback and extensive landscape buffers along the street. The proposed project also provides bicycle parking and excellent pedestrian access from the street.

CONCLUSION

The proposed project will continue the development of light industrial uses in this area of Rancho Cordova east of Sunrise Boulevard and South of White Rock Road. The scale

and site layout of the project is compatible with surrounding buildings and will enhance the area with extensive landscaping and distinctive buildings. The building elevations are well designed, including a variety of architectural features and materials, variations in the roofline, and façade articulation. The project meets the intent of the City's Design Guidelines for industrial projects. Therefore, the Planning Commission has recommended the City Council approve **Resolution No. 04-2008**.

ATTACHMENTS

1. Resolution No. 04-2008 including Design Review Package (Exhibit A) and Conditions of Approval (Exhibit B)
2. Rancho Cordova Design Guidelines Checklist for Industrial Projects
3. Minutes of December 13, 2007 Meeting of the Planning Commission
4. 500' Radius Map and Mailing List

ATTACHMENT 1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 04-2008

A RESOLUTION OF THE CITY COUNCIL APPROVING DESIGN REVIEW FOR AEROTEC COURT PROJECT # RC-07-315

WHEREAS, HaneyStation, Inc. filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Design Review for two new two-story, 3,487-square-foot light industrial buildings (hereinafter referred to as Project) at 11515 Luyung Drive and 3501 Aerotec Court (Assessor's Parcel Numbers 072-0500-040 and 072-0500-041); and

WHEREAS, the Planning Commission on the 13th day of December, 2007 reviewed and recommended approval to the City Council; and

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

WHEREAS, the project is Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act Guidelines; 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, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA AS FOLLOWS:

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

   Finding
   The proposed project is Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act Guidelines. Section 15332 applies when the project meets the following conditions: it conforms to General Plan and Zoning land use designations, policies, and standards; it is within City limits; it is less than five acres; it is substantially surrounded by urban uses; it has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

   Evidence
   The proposed project would construct two light industrial buildings, each approximately 3,487 square feet in size. The project site is currently zoned LIBP (light industrial business park). Therefore, the project conforms to General Plan and Zoning policies and standards. The entire project site is approximately .83 acres and is surrounded by existing industrial uses. According to materials submitted by the project applicant, the site was improved in 2002 for the installation of utility connections, retaining walls, and storm drains. As the site has been previously disturbed, compacted, and improved, it has no value as habitat for special status species. The size and scope of the project are such that detailed traffic and air quality analysis are not required, pursuant to current thresholds utilized by the City. Adherence to City ordinances will ensure that the proposed project does not result in significant effects related to noise or water quality.

The applicant has indicated that the project site will be served by all required utilities. As the proposed project meets all of the criteria for in-fill development, the project qualifies for categorical exemption under CEQA Guidelines Section 15332.

2. Approve the Design Review, subject to the Design Package **(see Exhibit A)** and the Conditions of Approval **(see Exhibit B)**; supported by the following:

   a) Finding
   The proposed project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations and Special Planning Area provisions, and is consistent with the applicable "Guiding Principles" and "Design Concepts" in section 110-84.

   Evidence
   The project supports several General Plan goals and policies as follows:

   - Policy LU.6.1 – Ensure development in the Sunrise Boulevard South Planning Area consistent with the Land Plans and supporting the Planning Area description. The proposed project is consistent with the Light Industrial land use designation specified in the General Plan for this portion of the Sunrise Boulevard South Planning Area (SBSPA). Land use designations east of Sunrise Boulevard establish a vision for transition to light industrial uses.
   - Policy LU.1.2 – Develop a fiscally sound strategy to encourage a mix of uses that meets the City's needs and provides sufficient tax base to maintain desired community service levels. The project helps provide for a mix of uses including light industrial businesses with showrooms that will contribute to the City's tax base.
   - Policy UD.4.2 – Design new development to be compatible with surrounding development in ways that contribute to the desired character of the City and District. The project is designed in keeping with the context of surrounding areas. The concrete tilt-up structures with glazed storefronts and color accents are compatible with development in the area (as described in more detail in 2b below).

   The project has been reviewed by relevant agencies for flooding or drainage issues, crime prevention, and fire safety and therefore supports the following Safety policies and action items:

   - Policy S.2.4 – Ensure that adequate drainage exists for both existing and new development.
   - Policy S.7.1 – Use Crime Prevention Through Environmental Design (CPTED) principles in the design of projects and buildings.
   - Action S.9.1.1 – Continue to review new development for adequate water supply and pressure, fire hydrants, and access to structures by fire fighting equipment and personnel.

   The project is in the Light Industrial Business Park (LIBP) zone as designated on the City Zoning Map. Light industrial businesses with an integrated retail component are permitted by right in the LIBP land use zone and the project meets the development standards of the LIBP zone.

   The applicable "Guiding Principles" and "Design Concepts" in section 110-84 are further defined by the City of Rancho Cordova Design Guidelines and are satisfied by this project as described by the facts and findings discussed below.

b) Finding
The proposed architecture, site design, and landscaping are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence
Yards for loading/unloading and screening equipment are located behind the buildings. Landscape buffers along with placement of one building at the setback line on Luyung Drive serve to minimize the visual impact of the parking lot. The trees and shrubs also provide considerable shade, greenery and screening and are compatible with nearby light industrial uses, which have similar landscaping.

c) Finding
The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.

Evidence
The proposed buildings include large storefront windows and accent features such as vertical and horizontal color bands that enhance the building façades as seen from the street. The building parapets are sloped to break up the rooflines. Building entries face both Luyung Drive and Aerotec Court, strengthening the visual relationship to the street. Trees are used to accent corners and vehicle entries and a paved area adjacent to the Luyung Drive provides a small outdoor plaza area.

d) Finding
The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence
Pedestrian entry paths connect to the buildings from the sidewalk at three locations and bicycle parking is conveniently located near an entry for each building.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

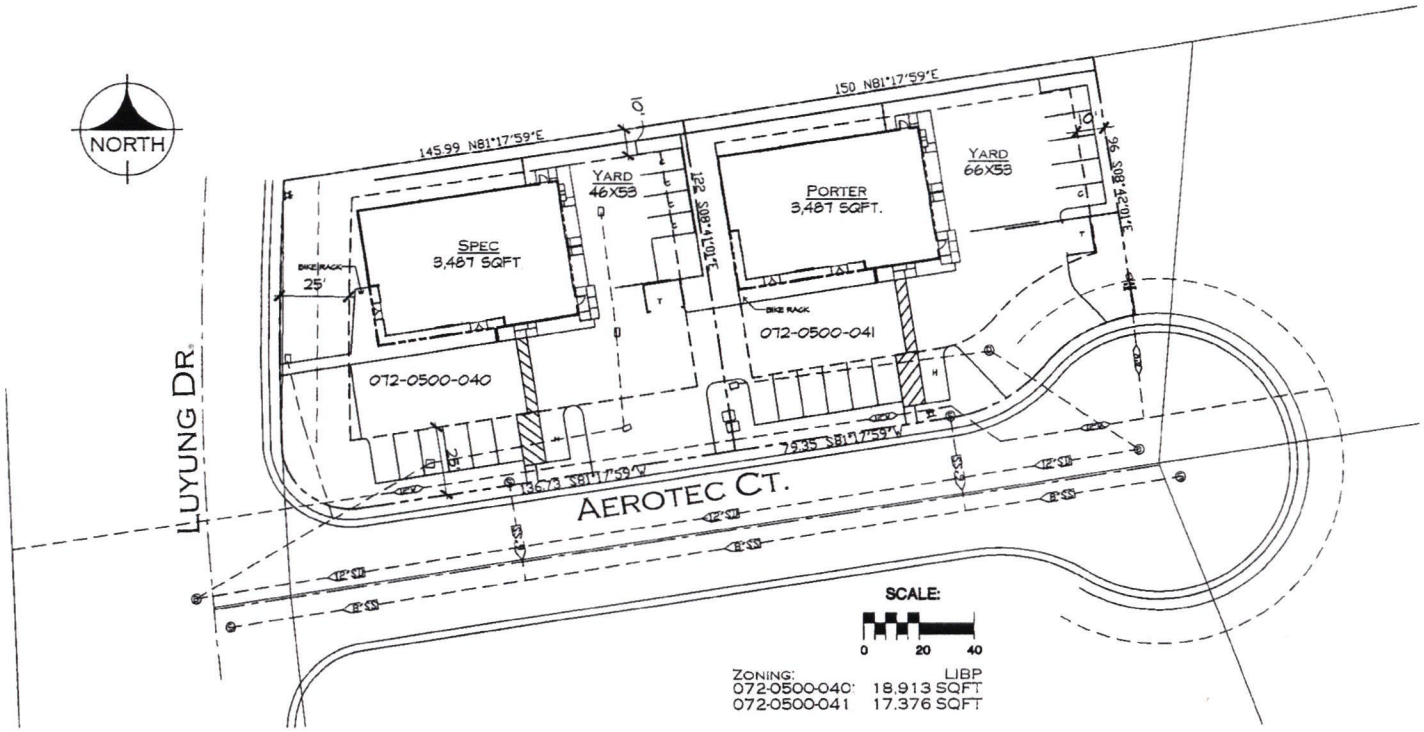
ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk



ZONING: LIBP
072-0500-040: 18,913 SQFT
072-0500-041 17,376 SQFT

PARKING STANDARDS

STANDARD STALL =	9'x19' W/ 2' O.H.
COMPACT =	8'x16'
ACCESSIBLE STALL =	9'x19' W/ 5' AISLE
VAN STALL =	9'x19' W/ 8' AISLE

PARKING SUMMARY SPEC. BLDG:

OFFICE (1,569/1000*3.5) =	5 SPACES REQUIRED
WAREHOUSE (1,918/1000*1.5) =	3 SPACES REQUIRED
YARD (2,438/1000*1) =	2 SPACES REQUIRED
50% COMPACT =	5 SPACES ALLOWED
ACCESSIBLE SPACES PER TABLE 11B-6 =	1 SPACES REQUIRED
VAN SPACES CBC 1129B.4.2 =	1 SPACE REQUIRED
STANDARD STALLS	6 SPACES PROVIDED
COMPACT STALLS	4 SPACES PROVIDED
ACCESSIBLE SPACES	0 SPACES PROVIDED
VAN SPACES	1 SPACE PROVIDED
	11 SPACES PROVIDED

PARKING SUMMARY PORTER BLDG:

OFFICE (1,569/1000*3.5) =	5 SPACES REQUIRED
WAREHOUSE (1,918/1000*1.5) =	3 SPACES REQUIRED
YARD (9,448/1000*1) =	4 SPACES REQUIRED
50% COMPACT =	6 SPACES ALLOWED
ACCESSIBLE SPACES PER TABLE 11B-6 =	1 SPACES REQUIRED
VAN SPACES CBC 1129B.4.2 =	1 SPACE REQUIRED
STANDARD STALLS	10 SPACES PROVIDED
COMPACT STALLS	1 SPACES PROVIDED
ACCESSIBLE SPACES	0 SPACES PROVIDED
VAN SPACES	1 SPACE PROVIDED
	11 SPACES PROVIDED

HANEYSTATION, INC.
7420 HIGH POINT LANE
SACRAMENTO, CA 95842
CELL: 916.204.6611

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA
APN# 072-0500-040 & 041

07008

ARCHITECTURAL PLOT PLAN

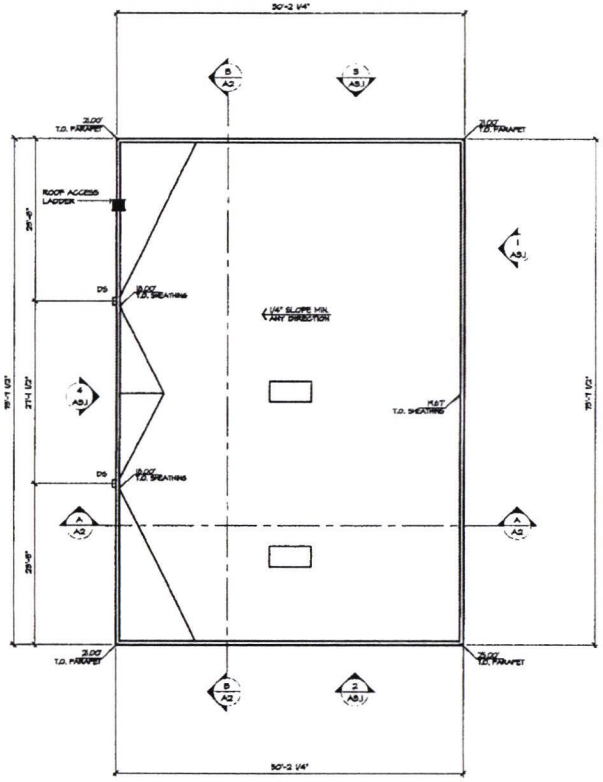
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DESCRIPTION	DATE
REVIEW SET	07/06/15
PLANNING SUBMITTAL	07/08/31
PLANNING 2ND SUBMITTAL	07/11/20

DRAWN: JLH | SCALE: 1"=20' | JOB NO: 07008

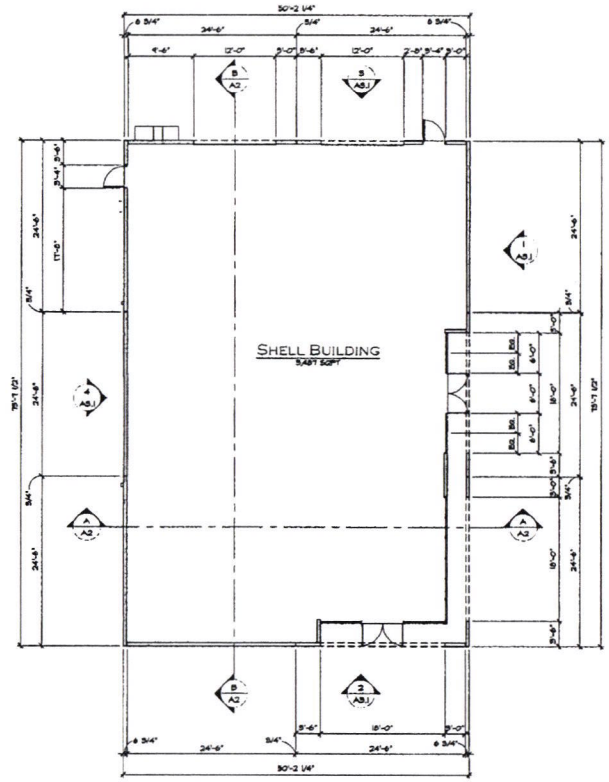
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EXHIBIT A
PLANNING SUBMITTAL-07/11/20



ROOF PLAN | 2



FLOOR PLAN | 1

SCALE: 0 5 10

HANEYSTATION, INC.
7420 HIGH POINT LANE
SACRAMENTO, CA 95842
CELL: 916.204.5611

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA

APN# 072-0500-040 & 041

BLDG. ONE

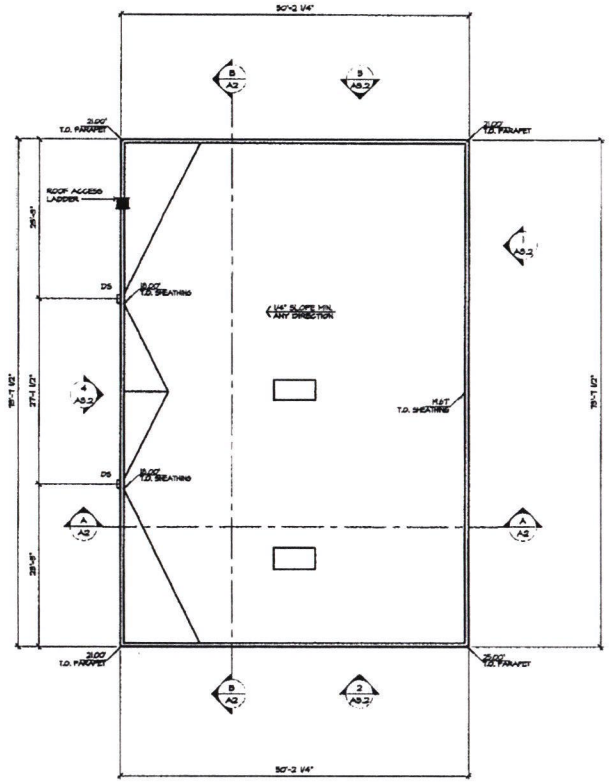
FLOOR AND ROOF PLAN

REVISIONS	
DESCRIPTION	DATE
REVIEW SET	07/06/15
PLANNING SUBMITTAL	07/08/31
PLANNING 2ND SUBMITTAL	07/11/20
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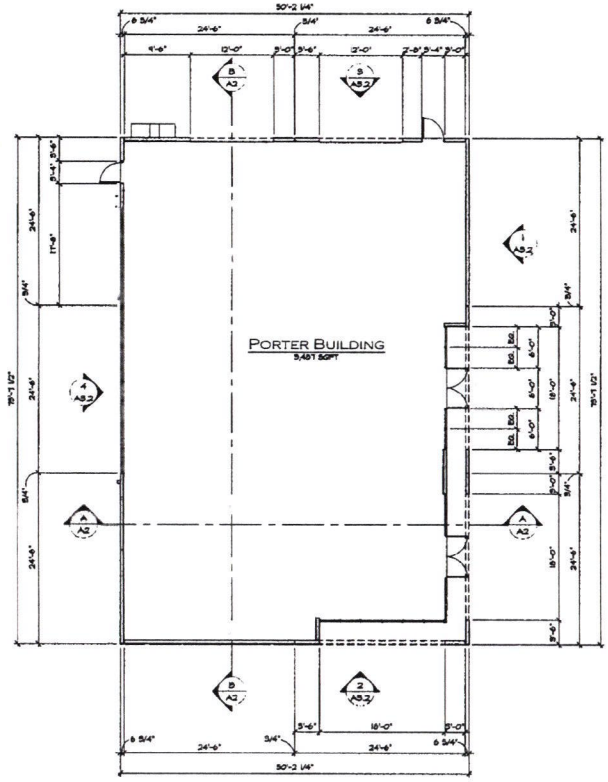
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PLANNING 2ND SUBMITTAL - 07/11/20



ROOF PLAN | 2



FLOOR PLAN | 1

SCALE:
0 5 10

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SACRAMENTO, CA 95842
CELL 916.204.6611

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA
APN# 072-0500-040 & 041

BLDG TWO

FLOOR AND ROOF PLAN

REVISIONS	
DESCRIPTION	DATE
REVIEW SET	07/06/15
PLANNING SUBMITTAL	07/08/31
PLANNING 2ND SUBMITTAL	07/11/20
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PLANNING 2ND SUBMITTAL - 07/11/20

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7420 High Point Lane
Sacramento, CA 95842
Cell: 916.204.6611

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA
APN# 072-0500-040 & 041

07008 - Sections -

REVISIONS	
DESCRIPTION	DATE
REVIEW SET	07/04/19
PLANNING SUBMITTAL	07/02/21
PLANNING 2ND SUBMITTAL	07/11/20
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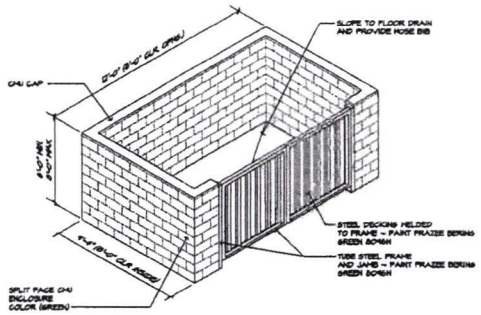
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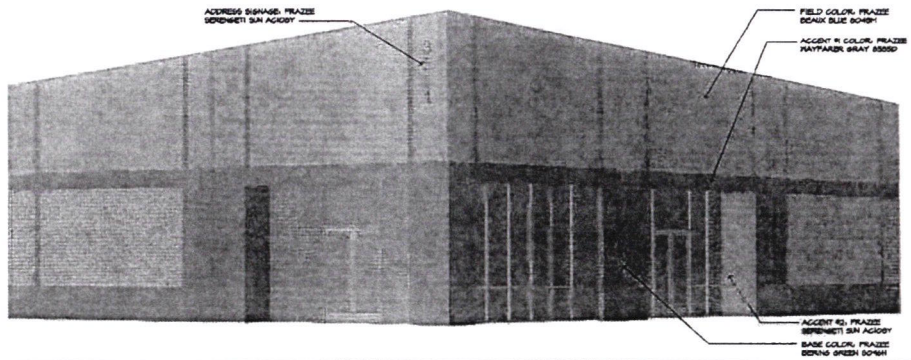
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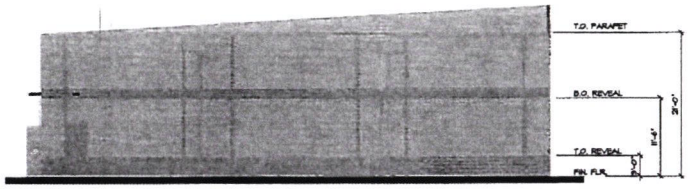
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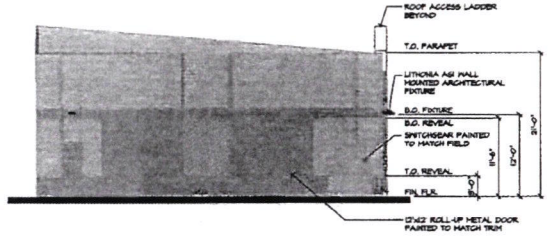
TRASH ENCLOSURE ISOMETRIC | 5



