

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, January 3, 2022

**5:30 PM – Regular Meeting
David B. Roberts Council Chambers**

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Pursuant to California Assembly Bill 361 amending the Ralph M. Brown Act (Govt. Code 54950-54963), the City has declared a state of emergency relating to COVID-19 and imposed measures to promote social distancing. City Council members and members of the public may participate in the meeting in person or via video/teleconferencing.

Join the Meeting Via Zoom Link:

<https://cityofranchocordova.zoom.us/j/81365371301?pwd=YkpSK0ZnTXZRTGJDeiBkellvbjhIZz09>

Join the Meeting via the Zoom Phone Number

Zoom Phone Number: US: +1 669 900 6833, +1 253 215 8782, 888 475 4499 (Toll Free)

Webinar ID: 813 6537 1301

Password: 578969

Instructions to Make Public Comment

Submitting Public Comment via Email

Members of the public who wish to provide public comment via email will need to submit comments to CityClerk@cityofranchocordova.org no later than 3:00 p.m. on Monday, January 3, 2022. All comments submitted later than 3:00 p.m. will be sent to the City Council for their review and may not be read during the meeting.

Listening to a Zoom Meeting by Zoom Video Conference

To make a public comment using the Zoom platform, please use the “raise hand” feature at the bottom center of the screen. Please make sure to enable audio controls once access has been given by the City Clerk’s office to speak. Please wait to be called upon by the City Clerk.

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your hand. Please wait to be called upon by the City Clerk.

All public comments will be limited to three-minutes.

If you have questions related to the City Council Meeting or the use of Zoom, please contact the City Clerk's Office at (916) 851-8720 Monday, January 3, 2022, before 3:00 p.m.

AGENDA

1. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Council Members Linda Budge, Garrett Gatewood, Siri Pulipati, David Sander, and Mayor Donald Terry.

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk 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

There will be a moment of silence in lieu of the invocation.

5. PRESENTATIONS

5.1. Presentation of Proclamation Recognizing Diann Rogers, CEO & President of the Rancho Cordova Area Chamber of Commerce.

5.2. Presentation of Proclamation Recognizing January 2022 as "Tamil Heritage Month."

6. PUBLIC COMMENT

Citizens wishing to address the Council for any matter not on the agenda may do so at this time via teleconference or by completing and submitting a Speaker Card to the City Clerk.

If you want to make a public comment via teleconference, please use the "raise hand" feature at the bottom center of the screen. If you are participating by telephone and you want to make a public comment, please press *9 to raise your hand. For those participating by Zoom or telephone, please wait to be called upon by the City Clerk.

For items on the agenda, speakers will be called 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.

Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be

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

7. COUNCIL REPORTS

8. CITY MANAGER'S REPORT

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 9.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of December 6, 2021 and the Regular City Council Meeting of December 20, 2021.

Recommendation: Adopt the Minutes.

- 9.2. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2021-334 in an Amount not to Exceed \$308,176.00 with Bear Construction, Inc. to Construct the 2022 ADA Sidewalk Improvement Project to Improve Safety and Promote a Positive Image.

Recommendation: Adopt the Resolution.

- 9.3. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2021-337 with R.E.Y. Engineers, Inc. for On-Call Engineering and Design Services in an Amount not to Exceed \$616,948 for the Countryside Neighborhood Street Rehabilitation Project to Increase Safety and Promote Livability.

Recommendation: Adopt the Resolution.

- 9.4. **Subject:** Second Reading of an Ordinance Amending the Rancho Cordova Municipal Code Amending Title 23 (Zoning), Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions.

Recommendation: Waive the second reading and adopt the Ordinance amending Title 23 (Zoning), Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the Rancho Cordova Municipal Code.

- 9.5. **Subject:** Second Reading of an Ordinance Amending Title 2 Administration and Personnel, Chapter 2.30 Planning Commission of the City of Rancho Cordova Municipal Code.

Recommendation: Waive the second reading and adopt the Ordinance amending Title 2 Administration and Personnel, Chapter 2.30 Planning Commission, Section 2.30.120 Compensation of the City of Rancho Cordova Municipal Code related to the compensation for the Planning Commission.

- 9.6. **Subject:** Resolutions of Intention to Establish the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1, to Levy a Special Tax Therein, and to Incur Bonded Indebtedness in and for the District to Finance the Acquisition and Construction of Certain Public Facilities in and for such District.

Recommendation: Adopt the Resolutions.

- 9.7. **Subject:** A Resolution of the City Council of the City of Rancho Cordova and on Behalf of Commissions and Committees Created by the City Council Pursuant to Government Code Section 54952(b) Confirming the State of Emergency Under Government Code Section 8625, Recognizing Continued Measures to Promote Social Distancing, and Re-authorizing Remote

Teleconference Meetings of the City for the Period from January 3, 2022 to February 2, 2022.
Recommendation: Adopt the Resolution.

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

None.

11. PUBLIC HEARING ITEMS

None.

12. REGULAR CALENDAR ITEMS

12.1. **Subject:** City Council Work Session Priorities for 2022.

Recommendation: Receive information and provide direction as needed.

12.2. **Subject:** A Resolution of the City Council of the City of Rancho Cordova Approving a 5% Performance Incentive Payment for Cyrus Abhar for Service as City Manager.

Recommendation: Adopt the Resolution.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

14. ADJOURN TO CLOSED SESSION

Mayor Terry will adjourn the meeting to closed session.

15. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Council Members Linda Budge, Garrett Gatewood, Siri Pulipati, David Sander, and Mayor Donald Terry

16. CLOSED SESSION

Council will meet in closed session to discuss the following item:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) (One Case).

17. OPEN SESSION - REPORT FROM CLOSED SESSION

The City Attorney will report on action taken in closed session.

18. ADJOURNMENT

ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11:00 PM WILL BE CONTINUED TO THE NEXT DAY AT 5:30 PM OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the

time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

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

UPCOMING MEETINGS

January 18, 2022	5:30 PM Regular Meeting
January 25, 2022	5:30 PM Special Meeting/Work Session
February 7, 2022	4:00 PM Special Meeting/Regular Meeting
February 15, 2022	5:30 PM Special Meeting/Work Session
February 22, 2022	5:30 PM Regular Meeting
March 7, 2022	4:00 PM Special Meeting/Regular Meeting
March 21, 2022	5:30 PM Regular Meeting
March 29, 2022	5:30 PM Special Meeting/Work Session

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

The Rancho Cordova City Council meeting will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A DVD copy is available from the City Clerk's Department and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

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, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the January 3, 2022 Regular Meeting of the Rancho Cordova City Council was posted and available for review on December 30, 2021 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 website at www.cityofranhocordova.org.

Signed December 30, 2021 at Rancho Cordova, California.



Stacy Leitner, CMC
City Clerk

ITEM 9.1.

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING Monday, December 6, 2021

4:00 PM – Special Meeting/Closed Session
5:30 PM – Regular Meeting
David B. Roberts Council Chambers

City Hall
2729 Prospect Park Drive, Rancho Cordova

Pursuant to California Assembly Bill 361 amending the Ralph M. Brown Act (Govt. Code 54950-54963), the City has declared a state of emergency relating to COVID-19 and imposed measures to promote social distancing. City Council members and members of the public may participate in the meeting in person or via video/teleconferencing.

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Vice Mayor Terry called the Special meeting to order in the David B. Roberts Council Chambers at 4:02 p.m.

Council Members Present: Linda Budge, Siri Pulipati, David Sander, Donald Terry, and Mayor Garrett Gatewood

Council Members Absent: None

Staff Members Present: Cyrus Abhar, Adam Lindgren, Stacy Leitner and Persephonie Riley

2. PUBLIC COMMENT

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

3. ADJOURN TO CLOSED SESSION

Mayor Gatewood adjourned the special meeting to closed session at 4:05 p.m.

4. CLOSED SESSION - CALL TO ORDER/ROLL CALL

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Mayor Gatewood called closed session to order at 4:05 p.m.

Council Members Present: Linda Budge, Siri Pulipati, David Sander, Donald Terry, and Mayor Garrett Gatewood

Council Members Absent: None

Staff Members Present: Cyrus Abhar and Adam Lindgren

5. CLOSED SESSION

Council will meet in closed session to discuss the following item:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8): Property: Assessor's Parcel Numbers 076-0020-0019, 076-0020-0020, 076-0020-0021, 076-0020-0022. Agency negotiators: Cyrus Abhar, City Manager, Adam U. Lindgren, City Attorney. Negotiating parties: Griffin Swinerton. Under negotiation: Price and Terms of Payment.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(4) (One Case).

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (pursuant to California Government Code Section 54956.9(d)(1)) Cordova Recreation and Park District v. City of Rancho Cordova, Sacramento Superior Court Case No. 34-2021-80003705.

6. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that the City Council by a vote of 5:0, authorized the City Manager to enter into two settlement agreements related to the case County of Sacramento, et al., v. Amerisourcebergen Drug Corporation et al., U.S.D.C., and the Eastern District of California, Case No. 2:18-cv-01135 and U.S.D.C., Northern District of Ohio, MDL No. 2804, Case No. 17-MD-2804.

City Attorney Adam Lindgren reported that staff was given direction on the remainder of closed session items and there was no reportable action taken on those items in closed session.

7. ADJOURNMENT TO THE REGULAR MEETING

Mayor Gatewood adjourned closed session to the regular meeting at 5:42 p.m.

8. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Mayor Gatewood called the Regular meeting to order in the David B. Roberts Council Chambers at 5:42 p.m.

Council Members Present: Linda Budge, Siri Pulipati, David Sander, Donald Terry, and Mayor Garrett Gatewood

Council Members Absent: None

Staff Members Present: Cyrus Abhar, Adam Lindgren, Stacy Leitner and Persephonie Riley

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9. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

10. PLEDGE OF ALLEGIANCE

Cyrus Abhar led the pledge.

11. INVOCATION

Mayor Gatewood gave the invocation.

12. PRESENTATIONS

- 12.1. Introduction of New Employee: Xee Vang, Senior Finance Analyst by Dalia Fadl, Principal Engineer.

13. PUBLIC COMMENT

Mayor Gatewood opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Larry Ladd
2. Fayzah Mughal
3. Helen Whelan Bashaw
4. Diann Rogers

Mayor Gatewood closed the public comment period.

14. COUNCIL REPORTS

Council reported on events since the last meeting.

15. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

16. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Mayor Gatewood requested that Item 16.3 be pulled for separate discussion.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 16.1 through 16.2 and item 16.4 through 16.8 by Budge second by Sander;
Motion passed with a 5:0 vote.

- 16.2. **Subject:** Second Reading of an Ordinance Establishing Special Tax Zone 31 Transit-Related Services for a portion of The Ranch Project

Recommendation: Waive second reading and adopt the Ordinance.

- 16.3. **Subject:** A Resolution of the City Council of the City of Rancho Cordova and on Behalf of Commissions and Committees Created by the City Council Pursuant to Government Code Section 54952(b) Confirming the State of Emergency Under Government Code Section 8625, Recognizing Continued Measures to Promote Social Distancing, and Re-authorizing Remote Teleconference Meetings of the City for the Period from December 6, 2021 to January 5, 2022.

Recommendation: Adopt the Resolution.

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Mayor Gatewood opened the public comment period. The following individuals addressed the Council:

1. Helen Whelan Bashaw

Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 16.3. by Terry second by Budge;
Motion passed with a 4:1 vote.

AYES: Budge, Pulipati, Sander, and Terry

NOES: Gatewood

ABSENT: None

ABSTAIN: None

- 16.4. **Subject:** A Resolution Approving the Annexation of The Ranch Subdivision (Market Rate Portion) into the City of Rancho Cordova Community Facilities District No. 2013-2 (Police Services).

Recommendation: Adopt the Resolution.

- 16.5. **Subject:** Second Reading of an Ordinance Amending the Rancho Cordova Municipal Code Amending Title 2 (Administration and Personnel) to Repeal and Replace Chapter 2.30 Planning Commission and Amend Title 23 (Zoning Code), Article 1 (Administration), Chapter 23.104 (Approval Authority) and Chapter 23.110 (Application Processing).

Recommendation: Waive the second reading and adopt the Ordinance amending Title 2 Administration and Personnel, Chapter 2.30 Planning Commission and Title 23 Zoning Code, Article 1 Administration of the City of Rancho Cordova Municipal Code Related to the Reestablishment of the Planning Commission.

- 16.6. **Subject:** A Resolution Approving the Final Map of Easton Research Park West Large Lot Map, Subdivision No. FM-2021-001-00, And Authorizing The City Manager To Execute The Subdivision Improvement Agreement Contract No. 2021-320 With Aerojet Rocketdyne, Inc.

Recommendation: Adopt the Resolution.

- 16.7. **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 64-2019-2 for the Preparation of an Environmental Impact Report with Raney Planning and Management, Inc. to Extend the Contract term from December 31, 2021 to December 31, 2022.

Recommendation: Adopt the Resolution

- 16.8. **Subject:** Treasurer's Report - September 30, 2021.

Recommendation: This report is informational only. It is recommended that the City Council receive and file the September 30, 2021 Treasurer's Report.

17. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 17.1 through 17.3 by Budge second by Terry;
Motion passed with a 5:0 vote.

- 17.1. **Subject:** A Resolution Declaring a Protest Hearing and Authorizing the Mailing of

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Property Owner Ballot Relating to the Imposition of an Annual Stormwater Utility Fee for a portion of The Ranch Project

Recommendation: Adopt the Resolution.

- 17.2. **Subject:** Montelena Village 1 and 2 Major Design Review for Pulte Homes Master Home Plans - Project PLND-1021-0012.

Recommendation: Determine the project Exempt per Section 15182, of the CEQA Guidelines; and adopt the Resolution for Montelena Village 1 and 2 Major Design Review for Pulte Homes Master Home Plans.

- 17.3. **Subject:** Resolutions and an Ordinance Related to the Formation of the City of Rancho Cordova The Ranch Community Facilities District No. 2021-1.

Recommendation: Adopt the Resolutions and waive first reading and introduce the Ordinance.

18. PUBLIC HEARING ITEMS

- 18.1. **Subject:** Anatolia Marketplace Chevron Service Station and Convenience Store Conditional Use Permit Amendment, Major Design Review, Conditional Use Permit and Letter of Public Convenience and Necessity (PCN); Project No. DD10071.

Recommendation: Determine the project Exempt per Section 15183, consistent with a Community Plan, General Plan or Zoning of the CEQA Guidelines; and Adopt the Resolution for the Anatolia Marketplace Chevron Service Station and Convenience store Conditional Use Permit Amendment, Major Design Review, Conditional Use Permit, and Letter of Public Convenience and Necessity.

Mayor Gatewood and Vice Mayor Terry recused themselves due to a conflict of interest related to the proximity of their residence to the project.

Council Member Budge opened the public comment period. Seeing no speakers, Council Member Budge closed the public comment period.

ACTION: Motion to approve item 18.1 with updated conditions of approval by Sander second by Pulipati;

Motion passed with a 3:0 vote.

AYES: Pulipati, Sander, and Budge

NOES: None

ABSENT: None

RECUSE: Gatewood and Terry

- 18.2. **Subject:** An Ordinance Amending Title 23, Zoning Code, Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the City of Rancho Cordova Municipal Code and Discussion and Direction on Potential Municipal Code Amendments Related to Tasting Rooms.

Recommendation: Introduce and waive the first reading of the Ordinance and receive a report and provide direction to staff on potential Municipal Code Amendments related to tasting rooms.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to continue item 18.2. to December 20, 2021 by Terry second by

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Pulipati;

Motion passed with a 5:0 vote.

19. REGULAR CALENDAR ITEMS

19.1. **Subject:** 2022 Legislative Update.

Recommendation: Presentations by Simon and Company, Inc. and Joe A. Gonsalves & Son regarding key 2021 legislation affecting the city, as well as staff update regarding 2022 legislative priorities. Receive presentations and update and provide direction and/or approval to staff on city's 2022 Legislative Priorities.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 19.1. by Terry second by Budge;
Motion passed with a 5:0 vote.

19.2. **Subject:** Stone Creek Village - Baroque Signal Report.

Recommendation: Receive report from staff and provide direction regarding Council's preference for signalization at the north intersection of Zinfandel Drive and Baroque Drive.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 19.2. by Budge second by Pulipati;
Motion passed with a 5:0 vote.

19.3. **Subject:** Mills Crossing Project Update and Direction to Move Towards a Development Agreement.

Recommendation: Receive presentation on the site plan updates and next steps regarding the proposed deal structures and development process, and provide direction on moving towards a Development Agreement with Griffin Swinerton.

Mayor Gatewood opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Fayzah Mughal
2. Helen Whelan Bashaw
3. Lupe Treviso Hernandez
4. Autumn Eberhardt
5. Candy Ayotte
6. Meada Cashatt
7. Ejiro Okoro
8. Doniell Cummings
9. Anil Reddy
10. Eleni
11. Ken
12. Austin Allen
13. Linda Robinson
14. Richard and Cyndi Wall
15. Leslie Aldredge

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16. Diana Lentz
17. Ann Richardson
18. Jordan Schneider
19. Lisa Phenix
20. Angel Ball
21. Fayzah Mughal
22. Nathan Shipley
23. Richard Sears
24. Bob and Meada Cashatt
25. Mark Martinez
26. Bonnie Stephens
27. Janiz Bowman
28. Karl Haas
29. Jessica Guglielmino
30. Laurie Tsonetokoy
31. Patricia Villanueva
32. Kelly Brown
33. Susan Taylor
34. Sheryl Longsworth
35. Tera Kolvenbach
36. Susan Santello
37. Melissa Parker
38. Autumn Eberhardt
39. Rosha Hester
40. Bill Waterson
41. Liz Kaestner
42. Kenneth Nahigian
43. David Corbett
44. Monica Mllton

Mayor Gatewood closed the public comment period.

ACTION: Motion to approve staff recommendations with the possibility of amendments that may be necessary after further community engagement by Budge second by Terry:
Motion passed with a 5:0 vote.

- 19.4. **Subject:** City Council Work Session Priorities for 2022.

Recommendation: Receive information and provide direction as needed.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to continue item 19.4. to December 20, 2021 by Budge second by Terry;
Motion passed with a 5:0 vote.

- 19.5. **Subject:** A Resolution Approving the 2022 Rancho Cordova City Council Meeting Schedule.

Recommendation: Adopt the Resolution.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

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ACTION: Motion to approve item 19.5. by Budge second by Terry;
Motion passed with a 5:0 vote.

19.6. **Subject:** Selection of 2022 Mayor and Vice Mayor.

Recommendation: Council selection of the 2022 Mayor and Vice Mayor.

Mayor Gatewood opened the public comment period. Seeing no speakers. Mayor Gatewood closed the public comment period.

ACTION: Motion to approve item 19.6. by Sander second by Gatewood;
Motion passed with a 5:0 vote.

20. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

1. Discussion Regarding Electric Car Charging Stations
2. Update from Elk Grove Unified School District Regarding Concerns Related to the Prolonged Period of Time to Bus Children to and from School

21. ADJOURNMENT

Mayor Gatewood adjourned the meeting in memory of John T. Kehoe at 10:15 p.m.

Stacy Leitner, CMC
City Clerk

ITEM 9.1.

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, December 20, 2021

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

Pursuant to California Assembly Bill 361 amending the Ralph M. Brown Act (Govt. Code 54950-54963), the City has declared a state of emergency relating to COVID-19 and imposed measures to promote social distancing. City Council members and members of the public may participate in the meeting in person or via video/teleconferencing.

DRAFT MINUTES

1. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Mayor Gatewood called the Regular meeting to order in the David B. Roberts Council Chambers at 5:38 p.m.

Council Members Present: Linda Budge, Siri Pulipati, David Sander, Donald Terry, and Mayor Garrett Gatewood

Council Members Absent: None

Staff Members Present: Cyrus Abhar, Adam Lindgren, Stacy Leitner and Persephonie Riley

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

3. PLEDGE OF ALLEGIANCE

Diann Rogers led the pledge.

4. INVOCATION

Sherry DeShong with River City Christian Church gave the invocation.

5. SPECIAL CEREMONIES - SWEAR IN MAYOR AND VICE MAYOR

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Rancho Cordova City Council - DRAFT MINUTES
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- 5.1. Swearing-in of Vice Mayor.
- 5.2. Swearing-in of Mayor.
- 5.3. Presentation to Outgoing Mayor Gatewood

6. CELEBRATORY BREAK

RECESS 5:53 p.m. - 6:29 p.m.

7. PRESENTATIONS

- 7.1. Presentation of Proclamation Recognizing Todd Humphrey on his Retirement from the City of Rancho Cordova

8. PUBLIC COMMENT

Mayor Terry opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Angel Ball
2. Joyce Rosenberg
3. Fayzah Mughal
4. Autumn Eberhardt
5. Helen Bashaw
6. Matt Cummings

Mayor Terry closed the public comment period.

9. COUNCIL REPORTS

Council reported on events since the last meeting.

10. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

11. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Mayor Terry asked that items 11.1, 11.5, and 11.6 be pulled for separate discussion.

ACTION: Motion to approve item 11.2, 11.3, 11.4, and 11.7 through 11.12 by Budge second by Gatewood;
Motion passed with a 5:0 vote.

- 11.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of December 6, 2021.

Recommendation: Adopt the minutes.

Mayor Terry opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Angel Ball

Mayor Terry closed the public comment period.

ACTION: Motion to continue item 11.1 by Budge second by Pulipati;
Motion passed with a 5:0 vote.

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- 11.2. **Subject:** A Resolution Declaring the Results of Mail Ballot Election for Transit-Related Services Special Tax Area Zone 32 for the Express Sewer and Drain Project.
Recommendation: Adopt the Resolution.
- 11.3. **Subject:** A Resolution Declaring Results of Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee on the Express Sewer and Drain Project.
Recommendation: Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the annual Stormwater Utility Fee on the Express Sewer and Drain project.
- 11.4. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2021-330 with Mark Thomas & Company in an Amount Not to Exceed \$447,461.00 for Civil Engineering Design, Environmental and Right of Way Acquisition Services for the Chase Drive - American River Parkway Connection Project to Create a Pedestrian and Bicycle Trail along Chase Drive to the American River Trailhead that will Promote Livability, Increase Safety and a Positive Image.
Recommendation: Adopt the Resolution.
- 11.5. **Subject:** A Resolution Rejecting All Bids for the International Drive Surface Treatment Project and Authorizing the Public Works Director to Advertise and Re-Bid the Project.
Recommendation: Adopt the Resolution.

Mayor Terry opened the public comment period. Seeing no speakers. Mayor Terry closed the public comment period.

ACTION: Motion to approve item 11.5. by Sander second by Budge;
Motion passed with a 5:0 vote.

- 11.6. **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 2021-67-1 with Sierra Asphalt, Inc. to Increase the Contract Amount from \$169,850 to an Amount not to Exceed \$195,760 for Continued Pavement Maintenance Services in Stone Creek Neighborhood.
Recommendation: Adopt the Resolution.

Council Member Gatewood recused himself from item 11.6 due to a conflict of interest related to a business interest.

Mayor Terry opened the public comment period. Seeing no speakers. Mayor Terry closed the public comment period.

ACTION: Motion to approve item 11.6. by Budge second by Sander;
Motion passed with a 4:0 vote/

AYES: Budge, Pulipati, Sander, and Mayor Terry

NOES: None

ABSENT: None

RECUSE: Gatewood

- 11.7. **Subject:** A Resolution Approving the Final Map of Stone Creek Village, Subdivision No. FM-2021-003-00, and Authorizing the City Manager to Execute the Subdivision Improvement Agreement Contract No. 2021-332 with Elliott Ashton Place, LLC.
Recommendation: Adopt the Resolution.

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, December 20, 2021

- 11.8. **Subject:** A Resolution Authorizing the City Manager to Sign Agreement No. 2021-333 with Art of Marketing Design Studio for Consulting Services from January 1, 2022 through December 31, 2024.

Recommendation: Adoption of the Resolution would authorize the City Manager to execute Contract No. 2021-333 with Art of Marketing Design Studio for design, photography, printing and mailing services from January 1, 2022 through December 31, 2024.

- 11.9. **Subject:** A Resolution Authorizing the City Manager to Execute Construction Contract No. 2021-326 in an Amount not to Exceed \$4,426,863.07 with Central Valley Engineering & Asphalt, Inc. to Construct Phase 2 of Cordova Vineyards Neighborhood Street Rehabilitation Project.

Recommendation: Adopt the Resolution.

- 11.10. **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 2020-98-2 with DKS Associates to Increase the Contract Amount from \$450,000 to an Amount not to Exceed \$900,000 for On-Call Transportation Engineering and Planning Services.

Recommendation: Adopt the Resolution.

- 11.11. **Subject:** A Resolution Making Certain Findings and Determinations Related to, and Accepting, the FY 2020-21 Development Impact Fee Report for AB1600 Development Fees.

Recommendation: Adopt the Resolution.

- 11.12. **Subject:** Second Reading of an Ordinance of the City of Rancho Cordova Levying a Special Tax within the City of Rancho Cordova The Ranch Community Facilities District No. 2021-1.

Recommendation: Waive the second reading and adopt the Ordinance.

12. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

Mayor Terry opened the public comment period. Seeing no speakers. Mayor Terry closed the public comment period.

ACTION: Motion to approve item 12.1 through 12.3 by Sander second by Gatewood; Motion passed with a 5:0 vote.

- 12.1. **Subject:** The Ranch Phase II: Village 8 Major Design Review Project No. PLND 0921-0009.

Recommendation: Determine the project Exempt per CEQA Guidelines Section 15182, Residential Projects Pursuant to a Specific Plan and Adopt the Resolution for the Ranch Phase II: Village 8 Major Design Review.

- 12.2. **Subject:** An Ordinance Amending Title 2 Administration and Personnel, Chapter 2.30 Planning Commission of the City of Rancho Cordova Municipal Code.

Recommendation: Introduce and waive the first reading of the Ordinance.

- 12.3. **Subject:** Montelena Village 3 Subdivision - Major Design Review - Project No. PLND-0921-0006.

Recommendation: Adopt the Resolution.

13. PUBLIC HEARING ITEMS

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, December 20, 2021

- 13.1. **Subject:** An Ordinance Amending Title 23, Zoning Code, Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the City of Rancho Cordova Municipal Code and Discussion and Direction on Potential Municipal Code Amendments Related to Tasting Rooms and Electric Vehicle Charging Stations.

Recommendation: Introduce and waive the first reading of the Ordinance and receive a report and provide direction to staff on potential Municipal Code Amendments related to tasting rooms and electric vehicle charging stations.

Mayor Terry opened the public comment period. Seeing no speakers. Mayor Terry closed the public comment period.

ACTION: Motion to waive first reading and introduce the ordinance; and also directing staff to proceed with preparation of an ordinance as recommended regarding tasting rooms by Gatewood second by Pulipati;
Motion passed with a 4:0 vote.

AYES: Gatewood, Pulipati, Sander, and Mayor Terry

NOES: None

ABSENT: None

ABSTAIN: Budge

14. REGULAR CALENDAR ITEMS

- 14.1. **Subject:** Discussion and Approval of Council Member Appointments to Regional Boards, Commissions, and Committees.

Recommendation: That Council confirms commitments to serve on other agency boards, commissions, and committees.

Mayor Terry opened the public comment period. Seeing no speakers. Mayor Terry closed the public comment period.

ACTION: Motion to approve item 14.1. by Gatewood second by Sander;
Motion passed with a 5:0 vote.

15. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None.

16. ADJOURN TO CLOSED SESSION

Mayor Terry adjourned the meeting to closed session at 8:21 p.m.

17. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Council Members Linda Budge, Garrett Gatewood, Siri Pulipati, David Sander, and Mayor Donald Terry.

18. CLOSED SESSION

Council will meet in closed session to discuss the following items:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager: Pursuant to Government Code Section 54957.

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, December 20, 2021

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (pursuant to California Government Code Section 54956.9(d)(1)) Cordova Recreation and Park District v. City of Rancho Cordova, Sacramento Superior Court Case No. 34-2021-80003705.

19. OPEN SESSION - REPORT OUT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that staff was given direction and no reportable action was taken in closed session.

20. ADJOURNMENT

Mayor Terry adjourned the meeting at 8:46 p.m.

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 9.2.

DATE: January 3, 2022

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Jesse Yabes, Assistant Civil Engineer

SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2021-334 IN AN AMOUNT NOT TO EXCEED \$308,176.00 WITH BEAR CONSTRUCTION, INC. TO CONSTRUCT THE 2022 ADA SIDEWALK IMPROVEMENT PROJECT TO IMPROVE SAFETY AND PROMOTE A POSITIVE IMAGE.**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution authorizes the City Manager to execute Contract Number 2021-334 with Bear Construction, Inc. for construction of the 2022 ADA Sidewalk Improvement Project.

BACKGROUND

The City conducts an ongoing program to repair broken sidewalks within residential neighborhoods. The work to be done under this contract (Attachment 2) will consist of removal and replacement of broken curb, gutter, sidewalk, and sidewalk ramps at 77 locations throughout the City (Attachment 3). The locations are prioritized based on severity of damage, proximity to schools, etc.

The contract award is based on the lowest total amount of the base bid. There are no bid alternatives. Bids were solicited on the City's website, CIPList.com, and the builders exchanges of: Stockton, El Dorado County, Placer County, Sacramento, Sacramento Region, San Francisco, and Shasta. A total of six bids were received. The total bid amount was \$308,176 for the lowest responsible and responsive bidder. The bid summary sheet is provided as (Attachment 4).

Staff recommends awarding the construction contract to the lowest responsible and responsive bidder, Bear Construction, Inc. Construction of this project will improve safety for pedestrians and promote a positive image of the City of Rancho Cordova.

FISCAL IMPACT AND FUNDING SOURCE

Funding for this project consists of Community Enhancement Funds, Measure A Construction, and CDBG.

ATTACHMENT(S)

1. Resolution
2. Contract No. 2021-334
3. Project Locations
4. Bid Summary

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2021-334 IN AN AMOUNT NOT TO EXCEED \$308,176.00 WITH BEAR CONSTRUCTION, INC. TO CONSTRUCT THE 2022 ADA SIDEWALK IMPROVEMENT PROJECT WHICH WILL IMPROVE SAFETY AND PROMOTE A POSITIVE IMAGE

WHEREAS, the City solicited bids for the 2022 ADA Sidewalk Improvement Project under the requirements of state and local law and publicly opened bids on November 16, 2021; and

WHEREAS, the lowest responsive and responsible bidder is Bear Construction, Inc.; and

WHEREAS, adoption of this Resolution will award Construction Contract No. 2021-334 to Bear Construction, Inc. in an amount not to exceed \$308,176.00 for the 2022 ADA Sidewalk Improvement Project; and

WHEREAS, this project was reviewed under the requirements of the California Environmental Quality Act (CEQA) at the time the City approved its Five Year Capital Improvement Program, and it has been determined to be exempt from further review pursuant to CEQA Regulation 15301(I) regarding repairs, maintenance, or minor alterations to "existing facilities," so long as the project only involves negligible or no expansion beyond the current facilities.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract No. 2021-334 in an amount not to exceed \$308,176.00 with Bear Construction, Inc. and in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 3rd day of January 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Donald Terry, Mayor

Stacy Leitner, CMC
City Clerk

**CONSTRUCTION SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND BEAR CONSTRUCTION, INC.
FOR 2022 ADA SIDEWALK IMPROVEMENT PROJECT, CP22-2222**

THIS AGREEMENT made and entered into between the City of Rancho Cordova ("City") and Bear Construction, Inc. ("Contractor") as of January __, 2022.

W I T N E S S E T H:

WHEREAS, the City Council for the City heretofore caused plans and specifications for 2022 ADA Sidewalk Improvement Project ("Project") to be prepared, and therefore did approve and adopt said plans and specifications; and

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

WHEREAS, the notice was published on October 20, 2021 on the CIPList.com and the City of Rancho Cordova website ("Notice"); and

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

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

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

Section 1. CONTRACT DOCUMENTS. The following documents are by this reference incorporated in and made a part of this Agreement: The County of Sacramento, Standard Construction Specifications dated January 2016; the Special Provisions; the contract drawings, all addenda; the Notice to Contractors; the Proposal; all required bonds; and all supplemental Agreements covering alterations, amendments, or extensions to the contract. The documents which describe the work to be performed are sometimes collectively referred to herein as the Plans and Specifications.

Section 2. SCOPE OF WORK. The Contractor will furnish all labor, materials, services, transportation, appliances, and mechanical workmanship required for Contract No. 2021-334 as provided for and set forth in said Plans and Specifications, or in either of them, which said Plans and Specifications are hereby referred and by such reference incorporated herein and made a part of this Agreement. All of the said work done under this Agreement shall be under the supervision of and performed to the satisfaction of the Public Works Director of the City of Rancho Cordova who shall have the right to reject any and all materials and supplies furnished

1898853.2

Construction Services Agreement between
City of Rancho Cordova and Bear Construction, Inc.

January 2022
Page 1 of 4

by the Contractor which do not comply with the Plans and Specifications, together with the right to require the Contractor to replace any and all work furnished by the Contractor which shall not either in workmanship or material be in strict accordance with the Plans and Specifications.

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

Section 4. PAYMENT. Attached hereto as Exhibit "A" and by reference made a part hereof, is the bid and proposal of Contractor. Said bid and proposal will contain, as required by the terms of said specifications, the full and complete schedule of the different items with the lump sums or unit prices as so specified. The City agrees in consideration of the work to be performed for the Project herein and subject to the terms and conditions thereof, to pay Contractor all sums of money which may become due to Contractor in accordance with the terms of the aforesaid bid and proposal, and this Agreement, to wit: **Three Hundred Eight Thousand One Hundred Seventy-Six Dollars (\$308,176)**. Said sum shall be paid in accordance with Section 8 of the Standard Specifications. With respect to that portion of the above sum as is based upon the estimated quantities specified for the general scope of the work to be performed herein, actual payment will be based upon the quantities as measured upon completion. No payment made under this Agreement shall be construed to be an acceptance of defective work or improper materials.

Section 5. PREVAILING WAGES. Pursuant to the provisions of Articles 1 and 2 of Chapter 1, Part 7, Division II, of the Labor Code of the State of California, not less than the general prevailing rate of per diem wages, and not less than the general prevailing rate of per diem wages for holidays and overtime work, for each craft, classification or type of worker needed to execute the Project contemplated under this Agreement shall be paid to all workers, laborers and mechanics employed in the execution of said Project by Contractor, or by any subcontractor doing or contracting to do any part of said Project. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at 2729 Prospect Park Drive, Rancho Cordova, CA 95670, the office of the Clerk of the City. Contractor shall post, at each job site, a copy of such prevailing rate of per diem wages as determined by the Director for the California Department of Industrial Relations.

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

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

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

Section 8. PERFORMANCE AND PAYMENT BONDS. The Contractor shall, before beginning said work for the Project, file two bonds with the City, each made payable to the City. These bonds shall be issued by a surety company authorized to do business in the State of California, and shall be maintained during the entire life of the Agreement at the expense of the Contractor. One bond shall be in the amount of one hundred percent (100%) of the Agreement and shall guarantee the faithful performance of the Agreement. The second bond shall be the payment bond required by California Civil Code Section 3247 et seq., and shall be in the

amount of one hundred percent (100%) of the Agreement. Any alterations made in the specifications which are a part of this Agreement or in any provision of this Agreement shall not operate to release any surety from liability on any bond required hereunder and the consent to make such alterations is hereby given, and any surety on said bonds hereby waives the provisions of California Civil Code Sections 2819 and 2845.

Section 9. INDEMNIFICATION.

- 9.1 Contractor's Performance.** To the fullest extent permitted by law, Contractor shall indemnify, defend and hold harmless City, its governing Board, officers, directors, agents, employees and volunteers from and against any and all claims, demands, actions, losses, liabilities, damages, and all costs incidental thereto, including cost of defense, settlement, arbitration, and reasonable attorneys' fees arising out of, pertaining to, or resulting from the acts or omissions of anyone else directly or indirectly acting on behalf of the Contractor, or for which the Contractor is legally liable under law, regardless of whether caused in part by a party indemnified hereunder.
- 9.2 No Limitation of Liability for Indemnification.** The indemnities set forth in this Section shall not be limited by the insurance requirements set forth in the Contract.

Section 10. MISCELLANEOUS PROVISIONS.

- 10.1** This Agreement shall bind and inure to the heirs, devisees, assignees, and successors in interest of Contractor and to the successors in interest of Contractor in the same manner as if such parties had been expressly named herein. All times stated herein or in the contract documents are of the essence hereof. As used in this instrument the singular includes the plural, and the masculine includes the feminine and the neuter. This Agreement may create a possessory interest subject to property taxation, and Contractor may be subject to the payment of property taxes levied on such interest.
- 10.2 Contract Administration.** This Agreement shall be administered by Jesse Yabes ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.
- 10.3 Notices.** Any written notice to Contractor shall be sent to:

Jorge Lopez
Bear Construction, Inc.
29225 Sims Ct.
Hayward, CA 94544
510-690-7136

Any written notice to City shall be sent to:

Jesse Yabes
City of Rancho Cordova
Department of Public Works
2729 Prospect Park Drive
Rancho Cordova, CA 95670

- 10.4 IRS Form W-9.** Contractor 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 City Council and Contractor have caused this Agreement to be executed as of the day and year first above written.

CITY OF RANCHO CORDOVA:

CONTRACTOR:

Cyrus Abhar, City Manager

Jorge Lopez, President

Date

Date

Attest:

Stacy Leitner, CMC, City Clerk

Date

Approved as to Form:

Adam U. Lindgren, City Attorney

Date

EXHIBIT A

BID SCHEDULE

The following quantities are approximate only and are given for the purpose of comparing proposals. The City does not expressly or by implication agree that the actual amount of work will correspond with quantities given herein, but reserves the right to increase or decrease the amount of any class or portion of the work as may be deemed necessary or advisable by the Director of Public Works. Payment will be based upon the actual quantities installed or constructed, unless otherwise specified.

2022 ADA SIDEWALK IMPROVEMENT PROJECT					
CITY OF RANCHO CORDOVA					
BASE BID SCHEDULE					
Item NO.	Item Description	Quantity	Unit	Unit Price	Amount
1	Water Pollution and Erosion Control (WPCP)	1	LS	4,000.00	4,000.00
2	Traffic Control Plan	1	LS	8,000.00	8,000.00
3	Tree Root Trim and Root Barrier Placement	480	LF	20.00	9,600.00
4	Tree Removal (Contingency Only)	8	EA	2,000.00	16,000.00
5	Sawcutting	1,094	LF	5.00	5,470.00
6	Aggregate Base Class 2	322	TON	33.00	10,626.00
7	Type "A" Asphalt Concrete (HMA)	43	TON	300.00	12,900.00
8	Remove and Replace PCC Curb & Gutter	890	LF	84.00	74,760.00
9	Remove and Replace PCC Sidewalk or PCC Sidewalk Ramp	6,020	SF	23.00	138,460.00
10	3' x 4' Detectable Warning Surface	4	EA	2,500.00	10,000.00
11	Driveway Conform (Contingency Only)	1080	SF	17.00	18,360.00

TOTAL BASE BID (Items 1-10, in figures) \$ 308,176.00

TOTAL BASE BID PRICE (IN WORDS) Three hundred eight thousand
One hundred seventy six

In the event that the product of a unit price and an estimated quantity does not equal the extended amount stated, the unit price will govern and the correct product of the unit price and the estimated quantity shall be deemed to be the amount bid.