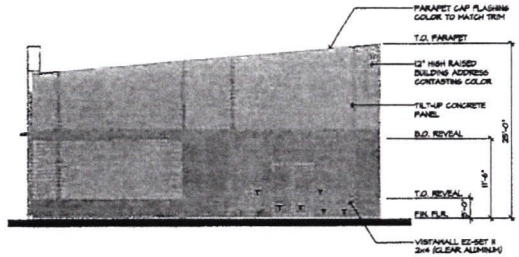
CORNER PERSPECTIVE (INTERSECTION OF LUYUNG & AREOTEC)



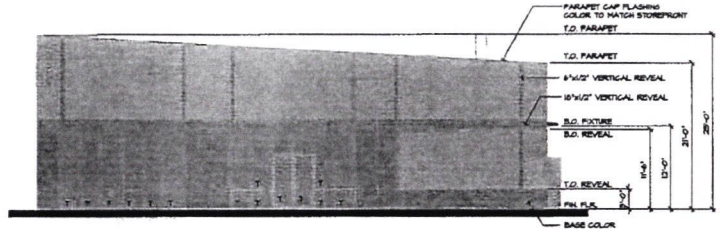
REAR ELEVATION | 4



RIGHT ELEVATION (FACING YARD) | 3



LEFT ELEVATION (FACING LUYUNG) | 2



FRONT ELEVATION (FACING AREOTEC CT.) | 1

SCALE:
0 5 10

HANEYSTATION, INC.
7420 HIGH POINT LANE
SACRAMENTO, CA 95842
CELL 916.204.6611

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA
APN# 072-0500-040 & 041

BLDG. ONE

Exterior Elevations

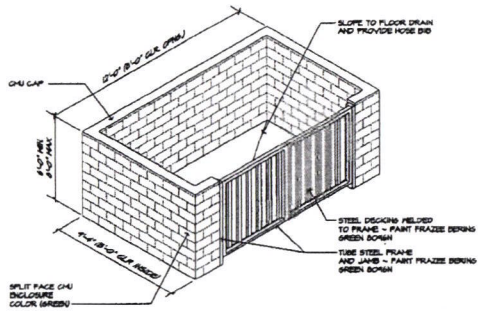
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REVISIONS	
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PLANNING SUBMITTAL	07/08/31
PLANNING 2ND SUBMITTAL	07/11/20
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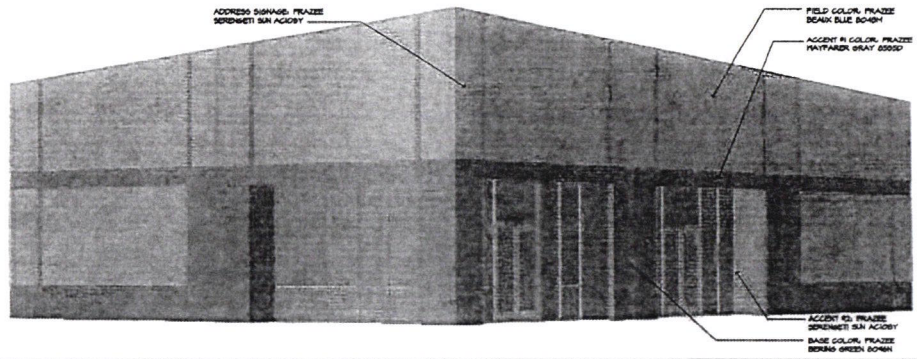
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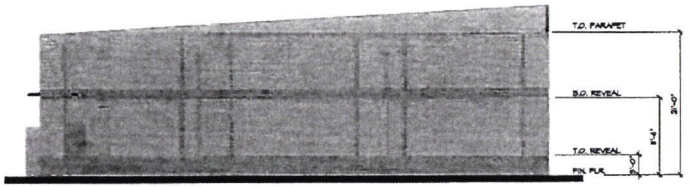
PLANNING 2ND SUBMITTAL - 07/11/20



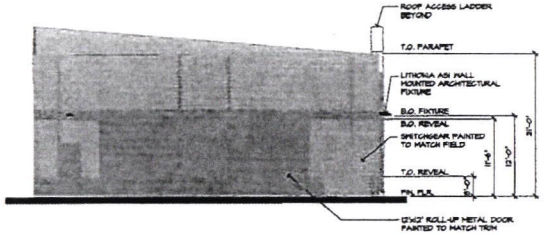
TRASH ENCLOSURE ISOMETRIC | 5



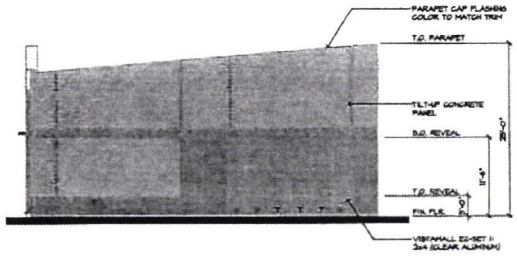
CORNER PERSPECTIVE



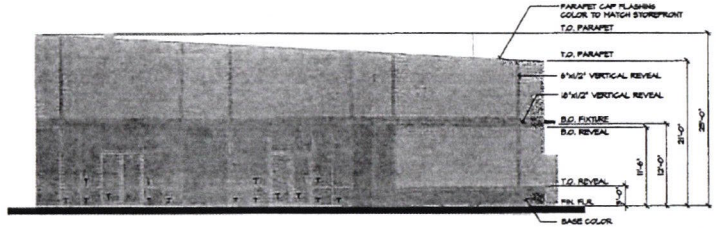
REAR ELEVATION | 4



RIGHT ELEVATION (FACING YARD) | 3



LEFT ELEVATION | 2



SCALE:
0 5 10

FRONT ELEVATION (FACING AREOTEC CT.) | 1

HANEYSTATION, INC.
7420 HIGH POINT LANE
SACRAMENTO, CA 95842
CELL: 916.204.6011

AEROTEC COURT
FOR BRIAN PORTER
RANCHO CORDOVA, CALIFORNIA
APN# 072-0500-040 & 041

BLDG. TWO
Exterior Elevations

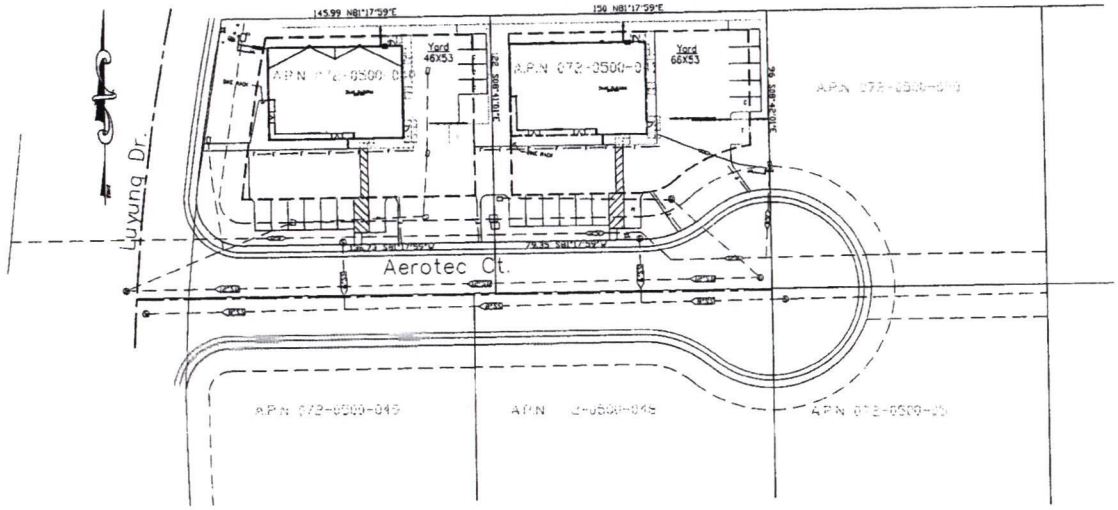
REVISIONS	
DESCRIPTION	DATE
REVIEW SET	07/06/15
PLANNING SUBMITTAL	07/08/31
PLANNING 2ND SUBMITTAL	07/11/20
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PLANNING 2ND SUBMITTAL - 07/11/20

AEROTEC COURT
APN 072-0500-040 & 072-0500-041
CITY OF RANCHO CORDOVA, CALIFORNIA



SITE PLAN
NOT TO SCALE

GENERAL NOTES:

All work shall be done in accordance with the City of Rancho Cordova Improvement Standards and the latest Edition of the State Standard Specifications. Approval of the City Engineer or their authorized agent is required for any deviation from these standards. Contractor shall have signed plans in his possession during all work.

Location and depths of existing utilities shown on these plans are approximate. The contractor shall verify the existence, location, and depth of all utilities prior to construction. The contractor shall call underground service alert (USA) at 800-642-2444 at least 3 days prior to construction. The Contractor shall notify Engineer immediately upon finding any conflicts or discrepancies ((530)742-1300).

Contractor shall notify Engineer a minimum of 48 hours prior to requiring construction staking, or verification of any item of work.

The contractor shall be responsible for required inspections and shall make the notification with 48 hours notice to the City Engineer, soils engineer or other required individuals or public agencies.

The types, locations, sizes and/or depths of existing utilities as shown on these improvement plans were obtained from sources of varying reliability. The Contractor is cautioned that only actual excavation will reveal the types, extent, sizes, locations and depths of such underground utilities. A reasonable effort has been made to locate and delineate all known underground utilities. However Genesis can assume no responsibility for the completeness or accuracy of its delineation of such underground utilities nor the existence of other buried objects or utilities which may be encountered but which are not shown on these plans.

Proposed elevations shown are to finish grade. See details for surface thickness.

Encroachment permits are required for work within existing public right-of-way. Contractor to be responsible for obtainment of such permits.

All storm drain and sewerline work to commence at the downstream end of the lines.

All exposed earth surfaces shall be watered periodically during construction activities. This practice shall be conducted twice during the morning and afternoon work hours. Further, the frequency of watering shall increase if wind speeds exceed 15 miles per hour.

Mud and dust carried onto street surfaces by construction equipment shall be removed on a daily basis.

Haul trucks shall be covered with tarpaulins or other effective covers at all times.

Haul trucks or other equipment shall be washed prior to leaving construction site if they are dirty.

Exposed surfaces shall be revegetated as soon as feasibly possible.

Contractor to be responsible for the protection for all existing monuments and other survey markers during construction. All such monuments or markers destroyed during construction shall be replaced at contractor's expense.

Contractor shall obtain a Trench Permit (DIS Permit) from the California Division of Industrial Safety prior to excavation of any trench over 5' in depth.

Genesis Engineering assumes no responsibility for any work constructed if staked by others.

Prior to any corrective action by the contractor which is necessary due to staking error, the contractor shall notify the Engineer for re-staking and verification of previous staking. If any corrective work is done prior to notification, the Engineer will assume no liability for the cost incurred for any of the work.

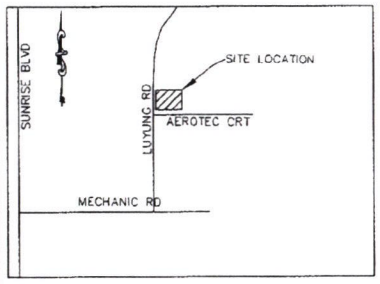
LEGEND

- BARRIER CURB
- VALLEY GUTTER
- EXIST. MANHOLE FRAME & COVER
- NEW MANHOLE FRAME & COVER
- CURB DRAIN INLET
- DRAIN INLET
- NEW SEWER CLEANOUT
- EXIST. SEWER LINE
- NEW SEWER LINE
- EXIST. STORM DRAIN LINE
- NEW STORM DRAIN LINE
- EXIST. WATER LINE
- NEW WATER LINE
- CENTERLINE OF ROAD
- NEW FIRE HYDRANT
- EXIST. FIRE HYDRANT
- EXIST. WATER VALVE
- NEW WATER VALVE
- 16+00 STATION OF ROAD
- 146.35 / 145.85 ELEV. TOP OF CURB / ELEV. FL OR AC
- 146.0 EXIST. GROUND CONTOURS
- DRAINAGE ARROWS
- + ELEV. DESC. EXISTING ELEVATION & DESCRIPTION
- EXISTING LIGHTS
- NEW WATER METER
- NEW BACKFLOW PREVENTER

SHEET INDEX

PAGE	SHEET	TITLE
1	C-1	COVER SHEET
2	C-2	GRADING SHEET
3	C-3	UTILITY-SITE SHEET

VICINITY MAP
NOT TO SCALE



UTILITY REPRESENTATIVE

Utility	Company	Representative	Telephone
GAS	P.G. & E.	Mike Williams	(916) 386-5013
ELECT	SMUD	Chuck Hager	(916) 732 5722
PHONE	Frontier Communication	Eric Mondelock	(916) 991-6615
	Comcast	Sole Irion	(916) 648-5345
	SUPERNET	Unknown Housebrand	(775) 910-2431
	SBC(Pacific Bell)	Cheryl Summers	(916) 452-7315
WATER	Sacramento County Water Resources		
	Zone 11	George Booth	(916) 874-6484
	Zone 40	Dan Barry(maintenance)	(916) 874-6851
	[Water supply]		
	Sacramento County Water Agency	John Kent	(916) 874-5126
		Mario Arietz	(916) 874-6193
		Stan Peterson	(916) 874-6851
SEWER	Sacramento County Water Quality (CSD-1)	Marshall Castor	(916) 876-6013
		Rob Sommers	(916) 875-5348
		Jim Edwards	(916) 876-6084
DRAINAGE	City of Rancho Cordova Works	Cyrus Abnar	(916) 851-8710
CABLE TV	AT & T Broadband	Andrew Katz	(916) 648-6300
FIRE/EMS	Fire Department	Joanne Rapp	(916) 478-3653
	U.S.A. Underground Service Alert	General Operator	(800) 227-2600

REGISTERED PROFESSIONAL ENGINEER
SEAN M. O'NEILL
No. 49970
Exp. 3-31-07
CIVIL
STATE OF CALIFORNIA

REVISIONS

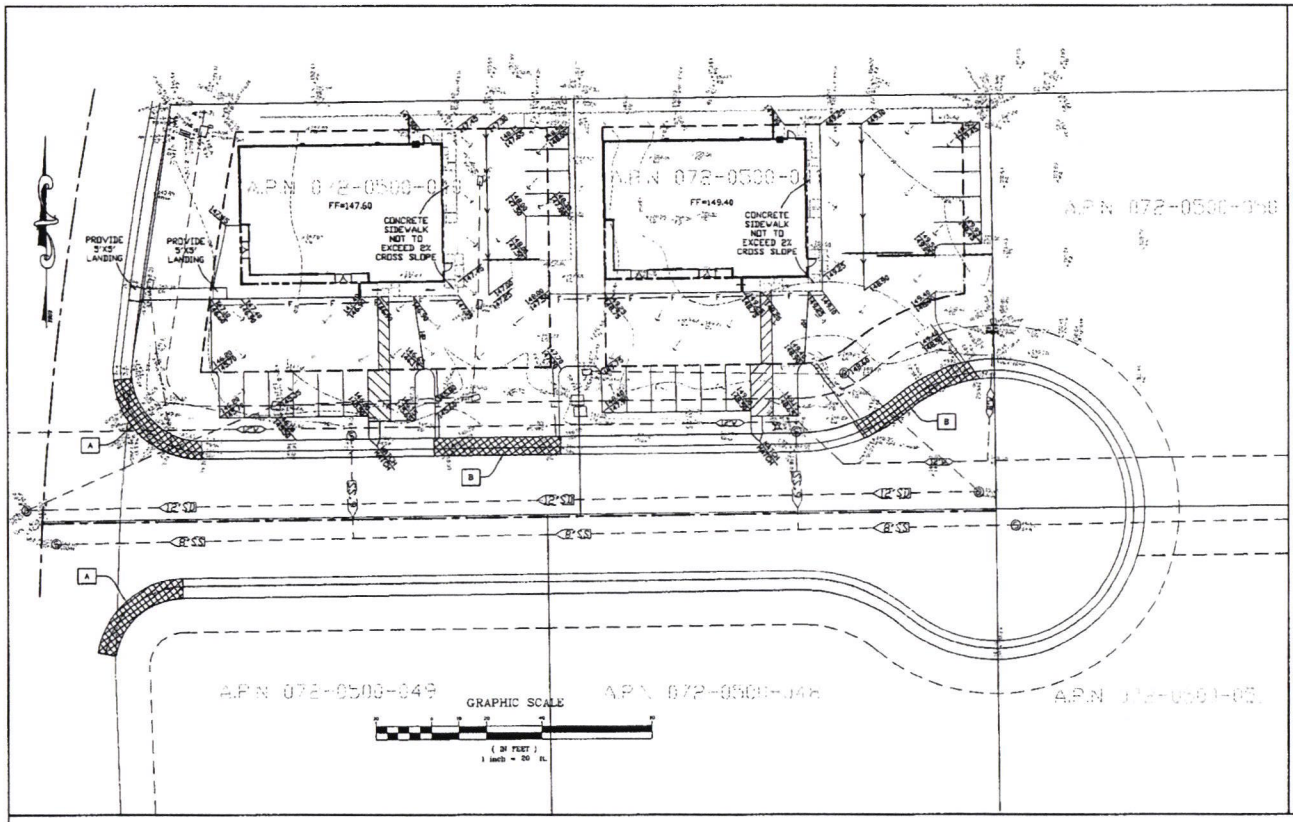
NO.	DESCRIPTION	ENGR INIT	CITY APPROVAL BY	CITY APPROVAL DATE

DATE: Nov 20, 2007 | SCALE: NONE

IMPROVEMENT PLANS FOR
AEROTEC COURT
SACRAMENTO COUNTY
RANCHO CORDOVA
APN 072-0500-040 & 072-0500-041
COVER SHEET

GENESIS
CIVIL ENGINEERS
521 J STREET, MARYSVILLE
CALIFORNIA, 95901
(530) 742-1300
(530) 742-1331-fax

DESIGN BY: s.m.o.
DRAWN BY: s.m.o.
CHECKED BY: s.m.o.
AGENCY CHECK BY:
SHEET C-1 OF 3



EROSION AND SEDIMENT NOTES

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF RANCHO CORDOVA IMPROVEMENTS STANDARDS, CURRENT EDITION (JUNE 1988) AND THE COUNTY OF SACRAMENTO EROSION AND SEDIMENT CONTROL GUIDELINE, DATED NOVEMBER 1988.

2. EROSION CONTROL, BEST MANAGEMENT PRACTICES (BMPs) SHALL BE INSTALLED AND MAINTAINED DURING THE WET SEASON (OCTOBER 1 THROUGH APRIL 30). SEDIMENT CONTROL BMPs SHALL BE INSTALLED AND MAINTAINED ALL YEAR.

3. ALL DRAINAGE INLETS IMMEDIATELY DOWNSTREAM OF THE WORK AREAS AND WITHIN THE WORK AREAS SHALL BE PROTECTED WITH SEDIMENT CONTROL AND INLET FILTER BAGS. YEAR ROUND, INLET FILTER BAGS SHALL BE REMOVED FROM THE DRAINAGE INLETS UPON ACCEPTANCE OF THE PUBLIC IMPROVEMENTS BY THE CITY.