**2022 ADA Sidewalk Improvement
Project List**

No.	Street Number	Street Name	Curb & Gutter Length (LF)	Sidewalk Length (LF)	Sidewalk Width (LF)	Sidewalk Area (SF)	Tree Root Trim (Y/N)	No. of ADA Ramps	In CDBG Area (Y/N)	PW Service Area
1	10532	Abbottsford Wy	8	28	4	112	Y	-	Y	9
2	10425	Abington Wy	0	12	4	48	Y	-	Y	9
3	10241	Agnes Cir	8	20	4	80	Y	-	N	3
4	10277	Agnes Cir	44	48	4	192	N	-	N	3
5	4229	Anatolia Dr	0	12	4	48	Y	-	N	17
6	2324	Bridlewood Dr	18	40	4	160	Y	2	Y	6
7	10004	Bromley Wy	8	8	4	32	N	-	N	11
8	11086	Buffalo River Ct	0	4	4	16	N	-	N	5
9	3350	Butler Ct	16	16	4	64	N	-	Y	10
10	3354	Butler Ct	20	20	4	80	N	-	Y	10
11	11822	Cobble Brook Dr	0	8	4	32	Y	-	N	17
12	11842	Cobble Brook Dr	0	8	4	32	Y	-	N	17
13	11854	Cobble Brook Dr	0	16	4	64	Y	1*	N	17
14	11864	Cobble Brook Dr	0	12	4	48	Y	-	N	17
15	11868	Cobble Brook Dr	0	4	4	16	Y	-	N	17
16	11873	Cobble Brook Dr	16	20	4	80	Y	-	N	17
17	11895	Cobble Brook Dr	0	12	4	48	Y	-	N	17
18	3300	Corbin Wy	52	50	4	200	N	1	N	11
19	11100	Crooken River Ct	21	21	4	84	y	-	N	5
20	11012	Cypresswood Wy	17	20	4	80	N	-	N	7
21	2501	Dawes St	20	60	4	240	Y	-	N	3
22	2702	Dawes St	24	8	4	32	Y	-	Y	3
23	2708	Dawes St	0	4	4	16	Y	-	Y	3
24	2400	Dawes St (across 2427)	24	24	4	96	Y	-	Y	3
25	11021	Faber Wy	4	4	4	16	N	-	N	15
26	11001	Gelvani Wy	4	4	4	16	N	-	N	15
27	11117	Gingerwood Wy	20	20	4	80	Y	-	N	7
28	11121	Gingerwood Wy	8	8	4	32	N	-	N	7
29	3337	Glenmoor Dr	12	12	4	48	N	-	Y	10
30	10155	Goinyour Wy	80	80	4	320	N	-	Y	10
31	10159	Goinyour Wy	48	48	4	192	N	-	Y	10
32	3312	Hogarth Dr	56	59	4	236	Y	1	N	11
33	3328	Hogarth Dr	0	60	4	240	N	-	N	11
34	3332	Hogarth Dr	13	16	4	64	N	-	N	11
35	10344	Holmes Wy	8	12	4	48	Y	-	N	3
36	11751	Justinian Dr	0	12	4	48	Y	-	N	18
37	2444	Kaywood Ct	0	29	4	116	Y	-	N	7
38	1526	Klamath River Dr	0	4	4	16	N	-	N	5
39	10208	Los Palos Dr	28	20	4	80	N	-	Y	3
40	10212	Los Palos Dr	6	8	4	32	N	-	Y	3
41	10220	Los Palos Dr	8	8	4	32	N	-	Y	3
42	10292	Los Palos Dr	8	12	4	48	N	-	Y	3
43	2032	Maryvale Wy	8	8	4	32	Y	-	Y	4
44	2041	Maryvale Wy	8	8	4	32	N	-	Y	4
45	12401	Montauk Wy	0	12	4	48	Y	-	N	20
46	5022	Mossy Stone Wy	0	12	4	48	Y	-	N	19
47	10364	Newton Wy	20	24	4	96	N	-	N	3
48	3359	Nike Ct	12	16	4	64	N	-	Y	11
49	3243	Nosler Ct	11	14	4	56	Y	-	Y	9
50	9967	Old Placerville Rd	4	4	4	16	N	-	Y	14
51	9971	Old Placerville Rd	12	12	4	48	N	-	Y	14
52	11043	Orleans River Ct	8	12	4	48	Y	-	N	5
53	5101	Otter Pond Wy	0	8	4	32	Y	-	N	19

**2022 ADA Sidewalk Improvement
Project List**

No.	Street Number	Street Name	Curb & Gutter Length (LF)	Sidewalk Length (LF)	Sidewalk Width (LF)	Sidewalk Area (SF)	Tree Root Trim (Y/N)	No. of ADA Ramps	In CDBG Area (Y/N)	PW Service Area
54	2705	Paseo Dr	0	20	4	80	Y	-	Y	3
55	11960	Pericles Dr	0	12	4	48	Y	-	N	18
56	3993	Pinoche Peak Wy	0	28	4	112	Y	-	N	20
57	2305	Pinturo Wy	0	32	4	128	Y	-	Y	6
58	2617	Queenwood Dr	0	16	4	64	N	-	N	7
59	2639	Queenwood Dr	8	20	4	80	Y	-	N	7
60	2219	River Edge Wy	28	8	4	32	N	-	N	4
61	10010	Rivermist Wy	0	44	4	176	Y	-	N	13
62	3036	Ryde Ct	4	28	4	112	N	-	Y	1
63	10901	Scotsman Wy	0	8	4	32	Y	-	N	7
64	10576	Semillon Wy	11	13	4	52	N	-	N	2
65	11170	Squanan River Ct	18	32	4	128	Y	-	N	5
66	11174	Squanan River Ct	13	9	4	36	Y	-	N	5
67	3118	Tenwoods Ct	28	28	4	112	Y	-	N	11
68	3123	Tenwoods Ct	16	16	4	64	N	-	N	11
69	11121	Texas River Ct	0	38	4	152	N	-	N	5
70	2705	Tiffany West Wy	7	22	4	88	N	-	N	13
71	2729	Tiffany West Wy	0	18	4	72	N	-	N	13
72	9840	Tywood Ct	11	12	4	48	N	-	N	11
73	10655	Valley View Dr	20	20	4	80	Y	-	Y	4
74	10945	Walnutwood Wy	12	12	4	48	Y	-	N	7
75	2003	Zinfandel Dr	16	16	6	96	N	-	N	7
76	2006	Zinfandel Dr	8	16	4	64	N	-	Y	6
77	2333	Zinfandel Dr	8	8	4	32	N	-	N	7

Base Bid Total: 890 LF 1497 LF 6020 SF 40 Locations 5 ramps

*Detectable Warning Surface not Needed for One ADA Ramp Location: Partial Reconstruction

2022 ADA Sidewalk Improvements Project - CP22-2022 Bid Summary

Rancho Cordova City Hall

2729 Prospect Park Drive, Rancho Cordova, CA 95670

November 16, 2021 at 2:00 PM

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Bear Construction, Inc.	Unit Price	Sierra National Construction, Inc.	Unit Price	FBD Vanguard Construction, Inc.	Unit Price	Sposeto Engineering, Inc.	Unit Price	B&M Builders, Inc.	Unit Price	Kerex Engineering, Inc.
Base Bid Items															
1	Water Polution Erosion Control (WPCP)	1	LS	\$ 4,000.00	\$4,000.00	\$ 1,212.00	\$1,212.00	\$ 5,400.00	\$5,400.00	\$ 3,000.00	\$3,000.00	\$ 12,000.00	\$12,000.00	\$ 4,500.00	\$4,500.00
2	Traffic Control Plan	1	LS	\$ 8,000.00	\$8,000.00	\$ 15,000.00	\$15,000.00	\$ 9,564.00	\$9,564.00	\$ 20,000.00	\$20,000.00	\$ 15,000.00	\$15,000.00	\$ 7,500.00	\$7,500.00
3	Tree Root Trim and Root Barrier Placement	480	LF	\$ 20.00	\$9,600.00	\$ 29.00	\$13,920.00	\$ 18.00	\$8,640.00	\$ 28.00	\$13,440.00	\$ 50.00	\$24,000.00	\$ 40.00	\$19,200.00
4	Remove and Replace Tree (Contingency)	8	EA	\$ 2,000.00	\$16,000.00	\$ 2,100.00	\$16,800.00	\$ 6,386.00	\$51,088.00	\$ 6,200.00	\$49,600.00	\$ 7,000.00	\$56,000.00	\$ 2,500.00	\$20,000.00
5	Sawcutting	1,094	LF	\$ 5.00	\$5,470.00	\$ 5.00	\$5,470.00	\$ 21.00	\$22,974.00	\$ 6.50	\$7,111.00	\$ 5.00	\$5,470.00	\$ 8.00	\$8,752.00
6	Aggregate Base Class 2	322	TON	\$ 33.00	\$10,626.00	\$ 85.00	\$27,370.00	\$ 41.00	\$13,202.00	\$ 171.00	\$55,062.00	\$ 110.00	\$35,420.00	\$ 80.00	\$25,760.00
7	Type "A" Asphalt Concrete (HMA)	43	TON	\$ 300.00	\$12,900.00	\$ 369.00	\$15,867.00	\$ 750.00	\$32,250.00	\$ 490.00	\$21,070.00	\$ 600.00	\$25,800.00	\$ 650.00	\$27,950.00
8	Remove and Replace PCC Curb and Gutter	890	LF	\$ 84.00	\$74,760.00	\$ 79.00	\$70,310.00	\$ 70.00	\$62,300.00	\$ 117.00	\$104,130.00	\$ 116.00	\$103,240.00	\$ 130.00	\$115,700.00
9	Remove and Replace PCC Sidewalk or PCC Sidewalk Ramp	6,020	SF	\$ 23.00	\$138,460.00	\$ 21.00	\$126,420.00	\$ 23.00	\$138,460.00	\$ 19.75	\$118,895.00	\$ 32.00	\$192,640.00	\$ 39.00	\$234,780.00
10	3' x 4' Detectable Warning Surface	4	EA	\$ 2,500.00	\$10,000.00	\$ 500.00	\$2,000.00	\$ 243.00	\$972.00	\$ 560.00	\$2,240.00	\$ 650.00	\$2,600.00	\$ 500.00	\$2,000.00
11	Driveway Conform (Contingency Only)	1,080	SF	\$ 17.00	\$18,360.00	\$ 20.00	\$21,600.00	\$ 19.00	\$20,520.00	\$ 23.60	\$25,488.00	\$ 20.00	\$21,600.00	\$ 30.00	\$32,400.00
Base Bid Total =					\$308,176.00	\$315,969.00	\$365,370.00	\$420,036.00	\$493,770.00	\$498,542.00					

MEMORANDUM



ITEM 9.3.

DATE: January 3, 2022

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Jesse Yabes, Assistant Civil Engineer

SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2021-337 WITH R.E.Y. ENGINEERS, INC. FOR ON-CALL ENGINEERING AND DESIGN SERVICES IN AN AMOUNT NOT TO EXCEED \$616,948 FOR THE COUNTRYSIDE NEIGHBORHOOD STREET REHABILITATION PROJECT TO INCREASE SAFETY AND PROMOTE LIVABILITY**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute Contract No. 2021-337 with R.E.Y. Engineers, Inc. in an amount not to exceed \$616,948 for the Countryside Neighborhood Street Rehabilitation Project.

BACKGROUND

The Countryside Neighborhood Street Rehabilitation Project area is located in the neighborhood bordered by Routier Road, Folsom Boulevard, Mather Field Road, Rockingham Drive, and Old Placerville Road (see Attachment 3).

The Countryside Neighborhood Street Rehabilitation Project will include an overlay of existing pavement to improve the road surfaces, sidewalk repairs, and curb ramp upgrades to achieve compliance with the Americans with Disabilities Act, storm drain upgrades to improve flood protection and stormwater conveyance, and other incidental work as required. Under this contract, design of the project will be completed in 2022 and construction support services will be provided in 2023.

The services in this contract will include high-quality designs to provide the residents and citizens within the community a safer, smoother quality of ride, improved access for pedestrians and bicyclists, and drainage improvements.

FISCAL IMPACT AND FUNDING SOURCE

Funding for this project will consist of Community Enhancement Funds, Measure R, Gas Tax, Road Maintenance and Rehabilitation Fund, Measure A Maintenance Fund, Supplemental Transportation, Stormwater Enterprise Fund, Capital Infrastructure Fund, and Street Trench Fees.

This project is included in the City's current approved Capital Improvement Plan and in the Adopted 2021-2022 budget.

ATTACHMENT(S)

1. Resolution
2. Contract No. 2021-337
3. Project Map

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
NO. 2021-337 WITH R.E.Y. ENGINEERS, INC. FOR ON-CALL ENGINEERING SERVICES IN
AN AMOUNT NOT TO EXCEED \$616,948 FOR THE COUNTRYSIDE NEIGHBORHOOD
STREET REHABILITATION PROJECT**

WHEREAS, the City of Rancho Cordova desires to enter into Contract No. 2021-334 with R.E.Y. Engineers, Inc. in an amount not to exceed \$616,948 for on-call engineering and design services for the Countryside Neighborhood Street Rehabilitation Project; and

WHEREAS, the project will include an overlay of existing pavement to improve the road surfaces, sidewalk upgrades to achieve compliance with the Americans with Disabilities Act, and storm drain upgrades to improve flood protection and storm water conveyance in the neighborhood bordered by Routier Road, Folsom Boulevard, Mather Field Road, Rockingham Drive, and Old Placerville Road; and

WHEREAS, funding for this project will consist of Community Enhancement Funds, Gas Tax, Measure R, Road Maintenance and Rehabilitation Fund, Measure A Maintenance Fund, Supplemental Transportation, Stormwater Enterprise Fund, Capital Infrastructure Fund, Street Trench Fees; and

WHEREAS, the services will exceed the maximum amount the City Manager has authorization to approve.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract No. 2021-337 with R.E.Y. Engineers, Inc. in an amount not to exceed \$616,948 and in a form approved by the City Attorney for the Countryside Neighborhood Street Rehabilitation.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 3rd day of January 2022 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Donald Terry, Mayor

Stacy Leitner, CMC
City Clerk

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND R.E.Y ENGINEERS, INC.
FOR THE COUNTRYSIDE NEIGHBORHOOD STREET REHABILITATION PROJECT, CP22-2232**

THIS AGREEMENT for professional services is made by and between the City of Rancho Cordova, a California municipal corporation ("City"), and R.E.Y. Engineers, Inc, a California Corporation, ("Professional") as of January __, 2022.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Professional 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 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 June 30, 2024, the date of completion specified in Exhibit A. Professional 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 Professional 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.** Professional 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 Professional is engaged in the geographical area in which Professional practices its profession. Professional 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 Professional's profession.
- 1.3 Assignment of Personnel.** Professional 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, Professional shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 Time.** Professional 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 Professional's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Professional a sum not to exceed Six Hundred Sixteen Thousand, Nine Hundred Forty-Eight Dollars and No Cents (\$616,948), notwithstanding any contrary indications that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Professional's proposal, attached as Exhibit B, regarding the amount of compensation, the Agreement shall prevail. City shall pay Professional 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

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Professional for services rendered pursuant to this Agreement. Professional shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Professional shall not bill City for duplicate services performed by more than one person.

Professional and City acknowledge and agree that compensation paid by City to Professional under this Agreement is based upon Professional's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Professional. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Professional 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. Professional 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 Professional and each employee, agent, and subcontractor of Professional performing services hereunder, as well as a separate notice when the total number of hours of work by Professional and any individual employee, agent, or subcontractor of Professional reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Professional'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 Professional.

2.3 Final Payment. City shall make the final payment 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 Professional pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever

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incurred by Professional 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 Professional 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 Professional 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 the specified amount. 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.** Professional 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 Professional terminates this Agreement pursuant to Section 8, the City shall compensate the Professional for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Professional shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 **Authorization to Perform Services.** The Professional 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, Professional 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 Professional 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 Professional'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, Professional, 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 Professional and its agents, representatives, employees, and subcontractors. Professional 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. Professional 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 Professional's bid. Professional shall not allow any subcontractor to commence work on any subcontract until Professional 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. Professional shall maintain all required insurance listed herein for the duration of this Agreement.

- 4.1 Workers' Compensation.** Professional 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 Professional. 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, Professional 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 Professional, 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. Professional shall notify City within fourteen (14) days of notification from Professional's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

The requirement to maintain Statutory Worker's Compensation and Employer's Liability Insurance may be waived by the City upon written verification that Professional does not have any employees.

4.2 Commercial General and Automobile Liability Insurance.

- 4.2.1 General requirements.** Professional, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00). The commercial general liability and automobile

liability insurance shall be 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 liability coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). 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 Professional, including the insured's general supervision of Professional; products and completed operations of Professional; premises owned, occupied, or used by Professional; and automobiles owned, leased, or used by the Professional. 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 Professional 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. Professional shall notify City within fourteen (14) days of notification from Professional's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.3 Professional Liability Insurance. Professional, 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 TWO MILLION DOLLARS (\$2,000,000) 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, or 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 (5) 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, Professional must provide extended reporting coverage for a minimum of five (5) years after completion of the Agreement or the work. The City shall have the right to exercise, at the Professional's sole cost and expense, any extended reporting provisions of the policy, if the Professional 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, Professional 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. Professional 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 Deductibles and Self-Insured Retentions. Professional 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, Professional 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 Professional 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.

4.4.5 Waiver of Subrogation. Professional hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Professional, its employees, agents, and subcontractors.

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, Professional shall provide written notice to City at Professional's earliest possible opportunity and in no case later than five (5) days after Professional is notified of the change in coverage.

4.5 Remedies. In addition to any other remedies City may have if Professional 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 Professional's breach:

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- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Professional to stop work under this Agreement or withhold any payment that becomes due to Professional hereunder, or both stop work and withhold any payment, until Professional demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND PROFESSIONAL'S RESPONSIBILITIES.

5.1 General Requirement. Professional 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 Professional 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 Professional 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 Professional 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 Professional 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 Professional 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, Professional 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 Professional or any employee, agent, or subcontractor of Professional 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, Professional shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Professional 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.** To the extent that the services under this Agreement include design professional services subject to California Civil Code Section 2782.8, as may be amended from time to time, Professional's duty to indemnify under Sections 5.1 and 5.2 shall only be to the maximum extent permitted by California Civil Code Section 2782.8.

Section 6. STATUS OF PROFESSIONAL.

- 6.1 **Independent Contractor.** At all times during the term of this Agreement, Professional shall be an independent contractor as defined in Labor Code Section 3353, and shall not be an employee of City. Nothing contained in this Agreement shall be construed to be inconsistent with the foregoing relationship or status. City shall have the right to control Professional only insofar as the results of Professional'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 Professional accomplishes services rendered pursuant to this Agreement. Professional shall have no power or authority by this Agreement to bind the City in any respect. All employees and agents hired or retained by Professional are employees and agents of Professional and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Professional by any such employees or agents, or any other person resulting from performance of this Agreement.

Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Professional 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. Professional shall not allow any employee to become eligible for a claim for PERS benefits.

- 6.2 **Professional Not an Agent.** Except as City may specify in writing, Professional shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Professional 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.** Professional 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

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with Disabilities Act, and any copyright, patent or trademark law. Professional'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, Professional 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.** Professional represents and warrants to City that Professional 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. Professional represents and warrants to City that Professional 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, Professional and any subcontractors shall obtain and maintain valid Business Licenses from City during the term of this Agreement.
- 7.5 Nondiscrimination and Equal Opportunity.** Professional 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 Professional under this Agreement. Professional 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 Professional thereby.

Professional 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 Professional.

Professional may cancel this Agreement upon thirty (30) days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Professional shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Professional delivering to City any or all documents,

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photographs, computer software, video and audio tapes, and other materials provided to Professional or prepared by or for Professional 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. Professional understands and agrees that, if City grants such an extension, City shall have no obligation to provide Professional 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 Professional 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 Professional recognize and agree that this Agreement contemplates personal performance by Professional and is based upon a determination of Professional'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 Professional. Professional may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Professional 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 Professional shall survive the termination of this Agreement.
- 8.6 Options upon Breach by Professional.** If Professional 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 Professional pursuant to this Agreement;
 - 8.6.3** Retain a different Professional to complete the work described in Exhibit A not finished by Professional; or
 - 8.6.4** Charge Professional 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 Professional pursuant to Section 2 if Professional had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 Records Created as Part of Professional'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 Professional prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Professional 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 Professional 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 Professional's Books and Records.** Professional 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 Professional pursuant to this Agreement.
- 9.3 Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Professional 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

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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.** Professional 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.** Professional may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Professional in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Professional 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.*

Professional 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 Professional was an employee, agent, appointee, or official of the City in the previous twelve months, Professional warrants that it did not participate in any manner in the forming of this Agreement. Professional understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Professional will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Professional will be required to reimburse the City for any sums paid to the Professional. Professional 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.

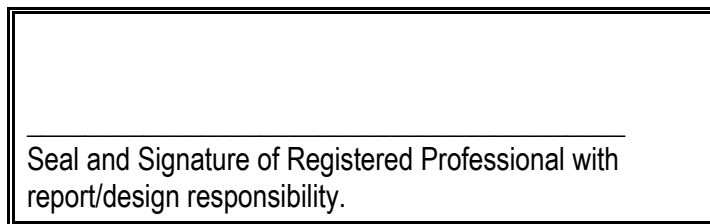
- 10.8 **Solicitation.** Professional agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 Contract Administration. This Agreement shall be administered by Jesse Yabes ("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 Professional shall be sent to:
Jim Fisher, PE, Principal
R.E.Y. Engineers, Inc.
905 Sutter Street, Suite 200
Folsom, CA 95630
Email Address (for Insurance Update Requests)
jfisher@reyengineers.com

Any written notice to City shall be sent to:
Jesse Yabes
Public Works Department
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
(916) 851-8959
jyabes@cityofranhocordova.org

10.11 Professional Seal. Where applicable in the determination of the contract administrator or when required by law, 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.



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 Professional and supersedes all prior negotiations, representations, or agreements, either written or oral.

10.13 IRS Form W-9. Professional 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

PROFESSIONAL

Cyrus Abhar, City Manager

James Fisher, PE, Principal

Date: _____

Date: _____

Attest:

Stacy Leitner, CMC, City Clerk

Date: _____

Approved as to Form:

Adam U. Lindgren, City Attorney

Form (Rev. October 2018) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification ▶ Go to www.irs.gov/FormW9 for instructions and the latest information.	Give Form to the requester. Do not send to the IRS.
1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.		
2 Business name/disregarded entity name, if different from above		
Print or type. See Specific Instructions on page 3.	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ▶ _____ ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. Requester's name and address (optional)	
	6 City, state, and ZIP code	
	7 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 generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i>, later. Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter. Social security number or Employer identification number		
Part II Certification Under penalties of perjury, I certify that: - 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 - 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 - I am a U.S. citizen or other U.S. person (defined below); and - The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. 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 for Part II, later.		
Sign Here Signature of U.S. person ▶ _____ Date ▶ _____		
General Instructions Section references are to the Internal Revenue Code unless otherwise noted. Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9. Purpose of Form An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following. - Form 1099-INT (interest earned or paid) - Form 1099-DIV (dividends, including those from stocks or mutual funds) - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds) - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers) - Form 1099-S (proceeds from real estate transactions) - Form 1099-K (merchant card and third party network transactions) - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition) - Form 1099-C (canceled debt) - Form 1099-A (acquisition or abandonment of secured property) Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN. If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See <i>What is backup withholding</i>, later.		

By signing the filled-out form, you:

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, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and 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 under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 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 section 1446 withholding on your share of partnership income.

In the cases below, the following person must give 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.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 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 payee 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, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% 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, payments made in settlement of payment card and third party network transactions, 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 instructions for Part II 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 *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

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.

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Page **3**

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

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. 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 line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual	Individual/sole proprietor or single-member LLC
• Sole proprietorship, or	
• Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	
• LLC treated as a partnership for U.S. federal tax purposes,	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or	
• LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

• Generally, individuals (including sole proprietors) are not exempt from backup withholding.

- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 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 U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

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.

If you are a single-member LLC that is disregarded as an entity separate from its owner, 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 *What Name and Number To Give the Requester*, later, 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 SSA 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. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and 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 U.S. 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 item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 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 made in settlement of payment card and third party network transactions, 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), ABLE accounts (under section 529A), 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) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. 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
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. 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
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

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 "Business name/disregarded entity" 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*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

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, 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.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic 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 property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft 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 (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and 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. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

**EXHIBIT A
SCOPE OF SERVICES**



BACKGROUND:

Using a combination of State and local funding sources, the City of Rancho Cordova is generating between \$3.5M and \$4.0M annually for their Citywide Neighborhood Street Rehabilitation Program which aims to rehabilitate roadways throughout the City in an effort to extend pavement life and improve rideability.

Rancho Cordova evaluates their streets on a regular basis to identify roadways in need of pavement treatments. The City completed a Pavement Management Plan (PMP) in 2015 and recently updated it in 2018. The PMP calculated the pavement condition index (PCI) for the City's roadways and broke the roadways into groups labeled by RC numbers. The City has prioritized RC10 as the next area to be rehabilitated.

The approximate total budget for the project, including design and construction soft costs, is \$4.75M at this time. The current plan is to design the project in 2022, bid the project in Winter 2022/2023, and begin construction in the Spring of 2023.

The City desires to construct this project in one phase, and at this time, we are anticipating one set of bid documents will be prepared.

Pavement treatments can be broadly classified as preservation, repair/rehabilitation, or replacement/reconstruction. Pavement preservation treatments are aimed at extending existing pavement service life and typically include localized preventative maintenance (crack sealing, repairing potholes, etc.) and surface treatments (slurry seals, microsurfacing, chip seals, etc.). Typically, pavement preservation treatments are most appropriate for pavements with a PCI equal to or greater than 50 ("Fair" condition and better). For PCI rating between 25 and 49 ("Poor" condition) repair and rehabilitation methods such as grind and overlays incorporating rubberized hot mix asphalt (RHMA) and geosynthetic reinforced overlays are appropriate. For pavements with a PCI rating of 24 and below ("Very Poor" and "Failed"), full reconstruction or rehabilitation using in-place recycling is usually appropriate.

Based on our review of the 2018 PCI data and assuming an approximate reduction of 5 points since the data was collected, we anticipate that 10 streets will require pavement preservation treatments, 25 streets will require repair and rehabilitation methods, and four (4) streets will require full reconstruction. We are planning to run additional testing on three (3) of the four (4) full reconstruction streets to see if we can perform a heavy rehabilitation technique and avoid the more costly full reconstruction.

Per the United States Department of Justice (USDOJ) and Department of Transportation (USDOT), pavement rehabilitation projects that include an overlay or major alteration to the pavement surface require that existing curb ramps be improved to current Americans with Disabilities Act (ADA) standards, where necessary, and curb ramps be installed, where none exist, at locations where a sidewalk or other pedestrian walkway crosses a curb. However, the USDOJ and USDOT interpretation of the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. At this time, we are assuming that 77 curb ramps will be improved with this project.

To extend the lifespan of the pavement rehabilitation, the City has reviewed the storm drain system and identified improvements including upsizing substandard drainage inlets and storm drain pipes. At this time, we are assuming that drainage inlets at nine (9) intersections and 11 different storm drain pipes will require upsizing. At the location of inlets being replaced, inlet leads will be evaluated for replacement on a case-by-case basis due to inadequate size and incorrect pipe material for shallow cover conditions.



At this time, it is anticipated that all work will be performed within the City's right-of-way and no permanent or temporary rights will be needed.

No major utility conflicts/relocations are known or anticipated at this time with the exception of adjustments to grade; however, it is still recommended that we spend time to further evaluate and identify any utility conflicts early in the design process as to not adversely affect construction. Roadways scheduled for full reconstruction should be evaluated further to determine whether any shallow utilities are in conflict with the new structural section.

The number of existing survey monuments/markers potentially disturbed by these improvements is unknown at this time, but we understand that monument preservation is an important component of most pavement rehabilitation projects. In accordance with Section 8771 of the Professional Land Surveyors Act in the Business and Professions Code of the State of California, we will include a bid item for the contractor to perform monument preservation and perpetuate any monuments destroyed during construction.

Assumptions:

- State and/or locally funded project with no Caltrans or CTC oversight.
- Project limits and list of streets included as defined in attached site map and spreadsheet.
- City to provide:
 - Pavement Condition Data Collection Services – Final Report Dated: July 2018
 - Roadway Classifications and Traffic Indexes (TI)
 - Storm Drain Master Plan
 - GIS Utility Database
 - As-Builts/Record Drawings
- No flaggers will be required for traffic control for pre-design field work.
- Only minimal traffic control devices such as signs, cones, etc. will be required for pre-design field work.
- Pre-design field work will be performed during regular working hours (no overtime).
- No right-of-way determination and/or acquisitions are anticipated at this time.
- Pavement cores to be taken in alternating shoulders of the roadway per the attached spreadsheet.
- New curb ramps will only be required at the locations shown on the City provided project site map.
- 33 intersections will require curb ramp and/or drainage improvements.
- 40 control points will be required for the topographic survey.
- See attached site map for assumed locations of control points and storm drain inlet, storm drain pipe, and curb ramp improvements included in this project.
- The area of disturbed soil will be greater than one-acre, but the contractor will prepare the Permit Registration Documents (PRD's) including the Stormwater Pollution Prevention Plan (SWPPP) and the City or its construction management team will provide the qualified SWPPP practitioner services (QSP) during construction to monitor the implementation of the SWPPP.
- The contractor will prepare all Traffic Control and Construction Staging Plans for the City's approval.
- City to provide Front End Documents including, but not limited to, the Notice to Bidders, General Provisions, Agreement (Proposal), etc.
- Construction management and inspection services are not included in our scope of services, at this time, but an additional scope and fee can be provided, if requested by the City.
- The City will provide coordination with California American Water (CalAm) regarding their upcoming project(s) planned within the project limits.



SCOPE OF SERVICES:

I. Pre-Design

1. Project Management

Provide overall project coordination, administration, and quality control. R.E.Y. will coordinate all activities with the City's Project Manager, Jesse Yabes. This task will include periodic check-in's approximately once per month with the City's Project Manager as well as a monthly project update on the status of the project.

Deliverable(s):

- Four (4) Monthly Updates (.pdf format)

2. Utility A Letters

To inform the utility purveyors of the upcoming project and obtain their systems maps, R.E.Y. will begin its coordination with the local utility companies by sending out requests for owners' facility maps. The letters will include a clause reminding the utility purveyors of the City's 5-year moratorium for underground improvements in a recently repaved roadway.

Information from the utility maps will be reviewed as part of the Records Research task.

Deliverable(s):

- Utility A Letters (.pdf format)
- Utility Systems Maps (.pdf format)

3. Records Research

Review Pavement Management Plans, Storm Drain Master Plan, As-Built, Record Maps, R/W Maps, Utility Maps, etc. Review Record Maps to research existing survey monumentation that may be disturbed during construction.

4. Preliminary Plan Sheets

We will develop preliminary 11"x17" plan view sheets for the streets within the project limits. These sheets will include an aerial image as a background and be used for notetaking during the Detailed Job Walk and Drainage Scoping Meeting. The sheets will be cut in a manner so they are usefully for future final design tasks.

Deliverable(s):

- Preliminary Plan Sheets (.pdf format)

5. Detailed Job Walk and Drainage Scoping Meeting

After reviewing the project records and preparing the Preliminary Plans Sheets, we will perform a detailed job walk with the City to review the curb ramp; drainage; and curb, gutter, and sidewalk improvements. During the job walk, we will paint out locations of curb, gutter, and sidewalk repairs on the asphalt to delineate the limits of the repairs. These locations will be noted on the Preliminary Plan Sheets and the paint marks will be collected during the subsequent survey task.

During this site walk, we will review and final the proposed drainage improvements as well. By clarifying the limits of the drainage improvements early on, we can schedule our field surveys more efficiently.

Deliverable(s):

- Meeting agenda (.pdf format)
- Meeting minutes including notes on Preliminary Plans Sheets (.pdf format)



6. Pre-Design/MetroQuest Flyers

Prepare the contents of a pre-design flyer to notify residents, schools, business, etc. within the project limits of the upcoming field investigations and future construction project. The flyer will also include how to access the MetroQuest online survey. The City will take the content, format it, and provide a PDF copy to R.E.Y. for distribution. R.E.Y. will obtain addresses within the project limits and mail the flyers to those addresses.

Deliverable(s):

- Flyers (.pdf format and mailed hard copies)

7. MetroQuest Survey

Our subconsultant, Dewberry | Drake Haglan, will build an engaging online survey designed to educate the community and collect community input by displaying several project elements on the RC10 Neighborhood Street Rehabilitation Project. This online survey provides an interactive tool that takes approximately seven (7) minutes for residents to fill out, is very cost effective, and provides no barriers to access. The survey can be shared in social media, on a project website, and in email marketing. Results are quantitative while also qualitative due to the ability for readers to leave open comments.

We will meet with the City to kickoff the survey development. At the meeting we will discuss the desired results from the survey and determine the best strategy to deliver the online survey to the desired audience. The use of multiple delivery methods will provide the best results. We will work closely with the City to identify the types of educational information and data collection questions appropriate for this project. The primary objective of the engagement survey is to educate the community on RC10 Neighborhood Street Rehabilitation Project while also providing the community the opportunity to share their feedback.

We anticipate preparing and going live with the survey within the two months of being under contract and the survey running for two (2) months. The data collected will be analyzed and reports generated periodically throughout the process for the City to review. At the end of the survey, we will analyze the full set of data and provide final reports to the City.

Deliverable(s):

- MetroQuest Survey Kickoff Meeting agenda (.pdf format)
- MetroQuest Survey Kickoff Meeting minutes (.pdf format)
- MetroQuest Survey
- Report of Results (.pdf format)

8. MetroQuest Results Meeting

Meet with the City to discuss the results of the MetroQuest survey and field verify any results that require additional clarification.

Deliverable(s):

- Meeting agenda (.pdf format)
- Meeting minutes (.pdf format)



9. Mobile LiDAR Survey

Once the Detailed Job Walk and Drainage Scoping Meeting is complete, we will establish control for the LiDAR survey and conventional field survey. We will set and tie up to 40 ground control points (GCP), one at each intersection potentially requiring curb ramp improvements and at locations outside of those intersections potentially requiring drainage improvements. Once control is established, we will perform a Mobile LiDAR scan and acquire 17.6 lane-miles of data (two passes on each street) plus a portion of Routier Road within the limits of the attached supplemental survey request. We will then process the trajectory, scan data, and imagery and export the point cloud data into .las format.

Deliverable(s):

- LiDAR data (.las format)

10. Pavement Analytics

To more accurately define the areas of distress, we will use our LiDAR data to perform a semi-automated pavement analytic process using our TopoDOT software. This process will create a plane on the roadway using the extracted crown and edges of pavement and then measure data returns in the point cloud above and below that plane. We will then output a .dwg file that identifies pavement distress and categorizes the distress as low, medium, and high. Once identified, these locations will be analyzed for areas for digouts during the design process.

Deliverable(s):

- Digout Map (.pdf and .dwg formats)

11. Geotechnical Engineering Study

Before starting any geotechnical field work, our subconsultant, Quality Engineering Services (QES), will prepare a project specific Health and Safety Plan for our exploration work within the existing city right-of-way. They will also fill out and submit a "no fee" encroachment permit for the pavement coring and non-destructive falling weight deflection (FWD) testing work performed within the City right-of-way. As part of this submittal, QES will prepare a field exploration schedule, in table format, of the streets where the work will be performed per day with updates and modifications for weather delays and conflicts with city special events or maintenance operations. This schedule will be updated daily for coordination with city maintenance and first responders.

QES will perform nondestructive testing using the QES owned and operated Dynatest 8000 Falling Weight Deflectometer Test System (FWD). The FWD is a nondestructive test device that is designed for multi-purpose pavement applications, ranging from unpaved roads to airfields. FWD generated data, combined with layer thickness, can be confidently used to obtain the "in-situ" resilient elastic moduli of a pavement structure. This information can, in turn, be used in a structural analysis to determine the bearing capacity, estimate remaining service life, and to calculate an overlay requirement, if applicable (over a desired design life). Testing will comply with Caltrans Test Method 357, March 2014 version, when possible. Many of the streets are too short to achieve 21 drop points. We will vary the interval between test points from 40 feet (used on the short streets) to 200 feet used on the longer streets. Streets with a centerline marking will be tested in two directions while streets with no markings will be tested in a single direction. FWD testing will occur on the streets listed on the attached spreadsheet (including the intersection of Routier Road and Rockingham Dr) plus two (2) additional streets which will be determined at a later date prior to mobilization by the City.

As required by law, our team will notify Underground Service Alert (USA) of the proposed subsurface exploration locations at least 72 working hours prior to any pavement core work. We will coordinate with City maintenance staff to identify any city utilities which may be in conflict with the proposed coring locations and relocate our pavement core locations appropriately.



QES will perform pavement coring at up to 44 locations to verify the existing pavement thicknesses. Pavement core sampling will occur per the attached spreadsheet plus two (2) additional core locations which will be determined by the City at a later date prior to mobilization. A core will be placed in the intersection of Rockingham Dr and Routier Road to investigate the pavement damage in that area. The recovered cores will be labeled and retained for later documentation of the core thickness and condition. Any base material identified below the existing pavement will have the thickness measured and recorded. At every core location a bulk sample of the subgrade soils will be obtained for visual classification and possible soil laboratory testing. The pavement cores will be in the on-street parking areas of the existing roadways and the core locations will be alternated to verify the existing pavement conditions are consistent throughout the streets. Traffic control for the pavement coring will consist of construction signs and traffic cones.

Pavement coring (destructive testing) will be conducted by removing a 6-inch pavement core from the bound materials, then augering through any base and subbase material down into the subgrade. QES engineers and technicians have utilized this sampling technique on numerous projects and find it to be a relatively quick and easy method allowing for both layer type determination and layer thickness determination. Samples of the base, subbase, and subgrade materials will be collected as needed. With the possibility of recommending full depth reclamation, all materials to a depth of 27-inches will be collected for possible testing.

An additional benefit of pavement coring is the determination of cracking propagation. For purposes of developing the most effective rehabilitation strategies it is important to understand whether the visible cracking is initiated from the top down or from the bottom up. Taking cores over cracked sections of pavements provides great insight into the pavement distress mechanism. Each core will be examined, and the material types and thicknesses will be noted. All core holes will be patched with high early strength non-shrink grout dyed black to match the existing asphalt concrete.

Bulk subgrade soil samples will be taken at each core location, and soils of the same classification will be combined for testing. An in-situ moisture sample will also be collected at each location. Samples of the existing subgrade soils will be transported to a lab for observation and testing. Laboratory tests will be performed on selected samples to aid in the classification and to evaluate the engineering properties of the subsurface soils. Soil laboratory tests are anticipated to include the following:

- Ten (10) Natural water content (ASTM D 2216)
- Eight (8) Grain size analysis (sieve) (ASTM D 422)
- Eight (8) Atterberg limits (ASTM D 4318)
- Four (4) Resistance value (ASTM D 2844 or CT301)

The field data collected will be compiled and analyzed, resulting in recommended rehabilitation treatments for each street segment. For clarity of discussion, we have divided the analysis into three subtasks as defined and discussed in the following sections.

1. Analysis of Layer Structure: The coring and boring logs will be reviewed to determine the actual structure of each street segment. These accurate layer thickness and configurations will be needed as input values during the analysis of the deflection data. In addition, they will be utilized to determine the uniformity of existing pavements and aid in dividing the pavement areas into homogenous sections. Uniformity of support throughout a pavement is the most important design element affecting long-term pavement performance. Pavement cross sections can be designed to provide adequate pavement design structure on good or poor support, but if support is not uniform, performance, and repair needs will be similarly non-uniform. Treatment recommendations will be based upon homogenous pavement sections.



2. Analysis of Deflection Data: The deflection data will be used to determine section uniformity and existing structural capacity. The deflection data will be normalized for load and temperature; peak deflections will be plotted providing an indication of uniformity throughout a pavement segment. In addition, backcalculations will be performed on all deflection data to determine the resilient modulus values of each pavement layer.
3. Design Recommendations: Based upon the results of the above analyses, pavement preservation, rehabilitation, or reconstruction recommendations will be developed for each street segment. Normally, several different strategies could be selected for a given combination of distresses and structural capacities; however, based upon cost analysis techniques, the most cost-effective treatment will be determined and recommended.

Recommendations will be made based upon the combination of existing distress, structural capacity, drainage functionality, and projected Traffic Index (TI). Drainage is critical to the recommendation, since if poor drainage is the cause of a weak pavement, and if drainage is not addressed, then the anticipated life of a rehabilitation treatment will be greatly reduced, and the solution may not be cost effective. Therefore, drainage characteristics and repair mechanisms must be part of any rehabilitation recommendation.