4. ALL STABILIZED CONSTRUCTION ACCESS LOCATIONS SHALL BE CONSTRUCTED PER STANDARD DRAWING 16-1 WHERE CONSTRUCTION TRAFFIC ENTERS OR LEAVES PAVED AREAS. THE STABILIZED ACCESS SHALL BE MAINTAINED ON A YEAR ROUND BASIS UNTIL THE COMPLETION OF CONSTRUCTION.

5. ALL AREAS DISTURBED BY CONSTRUCTION, BY GRADING, TRENCHING, OR OTHER ACTIVITIES, SHALL BE PROTECTED FROM EROSION DURING THE WET SEASON (OCTOBER 1 THROUGH APRIL 30). HYDROSEEDS, IF UTILIZED, MUST BE PLACED BY SEPTEMBER 15. HYDROSEED PLACED DURING THE WET SEASON SHALL USE A SECONDARY EROSION PROTECTION METHOD.

6. SENSITIVE AREAS AND AREAS WHERE EXISTING VEGETATION IS BEING PRESERVED SHALL BE PROTECTED WITH CONSTRUCTION FENCING. SEDIMENT CONTROL BMPs SHALL BE INSTALLED WHERE ACTIVE AREAS CONSTRUCTION AREAS DRAIN INTO SIGNIFICANT OR PRESERVE VEGETATION AREAS.

7. SEDIMENT CONTROL BMPs SHALL BE PLACED ALONG THE PROJECT PERIMETER WHERE DRAINAGE LEAVES THE PROJECT. SEDIMENT CONTROL BMPs SHALL BE MAINTAINED YEAR-ROUND UNTIL THE CONSTRUCTION IS COMPLETE OR THE DRAINAGE PATTERN HAS BEEN CHANGED AND NO LONGER LEAVES THE SITE.

8. THE FOLLOWING AREAS ARE TO RECEIVE HYDROSEEDING OR OTHER EROSION CONTROL:
-LOT FRONT YARD BEHIND SIDEWALK: THE FIRST 19' (IN TOP 9' SLOPE, WHICH EVER IS GREATER)
-SIDE YARD BEHIND SIDE WALK: THE FIRST 7.5' OR TOP OF SLOPE (WHICH EVER IS GREATER)
-SLOPES: ALL SLOPES GREATER THAN 10:1

9. EROSION AND SEDIMENT CONTROL MEASURES FOR THIS PROJECT SHALL BE IN SUBSTANTIAL COMPLIANCE AT ALL TIMES WITH THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) PREPARED FOR THE PROJECT IN ACCORDANCE WITH THE STATE OF CALIFORNIA GENERAL CONSTRUCTION PERMIT. THIS PERMIT REQUIRES THAT THE SWPPP BE KEPT UP TO DATE TO REFLECT THE CHANGING SITE CONDITIONS AND THE SWPPP IS TO BE AVAILABLE ON SITE AT ALL TIMES FOR REVIEW BY THE STATE AND LOCAL INSPECTORS.

GRADING NOTES

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH FHA STANDARDS.

2. ALL GRADING, CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE COUNTY OF SACRAMENTO IMPROVEMENT STANDARDS DATE JUNE 1, 1988. THE CONTRACTOR SHALL OBTAIN AND USE ALL APPLICABLE ADDENDUMS.

3. ALL GRADING SHALL COMPLY WITH THE RECOMMENDATIONS OF THE SOIL AND GEOLOGICAL INVESTIGATION, PREPARED BY GUILLETT & ASSOCIATES, INC DATED MAY, 22, 2003.

4. ALL SLOPE BANKS ARE 2:1 MAXIMUM (SHALLOW) OTHERWISE NOTED.

5. ANY GRADING OPERATIONS OUTSIDE OF SUBDIVISION BOUNDARY SHALL REQUIRE RIGHT-OF-ENTRY.

6. SHOULD ANY CULTURAL RESOURCES, SUCH AS STRUCTURAL FEATURES, UNUSUAL AMOUNTS OF BONE OR SHELL, ARTIFACTS, HUMAN REMAINS, OR ARCHITECTURAL REMAINS BE ENCOUNTERED DURING ANY DEVELOPMENT ACTIVITIES, WORK SHALL BE SUSPENDED AND THE DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT SHALL BE IMMEDIATELY NOTIFIED AT (916)874-7914. AT THE TIME, THE DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT WILL COORDINATE ANY NECESSARY INVESTIGATION OF THE SITE WITH THE APPROPRIATE SPECIALIST AS NEEDED. THE PROJECT PROPONENT SHALL BE REQUIRED TO IMPLEMENT ANY MITIGATION DEEMED NECESSARY FOR THE PROTECTION OF THE CULTURAL RESOURCES. IN ADDITION, PURSUANT TO THE SECTION 7050.5B OF THE STATE PUBLIC RESOURCE CODE, AND SECTION 7052.5B OF THE STATE HEALTH AND SAFETY CODE, IN THE EVENT OF THE DISCOVERY OF HUMAN REMAINS, ALL WORK IS TO STOP AND THE COUNTY CORONER SHALL BE IMMEDIATELY NOTIFIED. IF THE REMAINS ARE DETERMINED TO BE NATIVE AMERICAN, GUIDELINES OF THE NATIVE AMERICAN HERITAGE COMMISSION SHALL BE ADHERED TO IN THE TREATMENT AND DISPOSITION OF THE REMAINS.

LEGEND

A - REMOVE EXISTING SIDEWALK RAMP AND INSTALL NEW SIDEWALK RAMP PER C.S.P.W DETAIL #4-23-C. RAMP TO MEET ALL STATE AND FEDERAL REQUIREMENTS.

B - REMOVE EXISTING CURB, GUTTER AND SIDEWALK ALONG FUTURE DRIVEWAYS.

3'X4' CAST IN PLACE PREFABRICATED DETECTABLE WARNING SURFACE, COMPOSED OF A VERIFIED POLYMER INCLUDING ALUMINUM OXIDE ("ARMED TILE" OR APPROVED EQUAL) COLOR TO BE SAFETY YELLOW. DOMES TO BE "IN-LINE" PARALLEL TO CURBING, WITH HEIGHT OF 0.2", BASE DIAMETER OF 0.9", AND TOP DIAMETER OF 0.45", SPACED 1.96" O.C (0.23" O.C ON THE DIAGONAL). FIELD SURFACE AND TOP OF DOMES TO HAVE DOTTED TEXTURE FOR SLIP RESISTANCE. DENSITY OF DOTS IN FIELD AREA TO BE 30 PER SQUARE INCH MINIMUM.

NOTE:
REPLACE DAMAGED SIDEWALK, CURB AND GUTTER TO THE SATISFACTION OF ROCKLIN PUBLIC WORKS DEPT. REMOVAL AND REPLACEMENT OF SIDEWALK PANELS SHALL BE EXTENDED TO THE NEAREST JOINT.

BUILDING PAD CERTIFICATION

I HEREBY CERTIFY THAT THE GRADES SHOWN ON THESE PLANS AND APPROVED BY THE PUBLIC WORKS AGENCY, HAVE BEEN CONSTRUCTED TO WITHIN 2/100th OF ONE FOOT OF THEIR INDICATED ELEVATION FOR ALL LOT PADS AND IMPROVEMENTS SHOWN.

PROJECT ENGINEER _____ PE NUMBER _____ DATE _____

I HEREBY CERTIFY THAT THE PADS FOR THE FOLLOWING LOTS FOR THIS PROJECT HAVE BEEN TESTED FOR COMPACTION IN ACCORDANCE WITH GENERALLY ACCEPTED TEST METHODS AND BASED UPON THE RESULTS OF THOSE TESTS, IT IS MY PROFESSIONAL OPINION THAT THE COMPACTION OF SAID PADS CONFORMS TO THE RECOMMENDATIONS OF THIS PROJECT'S GEOTECHNICAL REPORT.

LOTS: _____

I ALSO STATE THAT OUR FIRM OBSERVED THE GRADING OPERATION TO A SUFFICIENT EXTENT TO EVALUATE CONFORMANCE WITH THE PROJECT'S GEOTECHNICAL REPORT AS APPROVED BY THE COUNTY, AND FURTHER STATE THAT BASED UPON OUR OBSERVATIONS THE GRADING FOR THIS COMMERCIAL PROJECT CONFORMS WITH THE RECOMMENDATIONS OF SAID SOILS REPORT.

GEOTECHNICAL ENGINEER _____ PE NUMBER _____ DATE _____

SOILS REPORT: _____

LEGEND

—F—F— INDICATES FIRE LANES. ALL CURBS ARE TO BE PAINTED RED AND MARKED "NO PARKING FIRE LANE", "NO PARKING FIRE LANE" SIGNS ARE TO BE POSTED PER CITY STANDARDS

REGISTERED PROFESSIONAL ENGINEER
SEAN M. ONEILL
No. 49970
Exp. 3-31-07
CIVIL
STATE OF CALIFORNIA

REVISIONS

NO.	DESCRIPTION	ENGR INIT	CITY APPROVAL BY	CITY APPROVAL DATE

DATE Nov 20, 2007 SCALE 1"=20'

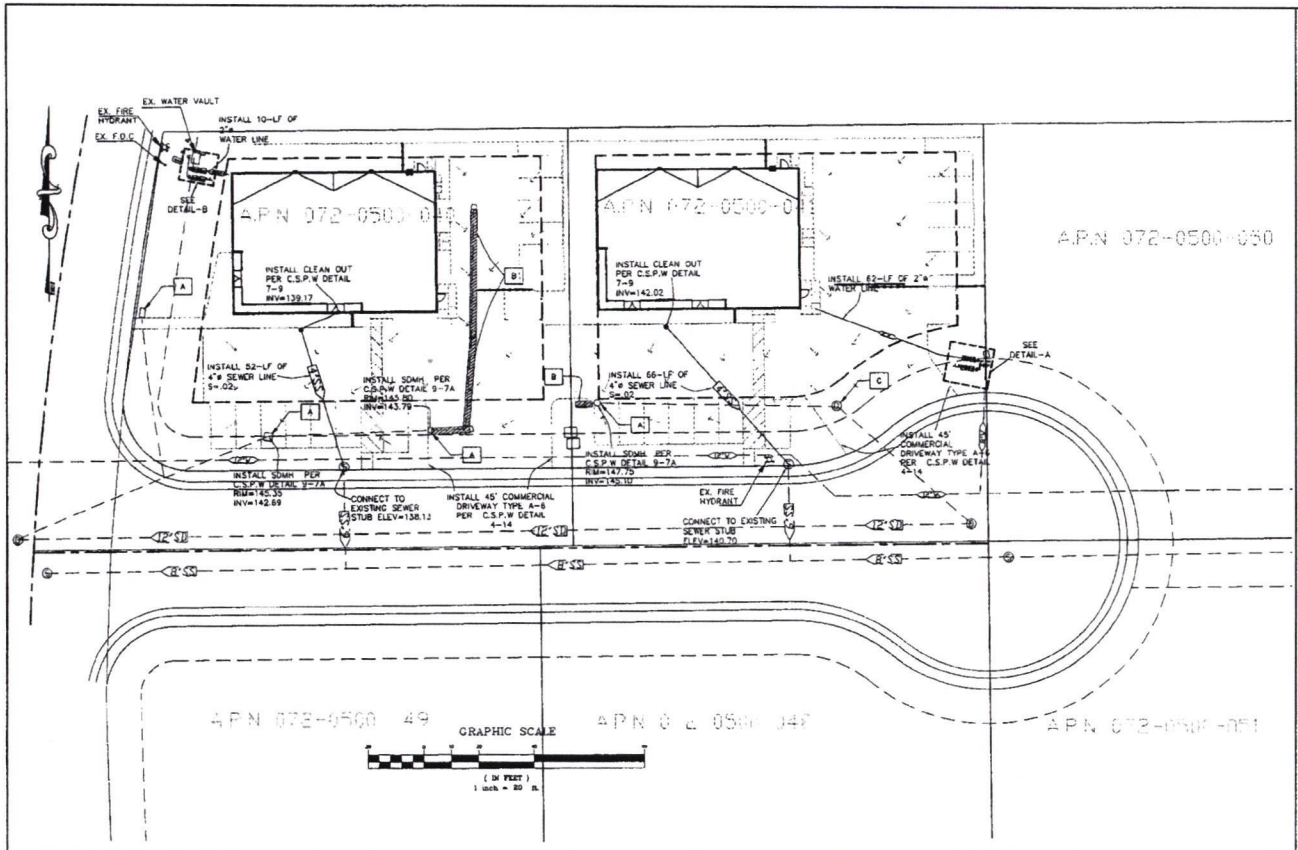
IMPROVEMENT PLANS FOR AEROTEC COURT

SACRAMENTO COUNTY
RANCHO CORDOVA
APN 072-0500-040 & 072-0500-041

GRADING SHEET

GENESIS
CIVIL ENGINEERS
521 J STREET, MARYSVILLE
CALIFORNIA, 95901
(530) 742-1300
(530) 742-1331-fax

DESIGN BY: S.M.O. | AGENCY CHECK BY: ——
DRAWN BY: S.M.O. | SHEET
CHECKED BY: S.M.O. | C-2 OF 3



SACRAMENTO COUNTY WATER AGENCY

SACRAMENTO COUNTY WATER AGENCY
COMMERCIAL PLAN WATER NOTES (Revised 1994)

1. All work and materials shall be in accordance with the latest edition of the Sacramento County Standard Construction Specifications (September 2001, Revised March 2004) and Improvement Standards (Item 1, 1994) unless otherwise shown or described on the plans.

2. The Contractor shall notify Sacramento County Construction Management, Susan Hammack at 875-7702, five (5) working days in advance of beginning work.

3. Plans shall be resubmitted for approval if construction or water facilities has not begun within one (1) year after the approval date of these improvement plans.

4. All work shall be inspected by Environmental County Construction Management prior to backfilling.

5. The Contractor shall notify the Sacramento County Water Quality Maintenance and Repair Section at 875-7550 in case of an emergency.

6. A construction water permit is required for any water withdrawn from newly constructed or existing water distribution system. Water use shall comply with rules and regulations of the construction water permit. A tested and approved temporary backflow prevention assembly shall be required for owners installations as determined by the Sacramento County Water Agency. Failure by the Contractor to obtain and display a permit will result in a $152 fine for each occurrence.

Contact Jovin Perez at 875-6918 to obtain a construction water permits five (5) working days in advance of beginning work. The contractor shall have all approved paperwork in possession prior to commission to initiating water system for construction water.

7. The Contractor shall notify Sacramento County Construction Management, Susan Hammack, or the inspector for the project's water facilities at 875-6700, five (5) days in advance of connecting to the existing water system as the inspector can arrange for closure of valves and customer notification of shut down and the disinfection of the new facilities. The method of chlorination is the "double application method" (refer to Item 3, Permit Conditions), for this, or some, as specified on these plans. The County will arrange for closure of valves and customer notification of shutdown in order for connection to the water system to be made. The contractor is prohibited from operating valves that are not part of this project.

The Contractor shall disinfect and flush the new water system prior to connecting to existing water system per Sacramento County Standard Construction Specifications.

8. Service connections to an existing water main, or to an extension of an existing water main, shall be made by a qualified contractor, after payment of all applicable fees and issuance of a connection permit. The Contractor shall furnish and provide all labor, materials, equipment and incidentals required to install and test services as shown and detailed on the plans, including all necessary valves and fittings. Inspection by County Construction Management of all connections made by the Contractor is required prior to backfilling.

The County reserves the option to make all water and fire service taps after payment of fees and issuance of a connection permit.

9. Water service meters (2") and larger placed at lees, crowns, elbows, and meanders shall be flanged and bolted to the fittings.

10. Pipe joints will not be allowed within ten feet (3') of a valve, fitting, or hydrant. Deflection of pipe will not be allowed within ten feet (10') of any fitting or valve.

11. Standard pipe lengths (minimum eighteen (18) to twenty (20) feet) shall be used for all horizontal and vertical deflections.

12. The water system contractor shall coordinate with the street lighting contractor to avoid conflicts between water services and street light foundations and shallow pull boxes. Water services shall be a minimum of five (5) feet from street light foundation.

13. Fire hydrant type, location, and valve shall be approved by the Fire Department and the Sacramento County Water Agency. Fire hydrants shall meet all CLOW 960 or approved equal. Fire hydrants shall be painted white as per fire department requirements and the existing shall be factory applied. Field applied coatings are not acceptable.

14. Fire hydrants shall be required to be protected with two-inch (2") diameter Schedule 40 steel pipe, sanction filled bollards as shown on the plans. Bollards shall be constructed and painted as shown on the plans.

15. All part of the fire hydrant shall be closer than 3 inches to the back of the sidewalk, where sidewalk is against curb, or back of curb in the case of rearranging sidewalks or planter strips.

16. The Reduced Pressure Principle (RP) backflow prevention shall be located within five (5) feet of the water meter.

17. Asphaltenes cement shall be provided to the Sacramento County Water Quality Maintenance, underground water section prior to acceptance of this project.

18. Butterfly valves shall be manufactured by Dezurik, Pratt, Mueller, or approved equal by Sacramento County Water Agency

19. All valves, tees, crosses, reducers, blow-offs, dead ends, and valves shall be restrained to prevent movement when pressurized. Restraints shall be installed whether shown on plans and details or not. Valves shall be restrained at both ends of dead-end mains, when determining required restrained length. The type of restraint shall be listed on the plans or plan reducing symbol, such as manufacturer or type number specified. Thrust blocks shall be used for the size sizes and locations as shown on the Standard Drawings. Joint restraining devices shall be used at all other locations, where using couplings as required by the Standard Details, of which using the joint restraining devices shall be installed in all push on and mechanical joints within the specified "restrained length". The "restrained length" shall comply with notes on the plans, or Standard Drawings. If a length is "longer" to the extent that the "restrained length" is specified, the Contractor shall obtain the required "restrained length" from the Engineer.

20. Joint restraining devices on mechanical joints shall be EBAA Megalug 1500, or Star Pipe Products' StarGrip 3000 for ductile iron pipe, and EBAA Megalug 2000PV, or Star Pipe Products' Adgrip 3000, for PVC pipe, or approved equal by Sacramento County Water Agency. Only ductile iron pipe shall be used when restraining plain-end joints. Push-on restraining shall be US Pipe Field Lok Gaskets, or US Pipe TR Flex pipe, or approved equal by Sacramento County Water Agency. Outside the joint restraining devices and maintained PVC pushon joints will not be allowed. The pipe length that the restrained fitting or valve shall be minimum 18-feet, unless otherwise specified.

21. Three (3) sets of "As-Built" plans shall be submitted to Sacramento County Construction Management - Susan Hammack, Supervising Inspector, prior to acceptance of the water system by the County. All sheets shall be stamped "Record Drawing" or "As-Built".

SEWER NOTES

CSD-1 WITHIN THE CITY OF RANCHO CORDOVA
REVISED 5/21/01

SEWER NOTES:

1. ALL MATERIAL, TESTING AND CONSTRUCTION METHODS USED WITHIN THE PIPE ZONE, INCLUDING BEDDING AND INITIAL BACKFILL, SHALL BE IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE SACRAMENTO COUNTY STANDARD CONSTRUCTION SPECIFICATIONS AND IMPROVEMENT STANDARDS. INTERMEDIATE BACKFILL, FINAL BACKFILL, AND ALL ROAD SECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF RANCHO CORDOVA GROVE STANDARD CONSTRUCTION SPECIFICATIONS.
2. DIMENSIONS SHOWN ON PLANS ARE TO THE CENTERLINE OF PIPE AND ON MANHOLES, UNLESS OTHERWISE NOTED.
3. ALL MANHOLES SHALL BE 48" IN DIAMETER, UNLESS OTHERWISE SHOWN.
4. MANHOLES LOCATED OUTSIDE OF PAVED AREAS SHALL HAVE RIM SET TWELVE INCHES (12") ABOVE GROUND SURFACE, OR TO GRADES AS NOTED
5. MANHOLE VACUUM TESTING PER ASTM C1244-93 IS REQUIRED WITH THE ADDITION OF THE FOLLOWING DEPARTMENT: A MINIMUM OF 9 INCHES OF MERCURY SHALL BE HELD FOR A MINIMUM TIME OF ONE MINUTE.
6. SANITARY SEWER MAINS SHALL BE CONSTRUCTED OF EXTRA STRENGTH (XCP) PIPE WITH TYPE II ALTERNATE BEDDING AND BACKFILL, UNLESS OTHERWISE NOTED.
7. CONTRACTOR SHALL USE FOUR FOOT (4'),PIPE, LENGTHS IN CURVED SECTIONS.
JOINT DEFLECTION SHALL COMPLY TO COUNTY STANDARDS AND MANUFACTURERS RECOMMENDATIONS.
8. SERVICE SEWERS SHALL BE CONSTRUCTED PER SACRAMENTO COUNTY STANDARD DRAWING 7-6. ANY SEWER SERVICE EXISTING A MANHOLE SHALL BE INSTALLED WITH THE INVERT ELEVATION OF THE SERVICE PIPE MATCHING THE CROWN ELEVATION OF THE EXIT BENCH CIRCUIT WHEN AN INTERNAL DROP CONNECTION IS USED. IF THE MANHOLE AT THE END OF A CUL-DE-SAC IS CONSTRUCTED WITH A PRE CAST BASE, THE INVERT OF ANY SERVICE STUBS SHALL BE A MINIMUM OF ONE INCH ABOVE THE INVERT OF THE EXIT PIPE.
9. ALTERNATIVE FOR VCP SERVICE: SEWER PIPE FOUR INCHES (4") NOMINAL DIAMETER POLYVINYL CHLORIDE (PVC) SDR-35 PIPE, ASTM DESIGNATION D3061, SDR 18.00, WITH ELASTOMERIC JOINTS.
10. CONSTRUCTION OF A CLEANOUT TO GRADE FOR ALL SEWER SERVICES IS REQUIRED. CONSTRUCTION OF THE TOP TO THE CLEANOUT RISER MAY BE DELAYED UNTIL THE INSTALLATION OF THE BUILDING SEWER AT THE OPTION OF THE DEVELOPER, EXCEPT WHERE THE WATER MAIN IS TO BE INSTALLED BEYOND THE INDEFINITE (REFER TO NOTE 16, STANDARD DRAWING) 7-6), IF THE CONSTRUCTION OF THE TOP 1' OF THE RISER IS DELAYED, THE LOCATION OF THE SERVICE SHALL ADJACENTLY BE STAKED WITH A "2x4" POST.
11. ANY WATER ENTERING THE SANITARY SEWER SYSTEM TO BE CONSTRUCTED UNDER THESE PLANS SHALL NOT BE DISCHARGED TO THE CAPTIVE SYSTEM. PLUGS MUST BE INSTALLED IN EXISTING MANHOLES AS INDICATED TO PREVENT PUMPING THIS. NEW SYSTEM CLEAR OF WATER AND DEBRIS PRIOR TO ACCEPTANCE. GATE SHALL BE DESIGNED IN LOCATING PLUGS TO AVOID INTERRUPTING SEWAGE CONNECTIONS. MORTAR AND BRICKS OR MECHANICAL SEWAGE PLUGS MUST BE USED. INFLATABLE DEVICES ARE NOT SATISFACTORY.
12. COUNTY SANITATION DISTRICT 1 REQUIRES THE CONTRACTOR TO VIDEO RECORD ALL SEWER MAINS AND DRAIN LINES FROM SIX INCH (6") TO AND INCLUDING TWENTY-SIX INCH (26") DIAMETER IN ACCORDANCE WITH SECTION 36 OF THE SACRAMENTO COUNTY STANDARD CONSTRUCTION SPECIFICATIONS. CONTACT (916) 875-6784 FOR ADDITIONAL INFORMATION AND PAYMENT OF SEWER ASSESS. INSURANCE MAY BE OBTAINED AT THE WATER QUALITY DEPARTMENT CUSTOMER SERVICE OFFICE AT 10590 ARMSTRONG AVE., SUITE 101, MATHER, CA 95655. THE INSPECTION RECORDS SHALL BE FURNISH TO SACRAMENTO COUNTY WATER QUALITY DIVISION STAFF FOR REVIEW PRIOR TO ACCEPTANCE OF SEWER IMPROVEMENTS.
13. ALL ON-SITE SEWER PIPLINE WILL BE INSPECTED BY SACRAMENTO COUNTY CONSTRUCTION MANAGEMENT. THE CONTRACTOR SHALL NOTIFY RUBAN MANNINGTO AT 920-2720, 1 HR. (5) WORKING DAYS IN ADVANCE OF BEGINNING WORK.

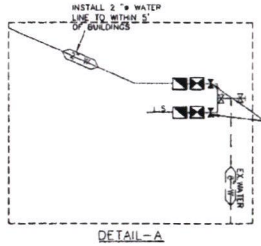
DRAINAGE NOTES

1. ALL CONSTRUCTION AND MATERIALS FOR DRAINAGE SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CITY OF RANCHO CORDOVA IMPROVEMENT STANDARDS AND STANDARD CONSTRUCTION SPECIFICATIONS. WHERE DISCREPANCIES EXIST, APPROPRIATE NOTES SHALL BE ADDED TO THE PLANS. THOSE PRECEDENCE OVER THE STANDARD CONSTRUCTION SPECIFICATIONS.
2. THE MINIMUM COVER REQUIREMENTS DURING CONSTRUCTION FOR TEMPORARY CONSTRUCTION VEHICLE LOADING SHALL BE 4-FEET FOR METAL AND PLASTIC PIPE, AND 3-FEET FOR REINFORCED CONCRETE PIPE.
3. THE CONTRACTOR SHALL PLACE THE PROPER STRENGTH PIPE IF TRENCH CONDITIONS ENCOUNTERED DIFFER FROM THE DESIGN TRENCH.
4. STORM DRAIN PIPES IN THE PUBLIC RIGHT-OF-WAY (ROW) AND DRAINAGE EASEMENTS SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS.
5 DRAINAGE PIPE MATERIAL SHALL CONFORM TO SECTION 36 AND SECTION 50 (EXCLUDING SUB-SECTION 50-1.07) AS SHOWN ON THE PLANS.
6 DRAINAGE MANHOLES SHALL CONFORM TO SECTION 28.
7. STORM DRAIN PIPES SHALL BE TESTED IN CONFORMANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS.
8 DRAINAGE PIPES, INCLUDING DRAIN INLET LATERALS, SHALL BE TESTED IN CONFORMANCE WITH SECTION 39-10.
9 STORM DRAIN MANHOLES SHALL BE TESTED IN CONFORMANCE WITH SECTION 39-4.02.
10. NEW EXIST CONNECTIONS IN CONFORMANCE WITH SECTION 29.2.02 AND STANDARD DRAWING (STD. DWG.) 9-135 OF THE STANDARD CONSTRUCTION SPECIFICATIONS. ARE REQUIRED BETWEEN PRE-CAST MANHOLE AND PIPE, AND BETWEEN PRECAST END WALLS AND PIPE. WATER STOPS ARE REQUIRED FOR PIPE TO CAST-IN-PLACE MANHOLES/ DROP INLET CONNECTIONS.
11. EROSION CONTROL STRUCTURES (STD. DWGS. 9-139, 9-140 AND 9-17) SHALL BE CLASS B CONCRETE, NOT GROUTED CONCRETE.
12. ALL DRAINAGE INLETS IN THE PUBLIC ROW AND DRAINAGE EASEMENTS SHALL HAVE A PERMANENT STORM DRAIN MESSAGE "NO DUMPING - FLOWS TO CREEK" OR OTHER APPROVED MESSAGE CONSISTENT WITH SECTION 11-07 AND STD. DWGS. 10-10A AND 10-10B OF THE CITY OF ELK GROVE IMPROVEMENT STANDARDS.

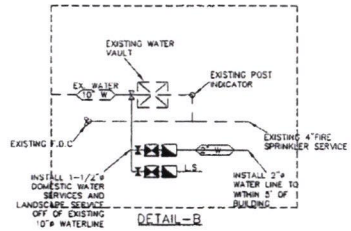
LEGEND

- A — INSTALL GRATE COVER PER C.S.P.W DETAIL 9-11
- B — REMOVE APPROXIMATELY 95-LF OF EXISTING STORMDRAIN LINE. RECOMPACT TRENCH'S AND HOLES
- C — REPLACE SEWER MANHOLE LID WITH GRATE COVER PER C.S.P.W DETAIL 9-11. NEW GRATE ELEV=148.60
- D — REPLACE SEWER MANHOLE LID WITH GRATE COVER PER C.S.P.W DETAIL 9-11. NEW GRATE ELEV=148.60

NOTE:
IF FOUND DESTROY ANY ABONDONED WELLS ON THE PROPOSED PROJECT SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SACRAMENTO COUNTY ENVIROMENTAL HEALTH DIVISION.



DETAIL-A



DETAIL-B

REGISTERED PROFESSIONAL ENGINEER
SEAN M. ONEIL
No. 45870
Exp. 3-31-07
CIVIL
STATE OF CALIFORNIA

REVISIONS

NO.	DESCRIPTION	ENGR INIT	QTY APPROVAL BY	DATE

DATE: Nov 20, 2007 | SCALE: 1"=20'

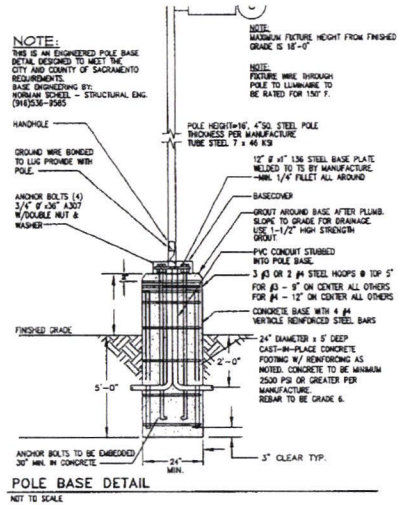
IMPROVEMENT PLANS FOR AEROTEC COURT

SACRAMENTO COUNTY
RANCHO CORDOVA
APN 072-0500-040 & 072-0500-041

UTILITY SHEET

GENESIS
CIVIL ENGINEERS
521 J STREET, MARYSVILLE
CALIFORNIA, 95901
(530) 742-1300
(530) 742-1331-fax

DESIGN BY: S.M.O. | AGENCY CHECK BY:
DRAWN BY: S.M.O.
CHECKED BY: S.M.O.
SHEET C-3 OF 3



POLE BASE DETAIL

NOT TO SCALE

PHOTOMETRIC STUDY PREPARED BY:
CJS LIGHTING INC
300 DEREK PLACE
ROSEVILLE, CA. 95678
PH 916 774-6888
FX 916 774-6878
BJC@cjslighting.com

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	Lumens	LLF	Watts
	A	12	ASW1 100M SR3	AERIS ARCHITECTURAL BUILDING MOUNTED LUMINAIRE, SR3 (SEGMENTED TYPE III ASYMMETRIC) DISTRIBUTION, 100W MH W/ CLEAR LAMP.	ONE 100-WATT CLEAR ED17 METAL HALIDE, HORIZONTAL POS.	8500	0.72	224
	C	5	AS2 400M SR4SC	ARCHITECTURAL ARM-MOUNTED CUTOFF LUMINAIRE WITH SR4SC REFLECTOR.	ONE 400-WATT CLEAR ED-28 METAL HALIDE, HORIZONTAL POSITION.	36000	0.72	482

STATISTICS

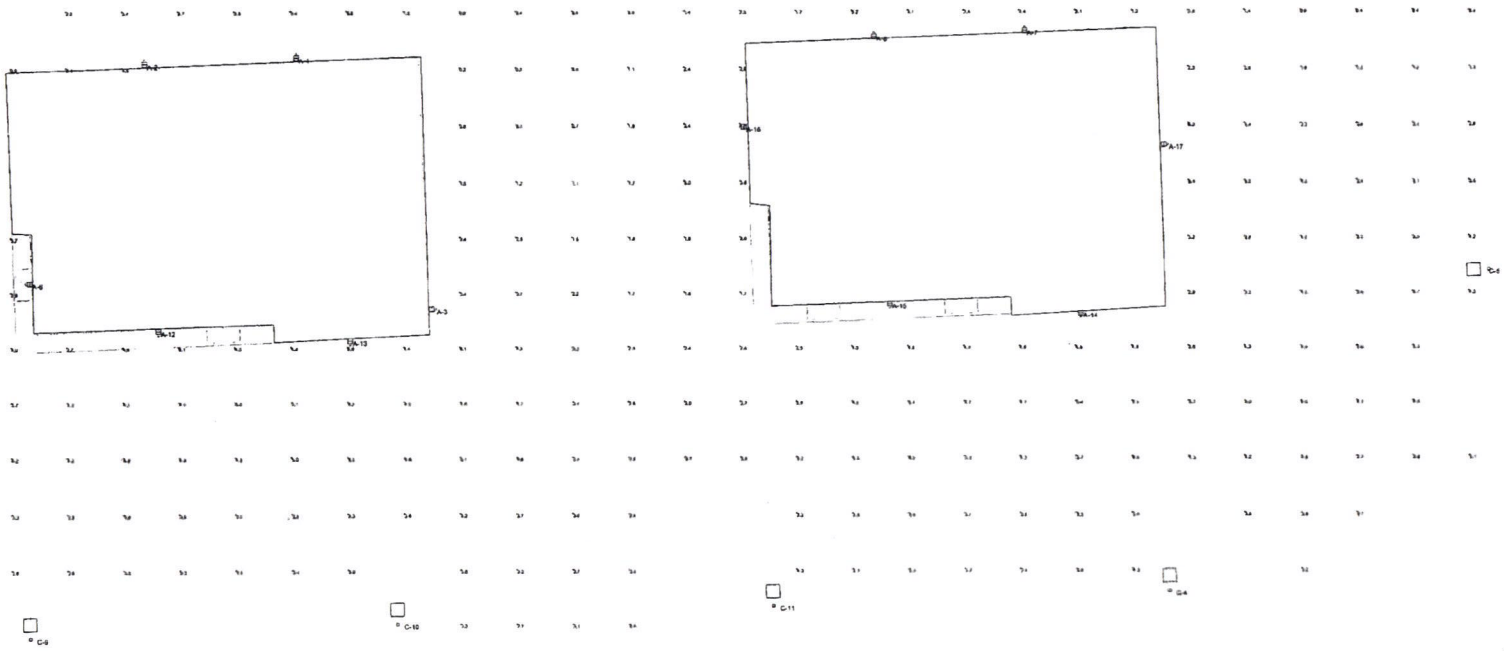
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #3	+	3.3 fc	6.3 fc	0.2 fc	31.5:1	16.5:1

NOTES

1. Photometric analyses performed by CJS Lighting, Inc. are strictly for informational purposes only.
2. CJS Lighting, Inc. assumes that the recipient submits all photometric analyses to a state-licensed electrical engineer for review.

LUMINAIRE LOCATIONS

Label	Location X	Location Y	Location Z	MH
A	-612.4	93.4	12.0	12.0
A	-636.4	94.3	12.0	12.0
A	-786.4	20.6	12.0	12.0
C	-657.0	-30.4	25.0	25.0
C	-589.8	27.8	25.0	25.0
A	-660.1	25.3	12.0	12.0
A	-682.5	70.0	12.0	12.0
A	-709.5	68.8	12.0	12.0



Plan View

Scale 1" = 10'

NORBERG
ENGINEERING CO. INC.
3040 Bidwell / Bethany Parkway – Suite 4
El Dorado Hills, California 95762
(916)933-3406 Fax(916)933-3401

CJS LIGHTING

AEROTEC COURT
-SITE LIGHTING-

Designer
BJC

Date
NOV 6 2007

Scale
1" = 10'

Drawing No.
AEROTECH 2

PLANT LIST AND LEGEND

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	HEIGHT/ SPREAD	WATER USE
TREES				
LAGS (STANDARDS)	LAGERSTROEMIA I. 'TUSCARORA RED' / TUSCARORA RED CRAPE MYRTLE	15 G	20'/20'	LOW
NYSS	NYSSA SYLVATICA / TUPELO TREE	15 G	35'/35'	MED
PLAA	PLATANUS A. 'BLOODGOOD' / LONDON PLANE TREE	15 G	60'/30'	LOW
PYRA	PYRUS C. 'ARISTOCRAT' / FLOWERING PEAR	15 G	25'/25'	MED
ULTP	ULMUS PARVIFOLIA 'TRUE GREEN' / CHINESE ELM	15 G	60'/30'	MED

SHRUBS AND GROUNDCOVERS

INDICATES PROPOSED SHRUB AND GOUNDCOVER AREAS

PROPOSED SHRUB/GROUND COVER LIST: (Preliminary Selection List) - 11/14/05

BACKGROUND OR FOUNDATION SHRUB MATERIAL

EVERGREEN, LARGE SHRUBS TO 6'-0" USED FOR REDUCING BUILDING MASS OR SCREENING UNDESIRABLE VIEWS.

Botanical Name	Common Name	Size (Min.)	Spacing (Min.)	Water Use
CEANOTHUS SP.	WILD LILAC	1 GAL.	6'o.c.	LOW
COTONEASTER SP.	NCN	1 GAL.	4'o.c.	LOW
ESCALLONIA SP.	NCN	15 GAL.	3'o.c.	MED.
NERIUM OLEANDER SP.	OLEANDER	15 GAL.	6'o.c.	LOW
PRUNUS C. 'COMPACTA'	CAROLINA LAUREL CHERRY	15 GAL.	4'o.c.	LOW
RAPHIOLEPIS INDICA SP.	HAWTHORN	15 GAL.	4'o.c.	LOW
XYLOSMA C. COMPACTA	COMPACT XYLOSMA	5 GAL.	6'o.c.	LOW
VIBURNUM TINUS 'SPRING BOUQUET'	LAURUSTINUS	5 GAL.	3'o.c.	MED.

FACER SHRUB MATERIAL

EVERGREEN OR DECIDUOUS SHRUBS TO 4'-0". USED FOR 'TERRACING' OF PLANT MATERIAL. SEASONAL COLOR AND SOFTENING OF BUILDING EDGES AND FOUNDATION SHRUBS.

Botanical Name	Common Name	Size (Min.)	Spacing (Min.)	Water Use
AZALEA SP.	AZALEA	15 GAL.	3'o.c.	MED.
CAMELLIA SASANQUA	CAMELLIA	5 GAL.	4'o.c.	MED.
CISTUS SP.	ROCKROSE	1/5 GAL.	3'o.c.	LOW
CUPHEA PULCHELA	AUSTRALIAN FUCHSIA	1 GAL.	3'o.c.	MED.
PITTOSPORUM TOBIRA SP.	TOBIRA	15 GAL.	4'o.c.	MED.
RAPHIOLEPIS INDICA SP.	HAWTHORN	1/5 GAL.	4'o.c.	LOW

ACCENT SHRUB MATERIAL

EVERGREEN OR PERENNIAL SHRUBS TO 3'-0", SOMETIMES LARGER. USED FOR AESTHETIC VALUE IN LANDSCAPE THROUGH BLOOM, LEAF COLOR, OR OVERALL CHARACTER.