A draft final report will be developed upon completion of the recommendation treatments for each area. The report will detail the field data collection, the analysis methods and results, the rehabilitation options considered, and the recommended rehabilitation strategy or strategies for each taxiway segment. A single report will be developed for the project and will contain stand-alone rehabilitation recommendations for each street segment. The pavement report will include the following:

- Summary of the Scope of Work performed including the field exploration, FWD testing, and soil laboratory testing performed in each segment.
- Site Location Map showing the streets included in this segment.
- Pavement coring location map and photo log of the recovered cores including the thickness and description of the existing asphalt concrete, any interlayers (fabric) identified, and any aggregate base material identified.
- Description of the subgrade soils identified beneath the existing asphalt by pavement core locations and summary of the soil laboratory testing results.
- Locations of the FWD testing and the FWD testing results.
- Evaluation of expansion potential of the subgrade soils and recommended remedial measures based upon Atterberg testing results.
- A discussion of the FWD testing results and both HMA and RHMA structural overlay options for roadway sections which are candidates for structural overlays. The use of a paving fabric and/or structural paving grids may be evaluated as part of the overlay analyses.
- FDR-C mix design and strength vs. percent Portland Cement added curves along with new HMA/FDR-C stabilized base structural pavement sections.
- New hot mix asphalt over aggregate base structural pavement sections for areas requiring complete reconstruction following Chapter 600 of the Caltrans Highway Design Manual.

Deliverable(s):

- Draft Report (.pdf format)
- Final Report (.pdf format and two wet stamped and signed hard copies)

12. Pavement Treatment Memo

Using information obtained through the various field investigations and reports, we will prepare a Draft Pavement Treatment Memo summarizing the alternative pavement treatments for the streets within the project limits. Each of the proposed alternatives will have a discussion as to the effectiveness, anticipated design life, and cost for evaluation by the City. Once the City selects the pavement treatments for each



street, a final memo will be prepared identifying the selected improvements for Final Design and the utility locating will be scheduled.

Deliverable(s):

- Draft Memo (.pdf and .docx formats)
- Final Memo (.pdf format)

13. Pavement Treatment Meeting

Meet with the City to discuss the Draft Pavement Treatment Memo and select the pavement treatment for each street within the project limits.

Deliverable(s):

- Meeting agenda (.pdf format)
- Meeting minutes (.pdf format)

14. Utility Locating

Perform a separate trip, early in the pre-design process, to locate and mark locations and depths of the existing underground utilities within the limits of the potential storm drain improvements on Ellenwood Ave and Routier Road, as described in the attached supplemental survey request. Once the pavement treatments have been selected and the streets requiring full reconstruction have been identified, our subconsultant, SiteScan, who has an office in Rancho Cordova, will investigate and mark depths of existing utilities within the streets identified for full reconstruction and within the vicinity of all remaining proposed storm drain system improvements. To be conservative, for the purposes of this proposal, we have assumed utility locating could be required on the roads assumed to require full reconstruction as well as those on the border between rehabilitation and reconstruction. We will also locate and mark utilities on Routier Road between Ellenwood and the southerly property line of the Sacramento Gun Club and Ellenwood Ave between Routier Road and Gould Wy. The depths obtained during the locating effort will be used to evaluate conflicts between shallow existing utilities and the proposed reconstruction alternatives as well as for the underground utility improvements.

SiteScan's technicians will utilize various non-destructive techniques to identify the location of existing utilities. Geophysical equipment may be used including GPR, Electromagnetic Locators, Ram Rods, etc. to assist in locating lines. Where geophysical equipment is utilized, the investigation will be performed to identify utilities to quality Level B as defined by the University of Purdue guidelines for quality levels produced by Ground Penetrating Radar. The utilities identified during the investigation will be marked out onsite following the American Public Works Association (APWA) guidelines for the marking of utilities. APWA industry standard colors will be used to mark the locations directly on the surface. Nonpermanent water-based paint will be used where permitted. Where paint is not permitted (such as finished decorative surfaces or high traffic customer areas) chalk, wax or other materials may be used.

In addition to the non-destructive utility locating, SiteScan will positively identify the location of up to five (5) utilities by way of potholing on Routier Road. Prior to potholing, we will obtain the necessary City permits and coordinate with USA. Potholes in asphalt will be made using a vacuum truck, and the potholes will be backfilled with Class 2 AB and patched with high early strength non-shrink grout dyed black to match the existing asphalt concrete. The pothole results will be summarized in a report and the pothole locations and report will be shown on the Plans and attached to the Specifications for the contractor's benefit.

We will stagger the utility locating efforts so that we have access to the most critical data as early as possible in the design process. For the purposes of this proposal, we are assuming up to three (3) days of traffic control which may be used for either the mark and locate or potholing activities.

Deliverable(s):

- Pothole Report for up to five (5) potholes (.pdf format)



15. Topographic Survey and Base Map

After the LiDAR data is collected, we will begin collecting the supplemental survey data. First, we will review the LiDAR data for any “holes” or “gaps” in the data due to parked cars or obstructions. We will then send our field survey crews out to supplement the information obtained and fill in any gaps in the LiDAR data. The entire storm drain system within the project limits, including the portion of Routier Road within the limits of the attached supplemental survey request, will be dipped to obtain information on the size, depth, slope and orientation of the underground pipes connecting to each manhole and DI. Sewer manholes within the vicinity of the drainage improvements, including those on Routier Road within the limits of the attached supplemental survey request, as well as the next manhole up and down both legs will be dipped to obtain information on the size, depth, slope and orientation of the underground pipes connecting to each manhole. The field survey crew will also collect the marks from the Utility Locating task. We will stagger the supplemental surveys so that we have access to the most critical data as early as possible in the design process.

Using the information collected during the Records Research task and field surveys, we will prepare a digital Topographic Survey and Base Map, including a georeferenced and semi-orthorectified aerial image as a background. Only the crown and edges of pavement for the roadways within the project limits will be extracted. Extracting the edge of pavement will provide much more accurate quantities than deriving quantities based on aerial imagery alone.

Minimal extraction will be performed for the curb ramp and storm drain improvements. Only the key topographic elements (e.g. back of walk, flowline, adjacent sidewalk joints) will be extracted for use when designing the curb ramps. The point cloud itself can be displayed in color contours to determine the direction of gutter flow for any drain inlet relocations and to identify areas with ponding issues.

For the potential storm drain system improvements on Ellenwood Ave and Routier Road, our team will provide Plan and Profile sheets of the existing conditions, including underground utilities, for the City’s use as early as possible in the pre-design process. The sheets will include the existing information collected during the surveying tasks, including contours and existing utility locations and depths. The City will use this information to analyze the system and provide any design recommendation to include in the final design.

Deliverable(s):

- Ellenwood Ave and Routier Road Plan and Profile sheets (.pdf and .dwg formats)
- Topographic Survey and Base Map (.dwg format)

II. Final Design

1. Project Management

Provide overall project coordination, administration, and quality control. R.E.Y. will coordinate all activities with the City’s Project Manager, Jesse Yabes. This task will include periodic check-in’s approximately once per month with the City’s Project Manager as well as a monthly project update on the status of the project.

Deliverable(s):

- Six (6) Monthly Updates (.pdf format)

2. CEQA Categorical Exemption

Prepare a Categorical Exemption (Cat Ex) for this project. The City will file the Notice of Exemption (NOE) with the County.

Deliverable(s):

- Cat Ex (.docx format)



3. 65% Plans, Specifications, and Estimate (PS&E)

Prepare 65% Plans, Specifications, and Estimate based upon the Final Project Pavement Treatment Memo. Curb ramps will be designed using Caltrans standard curb ramp “cases” and County of Sacramento Standard Plan 4-54 for sidewalk ramp retrofits of existing sidewalks. The Plans will identify the conform locations and quantify the removal and replacement area to achieve the selected curb ramp “case”.

Drainage improvements will be shown in plan view (no profiles), except for those drainage improvements on Ellenwood Ave and Routier Road which will be shown in plan and profile view, and made as close to in-place as possible to avoid potential utility conflicts. Pavement rehabilitation sheets will be shown in plan view (no profiles) at a scale of 40-, 60-, or 80-scale with an aerial background image.

Speed humps will be removed and replaced at a height equal to or less than the existing height. Striping will match existing with the exception of improvements noted in the City’s Bicycle Master Plan and intersections where stop bar and intersection striping do not match current standard plans. The Plans will also reflect all existing wood sign posts being upgraded to uni-strut posts.

To inform the utility purveyors of potential conflicts, R.E.Y. will send Utility B Letters to potentially affected utility companies. Letters will identify potential conflicts and request a conflict resolution plan.

Deliverable(s):

- 65% Plans (.pdf format, and upon request from the City, up to four half or full-size hard copies)
- 65% Technical Specifications (.pdf and .docx formats, and upon request from the City, up to two hard copies)
- 65% Estimate (.pdf and .xlsx formats)
- B Letters (.pdf)

4. 65% PS&E Meeting

Meet with the City to discuss the 65% P&E submittal and receive feedback from the City.

Deliverable(s):

- Meeting agenda (.pdf format)
- Meeting minutes (.pdf format)

5. 90% PS&E

Revise the 65% PS&E based upon the City’s comments and prepare 90% PS&E. Prepare a comment resolution matrix and identify comments addressed and add responses for comments not addressed.

Once utility conflicts have been resolved, prepare Utility C Letters summarizing agreed upon solution(s) to avoid utility conflict and circulating final Plans to the affected utility purveyor.

Deliverable(s):

- Comment Resolution Matrix (digital format)
- 90% Plans (.pdf format, and upon request from the City, up to four half or full-size hard copies)
- 90% Technical Specifications (.pdf and .docx formats, and upon request from the City, up to two hard copies)
- 90% Estimate (.pdf and .xlsx formats)
- C Letters (.pdf)

6. 90% PS&E Meeting

Meet with the City to discuss the 90% PS&E submittal and receive feedback from the City.

Deliverable(s):

- Meeting agenda (.pdf format)
- Meeting minutes (.pdf format)

**7. 100% PS&E/Bid Documents**

Receive the 90% PS&E comments and Front End documents from City. Review comments, revise 90% PS&E per City comments, and prepare 100% PS&E/Bid Documents. Prepare a comment resolution matrix and identify comments addressed and add responses for comments not addressed.

Deliverable(s):

- Comment Resolution Matrix (digital format)
- Final stamped and signed Plans (.pdf format; upon request from the City, up to two 24"x36" hard copies; and .dwg files)
- Final stamped and signed Technical Specifications (.pdf and .docx formats)
- Final stamped and signed Estimate (.pdf and .xlsx formats)

8. Bid Support

Assist with responding to bidder questions and providing clarifications during the bidding process, as-needed. We assume that the bid support will include assistance with up to four bidder questions and one bid addendum.

III. Construction**1. Construction Documents**

Once the bidding is complete and a contractor has been selected, construction documents will be prepared. All addendums will be merged into one complete set of conformed construction documents.

Deliverable(s):

- Construction Documents (.pdf format)

2. Construction Engineering Support

Provide as-needed engineering consultation during construction up to our available contract amount.

3. As-Built/Record Drawings

Prepare Record Drawings based on information supplied by the construction manager and contractor.

Deliverable(s):

- Record Drawings (.pdf format and .dwg files)

SCHEDULE:

Council Approves Design Contract: January 3rd, 2022

Notice to Proceed: January 17th, 2022

Pre-Design: January 17th, 2022 through August 10th, 2022

Final Design: June 9th, 2022 through January 11th, 2023

Advertise: January 18th, 2023 through February 15th, 2023

Begin Construction: April 2023

FEE:

I. Pre-Design:	\$ 359,612
II. Final Design:	\$ 225,956
III. Construction:	\$ 31,380
TOTAL:	\$ 616,948 (T&M NTE)

ATTACHMENT: RC10 STREET REHABILITATION PROJECT 2

PROJECT SITE MAP

NOTE:
APPROX 40 SURVEY CONTROL POINTS NEEDED:
- 33 INTERSECTIONS W/ ADA AND/OR DRAINAGE IMPROVEMENTS
- 7 ADD'L POINTS FOR UPSTREAM ENDS OF STORM MAINS

LEGEND
* PROPOSED SURVEY CONTROL POINT
- PROPOSED STORM MAIN UPSIZE [11]
- PROPOSED DI IMPROVEMENT LOCATIONS (SEE DRAINAGE EXHIBITS)
- PROPOSED CURB RAMPS [76 TOTAL]
- FUTURE CURB RAMP (SAFE ROUTE TO SCHOOLS PROJECT) [12 TOTAL]
- Curb Ramps
- Parks & Rec (Large Scale)
- Schools (Large Scale)
Pavement Condition
- Very Good
- Good
- Poor
- Very Poor/Failed

Page 13 of 15

0 500 1,000 Feet

Page 6





City of Rancho Cordova
RC10 Neighborhood Street Rehabilitation Project
November 18, 2021



Street Name	Residential Road Classification	TI	2018 PCI				Approx. Length		Assumed Pavement Treatment			Collect LIDAR Data	Pav'mnt Analytics	Utility Locating	Pave Core Samples	FWD	Notes
			< 25	25 - 49	50 - 69	> 69	LF	Miles	Reconstruct	Rehab	Preservation						
BUTLER CT	Cul-de-sac	6.5		27			203	0.04	X			X	X	X	1	X	FWD testing to see if we can avoid reconstruct
CASIMER CT	Cul-de-sac	6.5		35			130	0.02		X		X	X	X			Borderline rehab/reconstruct, use core and FWD from Countryside
COUNTRY WAY	Local	6.0		48			1,508	0.29		X		X	X		2	X	
COUNTRYSIDE WAY	Local	6.0		43			3,062	0.58		X		X	X		4	X	Includes short cul-de-sac also named Countryside Way
CRAWFORD WAY	Local	6.0		47			1,678	0.32		X		X	X		2	X	Includes short cul-de-sac also named Crawford Way
CROYDON WAY (MATHER FIELD TO MILLS STATION)	Collector	6.5		48			455	0.09		X		X	X		1	X	
CROYDON WAY (MILLS STATION TO CDS-WEST END)	Collector	6.5		38			1,126	0.21		X		X	X		1	X	
DE SOTO WAY	Local	6.0		49			867	0.16		X		X	X		1	X	
ELLENWOOD AVE (ROUTIER TO GOULD)	Local	6.0		41			452	0.09		X		X	X	X	1	X	
ELLENWOOD AVE (GOULD TO MADDIEWOOD)	Local	6.0		41			1,940	0.37		X		X	X		1	X	
FIRESIDE WAY	Local	6.0		30			418	0.08		X		X	X	X	1	X	Borderline rehab/reconstruct
FOLKLORE WAY	Local	6.0		48			754	0.14		X		X	X		1	X	
GLENMOOR DR	Local	6.0		38			1,622	0.31		X		X	X		2	X	
GOINYOUR WAY	Local	6.0		38			1,309	0.25		X		X	X		2	X	
GONZALEZ WAY	Local	6.0			58		85	0.02			X	X	X				Borderline preservation/rehab, possible overlay, use core and FWD from Rockingham
GOULD WAY	Local	6.0		46			1,699	0.32		X		X	X		2	X	
HARTSELLE WAY	Local	6.0			51		1,277	0.24		X		X	X		2	X	
JULIANA WY	Local	6.0				89	344	0.07			X	X					
MADDIEWOOD CIR	Local	6.0				83	1,423	0.27			X	X					
MILLS STATION RD	Collector	6.5		29			4,476	0.85	X			X	X	X	5	X	FWD testing to see if we can avoid reconstruct
MISTY MORNING CIR	Local	6.0				74	1,830	0.35			X	X					
MONTE VALLO CT	Cul-de-sac	6.5		39			174	0.03		X		X	X				Use core and FWD from Countryside
NADA CT	Cul-de-sac	6.5		33			115	0.02		X		X	X	X			Borderline rehab/reconstruct, use core and FWD from Countryside
NUT PLAINS DR	Local	6.0		43			1,860	0.35		X		X	X		2	X	
OLD PLACERVILLE RD (ROUTIER TO MACREADY)	Arterial					81	2,386	0.45			X	X					
OLD PLACERVILLE RD (MACREADY TO ROCKINGHAM)	Arterial					74	3,640	0.69			X	X					
OLD PLACERVILLE RD (ROCKINGHAM TO NORTH END)	Collector	6.5			64		622	0.12			X	X	X				Possible cape seal
PISTACHIO WAY	Local	6.0			54		827	0.16		X		X	X		1	X	
REBA CT	Cul-de-sac	6.5		48			176	0.03		X		X	X				Use core and FWD from Satow
ROCKINGHAM DR (ROUTIER TO SMITH LEE)	Collector	6.5		34			1,127	0.21		X		X	X	X	2	X	Borderline rehab/reconstruct, includes core in intersection with Routier
ROCKINGHAM DR (GLENMOORE TO NUT PLAINS)	Collector	6.5		26			1,255	0.24	X			X	X	X	2	X	FWD testing to see if we can avoid reconstruct
ROCKINGHAM DR (NUT PLAINS TO OLD PLACERVILLE)	Collector	6.5		33			825	0.16		X		X	X	X	1	X	Borderline rehab/reconstruct
ROCKINGHAM DR (OLD PLACERVILLE TO MATHER FIELD)	Arterial			41			838	0.16		X		X	X		1	X	
ROUTIER RD (ELLENWOOD TO SACRAMENTO GUN CLUB)	Collector	6.5				79	910	0.17				X	X	X			Full topo, five potholes for utility locating
SAGEWOOD CT	Cul-de-sac	6.5		24			315	0.06	X			X	X	X	1		
SATOW DR	Local	6.0		44			632	0.12		X		X	X		1	X	
SKYWARD CT	Cul-de-sac	6.5			69		379	0.07			X	X	X				Possible cape seal
SMITHLEE DR	Local	6.0		45			740	0.14		X		X	X		1	X	
SUNOL WAY	Local	6.0		40			960	0.18		X		X	X		1	X	
SYSTEMS PKWY	Collector	6.5			65		2,488	0.47			X	X	X				Possible cape seal
WILDWIND CT	Cul-de-sac	6.5			67		386	0.07			X	X	X				Possible cape seal
SUBTOTAL							47,313	8.96	4	26	10	41	35	11	42	25	
CONTINGENCY															2	2	
TOTAL															44	27	
MILES (w/o CONTINGENCY)							0.06	5.76	1.15	1.82		1.18	5.03	2.57	8.96	6.97	1.94
																6.04	

Assumed PCI degraded approximately 5 points since 2018 when assuming pavement treatment

**EXHIBIT B
COMPENSATION SCHEDULE**

ITEM 9.3.