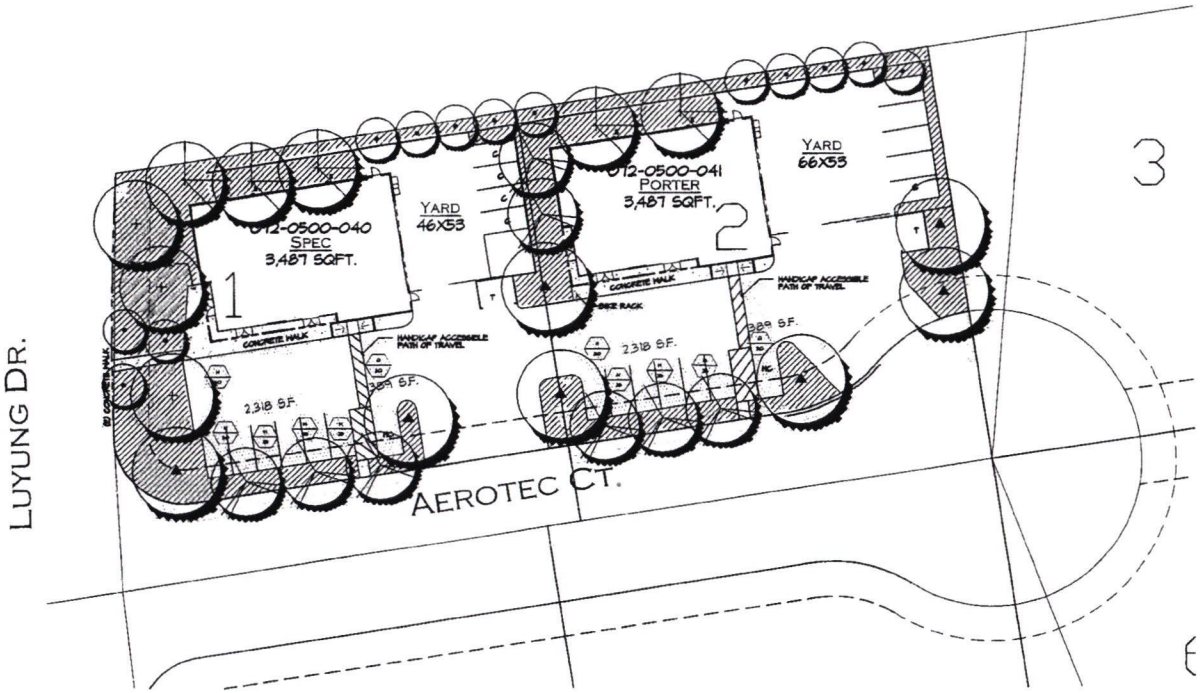
Botanical Name	Common Name	Size (Min.)	Spacing (Min.)	Water Use
AGAPANTHUS SP.	LILY-OF-THE-NILE	1 GAL.	18"o.c.	MED.
DIETES SP.	FORTNIGHT LILY	1 GAL.	3'o.c.	LOW
HETEROCALLIS HYBRIDS	DAYLILY	1 GAL.	2'o.c.	MED.
LIRIOPE SP.	LILYTURF	1 GAL.	3'o.c.	MED.
MAHONIA A. COMPACTA	COMP. OREGON GRAPE	1/5 GAL.	3'o.c.	LOW
NANDINA D. COMPACTA	HEAVENLY BAMBOO	5 GAL.	3'o.c.	LOW
NANDINA 'HARBOUR DWARF'	DWF. HVNLY. BAMBOO	1 GAL.	2'o.c.	LOW
PENNISETUM SP.	FOUNTAIN GRASS	1 GAL.	3'o.c.	LOW

GROUND COVER MATERIAL

EVERGREEN OR PERENNIAL SHRUBS TO 30" HIGH. USED TO BLANKET LARGER AREAS AND AS A FILLER BETWEEN SITE WORK EDGES AND FACER SHRUBS.

Botanical Name	Common Name	Size (Min.)	Spacing (Min.)	Water Use
ARCTOSTAPHYLOS SP.	MANZANITA	1 GAL.	36" o.c.	LOW
COTONEASTER D. 'LOUFAST'	LOUFAST COTONEASTER	1 GAL.	60" o.c.	LOW
GAZANIA SP.	NCN	1 GAL.	24" o.c.	LOW
HYPERICUM CALYCINUM	AARON'S BEARD	1 GAL.	24" o.c.	LOW
ROSMARINUS O. 'PROSTRATUS'	DWARF ROSEMARY	1 GAL.	36" o.c.	LOW
ROSA 'ROSE BLANKET' SP.	GROUND COVER ROSE	1 GAL.	36" o.c.	MED.
TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	1 GAL.	24" o.c.	MED.
TULBAGHIA VIOLACEA	SOCIETY GARLIC	1 GAL.	24" o.c.	MED.
VINCA MINOR	DWARF PERIWINKLE	1 GAL.	24" o.c.	MED.

Note: This list is a guide for project plant selection. Final selection to be made at the time of review for building permit. Landscape Architect reserves the right, upon City approval, to substitute plant material due to growers availability shortages or environmental restrictions.



SHADE CALCULATIONS

AEROTEC COURT
TOTAL PAVED AREA =9,414 S.F.
TOTAL SHADE REQUIRED (50%) = 2,707 S.F.
TOTAL SHADE PROVIDED (TBR) = 4,047 S.F.

DIA.	QTY.	S.F.	TOTAL S.F.
15' TREES			
PLAA, ULTP			
100%	0	962	0
75%	0	722	0
50%	3	481	1,443
25%	2	240	480
25' TREES			
PYRR			
100%	0	707	0
75%	0	531	0
50%	6	354	1,324
25%	0	177	0
30' TREES			
--			
100%	0	314	0
75%	0	236	0
50%	0	157	0
25%	0	79	0
TOTAL SHADE PROVIDED:			4,047 S.F.

AEROTEC COURT

SACRAMENTO, CA

PRELIMINARY PLANTING PLAN

SCALE: 1" = 20'-0" (0, 20, 40)

SHEET: PL1

DATE: 11/13/07
PROJECT: PEC.07054

LAND ARCHITECTURE INCORPORATED
231 Vernon Street, Roseville, CA 95678
PH. (916) 786-2858 FAX (916) 746-2842

Conditions of Approval

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
1.	The project shall be constructed in substantial compliance with the approved Design Review plans and elevations (Exhibit A) for two tilt-up light industrial buildings with adjacent yard areas and site improvements, on the northeast corner of Luyung Dr. and Aerotec Ct., APNs: 072-0500-040 and 072-0500-041.	On-Going	Planning	
2.	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	
3.	The Planning Department shall be notified immediately if any cultural resources (e.g., prehistoric or historic artifacts) or paleontological resources (e.g., fossils) are uncovered during construction. All construction must stop in vicinity of the find and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology or a paleontologist shall be retained to evaluate the finds and recommend appropriate action.	On-Going	Planning	
4.	The Planning Department shall be notified immediately if any human remains are uncovered and all construction must stop in vicinity of the find. The Planning Division shall notify the County Coroner according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.	On-Going	Planning	
5.	Applicant shall be responsible for all damage to City streets associated with construction of the project and shall repair any damage as soon as possible.	On-Going	Public Works	

EXHIBIT B

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Prior to Approval of Improvement Plans			
6.	Applicant shall photo-document the condition of adjacent streets, sidewalks and infrastructure to the satisfaction of the Public Works Department.	Prior to improvement plan approval	Public Works	
7.	Enter into a frontage agreement for construction of public improvements to the satisfaction of the Public Works Department.	Prior to improvement plan approval	Public Works	
8.	The applicant shall submit a revised Landscape Plan for review and approval by the Planning Director at the time of Building Permit submittal. The Landscape Plan shall demonstrate conformance with the Water Use and Conservation provisions of the City of Rancho Cordova Municipal Code (see Title 14.10, adopted from the Sacramento County Code).	Prior to improvement plan approval	Public Works / Planning	
9.	Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.	Prior to improvement plan approval	Sacramento County Water Agency	
	Prior to Issuance of Building Permits			
10.	Transportation Impact Fees shall be updated, or other provisions for collection of fair share contributions shall be established, to incorporate any offsite mitigation measures within the City of Rancho Cordova that are identified for the project that are not part of the current Transportation Impact Fee program and Transportation Impact Fees shall be paid.	Prior to issuance of Building Permits	Public Works	
11.	Property Owner/Applicant shall participate in a funding mechanism for maintenance of any publicly maintained frontage and median landscaping associated with the project by annexation to the City Landscape	Prior to issuance of Building	Public Works	

EXHIBIT B

Conditions of Approval

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Maintenance Community Facilities District. All costs associated with the annexation shall be borne by the Property Owner/Applicant. Contact: Elizabeth Sparkman at (916) 851-8714 as there may be a 2-3 month lead time to satisfy this condition.	Permits		
12.	Property Owner/Applicant shall participate in a funding mechanism for maintenance services for the fair share of existing and all new public improvements associated with the project including but not limited to streets, bridges/culverts, traffic signals, traffic signs, striping and legends, ITS operations, and street lights. This may be accomplished through annexation to the City Road Maintenance Assessment District. All costs associated with the annexation shall be borne by the Property Owner/Applicant. Contact: Elizabeth Sparkman at (916) 851-8714 as there may be a 2-3 month lead time to satisfy this condition.	Prior to issuance of Building Permits	Public Works	
13.	Property Owner/Applicant shall participate in the provision of funding to provide transit-related services by voting to approve a special tax. The tax shall be the annual amount (with appropriate annual inflation adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to the issuance of building permits. The property owner shall be responsible for paying all costs associated with holding the election. The tax shall be due at the time specified in the ordinance imposing the tax. In addition, the Owner of the property shall hold a deed assessment in the form of Conditions, Covenants & Restrictions against the property, or other form as shall be approved by the City, which assessment will take effect in the event the special tax described in this Condition of Approval is reduced or repealed. Contact: Elizabeth Sparkman at (916) 851-8714 as there may be a 1-2 month lead time to satisfy this condition.	Prior to issuance of Building Permits	Public Works	
14.	Applicant shall submit improvement plans to the satisfaction of the Public Works Department. Improvement plans shall include, but shall not be limited	Prior to issuance of	Public Works	

EXHIBIT B

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	to: • On-Site Grading and Civil Improvement Plans. • Install new sidewalk ramps at the Northeast and Southeast corners of the intersection of Aerotec Court and Luyung Drive. • Replacement of damaged sidewalk and curb and gutter along the property frontage to the satisfaction of the Public Works Department. Removal and replacement of sidewalk panels shall be extended to the nearest joint. • Public improvement plans shall clearly delineate all transitions to existing improvements. • Repair damaged pavement on Aerotec Court. • Replacement of existing driveways with standard A-6 driveways. • Number, Size and location of driveways are subject to approval by the Public Works Department. • Provide street lighting as required by the City of Rancho Cordova Code. Street Lighting shall conform to all City improvement standards, and necessary easements shall be granted to accommodate those standards. • All improvements to be designed to the satisfaction of Public Works Department.	Building Permits		
15.	The buildings shall be reviewed for substantial architectural consistency with the approved plans by the Planning Director.	Prior to issuance of Building Permits	Planning	
16.	All parcels serviced by private roads shall have a road maintenance agreement (RMA) recorded with the Public Recorders Office having jurisdiction. The roadway maintenance agreement shall include the following: a. Provisions for the necessary repair and maintenance of the roadway surface. b. Removal of vegetation overgrowing the roadway and infringing on the	Prior to issuance of Building Permits	Metro Fire District	

EXHIBIT B

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	roadway clear vertical height of thirteen feet six inches (13'6") and/or width of twenty feet (20'). c. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping. d. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems. e. Unrestricted use of and access to the roadways covered by the agreements. f. Provisions for the control of vehicle parking in prohibited areas and a mechanism for the removal of vehicles illegally parked. A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any construction permit cards.			
17.	The project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance, in accordance with Sacramento County Water Agency Ordinance No. 18.	Prior to issuance of Building Permits	County Water Agency	
18.	Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Prior to issuance of Building Permits	County Water Resources	
	Prior to Occupancy Permit			
19.	Install improvements to the satisfaction of the Public Works Department.	Prior to Occupancy	Public Works	

EXHIBIT B

		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
20.	As-Built reproducible grading and improvement plans, as well as a compact disc containing said plans in AutoCAD and Portable Document format shall be submitted and approved by the Public Works Department.	Prior to Occupancy	Public Works	
21.	An inspection of the finished building, colors, site amenities and parking lot improvements shall be conducted by the Planning Director. The trash enclosure shall be painted Bering Green to complement the building colors.	Prior to Occupancy	Planning	
22.	All landscaping shall be planted according to the approved landscape plans. A certificate of compliance shall be submitted by a landscape architect, certifying that installation of water conservation features conforms to City water conserving landscape requirements.	Prior to Occupancy	Public Works / Planning	
23.	Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than twelve (12) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.	Prior to Occupancy	Metro Fire District	
24.	Each parcel with a sewage source shall have a separate connection to the CSD-1 public sewer system.	Prior to Occupancy	CSD-1	

EXHIBIT B

Conditions of Approval

General Information and Compliance Items:

The following items are noted for the applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

Advisory Comments – CSD-1

1. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

Advisory Comments – Sacramento County Water Agency

1. Water supply will be provided by the Sacramento County Water Agency.
2. Provide public water service to each building.
3. Water intensive commercial and industrial building permit applicants shall conduct a water use efficiency review and submit the findings in required environmental documentation for the project.
4. Efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing shall be used as applicable.

Advisory Comments – Rancho Cordova Police Department

1. Parking/Circulation:
   a. All entrances to the parking area shall be posted with appropriate signs per 22658(a) CVC, to assist in removing vehicles at the property owner's/manager's request.
   b. Handicapped parking spaces shall be clearly marked and properly posted and be conveniently located near the buildings they are intended to serve.

EXHIBIT B

2. Building Security:

   a. The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1600 lbs. of pressure in both a vertical distance of three (3) inches and a horizontal distance of (1) inch each side of the strike, so as to prevent violation of the strike.

   b. Glass doors shall be secured with a deadbolt lock with minimum throw of one (1) inch. The outside ring should be free-moving and case hardened.

   c. Employee/pedestrian and utility room doors shall be of solid core wood or hollow sheet metal with a minimum thickness of 1-3/4 inches and shall be secured by a deadbolt lock with minimum throw of one (1) inch.

   d. Outside hinges on all exterior doors shall be provided with nonremovable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of the door.

   e. Doors with glass panels and doors with glass panels adjacent to the door frame shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.

   f. Doors with panic bars will have vertical rod panic hardware with top and bottom latch bolts. No secondary locks should be installed on panic-equipped doors, and no exterior surface-mounted hardware should be used. A 2" wide and 6" long astragal shall be installed on the door exterior to protect the latch. No surface-mounted exterior hardware need be used on panic-equipped doors.

   g. Windows that are capable of being opened shall be secured on the inside with a locking device capable of withstanding a force of three hundred (300) lbs. applied in any direction.

   h. All hatchway openings on the roof of any building shall be secured as follows:

      (1) If the hatchway is of wooden material, it shall be covered on the outside with at least 16 gauge sheet steel or its equivalent attached with screws.

      (2) The hatchway shall be secured from the inside with a slide bar or slide bolts. The Fire Marshall must approve the use of crossbar or padlock.

      (3) Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.

   i. All air duct or air vent openings exceeding 8" x 12" on the roof or exterior walls of any building shall be secured by covering the same with either of the following:

      (1) Iron bars of at least ½" round or one by one-fourth inch flat steel material, spaced no more than five inches apart and securely fastened.
      or:

      (2) A steel grill of at least 1/8" material or two inch mesh and securely fastened.

EXHIBIT B

j. If the barrier is on the outside, it shall be secured with galvanized rounded head flush bolts of at least 3/8" diameter on the outside.

3. Landscaping:
   a. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along the building perimeter.
   b. All walkway curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.

4. Lighting:
   a. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with high intensity discharge lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers. A lighting level of 2-footcandle minimum, maintained at ground level, is required. A combination of wall and pole mounted fixtures may be used.
   b. All exterior doors shall be provided with an independent light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.
   c. Each premise, while closed for business after dark, must be sufficiently lighted by use of interior night lights.
   d. Exterior door, perimeter, soffit lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting. (The building photocells should be located near any roof hatch openings for ease of maintenance.)

5. Building Numbering:
   a. Address numbers shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six inches in height and of a color contrasting with the background.
   b. Each different unit within the building shall have its particular address prominently displayed on its front and rear doors. (Rear door numbers only need to be one inch in height.) If front door numbers are placed on glass, the numerals shall be white in color.

EXHIBIT B

Project Name: Aerotec Court Design Review
Date of Review: 11/28/07

RANCHO CORDOVA DESIGN GUIDELINES I. CHECKLIST FOR INDUSTRIAL PROJECTS	The Proposed Project				
	n	-	=	+	Description/Comments
SITE DESIGN > CIRCULATION (7:6)					
OBJECTIVE: Develop a circulation system that provides for the ease of circulation and safety for both motorists and pedestrians/bicyclists.					
DESIGN GUIDELINES					
1. Primary entry drives are enhanced with landscaping, monument signs, decorative paving, etc. to emphasize site access locations and draw attention to project ingress/egress and create site identity.	☐	☒	☐	☐	Entry to parking lot is landscaped with Chinese Elm trees, shrubs and groundcovers. Consider specifying other decorative elements on the landscape plan such as a monument sign or decorative architectural elements, decorative paving, or at least some annuals under the trees to add color.
2. Site access promotes safety, efficiency, and convenience and avoid conflicts between pedestrians, vehicles, and delivery trucks.	☐	☐	☐	☒	Pedestrian entry paths connect from the sidewalk at three locations. No path connects the two buildlings, preventing conflicts between pedestrians and trucks entering the yard.
3. Loading areas are located in the rear of the building.	☐	☐	☒	☐	Yards for loading/unloading are located behind the buildings.
SITE DESIGN > BUILDING PLACEMENT AND ORIENTATION (7:8)					
OBJECTIVE: Site design that incorporates significant existing natural features and takes into consideration adjacent uses and structures.					
DESIGN GUIDELINES					
1. Buildings have a strong relationship to the street including functional public entrances.	☐	☐	☒	☐	Entrances face both Luyung Dr. and Aerotec Ct.
2. The visual impact of a large sea of parking and industrial equipment from public rights-of-way is minimized.	☐	☐	☒	☐	Landscape buffers and the placement of building on Luyung

ATTACHMENT 2

RANCHO CORDOVA DESIGN GUIDELINES I. CHECKLIST FOR INDUSTRIAL PROJECTS	The Proposed Project				
	n	-	=	+	Description/Comments
					minimize the impact of the parking lot. Yards are provided to screen equipment.
3. Industrial and warehouse development is screened and buffered from adjacent residential uses.	☒	☐	☐	☐	There are no adjacent residential uses.
4. Loading docks and bays are not located or oriented toward the primary street frontage.	☐	☐	☒	☐	Loading docks are located in the yards.
SITE DESIGN > PUBLIC SPACES AND PEDESTRIAN AMENITIES (7:10)					
OBJECTIVE: Provide open areas and public amenities where employees can take advantage of recreational uses. Such improvements should be appropriate for the intended users.					
DESIGN GUIDELINES					
1. Include one or more public space/pedestrian area scaled according to the size and demands of the project.	☐	☒	☐	☐	Although this is a small-scale project, a small outdoor plaza would provide a good site amenity. The paved area near the Luyung-facing entrance may be used for this in the future, but the area would be more functional if more hardscape was provided.
SITE DESIGN > LANDSCAPING (7:12)					
OBJECTIVE: Provide for attractive and functional landscape for purposes of screening, buffering, and softening of various site elements.					
DESIGN GUIDELINES					
1. Landscaping scale and design is compatible with and appropriate for the project.	☐	☐	☒	☐	Trees and shrubs will provide considerable shade, greenery and screening and will be compatible with nearby light industrial uses.

ATTACHMENT 2

RANCHO CORDOVA DESIGN GUIDELINES I. CHECKLIST FOR INDUSTRIAL PROJECTS	The Proposed Project				
	n	-	=	+	Description/Comments
2. Special landscaping is provided at focal points and project entries.	☐	☒	☐	☐	Special landscaping, perhaps in the form of some colorful annuals or tree pots would enhance the main auto and pedestrian entries. Trees are used to accent corners and auto entries.
3. Vines and screen walls are used on large expansive building facades.	☒	☐	☐	☐	Buildings are small-scale and do not have large expansive facades.
4. Landscaping (in conjunction with appropriate decorative walls and setbacks) are used to buffer industrial uses from less intensive uses.	☐	☐	☒	☐	All nearby uses are similar and have a similar level of screening.
5. New landscaping/landscape corridors are consistent with existing landscaping/landscaping corridors.	☐	☐	☒	☐	Landscaping is consistent with nearby properties.
ARCHITECTURE > STYLE AND DESIGN DETAILS (7:16)					
OBJECTIVE: Ensure that buildings with expansive facades incorporate design elements and details that relate to the scale of the human form and enhance the character of Rancho Cordova.					
DESIGN GUIDELINES					
1. Include architectural features along large buildings that are visible from a public street or adjacent residential property.	☐	☐	☒	☐	The buildings aren't large, but large storefront windows, color, and accent features will enhance the building façade as seen from the street.
2. Wireless facilities, if included on-site, are designed into the architecture/façade of the building.	☒	☐	☐	☐	Wireless facilities are not included
CHECKLIST EVALUATION					
Total (15 Guidelines)	3	3	8	1	3 guidelines are not applicable, 3 are not met, 8 are mostly met, and 1 is exceeded

ATTACHMENT 2

CITY OF RANCHO CORDOVA

Minutes of Meeting of the Planning Commission
December 13, 2007

1. CALL MEETING TO ORDER

The meeting of the Planning Commission of the City of Rancho Cordova was held on Thursday, December 13, 2007 in the David B. Roberts Council Chambers located at 2729 Prospect Park Drive, Rancho Cordova, CA, 95670. Planning Commission Chair Troy Konarski called the meeting to order at 6:00 p.m.