RC10 Neighborhood Street Rehabilitation Project

City of Rancho Cordova

Fee Estimate

December 8th, 2021



TASK DESCRIPTION	R.E.Y. Engineers, Inc.												TOTALS			
	Assistant Engineer III	Senior Engineer I	Principal Engineer II	2 Person Survey Crew	Senior Technician II	LiDAR Technician I	Senior Surveyor V	Principal Surveyor II	Hours	Labor Cost	ODC's	Subtotal	TOTAL HOURS	TOTAL LABOR COST	TOTAL ODC's	TOTAL DOLLARS
Billing Rate	\$132.00	\$198.00	\$283.00	\$315.00	\$155.00	\$150.00	\$258.00	\$283.00								
I. Pre-Design																
1 Project Management		72	12						84	\$17,652		\$17,652	84	\$ 17,652	\$ -	\$ 17,652
1.01 Monthly Updates (4)		8	4						12	\$2,716		\$2,716	12	\$ 2,716	\$ -	\$ 2,716
1.02 General Project Management		32	4						36	\$7,468		\$7,468	36	\$ 7,468	\$ -	\$ 7,468
1.03 General Project Coordination		32							32	\$6,336		\$6,336	32	\$ 6,336	\$ -	\$ 6,336
1.04 General QA/QC			4						4	\$1,132		\$1,132	4	\$ 1,132	\$ -	\$ 1,132
2 Utility A Letters	10	2	1						13	\$1,999		\$1,999	13	\$ 1,999	\$ -	\$ 1,999
2.01 Prepare	8								8	\$1,056		\$1,056	8	\$ 1,056	\$ -	\$ 1,056
2.02 QA/QC		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
2.03 Finalize and Transmit	2								2	\$264		\$264	2	\$ 264	\$ -	\$ 264
3 Records Research	4	4	1						9	\$1,603		\$1,603	9	\$ 1,603	\$ -	\$ 1,603
3.01 Review	4	4	1						9	\$1,603		\$1,603	9	\$ 1,603	\$ -	\$ 1,603
4 Preliminary Plan Sheets	56	12	2						70	\$10,334		\$10,334	70	\$ 10,334	\$ -	\$ 10,334
4.01 Prepare (32 Sheets)	40	8	1						49	\$7,147		\$7,147	49	\$ 7,147	\$ -	\$ 7,147
4.02 QA/QC		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
4.03 Finalize and Transmit	16	2							18	\$2,508		\$2,508	18	\$ 2,508	\$ -	\$ 2,508
5 Detailed Job Walk and Drainage Scoping Meeting	40	28	18						86	\$15,918		\$15,918	86	\$ 15,918	\$ -	\$ 15,918
5.01 Agenda		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
5.02 Travel		2	2						4	\$962		\$962	4	\$ 962	\$ -	\$ 962
5.03 Site Investigation (18 lane miles)		12	12						24	\$5,772		\$5,772	24	\$ 5,772	\$ -	\$ 5,772
5.04 Minutes		4	2						6	\$1,358		\$1,358	6	\$ 1,358	\$ -	\$ 1,358
5.05 Preliminary Plan Sheet Markups	40	8	1						49	\$7,147		\$7,147	49	\$ 7,147	\$ -	\$ 7,147
6 Pre-Design/MetroQuest Flyers	4	4	2						10	\$1,886	\$500	\$2,386	10	\$ 1,886	\$ 500	\$ 2,386
6.01 Coordinate and Prepare Flyers	2	2	1						5	\$943		\$943	5	\$ 943	\$ -	\$ 943
6.02 Obtain Addresses and Mail Flyers	2	2	1						5	\$943	\$500	\$1,443	5	\$ 943	\$ 500	\$ 1,443
7 MetroQuest Survey	4	13	4						21	\$4,234	\$7,775	\$12,009	21	\$ 4,234	\$ 7,775	\$ 12,009
7.01 Agenda		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396
7.02 Travel		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
7.03 Kickoff Meeting		1	1						2	\$481	\$651	\$1,132	2	\$ 481	\$ 651	\$ 1,132
7.04 Minutes		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
7.05 MetroQuest Survey	4	4							8	\$1,320	\$3,705	\$5,025	8	\$ 1,320	\$ 3,705	\$ 5,025
7.06 Report of Results		4	1						5	\$1,075	\$3,419	\$4,494	5	\$ 1,075	\$ 3,419	\$ 4,494
8 MetroQuest Results Meeting		8	3						11	\$2,433	\$651	\$3,084	11	\$ 2,433	\$ 651	\$ 3,084
8.01 Agenda		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396
8.02 Travel		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
8.03 Meeting		1	1						2	\$481	\$651	\$1,132	2	\$ 481	\$ 651	\$ 1,132
8.04 Minutes		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
8.05 Travel		1							1	\$198		\$198	1	\$ 198	\$ -	\$ 198
8.06 Field Verification		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396

ITEM 9.3.

RC10 Neighborhood Street Rehabilitation Project

City of Rancho Cordova

Fee Estimate

December 8th, 2021

ATTACHMENT 2

REY ENGINEERS, INC.
Civil Engineers | Land Surveyors | LIDAR
905 Sutter Street, Suite 200, Folsom, CA 95630
Phone: (916) 366-3040 Fax: (916) 366-3303
www.reyengineers.com



TASK DESCRIPTION	R.E.Y. Engineers, Inc.												TOTALS			
	Assistant Engineer III	Senior Engineer I	Principal Engineer II	2 Person Survey Crew	Senior Technician II	LIDAR Technician I	Senior Surveyor V	Principal Surveyor II	Hours	Labor Cost	ODC's	Subtotal	TOTAL HOURS	TOTAL LABOR COST	TOTAL ODC'S	TOTAL DOLLARS
Billing Rate	\$132.00	\$198.00	\$283.00	\$315.00	\$155.00	\$150.00	\$258.00	\$283.00								
9 Mobile LiDAR Survey				24		12	56	8	100	\$26,072	\$3,600	\$29,672	100	\$ 26,072	\$ 3,600	\$ 29,672
9.01 Logistics							2	8	10	\$2,780		\$2,780	10	\$ 2,780	\$ -	\$ 2,780
9.02 Set/Survey Ground Control Points (40)				24			4		28	\$8,592		\$8,592	28	\$ 8,592	\$ -	\$ 8,592
9.03 LiDAR Acquisition (18 lane miles)						12	12		24	\$4,896	\$3,600	\$8,496	24	\$ 4,896	\$ 3,600	\$ 8,496
9.04 Trajectory Processing							4		4	\$1,032		\$1,032	4	\$ 1,032	\$ -	\$ 1,032
9.05 Scan Data Processing							6		6	\$1,548		\$1,548	6	\$ 1,548	\$ -	\$ 1,548
9.06 Scan Data Adjustment							16		16	\$4,128		\$4,128	16	\$ 4,128	\$ -	\$ 4,128
9.07 Imagery Processing							8		8	\$2,064		\$2,064	8	\$ 2,064	\$ -	\$ 2,064
9.08 Export LAS							4		4	\$1,032		\$1,032	4	\$ 1,032	\$ -	\$ 1,032
10 Pavement Analytics	40	16	2			32		2	92	\$14,380		\$14,380	92	\$ 14,380	\$ -	\$ 14,380
10.01 Run Analytics Tool						32		2	34	\$5,366		\$5,366	34	\$ 5,366	\$ -	\$ 5,366
10.02 Prepare Digout Maps	40	16	2						58	\$9,014		\$9,014	58	\$ 9,014	\$ -	\$ 9,014
11 Geotechnical Engineering Study	8	16	2						26	\$4,790	\$85,140	\$89,930	26	\$ 4,790	\$ 85,140	\$ 89,930
11.01 Pre-Field Activities	8	8							16	\$2,640		\$2,640	16	\$ 2,640	\$ -	\$ 2,640
11.02 FWD Testing and Core Sampling		2							2	\$396	\$31,900	\$32,296	2	\$ 396	\$ 31,900	\$ 32,296
11.03 Laboratory Testing											\$9,350	\$9,350		\$ -	\$ 9,350	\$ 9,350
11.04 Analysis and Design Recommendations		2							2	\$396	\$34,430	\$34,826	2	\$ 396	\$ 34,430	\$ 34,826
11.05 Draft and Final Report		4	2						6	\$1,358	\$9,460	\$10,818	6	\$ 1,358	\$ 9,460	\$ 10,818
12 Pavement Treatment Memo	50	24	5						79	\$12,767		\$12,767	79	\$ 12,767	\$ -	\$ 12,767
12.01 Evaluate Information and Alternatives	4	4	1						9	\$1,603		\$1,603	9	\$ 1,603	\$ -	\$ 1,603
12.02 Cost Estimates	16	4	1						21	\$3,187		\$3,187	21	\$ 3,187	\$ -	\$ 3,187
12.03 Prepare Draft	16	4							20	\$2,904		\$2,904	20	\$ 2,904	\$ -	\$ 2,904
12.04 QA/QC		4	2						6	\$1,358		\$1,358	6	\$ 1,358	\$ -	\$ 1,358
12.05 Finalize and Transmit Draft	8	2							10	\$1,452		\$1,452	10	\$ 1,452	\$ -	\$ 1,452
12.06 Prepare Final	4	2							6	\$924		\$924	6	\$ 924	\$ -	\$ 924
12.07 QA/QC		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
12.08 Finalize and Transmit Final	2	2							4	\$660		\$660	4	\$ 660	\$ -	\$ 660
13 Pavement Treatment Meeting		6	3						9	\$2,037		\$2,037	9	\$ 2,037	\$ -	\$ 2,037
13.01 Agenda		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396
13.02 Travel		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
13.03 Meeting		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
13.04 Minutes		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
14 Utility Locating	4	6							10	\$1,716	\$38,698	\$40,414	10	\$ 1,716	\$ 38,698	\$ 40,414
14.01 Mark and Locate		4							4	\$792	\$24,354	\$25,146	4	\$ 792	\$ 24,354	\$ 25,146
14.02 Potholing (5)	4	2							6	\$924	\$4,736	\$5,660	6	\$ 924	\$ 4,736	\$ 5,660
14.03 Traffic Control (3 days)											\$9,609	\$9,609		\$ -	\$ 9,609	\$ 9,609
15 Topographic Survey and Base Map	56	20	5	160	120	120		20	501	\$105,427		\$105,427	501	\$105,427	\$ -	\$ 105,427
15.01 Supplemental Surveys		8	2	160				8	178	\$54,814		\$54,814	178	\$ 54,814	\$ -	\$ 54,814
15.02 Extract LAS Data and Prepare Base Map	32	8	2		120	120		12	294	\$46,370		\$46,370	294	\$ 46,370	\$ -	\$ 46,370
15.03 Ellenwood Ave and Routier Rd P&P Sheets	24	4	1						29	\$4,243		\$4,243	29	\$ 4,243	\$ -	\$ 4,243
SUBTOTAL	276	231	60	184	120	164	56	30	1,121	\$223,248	\$136,364	\$359,612	1,121	\$223,248	\$136,364	\$ 359,612

ITEM 9.3.

RC10 Neighborhood Street Rehabilitation Project

City of Rancho Cordova

Fee Estimate

December 8th, 2021



TASK DESCRIPTION	R.E.Y. Engineers, Inc.												TOTALS			
	Assistant Engineer III	Senior Engineer I	Principal Engineer II	2 Person Survey Crew	Senior Technician II	LiDAR Technician I	Senior Surveyor V	Principal Surveyor II	Hours	Labor Cost	ODC's	Subtotal	TOTAL HOURS	TOTAL LABOR COST	TOTAL ODC'S	TOTAL DOLLARS
Billing Rate	\$132.00	\$198.00	\$283.00	\$315.00	\$155.00	\$150.00	\$258.00	\$283.00								
II. Final Design																
1 Project Management		36	18						54	\$12,222		\$12,222	54	\$ 12,222	\$ -	\$ 12,222
1.01 Monthly Updates (6)		12	6						18	\$4,074		\$4,074	18	\$ 4,074	\$ -	\$ 4,074
1.02 General Project Management		12	6						18	\$4,074		\$4,074	18	\$ 4,074	\$ -	\$ 4,074
1.03 General Project Coordination		12							12	\$2,376		\$2,376	12	\$ 2,376	\$ -	\$ 2,376
1.04 General QA/QC			6						6	\$1,698		\$1,698	6	\$ 1,698	\$ -	\$ 1,698
2 CEQA Cat Ex	2	2							4	\$660		\$660	4	\$ 660	\$ -	\$ 660
2.01 Cat Ex	2	2							4	\$660		\$660	4	\$ 660	\$ -	\$ 660
3 65% PS&E	816	76	21						913	\$128,703	\$100	\$128,803	913	\$128,703	\$ 100	\$ 128,803
3.01 Plans	640	40	8						688	\$94,664	\$100	\$94,764	688	\$ 94,664	\$ 100	\$ 94,764
3.02 Specs		16	2						18	\$3,734		\$3,734	18	\$ 3,734	\$ -	\$ 3,734
3.03 Estimate	32	4	1						37	\$5,299		\$5,299	37	\$ 5,299	\$ -	\$ 5,299
3.04 QA/QC		8	8						16	\$3,848		\$3,848	16	\$ 3,848	\$ -	\$ 3,848
3.05 Finalize and Transmit	120	4	1						125	\$16,915		\$16,915	125	\$ 16,915	\$ -	\$ 16,915
3.06 B Letters	24	4	1						29	\$4,243		\$4,243	29	\$ 4,243	\$ -	\$ 4,243
4 65% PS&E Meeting		7	4						11	\$2,518		\$2,518	11	\$ 2,518	\$ -	\$ 2,518
4.01 Agenda		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396
4.02 Travel		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
4.03 Meeting		2	2						4	\$962		\$962	4	\$ 962	\$ -	\$ 962
4.04 Minutes		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
5 90% PS&E	240	48	17						305	\$45,995	\$100	\$46,095	305	\$ 45,995	\$ 100	\$ 46,095
5.01 Comment Resolution Matrix	8	4	1						13	\$2,131		\$2,131	13	\$ 2,131	\$ -	\$ 2,131
5.02 Plans	160	16	4						180	\$25,420	\$100	\$25,520	180	\$ 25,420	\$ 100	\$ 25,520
5.03 Specs		8	1						9	\$1,867		\$1,867	9	\$ 1,867	\$ -	\$ 1,867
5.04 Estimate	24	4	1						29	\$4,243		\$4,243	29	\$ 4,243	\$ -	\$ 4,243
5.05 QA/QC		8	8						16	\$3,848		\$3,848	16	\$ 3,848	\$ -	\$ 3,848
5.06 Finalize and Transmit	40	4	1						45	\$6,355		\$6,355	45	\$ 6,355	\$ -	\$ 6,355
5.07 C Letters	8	4	1						13	\$2,131		\$2,131	13	\$ 2,131	\$ -	\$ 2,131
6 90% PS&E Meeting		7	4						11	\$2,518		\$2,518	11	\$ 2,518	\$ -	\$ 2,518
6.01 Agenda		2							2	\$396		\$396	2	\$ 396	\$ -	\$ 396
6.02 Travel		1	1						2	\$481		\$481	2	\$ 481	\$ -	\$ 481
6.03 Meeting		2	2						4	\$962		\$962	4	\$ 962	\$ -	\$ 962
6.04 Minutes		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
7 100% PS&E/Bid Documents	136	36	14						186	\$29,042	\$100	\$29,142	186	\$ 29,042	\$ 100	\$ 29,142
7.01 Comment Resolution Matrix	8	4	1						13	\$2,131		\$2,131	13	\$ 2,131	\$ -	\$ 2,131
7.02 Plans	80	8	2						90	\$12,710	\$100	\$12,810	90	\$ 12,710	\$ 100	\$ 12,810
7.03 Specs		8	1						9	\$1,867		\$1,867	9	\$ 1,867	\$ -	\$ 1,867
7.04 Estimate	24	4	1						29	\$4,243		\$4,243	29	\$ 4,243	\$ -	\$ 4,243
7.05 QA/QC		8	8						16	\$3,848		\$3,848	16	\$ 3,848	\$ -	\$ 3,848
7.06 Finalize and Transmit	24	4	1						29	\$4,243		\$4,243	29	\$ 4,243	\$ -	\$ 4,243
8 Bid Support	8	12	2						22	\$3,998		\$3,998	22	\$ 3,998	\$ -	\$ 3,998
8.01 Bid Support	8	12	2						22	\$3,998		\$3,998	22	\$ 3,998	\$ -	\$ 3,998
SUBTOTAL	1,202	224	80						1,506	\$225,656	\$300	\$225,956	1,506	\$225,656	\$ 300	\$ 225,956

ITEM 9.3.

RC10 Neighborhood Street Rehabilitation Project

City of Rancho Cordova

Fee Estimate

December 8th, 2021

ATTACHMENT 2

R.E.Y. ENGINEERS, INC.
Civil Engineers | Land Surveyors | LIDAR
905 Sutter Street, Suite 200, Folsom, CA 95630
Phone: (916) 366-3040 Fax: (916) 366-3303
www.reyengineers.com



TASK DESCRIPTION	R.E.Y. Engineers, Inc.												TOTALS			
	Assistant Engineer III	Senior Engineer I	Principal Engineer II	2 Person Survey Crew	Senior Technician II	LiDAR Technician I	Senior Surveyor V	Principal Surveyor II	Hours	Labor Cost	ODC's	Subtotal	TOTAL HOURS	TOTAL LABOR COST	TOTAL ODC'S	TOTAL DOLLARS
	Billing Rate	\$132.00	\$198.00	\$283.00	\$315.00	\$155.00	\$150.00	\$258.00								
III. Construction																
1 Construction Documents	12	8	2						22	\$3,734		\$3,734	22	\$ 3,734	\$ -	\$ 3,734
1.01 Prepare	8	4	1						13	\$2,131		\$2,131	13	\$ 2,131	\$ -	\$ 2,131
1.02 QA/QC		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
1.03 Finalize and Transmit	4	2							6	\$924		\$924	6	\$ 924	\$ -	\$ 924
2 Construction Engineering Support	32	64	8						104	\$19,160		\$19,160	104	\$ 19,160	\$ -	\$ 19,160
2.01 Meetings/Phone Calls/Emails		32	4						36	\$7,468		\$7,468	36	\$ 7,468	\$ -	\$ 7,468
2.02 RFI's	16	16	2						34	\$5,846		\$5,846	34	\$ 5,846	\$ -	\$ 5,846
2.03 CCO's	16	16	2						34	\$5,846		\$5,846	34	\$ 5,846	\$ -	\$ 5,846
3 As-Built/Record Drawings	48	8	2						58	\$8,486		\$8,486	58	\$ 8,486	\$ -	\$ 8,486
3.01 Prepare	32	4							36	\$5,016		\$5,016	36	\$ 5,016	\$ -	\$ 5,016
3.02 QA/QC		2	1						3	\$679		\$679	3	\$ 679	\$ -	\$ 679
3.03 Finalize and Transmit	16	2	1						19	\$2,791		\$2,791	19	\$ 2,791	\$ -	\$ 2,791
SUBTOTAL	92	80	12						184	\$31,380		\$31,380	184	\$ 31,380	\$ -	\$ 31,380
TOTAL HOURS	1,570	535	152	184	120	164	56	30	2,811				2,811			
TOTAL DOLLARS	\$207,240	\$105,930	\$43,016	\$57,960	\$18,600	\$24,600	\$14,448	\$8,490		\$480,284	\$136,664	\$616,948		\$480,284	\$136,664	\$ 616,948



**City of Rancho Cordova
 RC10 Neighborhood Street Rehabilitation Project**

Fee Schedule

<u>Labor Classification</u>	<u>Rate*</u>
Technician I	\$92
Technician II	\$107
Technician III	\$122
Senior Technician I	\$140
Senior Technician II	\$155
Senior Technician III	\$170
LiDAR Technician I	\$150
LiDAR Technician II	\$165
LiDAR Technician III	\$180
Senior LiDAR Specialist I	\$195
Senior LiDAR Specialist II	\$215
Assistant I	\$112
Assistant II	\$122
Assistant III	\$132
Assistant IV	\$142
Assistant V	\$152
Associate I	\$146
Associate II	\$156
Associate III	\$166
Associate IV	\$176
Associate V	\$186
Senior I	\$198
Senior II	\$213
Senior III	\$228
Senior IV	\$243
Senior V	\$258
Principal I	\$268
Principal II	\$283
Expert Witness	\$420
1 Person Survey Crew	\$195
2 Person Survey Crew	\$315
3 Person Survey Crew	\$415
Project Administrator	\$115
Project Coordinator	\$130
<u>Expense Classification</u>	<u>Rate*</u>
Terrestrial LiDAR Equipment	\$75
Mobile LiDAR Equipment	\$600
UAV LiDAR Equipment (<i>per flight day</i>)	\$450
Bathymetric Survey Vessel (<i>per project day</i>)	\$750
Special Monuments, Iron Stakes, etc.	Cost
Filing Fees, Checking Fees, etc.	Cost
Outside Reproductions, Services, and Subconsultants	Cost + 10%
In-House Large Format Prints (B+W)	\$0.30/SF
In-House Large Format Prints (Color)	\$0.75/SF