Staff Present: Planning Director, Paul Junker; Folsom Boulevard Specific Plan Project Manager, Loreli Cappel; Assistant Planner, Katja Irvin; Planning Commission Clerk, Charlene Fortunka

Roll Call:

Commissioners Present: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
Commissioners Absent: NONE

A. **Flag Salute** – Pledge of Allegiance was conducted.

B. **Approval of Agenda** – The Planning Commission reviewed the agenda of the December 13, 2007 Meeting of the Planning Commission.

Action: Commissioner Vance moved, seconded by Commissioner Smith, to approve the agenda of the December 13, 2007 Planning Commission Meeting. Motion was approved unanimously.

C. **Minutes** – The Planning Commission reviewed the minutes of the November 8, 2007 Meeting of the Planning Commission.

Action: Commissioner Vance moved, seconded by Commissioner Burke, to approve the minutes of the November 8, 2007 meeting. Motion was approved unanimously.

D. **Minutes** – The Planning Commission reviewed the minutes of the November 29, 2007 Meeting of the Planning Commission.

Action: Commissioner Vance moved, seconded by Commissioner Burke, to approve the minutes of the November 29, 2007 meeting. Motion was approved unanimously.

2. PUBLIC COMMENT – There were no public comments heard at this meeting on non-agenda items.

3. PUBLIC HEARING

A. Consideration of the Design Review for Aerotec Court, RC-07-315

Request: The applicant is seeking Design Review approval for two tilt-up light industrial buildings. Each building is 3,487 sq. ft. and each has an adjacent yard area. The parcels

will share access and parking under a reciprocal access agreement. Individual trash enclosures and pedestrian access paths will serve each building.
Project Applicant: HaneyStation, Inc., James L. Haney, 7420 High Point Lane, Sacramento, CA 95842
Project Location: APN: 072-0500-040 & 072-0500-041; 11515 Luyung Drive & 3501 Aerotec Court

Assistant Planner Katja Irvin presented the staff report and recommended 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 and adopt a resolution approving the Design Review for Aerotec Court, Project No. RC-07-315, subject to the findings, evidence, Design Package, and amended Conditions of Approval. Chair Konarski opened the public hearing and took testimony from James Haney, project architect.

The Commissioners had the following concerns and comments:

- Burke-What type of fencing is provided on the property? Haney-We anticipate using chain link fencing with vinyl slats for the yard.
- Burke-Is the back yard gated or closed off from the public? Haney-The landscaping blocks access, so nobody will be able to drive behind the building.

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

Action:

Motion: Commissioner Vance moved, seconded by Commissioner Burke, to 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 and adopt a resolution approving the Design Review for Aerotec Court, Project No. RC-07-315, subject to the findings, evidence, Design Package, and amended Conditions of Approval.

Vote on the Motion:

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

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

B. Consideration of the Tentative Parcel Map for Sun Center Business Park, RC-07-291

Request: The applicant is requesting a Parcel Map to create 2 lots from a 7.5-acre parcel at 10961 and 10971 Sun Center Drive.
Project Applicant: Surveyors Group Inc., Timothy Blair, 9001 Foothills Blvd., Suite #150, Roseville, CA 95747
Project Location: APN: 072-0660-001; 10961 & 10971 Sun Center Drive

Assistant Planner Katja Irvin presented the staff report and recommended the Planning Commission determine the project is exempt under Section 15315, Minor Land Divisions, of the California Environmental Quality Act Guidelines and adopt Resolution No. 96-2007 approving the Tentative Parcel Map for 10961 & 10971 Sun Center Drive, Project No. RC-07-291, subject to the findings and amended Conditions of Approval. Chair Konarski opened the public hearing and took testimony from Timothy Blair, project surveyor.

The Commissioners had the following concerns and comments:

- Savorn-There are vacancies here; if the people who own these properties decided to put in live-in condos, would they need to come in for a use permit? Irvin-The General Plan designates this area as an office area, and a residential use would require a rezoning and General Plan amendment.
- Cummings-Would granting this entitlement affect plans for a potential footbridge connecting with Olson? Junker- This is really an ownership issue rather than a development issue. Dividing the property wouldn't affect any potential for that crossing, it does not change the fundamental use on the ground; there are still approved landscape and site plans.
- Moe-The sidewalk in parcel 1 is basically within the property line; if these two landowners were to get into a dispute with one another, and one tore down the landscaping and put up a fence, couldn't that cause problems? Irvin-Any changes to the landscape plan would require our review and approval.
- Moe-It would make sense to keep this property together due to the complementary nature of the buildings and the amenities; why does the applicant want to split the parcels? Irvin-These buildings were vacant as one parcel, and the people who are looking to move into these buildings would like to own. Blair-Usually in these cases, the owners set up CC&R's that each owner is bound by that writes in the shared maintenance to maintain the integrity of the business park, so new owners purchasing a parcel are bound by the regulations.
- Burke--We have residents here who have CC&R's that are non-enforceable. What entity will enforce these CC&R's? Blair-It is an encumbrance on the property, so the owner is bound by the rules of the CC&R's.
- Moe-Some of our concerns come from our experience in seeing CC&R's as unenforceable by the City. We would like to see CC&R's that work. It seems like the only enforcement in this kind of situation would be for one parcel owner to sue the other one if one owner decides to continue maintenance and the other one does not. Blair-In a lot of instances, there is a business association created that an owner enters into and is bound by in order to purchase the parcel or you are in non-compliance. It is being worked on and will be recorded concurrently with the final map.
- Moe-Could such an agreement have been produced in time for the hearing? Blair-They are not typically produced until after the project has been approved; it is in the interest of the owner who is splitting the parcel to have one in place to ensure the integrity of the park and prevent having a disjointed appearance.
- Moe-This is a very high profile area of the City, and as a Commission we have to think not just about the immediate impact or result, but 20 years down the road. There is a potential for a less than desirable situation with separate ownership if the owner of parcel 2 wants to maintain their property and the owner of parcel 1 doesn't. Would prefer to see the CC&R's.

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

Action:

Motion: Commissioner Smith moved, seconded by Commissioner Vance, to determine the project is exempt under Section 15315, Minor Land Divisions, of the California Environmental Quality Act Guidelines and adopt Resolution No. 96-2007 approving the Tentative Parcel Map for 10961 & 10971 Sun Center Drive, Project No. RC-07-291, subject to the findings and amended Conditions of Approval.

Vote on the Motion:

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

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

AT THIS POINT, Commission Vance excused himself from the meeting.

C. Consideration of the Folsom Boulevard Specific Plan

Request: The project would amend the existing Folsom Boulevard Specific Plan to provide policies, guidelines and development standards to guide development and redevelopment of the project area. There are no physical improvements or construction activities proposed by the proposed project itself, at this time. Future actions and development within the project area will be subject to additional review on a project-by-project basis.
Lead Agency: City of Rancho Cordova Planning Department, 2729 Prospect Park Drive, Rancho Cordova, CA 95670.
Project Location: The Folsom Boulevard Specific Plan area consists of approximately 769 acres of land and is approximately four miles in length. The project area includes parcels with frontage on Folsom Boulevard between Bradshaw Road and Sunrise Boulevard, as well as some parcels contiguous to those parcels adjacent to Folsom Boulevard.

Folsom Boulevard Specific Plan Project Manager Loreli Cappel and Planning Director Paul Junker presented the staff report and recommended the Planning Commission consider staff's presentation and public comments and testimony, and then make recommendations to the City Council on the adoption of an amendment to the Folsom Boulevard Specific Plan and the associated environmental review. Chair Konarski opened the public hearing.

The Commissioners had the following concerns and comments:

- Cummings-Noticed that the table of contents on page "i" lacks page numbers for Chapter V, and the document uses a combination of roman numerals and regular numbers, but it is not consistent throughout.
- Cummings-Recommends putting tabs in between the chapters so it would be easier for a user to find each section. Junker-The entire document is going through a rigorous formatting, and its appearance is going to change quite a bit before its final version.
- Konarski-You mentioned that including Transit Oriented Development (TOD) standards in this document would require lengthy discussion; what would that process entail? Cappel-It could involve coordinating with decision makers to come to a consensus on the definitions of TODs, and then making any changes deemed necessary, or perhaps cross referencing in the zoning code.

- Konarski-This is a living document and there will be changes made to it-how often do you anticipate it being updated? Cappel-We are going to make this specific plan a tool that can be updated in house as often as is necessary. Junker-One of the issues we have wrestled with is transit, specifically the treatment of a TOD. Once we have those provisions in the zoning code, we can then reopen this specific plan and easily bring in a chapter.
- Smith-It would seem that the whole idea of a specific plan is that it gets down to the specifics and would not need that many changes. The Mather Specific Plan, for example, hasn't changed much. Would you clarify how often you see the Folsom Boulevard Specific Plan being changed? Junker-The Mather Specific Plan is a great example; it was perhaps not as far thinking as it could have been, and it may be time for it to be reopened. We want private developers to be confident that this plan will be stable over time.
- Smith-Would there need to be some pretty good reasons behind making changes? Junker-Fundamental changes would need significant reasoning, although staff would be less apprehensive about making any clean up and refinement changes.
- Cummings-Would any of the track 1 or 2 standards conflict with the garage door policy? Junker-There is not any direct conflict. Folsom Boulevard development for the most part is going to be higher density with consolidated parking, or if it is townhouses, it will probably be tuck under parking. The garage door policy has more application with single family homes.
- Konarski-How are smaller areas such as pocket parks addressed in this document? Cappel-The open space standards were being worked on during the development of this document; we will refer to those, and will build into the document any city wide performance standards for open space.
- Konarski-There are areas within Folsom Blvd that would really be enhanced by the inclusion of a small pocket park with benches for people to congregate. Junker-There are residential projects currently in the pipeline that we would be looking for some kind of open space. Some land consolidation might be required to create the kind of environment that you are referring to.
- Konarski-What methods would staff use to prompt the applicant to provide such space? Junker-We would start out with the City's adopted park and open space standards, and we would negotiate from there and work with the Cordova Recreation and Park District.
- Savorn-Would it be prudent to think about having a shopping cart corral of some sort at the pulse points to mitigate the visual impacts of abandoned carts? Junker-If we are successful in creating the pulse points that we are looking for, the shopping cart abandonment won't be the issue it is now.
- Smith-A more salient solution might be better procedures for removing those carts. Junker-A corral would be a less desirable solution in any of these locations, they are to intended to be engaging spaces.
- Savorn-Perhaps levy some kind of fine that the company responsible for the carts would be required to pay to retrieve them? Junker-Code enforcement shifts focus over time, perhaps now is the time to bring focus back to the shopping cart abandonment.
- Cummings-Is it staff's belief that this problem will solve itself over time through the quality development that we are going to push for on Folsom Blvd with this plan? Hopes that the City will take more proactive measures than just waiting for the situation to resolve itself. Junker-Cleanup will require a combination of efforts, with more aggressive responses and less tolerance. The solution would not be to validate the illegal use of shopping carts by providing public cart corrals.
- Konarski-Was the Design Review Board proposed by staff? Junker-Yes.
- Savorn-It doesn't seem like the Planning Commission is blocking any project applicants who would like to have their projects fast tracked. Maybe ensure that these projects are financially backed and pre-approved, and if the applicants don't do what they intend to

by a prescribed date, place a financial penalty on them for the time and money spent. Junker-It is a great idea to have some type of pro forma where the applicant requests City funds. There could also be a provision that the Track 1 approvals have a shorter lifespan, where the applicant must work within a specified time frame. Perhaps not penalize someone financially, but take back the entitlement gained through the Track 1 process.

- Savorn-If this ad hoc idea goes through, it is going to cause dissension. Junker-These are non-traditional approaches, but Folsom Boulevard is a non-traditional environment. It is true that timing is not an issue and we don't generally hold projects up, but the track 1 process provides assurance that if your project is consistent with the specific plan, then it will likely be approved quickly.
- Smith-There a number of ways that a project could stall regardless of the best of intentions-does Track 1 provide more insurance against failure? Junker-An applicant may not know until they receive an entitlement if they will be able to act upon it, there will always be the element of uncertainty.
- Cummings-It seems like we already have a conceptual design review board, such as was held for Bloodsource. That was a very successful process that involved a subcommittee of members of the City Council and Planning Commission. The phrase "planning professionals" is a cause for concern because there are Commissioners here with significant planning experience that could be tapped for a design review board. Junker-It is a possibility that the Design Review Board could be composed of representatives from the City Council and Planning Commission.
- Cummings-It would make more sense for the Design Review Board to be made of Planning Commissioners or City Council members. Ethical issues could arise if the planning professionals are tied to the project in a way that staff is unaware of.
- Cummings-Concerned about the kind of message the creation of a Design Review Board sends to this body as to its effectiveness. It takes only two weeks to a month for a decision rendered here to be seen before the Council.
- Cummings-Staff made a comment earlier that we are not catching the best projects; is there a suggestion that we are not catching the best projects because we have what is viewed as a slow review system? Junker-I don't think we are catching the best projects right now, not because the review process is slow. This fast tracking is a tool we can offer our Economic Development Director, who can go out and say that we have a unique process that is business friendly and can perhaps attract national/international operations. Cummings-If we are not attracting businesses, it is due to a flawed system with the market where people are analyzing rooftops and income. Capital Village is a great example of how people are bucking that trend. It is not because we don't have examples in our City showing how developers are going against the grain.
- Cummings-Concerned with the process by which the Design Review Board would meet. How will the public have an opportunity to weigh in? Junker-It is our intention that the Board would meet in public, impacted parties would be noticed, and it would be subject to Brown Act requirements.
- Cummings-Are you currently entertaining projects with developers who suggest that the design review process is too long? Cappel-As part of the specific plan process we held interviews with the development community to gather feedback on incentives. Suggestions were to set forth the development standards in a clear manner, to provide more certainty in the timeframe that a project will be reviewed, and to expedite the review process if we want to compete with other municipalities.
- Cummings-Does the concept of a Design Review Board conflict with the Council's decision to give Planning Commission exclusive approval over residential design review? Junker-The Specific Plan will not conflict with the Commission's authority to approve model homes within single family developments.

- Cummings-Do you feel the Bloodsource process worked? Junker-It did work; there was no violation of project review, but there was input gained from two members of the body that will ultimately vote on the project, and that is a concern.
- Savorn-When huge corporations go into some of the bigger major cities, they are sometimes offered tax waivers or something similar; have you looked at other types of incentives? Junker-We don't have the financial resources to make that type of commitment, we expect to be at the point when our redevelopment agency has enough funds to pay for infrastructure for a developer, when our revenue neutrality payment has been reduced, and when our property taxes are growing.
- Burke-Can understand the concerns the other Commissioners have. It has been relatively slow for the Commission recently. We have been called to attend meetings scheduled at the last minute for projects to get through in a timely manner. It feels like we are being looked at to be replaced. Junker-Appreciates the Commission's feelings, it is not intended in any way to be a slight to the Commission or to take away from the responsibility of the position. We believe the concept of a small group operating on very prescribed guidelines has merit.
- Burke-How much decision making will truly be made if the project must already be pretty much on track to go through Track 1? Junker-The design review board, regardless of composition, would be a decisive decision-making body that would also point out critical changes that bring the project into consistency with the specific plan.
- Burke-Weren't we involved in a similar process for the design of the Capital Village tower? Junker-Wouldn't necessarily call that process decisive, rather than taking multiple steps over a period of time to get to review a project, it would be more direct.
- Moe-Worked on a project in Lathrop that fell within a specific plan area and was approved by the Design Review Board through a Track 1 process. It was a $10 million project that was designed, approved and built from conception in less than a year. This process can work for a prescriptive and desirable project.
- Savorn-Has no real objection to a Design Review Board, as long as members of the Commission and Council are included. Can you give an example of a project that would need the immediacy that the review board could provide? Junker-We had to move quickly and in a non-traditional manner (subcommittee) for a couple of projects to make corporate deadlines. We never violated any fundamental rules of project review, but the bulk of such developmental discussions should take place in a public forum.
- Cummings-Has any specific plan that you have seen ever included the City as a landowner? Junker-Yes; the City owns property now, but not yet on the Boulevard.
- Cummings-How would we incorporate the concept of the City as a landowner into the specific plan? Discussions with Council Members have indicated that if we had that land, we could always put in what we wanted. Cappel-That is a big tool for redevelopment, with the City reaching out and assembling parcels. It is not financially feasible right now, but perhaps will be in the future. We could plug that into the implementation strategies. Junker-The City could acquire land, assemble parcels, and put out a request for proposal to developers.
- Cummings-Can the specific plan address code enforcement for buildings that have been left unused and are considered a visual blight? Cappel-We could probably work that into the implementation action plan as a policy, penalizing a tenant for an unused storefront. Junker-We have been working with the Code Enforcement and Economic Development Departments to get some fairly rigorous policies about what happens to buildings that are sitting unused; not sure that we need a separate set of provisions.
- Moe-The developer makes a commitment the day he decides to even bring in an application because he needs to bring in drawings, has hired consultants, perhaps optioned the land, so he is already spending money and investing time. Not sure we should require a pro forma for Track 1 projects. Junker-The main issue is how do we standardize the pro forma? Is it a loan agreement? Are we going to pay for studies?

Cappel-We might be hindering the developer by requiring them to show the financial backing first. It is already an expensive step to commit to the design review process.

- Konarski-Would it be possible for staff to go back and look at why projects failed, whether it is due to financing, market, etc.? Junker-Staff could conduct such a review, but it is likely that reasons for delays will vary with each project.
- Cummings-The pro forma idea is great, perhaps look instead at building timeline, if they don't start building the project in a year per se, maybe they lose the project, which is probably a better fit than the financial hurdle.
- Savorn-What can we add to this to make the developer know ahead of time that they need to meet these standards if they want to go through the accelerated process? Junker-Anybody can ask for the expedited review. I don't think we should get into testing the financial viability of a project. Cappel-Perhaps we could ask the developer will you build this project in a year, and if not, you have to go back through the process.
- Moe-Would the City need to hire a financial expert to see if an application is viable and the logistics would pencil out? Junker-The applicant would need to get a qualified professional who will do a pro forma in our format and test the project. Cappel-It is a disincentive for the incentive that we are trying to offer.
- Moe-How long does an entitlement last? Junker-There is no automatic revocation of a design review approval, for example, but we can hold a hearing after 3 years to revoke the permit.
- **A straw poll was conducted for each of the recommendations to determine what would be forwarded to the City Council:**
  - *The Planning Commission vetoed the recommendation that the applicant provide proof of financial backing to propose a project.*
  - *The Planning Commission approved the recommendation that staff should pursue development of a provision that requires performance or construction within a certain timeframe after expedited review process approvals.*
  - *The Planning Commission approved the recommendation that the Design Review Board be made up of 1 Council Member, 1 Planning Commissioner, and 1 planning professional.*
  - *The Commission approved the recommendation that the Specific Plan include additional actions directing the City to pursue proactive assembly of parcels along Folsom Boulevard.*
- Konarski-How would you distinguish a demand project from others? Junker-Those are projects that are highly desirable within the specific plan area, including major employment and revenue generators.
- Konarski-It looks like demand projects start off in Track 2-why wouldn't they initially begin in Track 1? Junker-The particular track would be determined at the staff level. Track 1 has the applicant coming in saying they are completely consistent, whereas in Track 2 they are not completely consistent, but they are such a desirable project that we shift to the Track 1 process.
- Konarski-Would recommend a yearly appointment to the Design Review Board to maintain consistency. Junker-Think terms will probably extend beyond a year. Unsure of how many times the group would end up meeting.
- Cummings-Under the demand projects, is there a section to encourage an arena? Cappel-At the end of the list we added that any use that strongly contributes to the vision of Folsom Boulevard would be desirable, but we can call specific ideas out.
- Cummings-Would an arena be able to fit in somewhere along Folsom Boulevard? Junker-Don't think it fits because of ground constraints and access issues, it would probably make more sense in an open area with good highway access.

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

Action:

Motion: Commissioner Smith moved, seconded by Commissioner Savorn, to recommend the City Council adopt an amendment to the Folsom Boulevard Specific Plan and the associated environmental review, with the recommended revisions as discussed by the Commission.

Vote on the Motion:

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

There being 6 Ayes, 0 Noes, 0 Abstains, 1 Absentee, the motion is hereby declared to be passed.