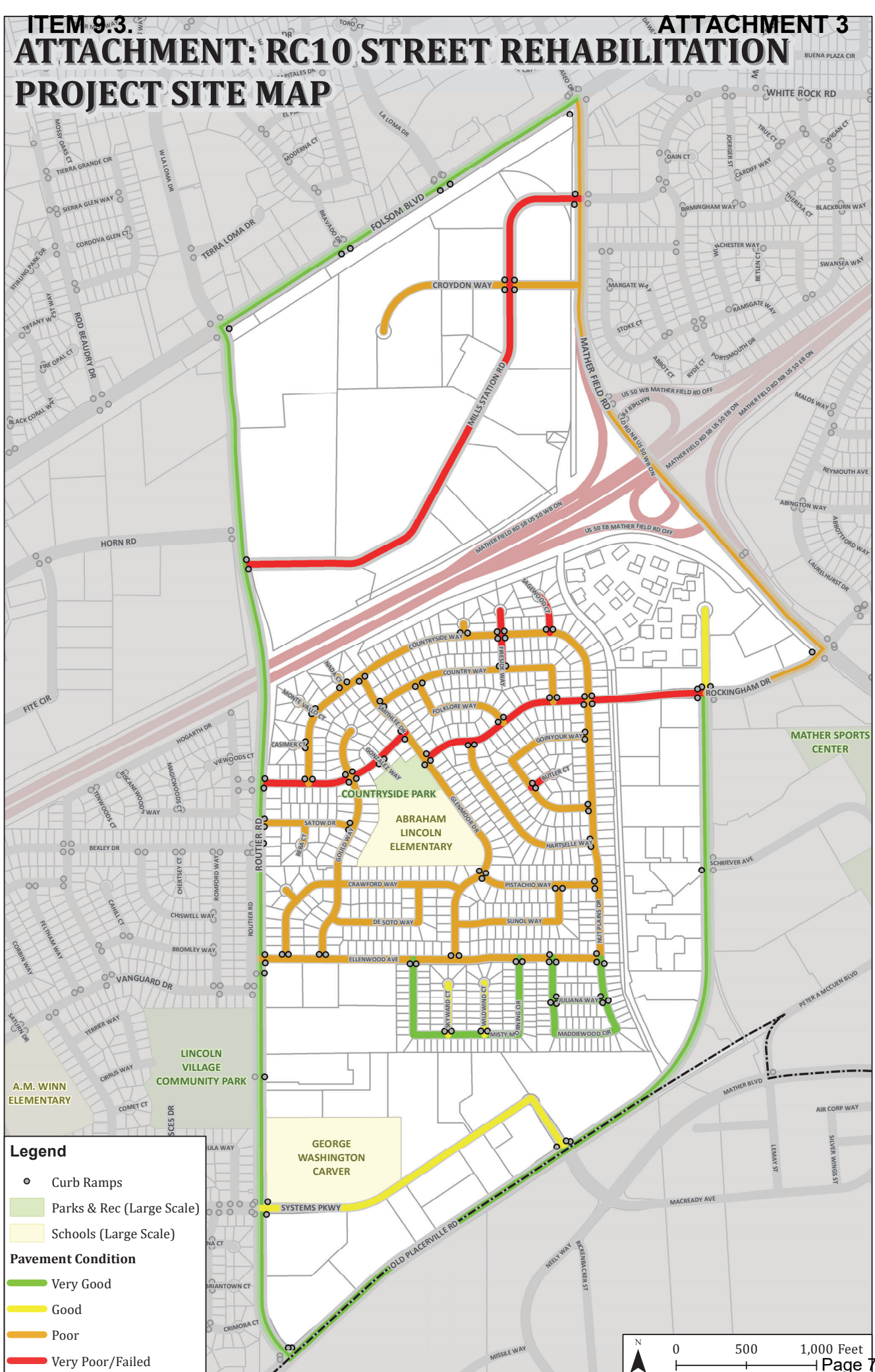
Legend

* Rates above are the hourly rate to be charged for each classification unless otherwise noted.

Notes

- Rates are valid through December 31st, 2023.
- Reimbursement for mileage is included in the rates above.
- Rate for overtime for field and non-exempt employees will be charged at 135% of rate listed above.
- Rate for double time for field and non-exempt employees will be charged at 170% of rate listed above.

ITEM 9.3. ATTACHMENT 3 ATTACHMENT: RC10 STREET REHABILITATION PROJECT SITE MAP



MEMORANDUM



ITEM 9.4.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Darcy Goulart, Planning Manager
SUBJECT: **SECOND READING OF AN ORDINANCE AMENDING THE RANCHO CORDOVA MUNICIPAL CODE AMENDING TITLE 23 (ZONING), ARTICLE 1 ADMINISTRATION, ARTICLE 3 ZONING DISTRICT, ALLOWABLE USES, AND GENERAL DEVELOPMENT STANDARDS, ARTICLE 7 SITE PLANNING AND DEVELOPMENT STANDARDS, ARTICLE 9 SPECIFIC USE PROVISIONS AND ARTICLE 11 DEFINITIONS**

RECOMMENDATION

Waive the second reading and adopt the Ordinance amending Title 23 (Zoning), Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the Rancho Cordova Municipal Code.

RESULT OF RECOMMENDED ACTION

Approval of the Ordinance would amend Title 23 (Zoning), Article 1 Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the Rancho Cordova Municipal Code.

BACKGROUND

On December 20, 2021 the City Council waived the first reading and passed to a second reading of the Ordinance.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Ordinance
2. Exhibit A to the Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2022

**AN ORDINANCE AMENDING TITLE 23, ZONING CODE, ARTICLE 1 ADMINISTRATION,
ARTICLE 3 ZONING DISTRICT, ALLOWABLE USES, AND GENERAL DEVELOPMENT
STANDARDS, ARTICLE 7 SITE PLANNING AND DEVELOPMENT STANDARDS, ARTICLE
9 SPECIFIC USE PROVISIONS AND ARTICLE 11 DEFINITIONS OF THE CITY OF RANCHO
CORDOVA MUNICIPAL CODE**

Section 1. Purpose and Declarations.

WHEREAS, the City conducts periodic updates of the provisions of the Rancho Cordova Municipal Code (RCMC) to ensure compliance with current laws, changes in local policy, consistency with adopted plans and programs, clarify ambiguities, address changing market conditions, reflect best practices, and to address issues or concerns with current regulations; and

WHEREAS, certain amendments to Title 23 (Zoning Code), Article 1, Administration, Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions provide consistency with State law, provide clarification of processing and update sections of the code for consistency with industry standards;

WHEREAS, on December 20, 2021 the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. The City Council hereby finds:

A. **CEQA Compliance.** CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061 (b) (3), an activity is not subject to CEQA, “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” The proposed amendments are not a “project” within the meaning of CEQA because the amendments seek to provide consistency with State law, provide clarification of processing and update sections of the code for consistency with industry standards. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The approval of the code amendments set forth in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical changes in the environment. Any specific development projects that may result from these changes will be subject to environmental review. The proposed

amendments are consistent with the City's General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

B. The proposed amendments are consistent with the General Plan. The attached Municipal Code Amendments ("Amendments") are consistent with the General Plan. The amendments provide consistency with State law, provide clarification of processing and update sections of the code for consistency with industry standards.

C. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The attached amendments would provide consistency with State law, provide clarification of processing and update sections of the code for consistency with industry standards. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City.

D. The proposed amendments are internally consistent with other applicable provisions of this zoning code. The Amendments have been reviewed for consistency with the entirety of the Municipal Code and is consistent with other applicable provisions of the Municipal Code.

Section 3. Amendments to Title 23 Zoning Code

The City Council hereby adopts the amendments to Title 23 Zoning Code of the Rancho Cordova Municipal Code, as shown and incorporated in Exhibit A to this ordinance.

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

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 _____, 2022 by the following vote:

AYES:

ITEM 9.4.

ATTACHMENT 1

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

Chapter 23.128

REASONABLE ACCOMMODATION

Sections:

- 23.128.010 Purpose.
- 23.128.020 Applicability.
- 23.128.030 Application required.
- 23.128.040 Approval authority.
- 23.128.050 Public hearing notice and procedure.
- 23.128.060 Notice of decision.
- 23.128.070 Approval findings.
- 23.128.080 Conditions of approval.
- 23.128.090 Appeals.
- 23.128.100 Permit expiration.
- 23.128.110 Amendments.

23.128.010 Purpose.

This chapter provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (collectively, the Acts) in the application of zoning laws and other land use regulations, policies, and procedures. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 1.10.010)].

23.128.020 Applicability.

A. A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of a requirement of this zoning code or other city requirement, policy, or practice acts as a barrier to fair housing opportunities. A “person with a disability” is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment. This chapter is intended to apply to those persons who are defined as disabled under the Acts.

B. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

C. A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the site.

D. A reasonable accommodation may be granted in compliance with this chapter without the need for the approval of a variance. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 1.10.020)].

23.128.030 Application required.

An application for a reasonable accommodation permit shall be filed in accordance with RCMC 23.110.040 (Application requirements). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 1.10.030)].

23.128.040 Approval authority.

A reasonable accommodation permit is a limited discretionary decision by the director as designated in RCMC 23.104.030 (Recommending and approval authority). [Ord. 4-2017 § 3 (Exh. B)].

23.128.050 Public hearing notice and procedure.

No public hearing is required for review and processing of a reasonable accommodation permit. Any information submitted as part of a reasonable accommodation request shall be stored in a manner to respect privacy of the applicant and shall not be available for public inspection.

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

23.128.060 Notice of decision.

A written determination granting, granting with modifications, or denying the reasonable accommodation request shall be provided to the applicant within 45 days of the application being deemed complete. [Ord. 4-2017 § 3 (Exh. B)].

23.128.070 Approval findings.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:

- A. Whether the housing in the request will be used by a qualified individual with a disability under the Acts;
- B. Whether the request for reasonable accommodation is necessary to make specific housing accessible to an individual with a disability under the Acts;
- C. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city;
- D. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use and zoning;
- E. Potential impact on surrounding uses, including damage to other properties;
- F. Physical attributes of the property and structures;
- G. Whether the requested reasonable accommodation would create a direct threat to the safety of others; and
- H. Other reasonable accommodations that may provide an equivalent level of benefit. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 1.10.040). Formerly 23.128.040].

23.128.080 Conditions of approval.

In granting a request for reasonable accommodation, the approval authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings. The conditions shall also state whether the accommodation granted shall be removed in the event that the person for whom the accommodation was requested no longer resides on the site. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 1.10.050). Formerly 23.128.050].

23.128.090 Appeals.

Appeal of a reasonable accommodation permit may be filed with the Planning Department, and subject to review by the City Manager for a decision.

23.128.100 Permit expiration.

Reasonable accommodation permits shall expire three years from the date of approval, unless:

A. Substantial construction of the permitted use has commenced and is diligently pursued to completion; clear documentation is provided to establish that the permit holder has made a good faith effort to commence work upon the use; the permitted use has clearly been established; actual occupancy of an existing building or land occurs under the terms of the permitted use; or

B. An extension is approved in accordance with RCMC 23.110.070 (Extension of land use entitlement). [Ord. 4-2017 § 3 (Exh. B)].

23.128.110 Amendments.

An applicant may request an amendment to a reasonable accommodation permit after the final written decision is issued. Amendments shall be processed in accordance with RCMC 23.110.180 (Amendments). [Ord. 4-2017 § 3 (Exh. B)].

Chapter 23.307

AGRICULTURAL ZONING DISTRICTS

Sections:

- 23.307.010 Purpose.
- 23.307.020 Characteristics of the agricultural zoning districts.
- 23.307.030 Allowed land uses and permit requirements.
- 23.307.040 Development standards.

23.307.010 Purpose.

The purpose of this chapter is to establish agricultural zoning districts in the city, along with allowed use and development standards applicable to those districts. These districts are consistent with and implement the city's General Plan agricultural land use categories (general agricultural) as shown in Table 23.301-1 (Zoning Districts). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.3.010)].

23.307.020 Characteristics of the agricultural zoning districts.

The following descriptions of each agricultural zoning district identify the characteristic uses, intensity of uses, and level of development intended for that district:

A. Agricultural (AG) Zoning Districts. These districts are intended to preserve land for agricultural use and operations and discourage the premature conversion of agricultural land to urban uses. The two agricultural zoning districts allow for a wide variety of agricultural and compatible uses on large tracts of land, such as crop production, animal keeping (e.g., livestock), and commercial agricultural-related uses (e.g., stables). The number associated with the AG district corresponds to the minimum lot size in each district and is limited to the following:

1. AG-80 Zoning District (80-Acre Minimum). The AG-80 zone is applied to areas of the city to accommodate a wide range of agricultural uses on parcels of land a minimum of 80 gross acres in size.
2. AG-20 Zoning District (20-Acre Minimum). The AG-20 zone is applied to areas of the city to accommodate agricultural use on parcels a minimum of 20 gross acres in size. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.3.020)].

23.307.030 Allowed land uses and permit requirements.

Table 23.307-1 identifies allowed uses and corresponding permit requirements for the agricultural zoning districts subject to compliance with Chapter 23.304 RCMC (Land Use Classification) and all other provisions of this title. Descriptions/definitions of the land uses can be found in Article 11 of this title (Definitions). The specific use regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Use regulations in the table are shown with a representative symbol by use classification listing: "P" symbolizes uses allowed by right, "AUP" symbolizes uses that require approval of an administrative use permit, "C" symbolizes uses that require approval of a conditional use permit, and "N" symbolizes uses that are not permitted.

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

Table 23.307-1: Allowed Uses and Permit Requirements for Agricultural Zoning Districts

Land Use Category	AG-80	AG-20	Specific Use Regulations
Residential Uses			
Agricultural Employee (Farmworker) Housing	AUP	AUP	RCMC 23.901.100
Caretaker Housing	AUP	AUP	RCMC 23.901.020
Dwelling, Accessory Unit ¹	P	P	RCMC 23.901.060
Dwelling, Single-Family	P	P	
Family Day Care Home, Small	P	P	
Family Day Care Home, Large	P	P	
Garage Sale	P	P	
Group Residential	C	C	
Guest House	P	P	
Home Occupations	P	P	RCMC 23.901.030
Mobile Home	P	P	RCMC 23.901.050
Agriculture, Resource, and Open Space Uses			
Agricultural Tourism	C	C	
Animal Husbandry	P	P	
Animal Keeping, Domestic Pets	P	P	
Animal Keeping, Exotic Animals	P	P	
Animal Keeping, Livestock Animals	P	P	
Animal Keeping, Poultry	P	P	
Beekeeping	P	P	Chapter 8.12 RCMC
Crop Production	P	P	RCMC 23.904.020
Equestrian Facility, Commercial	P	P	RCMC 23.904.020
Equestrian Facility, Hobby	P	P	RCMC 23.904.020
Hog Farm, Commercial	P	P	RCMC 23.904.020
Kennels, Hobby	P	P	RCMC 23.904.020
Recreation, Education, and Public Assembly Uses			
Cemeteries, Mausoleums	C	C	
Clubs, Lodges, and Private Meeting Halls	C	C	
Community Centers/Civic Uses	C	C	
Community Garden	P	P	
Golf Courses/Clubhouses	C	C	

ITEM 9.4.**ATTACHMENT 2
Exhibit A to the Ordinance**

Land Use Category	AG-80	AG-20	Specific Use Regulations
Libraries and Museums	C	C	
Outdoor Commercial Recreation	C	C	
Parks and Public Plazas	P	P	
Public Safety Facility	P	P	
Religious Institutions	C	C	
Resource Protection and Restoration	P	P	
Resource-Related Recreation	P	P	
Schools, Private and Special/Studios	C	C	
Schools, Public	P	P	
Utility, Transportation, and Communication Use Listings			
Airport	N	N	
Bus and Transit Shelters	P	P	
Telecommunication Facility	AUP	AUP	RCMC 23.907.020
Utility Facilities and Infrastructure	AUP	AUP	RCMC 23.907.030
Retail, Service, and Office Uses			
Bed and Breakfast Inns	AUP	AUP	
Child Day Care Facility	AUP	AUP	
Kennels, Commercial	AUP	AUP	
Medical Services, General	N	N	
Medical Services, Hospitals	N	N	
Veterinary Facility	AUP	AUP	
Industrial, Manufacturing, and Processing Uses			
Agricultural Products Processing	C	C	

Notes:

1. Each lot or parcel shall contain a minimum of five gross acres per accessory dwelling unit.

[Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.3.030)].

23.307.040 Development standards.

The following development standards are applicable to the agricultural zoning districts. These standards, along with other development standards (e.g., landscaping requirements, signs, parking standards) in this title and citywide design guidelines, are intended to assist property owners and project designers in understanding the city's minimum requirements and expectations for high quality development.

ITEM 9.4.**ATTACHMENT 2
Exhibit A to the Ordinance****Table 23.307-2: Agricultural Zoning Districts Development Standards**

Development Standard		AG-80	AG-20
Minimum Lot Area		80 acres	20 acres
Maximum Density		1 du/parcel	1 du/parcel
Setbacks:			
Front		50 feet	50 feet
Sides, Interior Lot		50 feet	50 feet
Street Side/Corner Lot		50 feet	50 feet
Rear		50 feet	50 feet
Minimum Lot Dimensions:			
	Width/Frontage	1,000 feet	500 feet
	Depth	1,500 feet	1,500 feet
Height Limit		50 feet ¹	50 feet ¹

Notes:

1. Water tanks, silos, granaries, barns, and similar accessory structures or necessary mechanical appurtenances may exceed a height of 50 feet provided they do not exceed any other height restrictions imposed on the specific location of the structure.

[Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.3.040)].

Chapter 23.310

RESIDENTIAL ZONING DISTRICTS

Sections:

- 23.310.010 Purpose.
- 23.310.020 Characteristics of the residential zoning districts.
- 23.310.030 Allowed land uses and permit requirements.
- 23.310.040 Development standards.

23.310.010 Purpose.

The purpose of this chapter is to establish residential zoning districts in the city, along with allowed use and development standards applicable to those districts. These districts are consistent with and implement the city's General Plan residential land use categories (rural residential, estate residential, low density residential, medium density residential, and high density residential). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.4.010)].

23.310.020 Characteristics of the residential zoning districts.

The following descriptions of each residential zoning district identify the characteristic uses, intensity of uses, and level of development intended for that district:

A. Rural Residential (RR) Zoning District. This district is applied to areas of the city where development is limited to low density concentrations of single-family dwellings. The zone implements the General Plan's rural residential land use category by allowing residential developments between 0.1 and 0.5 dwelling units per acre. The zone is applied to parcels of land along or at the edge of the city, helping to define the city's boundary. The zone is intended to provide a gradual transition of density from the urban core to a rural edge of the community. Development in this zone is characterized by smaller local roads, the rural nature of improvements and services (e.g., no curb, gutter, streetlights), and larger lots. Limited agricultural-related uses (e.g., farming, animal keeping) are permitted in this zone when compatible with the primary residential use.

B. Estate Residential (ER) Zoning District. This district is applied to areas of the city where development is limited to low density concentrations of single-family dwellings. The zone implements the General Plan's estate residential land use category by allowing for residential development between 0.51 and 2.0 dwelling units per acre. The zone is applied to parcels of land near the edge of the city where urban development approaches the rural areas of the region. This zone promotes a gradual transition between urban areas and the rural country by introducing a more rural lifestyle with larger lots (between one-half acre and two acres in size). The ER zone also allows for specific nonresidential development that is in keeping with both the residential and rural nature of the zone, such as public safety facilities, parks, trails, and open space, and religious/institutional facilities. Generally, development within the zone is characterized by larger lots, two-lane roads, and formal curb and gutter at the roadway edge. Street lighting (in addition to safety lighting at intersections) and sidewalks may be included, but are not required. Public water and sewer service is encouraged, but should only be required when it is immediately available to the individual lot or in proximity to a new estate residential development.

C. Residential (RD) Zoning Districts. These districts are established to provide sufficient space in appropriate locations for residential development to meet the housing needs of the city's present and expected future population with due allowance for the need for a choice of sites. There are 12 individual RD zones as listed below. The number associated with the RD district corresponds to the maximum gross density allowed in the district. The general character of each district is listed as part of the allowed density range and is intended to help guide development within the district, consistent with and accompanying descriptions in the General Plan.

1. RD-1 Zoning District (One Dwelling Unit per Acre Maximum). This district should be applied to areas that are semi-rural in character, featuring a combination of larger lots typically found in rural areas but also more urban roadway and infrastructure improvements. This zone is targeted for more executive-style housing and allows for development in the 0.51 to 1.0 dwelling units per acre range, consistent with the estate residential General Plan land use category.

2. RD-2 Zoning District (Two Dwelling Units per Acre Maximum). This district should be applied to areas that are semi-rural in character, featuring a combination of larger lots typically found in rural areas but also more urban roadway and infrastructure improvements. This zone is targeted for more executive-style housing and allows for development in the 1.1 to 2.0 dwelling units per acre range, consistent with the estate residential General Plan land use category.