4. REGULAR CALENDER

A. Planning Commission Training

- NONE

5. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS

The Commissioners had the following suggestions:

- NONE

6. STAFF/COMMISSION COMMENTS

The Commissioners had the following comments:

- Discussion of Chair and Vice Chair selection-will occur during January 24, 2008 Planning Commission Meeting.

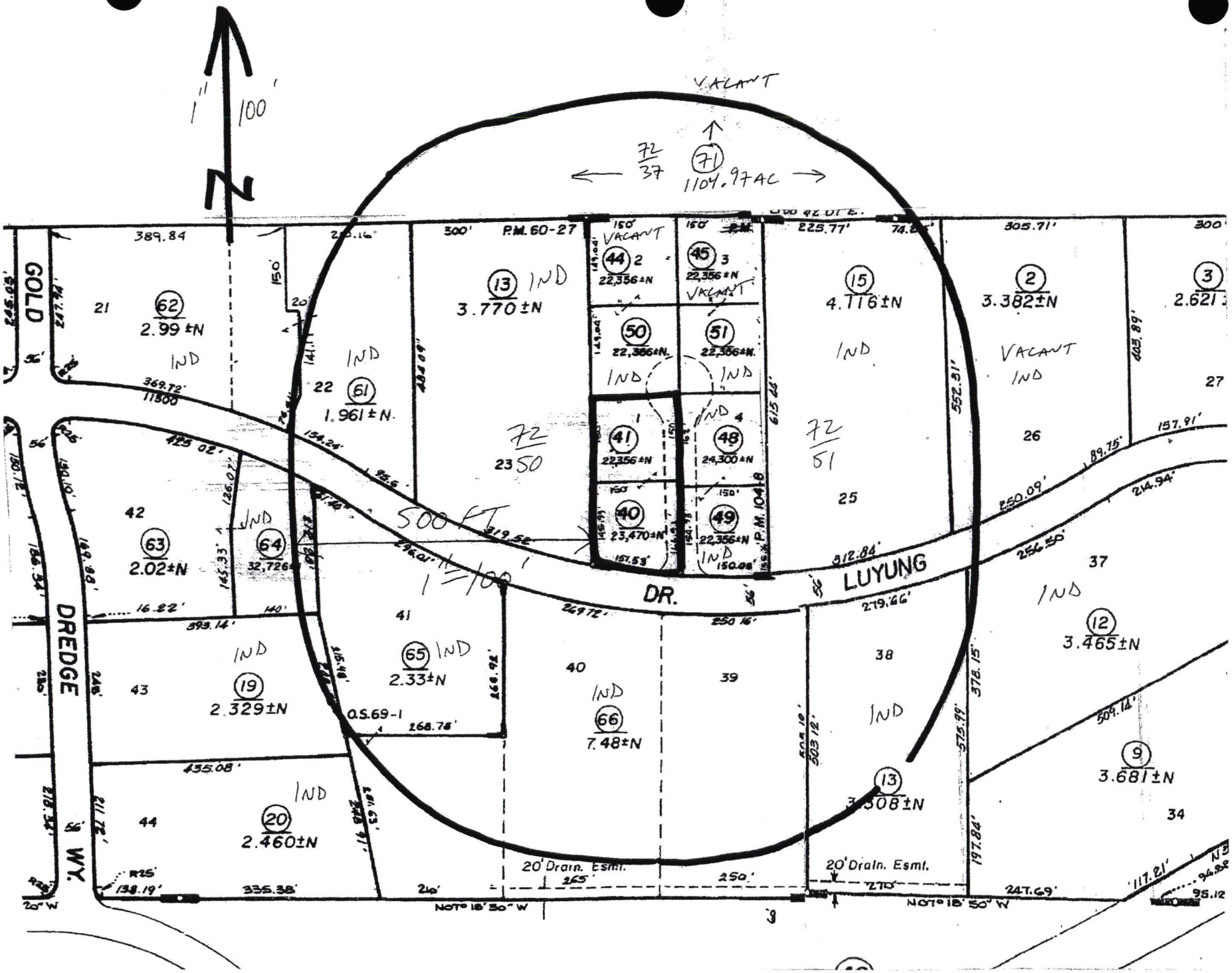
7. ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 9:00 p.m., December 13, 2007, to the next scheduled meeting.

Troy Konarski, Planning Commission Chair

Paul Junker, Planning Director

ATTEST:
Charlene Fortunka, Commission Clerk



ATTACHMENT 4

Easy Peel Labels
Use Avery® TEMPLATE 5160®
Feed Paper
See Instruction Sheet for Easy Peel Feature
AVERY®6241™

ATTACHMENT 4

072 0500 040,041
Brian Porter
9169 Chestnut Crossing Ln
Orangevale CA 95662

072 0370 071 0000
Elliott Whiterock Llc
80 Iron Point Cir #110
Folsom CA 95630

072 0500 013 0000
Lesniewski Trust
3489 Luyung Dr
Rancho Cordova CA 95742

072 0500 019 0000
Ballbach Bros Llc
11390 Gold Dredge Way
Rancho Cordova CA 95742

072 0500 020 0000
Scott E Silva
3401 Fitzgerald Rd
Rancho Cordova CA 95742

072 0500 044 0000
SCOTT B & CARRIE RAWLES FAMILY
Po Box 5
Folsom CA 95763

072 0500 045 0000
Leo S & Terri A Noel
Po Box 990
El Dorado CA 95623

072 0500 048 0000
Stephen M Silva
13901 Indio Dr
Sloughhouse CA 95683

072 0500 049 0000
Lesniewski Trust
4249 Swift Cir
Shingle Spgs CA 95682

072 0500 050 0000
Lesniewski Trust
4249 Swift Cir
Shingle Spgs CA 95682

072 0500 051 0000
HUPPE FAMILY TRUST
4455 Blackberry Ln
Loomis CA 95650

072 0500 061 0000
TOP GUN GUNITE CORPORATION
3401 Fitzgerald Rd
Rancho Cordova CA 95742

072 0500 062 0000
Mark & Paula Murphy
109 Aldworth Way
Folsom CA 95630

072 0500 064 0000
Sfc Leasing L P
3430 Luyung Dr
Rancho Cordova CA 95742

072 0500 065 0000
HALEY FAMILY LIMITED
PARTNERSHIP
6204 Rexford Ct
Granite Bay CA 95746

072 0500 066 0000
HALEY FAMILY LIMITED
PARTNERSHIP
3510 Luyung Dr
Rancho Cordova CA 95742

072 0510 002 0000
GOLDEN WHEEL CORPORATION
1415 Lower Paseo La Cresta
Palos Verdes Estates CA 90274

072 0510 012 0000
GOLDEN WHEEL CORPORATION
1415 Lower Paseo La Cresta
Palos Verdes Estates CA 90274

072 0510 013 0000
BROADWAY PHOENIX PROPERTIES
LLC
1165 Investment Blvd
El Dorado Hills CA 95762

072 0510 015 0000
GOLDEN WHEEL CORPORATION
1415 Lower Paseo La Cresta
Palos Verdes Estates CA 90274

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MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Adam U. Lindgren, City Attorney
Rueben Meeks, Police Chief

SUBJECT: **AN URGENCY ORDINANCE AMENDING TITLE 9 OF THE CITY MUNICIPAL CODE, "PUBLIC PEACE, MORALS AND SAFETY," BY ADDING CHAPTER 9.91, "SOCIAL HOST ORDINANCE"**

RECOMMENDATION

Adopt Urgency Ordinance 1-2008.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will establish regulations pertaining to social hosts in order to prevent minors from consuming alcohol at social gatherings. The Ordinance will deter social hosts from allowing the consumption of alcohol by minors by imposing a penalty on hosts which allow such consumption.

BACKGROUND

The consumption of alcohol by adults and minors can lead to negative consequences. The Police Department needs regulations tailored to deal with the problem of underage drinking.

This Ordinance will provide regulations imposing a misdemeanor, or an infraction depending on the severity of the situation, on social hosts which allow minors to consume alcohol at a social gathering. A person who permits, allows or hosts a gathering shall be deemed to have actual or constructive knowledge that a minor has consumed alcoholic beverages, if the person has not taken all reasonable steps to prevent the consumption of alcoholic beverages by minors.

This Ordinance sets out different steps a social host can take to prevent the consumption of alcohol by minors, such as controlling access to alcoholic beverages at the gathering; controlling the quantity of alcohol beverages; verifying the age of persons attending the gathering by inspecting drivers' licenses; monitoring the activities of persons at the gathering; and monitoring the conduct of minors at the gathering. Furthermore, a social host can prevent liability by seeking assistance from the Police Department to remove any person who refuses to abide by the host's performance of the duties imposed by the Ordinance.

Exceptions are included in the Ordinance. The Ordinance will not apply if all minors who are consuming an alcoholic beverage are being supervised by their parents or guardians. The Ordinance shall also not apply to any location or place regulated by the California Department of Alcohol and Beverage Control.

Staff believes adoption of this Ordinance will increase Police Department success in dealing with underage drinking by deterring social hosts from serving alcohol to minors at social gatherings.

FISCAL IMPACT

There is no Fiscal Impact associated with the proposed Ordinance. The Police Department would be enforcing this Ordinance while responding to complaints which are routinely received.

REQUESTED MOTION

"I move that the City Council adopt Urgency Ordinance No. 1-2008."

ATTACHMENT

Urgency Ordinance No. 1-2008 Amending Title 9 of the City Municipal Code, "Public Peace, Morals and Safety," by Adding Chapter 9.91 , "Social Host Ordinance."

CITY OF RANCHO CORDOVA

URGENCY ORDINANCE NO. 1-2008

AN URGENCY ORDINANCE OF THE CITY COUNCIL AMENDING TITLE 9 OF THE CITY MUNICIPAL CODE, "PUBLIC PEACE, MORALS AND SAFETY," BY ADDING CHAPTER 9.91, "SOCIAL HOST ORDINANCE"

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

Section 1. Rancho Cordova Municipal Code Title 9, "Public Peace, Morals and Safety," is hereby amended by adding Chapter 9.91, "Social Host Ordinance," to read as follows:

Chapter 9.91 Social Host Ordinance

9.91.010 Findings and Purposes
9.91.020 Definitions
9.91.030 Hosting, Permitting, or Allowing a Gathering
9.91.040 Exceptions
9.91.050 Reasonable Steps to Prevent Consumption of Alcohol; Self-Reporting
9.91.060 Violations – Penalty

9.91.010 Findings and Purposes

A. The City Council finds as follows:

1. Unsupervised parties on private property where alcohol is consumed by minors are harmful to the minors themselves and to the communities where such parties are held.

2. Police ability to abate gatherings where alcohol is consumed by minors on private property will result in a decrease in abuse of alcohol by minors, physical altercations and injuries, neighborhood vandalism, and excessive noise disturbance, thereby improving public safety.

3. Problems associated with such gatherings are difficult to resolve unless the Police Department has the legal authority to direct the host to disperse the group.

4. Control of large parties, gatherings or events on private property where minors are consuming alcohol is necessary when such activity is determined to be a threat to the peace, health, safety, or general welfare of the public.

5. When police officers are required to make calls to a location of a party, gathering, or even in order to disperse uncooperative participants, it results in a drain of police officer time and resources; and in some cases, may result in other areas of the City receiving inadequate police protection.

B. The purpose of this Chapter is to address the problems identified above and protect the public health, safety and general welfare by enhancing the enforcement of laws prohibiting the consumption of alcohol by minors and reducing the costs of providing police services to parties, gatherings, or events by requiring hosts to ensure minors are not consuming alcoholic beverages.

9.91.020 Definitions

As used in this Chapter, the following words and phrases have the meanings set forth in this Section:

A. "Alcohol" shall have the same meaning as in Business & Professions Code Section 23003 or any successor section.

B. "Alcoholic beverage" shall have the same meaning as in Business & Professions Code Section 23004 or any successor section.

C. "Guardian" means: (1) a person who, under court order, is the guardian of the person of a Minor; or (2) a public or private agency with whom a Minor has been placed by the court.

D. "Minor" means any person under 21 years of age.

E. "Parent" means a person who is a natural parent, adoptive parent, or step-parent of another person.

F. "Gathering" means a group of persons who have assembled or are assembling for a social occasion or social activity.

G. "Premises" means any residence or other private property, individual unit or place, including any commercial or business premises.

H. "Public Place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highway, and the common areas of schools, hospitals, apartment houses, office buildings, and transport facilities.

I. "Social Host" means any person hosting a gathering at his or her place of residence or other private property, public place, or any other premises under his or her control.

9.91.030 Hosting, Permitting, or Allowing a Gathering

A. The following shall apply to the permitting, allowing, or hosting a gathering where alcoholic beverages have been consumed by a minor:

1. Except as permitted by State law, it is unlawful for any person to permit, allow, or host a gathering at his or her place of residence or other private property, public place, or any other premises under his or her control where alcoholic beverages have been consumed by a minor, if such person either knows or reasonably should have known that a minor has consumed an alcoholic beverage.

2. A person who permits, allows, or hosts a gathering shall be deemed to have actual or constructive knowledge that a minor has consumed alcoholic beverages if the person has not taken all reasonable steps to prevent the consumption of alcoholic beverages by minors as set forth in Section 9.91.050(A) below.

3. Any person who permits, allows, or hosts a gathering shall be rebuttably presumed to have actual or constructive knowledge that minors have consumed

alcoholic beverages if such person is present at the premises of the gathering at the time any minor consumes an alcoholic beverage.

9.91.040 Exceptions

A. This Chapter shall not apply if all minors who are consuming an alcoholic beverage are being supervised by their parents or guardians.

B. This Chapter shall not apply to any location or place regulated by the California Department of Alcohol and Beverage Control.

9.91.050 Reasonable Steps to Prevent Consumption of Alcohol; Self-Reporting

A. It is the duty of any person who permits, allows or hosts a gathering at his or her place of residence or other private property, public place, or any other premises under his or her control, where minors will be present, to take all reasonable steps to prevent the consumption of alcoholic beverages by any minor at the gathering. Reasonable steps include, but are not limited to, the following: controlling access to alcoholic beverages at the gathering; controlling the quantity of alcohol beverages at the gathering; verifying the age of persons attending the gathering by inspecting drivers' licenses or other government-issued identification cards to ensure that minors do not consume alcoholic beverages at the gathering; monitoring the activities of persons at the gathering; and monitoring the conduct of minors at the gathering.

B. A person who hosts a gathering shall not be in violation of this Chapter if he or she seeks assistance from the Police Department or other law enforcement agency to remove any person who refuses to abide by the host's performance of the duties imposed by this Chapter, or terminates the gathering because the host has been unable to prevent minors from consuming alcoholic beverages despite having taken all reasonable steps to do so, as long as such request is made before any other person makes a complaint about the gathering.

9.91.060 Violation – Penalty

A. Violation of this Chapter shall be a misdemeanor, but may be charged, in the discretion of the citing officer, as an infraction. Violations of this Chapter shall not be charged as misdemeanors unless the citing officer observes egregious violations or aggravating circumstances.

B. Nothing in this Chapter in any way limits any other remedy that may be available to the City, or any penalty that may be imposed by the City, for violations of this Chapter.

Section 2. Severability

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance that can be given effect without the invalid provision 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

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ___ day of _____, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Ted Gaebler, City Manager
Adam Lindgren, City Attorney

SUBJECT: **RESOLUTION ESTABLISHING A TRAVEL AND REIMBURSEMENT POLICY FOR CITY OFFICIALS**

RECOMMENDATION

Adopt Resolution No. 9-2008.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will establish a travel and reimbursement policy for the City Council and the Planning Commission. The policy will establish guidelines and rules for the types of expenses that officials can be reimbursed for while engaging in City business.

BACKGROUND

In 2005, the state Legislature adopted Assembly Bill 1234 (AB 1234), which went into effect on January 1, 2006. AB 1234 establishes regulations addressing reimbursement policies and ethics training for local agencies.

The Council is familiar with the requirement of AB 1234 that requires elected and appointed officials who receive salaries or expense reimbursements to undertake a minimum of two hours of ethics training every two years. Members of the Council, the Planning Commission and City staff recently received AB 1234 ethics training on January 7, 2008, from the City Attorney's office.

In addition to ethics training, AB 1234 also requires a local agency to adopt a reimbursement policy if the local agency reimburses the expenses of elected and appointed officials. In accordance with Government Code Section 53232.5(b), which was established pursuant to AB 1234, the policy is required to specify the types of occurrences that qualify a city official to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses.

In order to assist the City Council in satisfying the requirements of AB 1234 and other applicable provisions of state law, the City Manager, Assistant City Manager, Finance Director, Risk Manager and City Attorney have worked together to prepare the attached reimbursement and travel policy for the City Council's consideration.

Among other things the attached policy:

- Applies to members of the City Council, Planning Commission and other boards or commissions that may be appointed by the City Council;

- Establishes the types of occurrences that will qualify for reimbursement, including attendance at conferences or organized educational activities; meeting with local, state and federal legislators and officials regarding City affairs; and participation in regional, state or national organizations whose activities affect the City's interests;

- Establishes procedures for the arrangement of transportation and hotel reservations;

- Establishes reimbursement guidelines for meals and incidental expenses;

- Identifies expenses that will not be eligible for reimbursement such as entertainment expenses, political contributions and costs arising from the personal portion of City business trips such as haircuts or shopping;

- Establishes that officials will need to submit expense report forms with receipts in order to receive reimbursement, and identifies that such documents will be considered public documents subject to disclosure pursuant to the California Public Records Act; and

- Establishes that officials will be required to provide public reports on meetings the officials attend at the expense of the City.

Finally, the City Manager will establish an administrative level travel and reimbursement policy that mirrors this policy and will be applicable to City employees.

REQUESTED MOTION

"I move that the City Council adopt the attached resolution establishing a travel and reimbursement policy for city officials."

ATTACHMENT

Resolution No. 9-2008 including **(Exhibit A)** Travel and Reimbursement Policy

CITY OF RANCHO CORDOVA

RESOLUTION NO. 9-2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ESTABLISHING A TRAVEL AND REIMBURSEMENT POLICY FOR CITY OFFICIALS

WHEREAS, members of the City's legislative bodies perform official duties that require travel; and

WHEREAS, the official duties that involve travel include training, conferences, meetings with legislators and regulators, and meetings with staff and officials of surrounding communities regarding matters of mutual importance; and

WHEREAS, the performance of such official duties facilitates the efficient and satisfactory completion of City business and promotes a good relationship between the City and surrounding communities, the state government, and the federal government; and

WHEREAS, members of legislative bodies incur expenses related to the performance of official duties, which may take place both within and outside of the City of Rancho Cordova; and

WHEREAS, the California Government Code permits the City to reimburse members of the City Council and other city officials for expenses incurred in the performance of official duties; and

WHEREAS, the City Council has previously adopted an ordinance authorizing reimbursement for the members of the City Council for expenses incurred in the performance of official duties; and

WHEREAS, Assembly Bill 1234 requires the City Council to adopt a policy regarding the reimbursement for expenses incurred by members of legislative bodies in the performance of official duties; and

WHEREAS, the policy adopted pursuant to this Resolution is intended to satisfy the pertinent requirements of AB 1234 relating to the reimbursement of expenses of members of legislative bodies.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rancho Cordova that:

1. The reimbursement policy set forth in **Exhibit A** is adopted and established as the Travel and Reimbursement Policy for Rancho Cordova City Officials.

PASSED AND ADOPTED by the City Council of on the 22nd day of January, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Linda Budge, Mayor

ATTEST:

_____
Stacy Leitner, Interim City Clerk

EXHIBIT A

Travel and Expense Reimbursement Policy for Rancho Cordova City Officials

1. *Purpose.* The purpose of this policy is to ensure that the reimbursement of members of legislative bodies for expenses incurred in the performance of official duties complies with the California Government Code and to establish other requirements related to travel expenses paid by the City.

2. *Policy.* Members of a legislative body may be reimbursed for actual and necessary expenses incurred in the performance of official duties only as provided in this Policy.

3. *Definitions.* The following definitions shall apply to this policy:

a. "Legislative body" means the City Council, the Planning Commission, and any other commission, board or committee appointed by the City Council.

b. "Official" means a member of a Legislative body.

4. *Types of Occurrences that Qualify for Reimbursement.* Members of a legislative body may be reimbursed for actual and necessary expenses incurred in the performance of official duties, including:

(a) attending conferences;
(b) attending organized educational activities;
(c) meeting with local, state, and federal legislators and officials regarding official city business;
(d) meeting with staff and officials of surrounding communities regarding matters of mutual concern;
(e) attending City events;
(f) participating in regional, state, and national organizations whose activities affect the City's interests;
(g) recognizing service to the City (for example, attending a celebration thanking a longtime employee or active member of the community);
(h) implementing a City-approved strategy for attracting and retaining businesses to the City, which will typically involve at least one staff member; and
(i) such other activity that provides a benefit to the City with City Manager concurrence.

5. *Government Rates.* Airlines, hotels, and rental car companies often make special rates available to state, federal, and local governments. These rates are presumed to be the most economical and reasonable rates for the purposes of this Policy and shall be used when available. Those booking travel should consult available resources, such as www.catravelsmart.com, to determine the applicable government rates.

6. *Transportation.*

a. *Cost Comparison to Determine Mode of Transportation.* When contemplating travel arrangements, members of a legislative body should make a reasonable effort to choose the least expensive mode of travel. For example, in some cases, it may be less

expensive for the City to reimburse members of a legislative body for mileage associated with vehicle transportation than to pay for air travel. Prior to making travel arrangements, the member of the legislative body shall compare the cost of traveling by the various modes of travel available and determine the most cost effective mode given the official's scheduling needs. Members of legislative bodies shall also consider cost-saving strategies such as car-pooling or group travel packages in the cost comparison.

b. *Air Travel.* When possible, members of a legislative body should arrange for air travel to be paid for by the City. The designated individual(s) in the City responsible for making travel arrangements shall book the most economical and reasonable mode and class of transportation available that is consistent with the official's scheduling needs.

If advance arrangements cannot be made due to lack of advance warning or other extenuating circumstances as approved by the City Manager or his or her designee before the expenses are incurred, members of a legislative body may be reimbursed for the expense of a roundtrip airplane ticket, as long as it is the most economical and reasonable round-trip fare consistent with the official's scheduling needs. In no event shall City reimburse for class types beyond economy classes.

c. *Personal Vehicle Travel.* Members of a legislative body may be reimbursed for expenses incurred in traveling by personal vehicle on official business at the Internal Revenue Service Mileage Rate. Members of a legislative body requesting such reimbursement shall file a Mileage Reimbursement Request form, which shall satisfy the Documentation Requirements provided in Section 15 of this Reimbursement Policy.

d. *Car Rental Reimbursement.* Prior to requesting a rental car, officials traveling on official business shall consider whether a rental car is the least expensive means of transportation at the destination. When possible, members of a legislative body should arrange for car rentals to be paid for in advance by the City. The designated individual(s) in the City responsible for travel arrangements shall book the most economical and reasonable rental rate that is available.

If advance arrangements cannot be made due to lack of advance warning or other extenuating circumstances as approved by the City Manager or his or her designee before the expenses are incurred, members of a legislative body may be reimbursed for the expense of car rental, as long as it's the most economical and reasonable car rental rate consistent with the official's scheduling needs.

7. *Meals.*

a. *Meals in Conjunction with Travel.* Members of a legislative body may be reimbursed for expenses incurred for meals consumed while traveling on official business. Receipts shall be required for reimbursement.

For travel, a member of a legislative body may be reimbursed for meals in amounts that do not exceed the following, which include tax and gratuity:

Breakfast:	$ 12
Lunch:	$ 18
Dinner:	$ 39
Incidentals (snacks)	$ 10

Total $ 79

The City Manager or his or her designee shall update the reimbursable amounts for meal expenses from time to time.

The member of the legislative body may be reimbursed for meals in an amount that does not exceed the aggregate amount of meal allowances in a particular day for which the member is eligible.

b. *Reimbursement for Other Meals.* Where authorized by Section 4 of this Policy, members of a legislative body may be reimbursed for their meals associated with the performance of official duties at rates not to exceed the amounts set forth in Section 7(a) of this Policy. Meals for spouses, family members, and other third parties shall not be reimbursed.

8. *Lodging.*

a. The City will pay for or reimburse for lodging expenses when travel on official city business reasonably requires an overnight stay.

b. When possible, members of a legislative body should arrange for lodging expenses to be paid by the City. The designated individual(s) in the City responsible for making travel arrangements shall book lodging at the most economical or reasonable rates for lodging that is in a location that is reasonable and convenient in relation to the official's scheduling and official business needs. For lodging in connection with a conference or organized educational activity, such lodging costs shall generally not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of a legislative body at the time of booking.

c. If such advance arrangements cannot be made due to lack of advance warning or other extenuating circumstances as approved by the City Manager or his or her designee before the expenses are incurred, a member of the legislative body may be reimbursed for lodging expenses, so long as the amount of the reimbursement does not exceed the government or group rates offered by a provider of lodging in a location that is reasonable and convenient in relation to the official's official business needs or the maximum group rate published by the event or activity sponsor, whichever is higher.

9. *Incidental Expense Reimbursement.* Members of a legislative body may be reimbursed for actual and necessary incidental expenses incurred in connection with a conference, organized educational activity, or other performance of official duties. Incidental expenses include reasonable gratuities for hotel and airline employees, parking fees, cab fares, public transportation costs, tolls, telephone calls, faxes and other communications relating to the performance of official duties, telephone calls of a personal nature, and other such incidental expenses.

Reimbursement for expenses incurred in placing telephone calls and other communications of a personal nature shall be limited to $10 per day for travel within California, and $20 per day for travel outside of California. The City Manager or his or her designee may periodically adjust the amount available for reimbursement of personal communications.

10. *Conference Registration Fee Reimbursement.* When possible, members of a legislative body should arrange for conference and organized educational activity registration fees to be paid in advance of the conference by the City. If such advance arrangements cannot be made due to lack of advance warning or other extenuating circumstances, members of a legislative body may be reimbursed for the expense of a conference or organized educational activity registration fee.

11. *Expenses to Accommodate Disabilities.* This policy shall not be construed to limit the City's ability to reimburse members of a legislative body for necessary expenses in excess of that which is otherwise permitted under this policy where such additional expenses are necessary to accommodate for a disability.

12. *Other Expenses.* All other actual and necessary expenses incurred in the performance of official duties that are not described in this Reimbursement Policy shall not be reimbursed unless approved by the City Council before the expense is incurred. The following expenses also require prior approval by the City Council:

a. International travel;
b. Expenses which exceed the annual limits, if any, established for each office holder; and
c. Expenses exceeding $5,000 per trip.

13. *Prohibited Expense Reimbursements.* Examples of personal expenses the City will not reimburse include, but are not limited to:

a. reimbursement for spouse or family for any expenses;
b. entertainment expenses such as movie rental fees, theater tickets or sporting event fees (including gym, massage, and/or golf related expenses);
c. political contributions or events;
d. charitable contributions or events (this prohibition does not apply to charitable contribution funding approved in the City Budget);
e. the personal portion of any trip (e.g. shopping; haircuts; sightseeing/souvenir expenses; cover fees; hotel, transportation and food expenses incurred during optional, extra days spent at a conference or meeting location); and
f. non-mileage personal automobile expenses, including repairs, traffic citations, or gasoline and personal losses incurred while on City business.

Officials shall also not be issued cash advances for any reason.

14. *Documentation Requirements.* The City Manager shall provide members of a legislative body with expense report forms to be filed by the member for reimbursement for actual and necessary expenses incurred in performance of official duties. The expense report form shall be used to document that the expenses for which reimbursement are sought are proper under this Policy.

Members of a legislative body must file expense report forms within 30 days of incurring the expense. The expense report forms shall be accompanied by original, itemized receipts documenting each expense, except that detail regarding the nature of the expense provided in the expense report shall suffice for incidental expenses for which receipts are not customarily given.

All documents related to reimbursable expenditures shall be considered public records subject to disclosure under the California Public Records Act.

15. *Brief Report to Legislative Body*. Members of the legislative bodies shall provide brief reports on meetings attended at the expense of the City at the next regular meeting of the legislative body immediately following the event for which reimbursement is sought. If more than one member of a legislative body attends the event, a report from one of the members that mentions the other's presence is sufficient.

16. *Effect of Violation*. A violation of this Reimbursement Policy may result in the following penalties, including, but not limited to: 1) loss of reimbursement privileges; 2) restitution to the City; 3) civil penalties for the misuse of public resources pursuant to Section 424 of the California Penal Code; and 4) prosecution for misuse of public resources pursuant to Section 424 of the California Penal Code.

MEMORANDUM

DATE: January 22, 2008

TO: Honorable Mayor and Council Members

FROM: Joe Chinn, Assi stant City Manager

SUBJECT: **RANCHO CORDOVA CHAMBER OF COMMERCE REGARDING FISCAL CIRCUMSTANCES FOR WHICH THE CITY MAY PROVIDE INTERIM SOLUTIONS**

RECOMMENDATION

Consider reque st and direct appropriate action.

RESULT OF RECOMMENDED ACTION

Council consider a request from a key membership organization that supports and promotes the economic vitality of Rancho Cordova.

BACKGROUND

The Rancho Cordova Chamber of Commerce has asked for an opportunity to make a presentation to the City Council. While many meetings have been held since June, as of this moment, there is no specific written request from the Chamber of Commerce. Therefore, there is no staff review or staff recommendation.

We do expect something in writing by Tuesday, January 22. We understand that the following two items will be presented by the Chamber: (1) a request regarding their lease, and (2) a report on their short-term financial needs.

AGENDA ITEM 11.3

Agenda Item 11.3 Supplemental Report

RANCHO CORDOVA CHAMBER OF COMMERCE

REORGANIZATION PLAN & CITY ASSISTANCE REQUEST

The Rancho Cordova Chamber of Commerce has experienced a damaging period of decline which is the result of many external and internal factors, not the least of which was a loss of focus on the most important element of its membership, its members. For the past six months, volunteer members, along with an interim CEO, ha analyzed the conditions present in the chamber organization which lead to this decline including a review of all matters contractual, financial, personnel, operations, and finally the membership.

The result of this review and analysis is the reality that the Rancho Cordova Chamber of Commerce has been failing its members and did not have a watchful eye on its operations including its financial responsibilities. After countless meetings and discussions, it has been determined the Chamber will be unable to right its course without assistance from the City of Rancho Cordova.

The Chamber of Commerce is often the first line of contact regarding the pulse of the community. When potential residents and businesses research a community, the chamber of commerce is usually the first source of reliable information they seek out. The Rancho Cordova Chamber of Commerce has been a partner with the City of Rancho Cordova long before the city was even a reality, fostering the process of cityhood through its membership and strong advocacy. The chamber of commerce and its activities and outreach may be the only link small business operators have with government, often being the link they are most comfortable with.

In other words, the City of Rancho Cordova has in place its government structure which is the backbone of the city. The Rancho Cordova Chamber of Commerce is its public face and the Community Council is its heart. Together these partners represent a complete community package to the citizens, the business, and newcomers in Rancho Cordova.

Thus, we present herein an outline of the current condition of the Rancho Cordova Chamber of Commerce, how we propose to correct the failures of the prior administration, and the help we need from our city.

ACTIONS APPROVED BY THE RANCHO CORDOVA BOARD OF DIRECTORS, in direct response to its current operational and financial crisis.

<u>Items accomplished</u>

- Immediate removed the former CEO – Rex Albright.
- Immediate removed the former Chairman – David Wilde.
- Hired an interim CEO, Rick Larkey (Associated Resources – paid consultant).
- Hired an outside accounting firm to perform an audit of accounting records.
- Restructured the board of directors bringing back former RCCC presidents (chairs) to assist with the review and rebuilding process and establish a slate of officers for the 2008 year.

- Accomplished a two-day board retreat in order to define issues to be addressed and generate a plan of action for moving forward.
- Hired a bookkeeper to handle the day-to-day accounting and assist the volunteer board member in untangling of the former bookkeeping system, and establishing new systems in accordance with commonly accepted bookkeeping and accounting principles.
- "Right-sized" staff (on an hourly basis, ROP and grant fund project) to ensure the chamber office is manned and the phone are answered.
- Establishing secure storage of all records related to the prior and current operation of the chamber of commerce in the chamber offices, removing them from off-site storage

One result of these actions is the surfacing of a large number of financial issues. Many of those issues were also noted by the outside auditor. However, due to missing and/or destroyed files and records, many items related to the audit could not be verified. Further there is no cooperation forthcoming from the prior CEO.

ACTIONS CURRENTLY ONGOING, in order to provide a more secure and appropriate plan and structure of the chamber operations.

- Contract with interim CEO was completed on 12/31/07 and a new 90-day contract was awarded to Martha Lake who is charged with the day-to-day handling of chamber operations under the direction of the Board of Directors. This was an immediate reduction in expense to the chamber of $3500 per month.
- All accounts payables have been reviewed and delinquent vendors are being contacted to discuss payment options.
- Any contracts which have not been started or completed are being voided if possible to reduce exposure to chamber funding.
- All chamber office operations are under review in order to ensure costs associated with operations are appropriate.

ACTIONS IN PROCESS, in order to solidify stability of chamber operations.

CORDOVA COMMUNITY COUNCIL PARTNERSHIP

In order to leverage resources among organizations, a partnership with the Cordova Community council is proposed. This collaboration would co-locate both organizations within the chamber office space, allowing them to share overhead, share specific staff resources and collaborate on various events. Both the Community Council and the Rancho Cordova Chamber of Commerce Boards of Directors have endorsed and approved this partnership. This measure is still in planning stages, but we anticipate it will be completed if our request to the City is accepted.

REINSTATEMENT OF EVENTS CALENDAR

A return to regularly scheduled chamber events for members which not only engages the membership, but which also generates funds for the day-to-day chamber operations. This schedule of events begins with the 2008 Annual Dinner held on January 24, 2008. This event is expected to generate $6,500 - $9,500 after paying all event-related costs. A schedule of anticipated events is:

February – Return of the Membership Luncheon/ Speaker Series.

March - 2008 Awards Luncheon – Typically a part of the annual dinner this will provide focus on members and ambassadors in a luncheon setting. It is important this recognition is not lost in the frivolity of the annual dinner and thus deserves a separate event.

May – 2008 Golf Tournament – a return to Mather Golf Course for this annual event.

June - Rowdy on the Rail – Joint promotion with Sacramento Regional Transit (in conceptual stage). In order to highlight the tremendous asset we have in the light rail system in Rancho Cordova, an event is envisioned where each Rancho Cordova light rail station (Bradshaw through Hazel) will have a combination of food, crafts and music at each stop. Participants would buy a single ticket for entry to all events when you board the train.

August – Chili Cook-off /Beer Tasting (in conceptual stage). Coordinated sanctioned event with the International Chili Cook-off group. Event to be held at a park or in a parking lot venue.

September – Economic Outlook Luncheon. Showcase/Trade Show.

October – Political Pot Luck (Conceptual)– a joint effort of the Chamber and the Rancho Cordova PAC. Invite all local candidates running for office (City Council, County Board, State Legislature, Congress, School Board, Park District, Special District) to a pot luck event (i.e. spaghetti feed). Ask politicians to bring a desert and speak to the assembly. Seat one politician at a table of attendees. Each politician speaks and gets a fixed period of minutes for questions.

November – Return of the infamous Rancho Cordova Crab Feed. Moving the event to the first month of crab season ensures a well-attended event.

December – Chamber Cheer. Membership party. A holiday event for all chamber members, lower cost.

Monthly - A return to Membership Luncheons. The first membership luncheon would be scheduled for February and include Mayor Budge and a presentation from SMUD's Green effort. It is important the chamber demonstrate its support of the mayor's platform for this year and this is a perfect opportunity to get that message out to the membership. These luncheons will always include informative speakers for the benefit of our membership as well as another networking opportunity.

Ambassador Programs – Currently the ambassadors handle many networking programs such as 90 Second Networking (second Monday of the month), Meet the Members (second Thursday of the month), Mixers (4th Wednesday of the month).

BOARD OF DIRECTOR'S TRAINING

A policy has been instituted and will be implemented immediately with regard to specific training for board members. Participation in this training which covers legal and fiscal responsibility of volunteer board members will be mandatory for all members of the board current and future. Training to be conducted by the Sacramento region's Non-Profit Resource Center.

Agenda Item 11.3 Supplemental Report

RESTRUCTURE OF FINANCIAL ACTIVITIES

The board of directors has set forth a list of specific items which have been implemented in keeping with solid financial practices.

- No purchase of goods and no contract for services shall be negotiated or requested by any individual board member or the CEO or acting CEO.
- Any and all contracts signed on behalf and for the benefit of the chamber of commerce must receive board approval prior to acceptance. No contract shall be entered into by the CEO or acting CEO without that approval.
- Accounting reports shall be made available to the board on either a cash or accrual basis upon request and at any time, in addition to the monthly financial statements provided at board meetings.
- Checking and Savings account activity shall require dual signatures. Four board members, the Chairman, Immediate Past Chair, Incoming Chair and Secretary shall be designated signers for this activity.
- No payments made to any one of the signers on the account for any reason will be made under payee's signature.
- No payments will be made to vendors for goods or services without benefit of a contract (if applicable) and an invoice for payment. All payment records shall include the check detail attached to the original paid invoice.
- All payables shall be reviewed as received by the CEO or acting CEO and discussed with the Chairman prior to payment.
- All current vendor contracts shall be reviewed for appropriateness and cost. The vendor shall be contacted if adjustments are required.
- Any vendor who is currently in a delinquent pay status to be contacted with regard to status of payment and an updated statement requested.
- No donation, trade or barter agreement shall be made for goods or services related to chamber activities without full knowledge of the board and confirmed in writing as an in-kind contract.
- The accounting records office shall be kept locked at all times unless occupied by the appropriate individual.

The information provided herein outlines the initial steps taken to provide a fiscally responsible and operationally appropriate organizational structure. Additional steps will be identified as additional matters are addressed.

CIRCLE OF INVESTORS

A restructuring of the Circle of Investors program will be accomplished which will further engage our major business partners and supporters. With a positive plan of action for the Rancho Cordova Chamber of Commerce and anticipating its partnership with the Cordova Community Council, the Board of Directors is confident the Circle of Investors Program will again become a viable part of the Chamber of Commerce programs and funding stream.

RANCHO CORDOVA CHAMBER OF COMMERCE
FUNDING REQUEST - JANUARY 22, 2008

1. **Chamber of Commerce Rent Forgiveness**

   As a partner in the development and ongoing growth of the City of Rancho Cordova, a request is made with regard to the rent for the occupied offices:

   A. Forgiveness of the current amount of rent unpaid to the City through and including January 31, 2008 .....$ 105,637.29

   B. Forgiveness of the current amount of interest charge Against the rental amount noted above through and Including January 31, 2008.....$ 92,728.22

2. **Rent Structure beginning February 1, 2008**

   In order to foster the continued cohesive presentation of City, business and community synergy, allow the Chamber to reside in its current offices for a gross rental fee of one dollar ($1) per year. This rent will also overlay the cohabitation of the Community Council.

3. **A loan to retire the current indebtedness of the Chamber**

   All support documents to be provided to verify payees Upon request for Chamber of Commerce indebtedness.....$ 150,000.00

   Repayment of REDC loan to Bank of Sacramento.....$ 90,000.00

   The loan structure requested is a five year loan as follows:

   Year One – no interest, no payment.
   Year Two, Three, Four – interest only against the principal, payable on a monthly basis at a rate established by the City (ie: California Life Insurance rate) simple interest.
   Year, Five thru Nine – a schedule of payments reducing the principal amount over the five-year period.

   A separate account to be utilized by the chamber into which a percentage of all positive cash flow events will be deposited, earning interest, to be used for loan repayment.

4. **An additional amount to the loan** to be used for chamber operations for the next 90 days of .....$ 60,000.00

5. **Conditional items for the benefit of the City as the Chamber lender.**

   A. The current indebtedness figure includes the retirement of a loan commitment on behalf of the REDC of $90,000. If appropriate this loan repayment to Bank of Sacramento to be made directly by the City to Bank of Sacramento.

   B. Reporting to the city staff on a monthly basis, via board meeting financial reports.

   C. Quarterly meetings with city staff representatives to review progress with regard to chamber operations and financial stability.

   D. A review of and implementation of any direction provided by the City regarding current sub-lease office space within the Chamber offices.

   E. An offer and request to have a member of the City staff, or the Mayor join the chamber board meetings as a non-voting participant.

   F. A Chamber of Commerce budget for 2008 to be provided to the City setting forth operations, membership and event revenues and costs no later than February 29, 2008 which would include a cost-sharing element related to the Community Council.