3. RD-3 Zoning District (Three Dwelling Units per Acre Maximum). This district allows for development in the 2.1 to 3.0 dwelling units per acre range. This district should be applied to areas that are strictly residential; however, other compatible neighborhood support facilities and public/quasi-public uses, such as parks, religious institutions, and community gathering facilities, may be located in the district.

4. RD-4 Zoning District (Four Dwelling Units per Acre Maximum). This district should be applied to areas that are generally residential; however, the district does allow for other compatible neighborhood support facilities and public/quasi-public uses, such as parks, religious institutions, and community gathering facilities. The district allows for development in the 3.1 to 4.0 dwelling units per acre range.

5. RD-5 Zoning District (Five Dwelling Units per Acre Maximum). This district makes up the vast majority of residential development built in the city prior to incorporation. The zone allows for residential development in the 4.1 to 5.0 dwelling units per acre range, as well as other compatible neighborhood support facilities and public/quasi-public uses, such as parks, religious institutions, and community gathering facilities.

6. RD-6 Zoning District (Six Dwelling Units per Acre Maximum). This district allows for development between 5.1 and 6.0 dwelling units per acre. This district should be applied to areas that are primarily single-family residential; however, the district does allow for other compatible neighborhood support facilities and public/quasi-public uses, such as parks, religious institutions, and community gathering facilities.

7. RD-7 Zoning District (Seven Dwelling Units per Acre Maximum). This is a medium density residential zoning district, allowing development in the 6.1 to 7.0 dwelling units per acre range. Properties in this zone typically include higher density single-family homes (attached and detached). Other compatible neighborhood support uses may also be permitted, such as parks and religious institutions.

8. RD-10 Zoning District (10 Dwelling Units per Acre Maximum). As a medium density residential zoning district, this district allows development in the 7.1 to 10.0 dwelling units per acre range and includes both higher density single-family homes (attached and detached) and more traditional multifamily residential development. This district should be applied to areas that are located in proximity to neighborhood and employment centers and provides a compatible transition to lower density residential development.

9. RD-15 Zoning District (15 Dwelling Units per Acre Maximum). As with other medium density residential zoning districts, this district allows for both higher density single-family (attached and detached) and more traditional multifamily residential development. The district allows for residential development in the 10.1 to 15.0 dwelling units per acre range, is typically located in proximity to neighborhood and employment centers, and provides a compatible transition to lower density residential development.

10. RD-20 Zoning District (20 Dwelling Units per Acre Maximum). This district is a high density residential zoning district which allows 18.1 to 20.0 dwelling units per acre. Typical development in this district includes apartments, condominiums, and other high density multifamily dwellings. The district also provides additional living opportunities for people of varying needs and income levels (e.g., residential care facilities, assisted living facilities, congregate care facilities).

11. RD-25 Zoning District (25 Dwelling Units per Acre Maximum). This high density residential district allows for development in the 20.1 to 25.0 dwelling units per acre range and includes apartments, condominiums, and other high density residential multifamily dwellings. The district also provides additional living opportunities for people of varying needs and income levels (e.g., residential care facilities, assisted living facilities, congregate care facilities).

12. RD-30 Zoning District (30 Dwelling Units per Acre Maximum). This district allows for high density residential development (e.g., apartments, condominiums) in the 25.1 to 30.0 dwelling units per acre range. As

with other high density residential districts, this district also provides additional living opportunities for people of varying needs and income levels (e.g., residential care facilities, assisted living facilities, congregate care facilities).

D. Medium Density Residential (MDR). This district designates property for the development of a wide range of housing types with a density range between 6.1 and 18.0 dwelling units per acre. The MDR district is intended for higher density single-family homes (attached or detached), condominiums, and small apartment complexes. This district provides a compatible transition between the lower density residential neighborhoods of the city and the urban centers.

E. High Density Residential (HDR). This district designates property for the development of residential uses with a density between 20.1 and 40.0 dwelling units per acre. The HDR district is intended for higher density residential development, such as apartments, condominiums, lofts, and other multi-story residential uses. This district is typically located along major roadways and transit corridors near and adjacent to or within service and employment centers. High density residential development is designed to be pedestrian- and transit-friendly.

F. Residential Mobile Home (RMH). This district provides for the development of mobile home parks and/or the placement of mobile homes on individual lots within an approved subdivision of lots to accommodate mobile homes as the primary dwelling unit. The RMH zone also allows for the development of associated support uses, such as community centers, parks, and common areas, as part of both mobile home parks and mobile home subdivisions. Development in this district is limited to 7.1 to 18.0 dwelling units per acre. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.4.020)].

23.310.030 Allowed land uses and permit requirements.

Table 23.310-1 identifies allowed uses and corresponding permit requirements for the residential zoning districts subject to compliance with Chapter 23.304 RCMC (Land Use Classification) and all other provisions of this title. Descriptions/definitions of the land uses can be found in Article 11 of this title (Definitions). The specific use regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Use regulations in the table are shown with representative symbol by use classification listing: “P” symbolizes uses allowed by right, “AUP” symbolizes uses that require an administrative use permit, “C” symbolizes uses that require approval of a conditional use permit, and “N” symbolizes uses that are not permitted.

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

Table 23.310-1: Allowed Uses and Permit Requirements for Residential Zoning Districts

Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Residential Uses																		
Adult Day Care Home	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	
Agricultural Employee Housing	AUP	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.901.100
Caretaker Housing	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	RCMC 23.901.020
Dwelling, Multifamily ⁹	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	
Dwelling, Accessory Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	RCMC 23.901.060
Dwelling, Single-Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P	
Dwelling, Two-Family	N	N	N	N	N	AUP ¹	AUP ¹	AUP ¹	AUP ¹	P	P	P	P	P	P	N	N	
Emergency Shelter	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	C	
Family Day Care Home, Small or Large	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Group Residential	C	C	N	N	N	N	N	N	N	C	P	P	P	P	P	P	N	
Guest House	P	P	P	P	P	P	P	P	P	P	P	N	N	N	P	N	N	
Home Occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	RCMC 23.901.030
Live-Work Facility	N	N	N	N	N	N	AUP	AUP	AUP	P	P	P	P	P	P	P	N	RCMC 23.901.040
Low-Barrier Navigation Centers	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	
Manufactured Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Mobile Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	RCMC 23.901.050

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Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Mobile Home Park	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	RCMC 23.901.050
Residential Care Home (Small)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	
Residential Care Home (Large) ¹¹	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	
Single Room Occupancy (SRO)	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	C	N	
Supportive Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Transitional Housing ⁸	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agriculture, Resource, and Open Space Uses																		
Agricultural Tourism	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Animal Husbandry	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Animal Keeping, Domestic Pets	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	
Animal Keeping, Exotic Animals	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	p ³	
Animal Keeping, Livestock Animals	p ⁴	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.904.020
Animal Keeping, Poultry	p ⁵	N	p ⁵	p ⁵	N	N	N	N	N	N	N	N	N	N	N	N	N	
Animal Keeping, Hens only	N/A	N	N/A	N/A	p ⁶	p ⁶	p ⁶	p ⁶	p ⁶	N	N	N	N	N	N	N	N	Chapter 8.11 RCMC
Beekeeping	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	Chapter 8.12 RCMC
Crop Production	AUP	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.904.020
Equestrian Facility, Commercial	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.904.020

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Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Equestrian Facility, Hobby	P	AUP	AUP	AUP	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.904.020
Kennels, Hobby	P	N	AUP	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Cannabis Cultivation, Indoor	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	Chapter 6.90 RCMC
Cannabis Cultivation, Outdoor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Urban Agriculture																		
Aquaculture	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	RCMC 23.904.030
Community Garden, Public	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	RCMC 23.904.030
Community Garden, Private	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	N	N	N	N	N	N	RCMC 23.904.030
Market Garden	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	p ¹⁵	N	N	N	N	N	N	RCMC 23.904.030
Private Garden	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	RCMC 23.904.030
Urban Ag Stand	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N ¹⁶	N	N	N	N	N	N	RCMC 23.904.030
Recreation, Education, and Public Assembly Uses																		
Cemeteries, Mausoleums	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C	C	
Community Centers/Civic Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Golf Courses/Clubhouse	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	

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Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Indoor Fitness and Sports Facility	N	N	N	N	N	N	N	N	N	N	N	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	
Libraries and Museums	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	N	
Outdoor Commercial Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Parks and Public Plazas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational Vehicle Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	
Religious Institutions	C	C	C	C	C	C	C	C	C	C	C	N	N	N	C	N	C	
Resource Protection and Restoration	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Resource-Related Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Schools, Private and Special/Studios ¹⁷	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C	
Schools, Public ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility, Transportation, and Communication Use Listings																		
Bus and Transit Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	RCMC 23.907.020
Transit Stations and Terminals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	
Utility Facility and Infrastructure	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	P	RCMC 23.907.030
Retail, Service, and Office Uses																		

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Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Bed and Breakfast Inns	AUP	AUP	AUP	AUP	N	N	N	N	N	AUP	AUP	AUP	AUP	AUP	AUP	AUP	N	
Child Day Care Facility	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
Commercial Marijuana Uses	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Kennels, Commercial	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Medical Services, Extended Care	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	
Medical Services, Hospitals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	
Residential Care Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	
Retail (Accessory) ¹³	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	AUP ¹²	N	
Veterinary Facility	AUP	AUP	AUP	AUP	N	N	N	N	N	N	N	N	N	N	N	N	N	

Notes:

1. Duplexes/halfplexes are permitted (P) on corner lots by right. On interior lots, an administrative use permit (AUP) is required. In such instances, duplexes/halfplexes are exempt from the density requirements of the zoning district; provided, that the overall neighborhood or subdivision has an average density within the allowable range.
2. Domestic pets: Keeping of more than four dogs, more than four cats, or any combination of five or more cats and dogs is considered a kennel for the purposes of this code and not permitted in zones that do not permit a kennel.
3. Exotic animals: No more than five exotic animals are permitted per parcel. All exotic animals shall be kept and maintained in such a way that is consistent with the odor, particulate matter, and air contaminant standards of RCMC 23.737.040.
4. Livestock animals: Two livestock animals may be permitted for each half-acre of land. All livestock animals shall be kept and maintained in such a way that is consistent with the odor, particulate matter, and air contaminant standards of RCMC 23.737.040.
5. Poultry: All poultry shall be kept and maintained in such a way that is consistent with the odor, particulate matter, and air contaminant standards of RCMC 23.737.040.
6. Poultry: Only the keeping of backyard hens shall be allowed with a proper permit and all hens shall be kept and maintained in accordance with the requirements of Chapter 8.11 RCMC.
7. Permitted as an accessory use to an otherwise permitted use in the listed district (e.g., community clubhouse).
8. Transitional housing shall be treated like similar uses as required by state law (e.g., a single-family home used for transitional housing is subject to same requirements as a typical single-family home, apartment building treated similar to apartment building, etc.).
9. Senior independent living facilities are required to meet provisions in Chapter 23.901 RCMC (Residential Uses).
10. See additional provisions in RCMC 23.901.080 (Family day care (large)).
11. See additional provisions in RCMC 23.901.090 (Residential care home (large)).
12. Limited to 25 percent of building square footage of religious institutions, schools and multifamily developments larger than 20 units in size.
13. All commercial activity, display and storage shall occur within a building or within a screen enclosure.
14. Outdoor cannabis cultivation is prohibited in all residential zones pursuant to RCMC 6.90.030, and personal indoor cannabis cultivation is permitted only on parcels with private residences which meet the requirements of RCMC 6.90.040, and such personal cannabis cultivation is subject to the regulations contained in Chapter 6.90 RCMC.

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15. Private community gardens and market gardens are allowed in residential districts up to a maximum one acre in size and pursuant to applicable regulations in RCMC 23.904.030 (Urban agriculture). Approval of an administrative use permit is required for said uses greater than one acre in size. Zoning certification is required for properties one acre or less in size.

16. See allowances for temporary on-site sales of agricultural products in RCMC 23.904.030.

17. Dormitories are permitted as an accessory use to a public or private school, subject to approval of a conditional use permit.

[Ord. 1-2020 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.4.030)].

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

23.310.040 Development standards.

The following development standards are applicable to the residential zoning districts. These standards, along with other development standards (e.g., landscaping requirements, signs, parking standards) in this title and citywide design guidelines, are intended to assist property owners and project designers in understanding the city's minimum requirements and expectations for high quality development.

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

Table 23.310-2: Residential Zoning Districts Development Standards

Development Standard	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10 ²	RD-15 ²	RD-20 ²	RD-25	RD-30	MDR	HDR	RMH ¹
Density (gross, neighborhood or development average for product type) ⁵																	
Minimum	1 du/ 10 ac	1 du/ 1.9 ac	1 du/ 2 ac	1 du/ 0.9 ac	2.1 du/ac	3.1 du/ac	4.1 du/ac	5.1 du/ac	6.1 du/ac	7.1 du/ac	10.1 du/ac	18.1 du/ac	20.1 du/ac	25.1 du/ac	6.1 du/ac	20.1 du/ac	7.1 du/ac
Maximum	1 du/ 2 ac	2 du/ac	1 du/ac	2 du/ac	3.0 du/ac	4.0 du/ac	5.0 du/ac	6.0 du/ac	7.0 du/ac	10.0 du/ac	15.0 du/ac	20.0 du/ac	25.0 du/ac	30.0 du/ac	18.0 du/ac	40.0 du/ac	18.0 du/ac
Setbacks (minimum)																	
Front – General	30 ft			20 ft					18 ft	18 ft ²		18 ft					
Front – Living Area	n/a				14 ft				n/a						10 ft	n/a	
Side – Interior Lot/Detached Units	15 ft		5 ft							5 ft		25 ft		3 ft	20 ft	5 ft	
Side – Interior Lot/Attached Units	n/a		n/a							5 ft		n/a		0 ft	n/a		
Side – Street Side/Corner Lot	30 ft		12.5 ft									25 ft		12.5 ft	15 ft	15 ft	
Side – Zero Lot Line	n/a		0 ft/10 ft							0 ft/10 ft		0 ft/10 ft		0 ft/10 ft	n/a		
Rear – In General ⁶	25 ft ⁴									20 ft		20 ft		10 ft	20 ft	20 ft	
Rear – Setback to Alley ROW	3 ft																
Lot Dimensions (minimum)																	
Width/Frontage – Interior Lot	250 ft	75 ft	75 ft		65 ft		n/a										
Width/Frontage – Corner Lot	250 ft	100 ft	75 ft		65 ft		n/a										
Depth	100 ft		n/a														
Height (maximum)																	
Primary Structure/Unit	40 ft		30 ft									40 ft		45 ft	60 ft	30 ft	
Accessory Structure	16 ft									16 ft				26 ft	26 ft	16 ft	
Lot Coverage (maximum)	25%	30%	75%									75%		75%	75%	n/a	

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Development Standard	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10 ²	RD-15 ²	RD-20 ²	RD-25	RD-30	MDR	HDR	RMH ¹
Common Open Space Requirement (minimum)³	n/a											25%			n/a	25%	n/a

Notes:

1. These development standards address overall development of a mobile home park. Standards for individual mobile home lots within a park or mobile home subdivision can be found in RCMC 23.901.050 (Mobile homes and mobile home parks).
2. Setback standards may be amended during the design review process to accommodate innovative housing types or adjust for unique site conditions.
3. Common open space includes all landscaped areas outside of the required landscape corridors along adjoining streets, active and passive recreation areas, other outdoor amenities, and natural open space areas. Reductions in the required open space area to a minimum of 20 percent of the gross area for exceptional architecture design may be granted by the designated approval authority.
4. The required minimum rear setback for lots less than 125 feet in depth in RD-1 to RD-10 is 20 percent of minimum lot depth.
5. Residential developers are encouraged to avoid the monotonous use of similar lot sizes on adjacent parcels. This code does not require minimum lot sizes to avoid monotonous lot configurations and home sizes.
6. Encroachments are permitted into the rear yard according to Chapter 23.704 RCMC (Yard Measurement and Projections).

[Ord. 3-2019 § 5 (Exh. A); Ord. 10-2017 § 3; Ord. 4-2017 § 3 (Exh. B); Ord. 1-2015 § 3; Ord. 30-2013 §§ 3, 4 (Exh. A); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.4.040)].

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Chapter 23.313

MIXED-USE ZONING DISTRICTS

Sections:

- 23.313.010 Purpose.
- 23.313.020 Characteristics of the mixed-use zoning districts.
- 23.313.030 Allowed land uses and permit requirements.
- 23.313.040 Development standards.

23.313.010 Purpose.

The purpose of this chapter is to establish several mixed-use zoning districts in the city. These districts provide for the compatible integration of residential, commercial, office, and/or industrial uses on a single project site. These districts are consistent with and implement the city's following General Plan land use categories: residential mixed-use, commercial mixed-use, office mixed-use, light industrial, local town center, and regional town center. [Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.010)].

23.313.020 Characteristics of the mixed-use zoning districts.

The following descriptions of each mixed-use zoning district identify the characteristic uses, intensity of uses, and level of development intended for that district:

A. Residential Mixed-Use (RMU) Zoning District. This district is intended to designate property for the development of medium and high density housing (between 6.1 and 40 dwelling units per acre) that may incorporate office and/or commercial services. While the predominant use of the development is residential, the city encourages the vertical and/or horizontal integration of commercial and/or office uses that are compatible with the residential development.

B. Commercial Mixed-Use (CMU) Zoning District. This district is intended to designate property for vibrant commercial and mixed-use development. While a predominantly commercial district, the CMU category is designed to provide for the integration of retail and service commercial uses with office and/or residential uses. In multiple-story buildings, retail uses are the predominant use on the ground floor.

C. Office Professional Mixed-Use (OPMU) Zoning District. This district is intended to designate property primarily for the development of larger office buildings and business parks with supporting retail and service uses. The predominant use is office, but commercial, service and residential uses may be integrated into office buildings or located horizontally in freestanding buildings. This district also allows some standalone uses that are not traditional or predominant office uses, such as hospitals, banks/financial institutions, hotels/motels, and recreation, education, and public assembly uses.

D. Office Industrial Mixed-Use (OIMU) Zoning District. This district is intended to designate property for a wide range of office and light industrial development. The OIMU district is intended for the seamless integration of office and light industrial uses with supporting retail and service uses. Offices may be developed in an office park setting, but most office and light industrial development stands alone. Commercial and other support services may be integrated vertically and/or horizontally in this district, but the predominant use of integrated developments is office and/or light industrial. This district also allows some standalone uses that are not traditional or predominant office or industrial uses, such as hospitals, banks/financial institutions, and recreation, education, and public assembly uses.

E. Light Industrial Business Park (LIBP) Zoning District. This district is intended to designate property for the development of research and development, industrial, and/or manufacturing activities that occur primarily within an enclosed building. Development in this district may be integrated into a business park or campus setting with supporting retail services. This district also allows warehousing activities or distribution centers. Limited office and retail service uses may be integrated into the predominantly industrial use of the property horizontally or vertically. This district also allows public/quasi-public uses by right.

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F. Village Center (VC) Zoning District. This district is intended to provide centers of activity that are within an easy walking distance from neighborhood homes and to provide local-serving commercial opportunities. A network of sidewalks, bicycle trails, and transit routes provides easy nonvehicular access to these centers, and buildings within this zone are appropriately scaled to fit in the neighborhood context and are placed to encourage the active use of public spaces and generate pedestrian activity.

G. Local Town Center (LTC) Zoning District. This district is intended to provide vibrant activity centers that serve the major retail and entertainment needs for a collection of neighborhoods that form districts as defined by the city's community building block concept of the General Plan. Nightlife is an important component of this district. An extensive network of sidewalks, bicycle trails, and transit routes will connect these centers to the neighborhoods. The local town centers created in this zone will provide pedestrian-oriented gathering places.

H. Regional Town Center (RTC). This district is intended to provide locations for regional-serving retail, office, and residential uses that provide a vibrant mixed-use setting that fosters positive day and nighttime activity. Development may feature dynamic taller buildings and building complexes (over four stories in height) that are scaled appropriately to create a comfortable pedestrian environment and be compatible with adjacent neighborhoods. Mixed-use development can be designed horizontally (e.g., a grocery store next to a residential building) or vertically (e.g., a grocery store as the ground floor use with residential units above). Design characteristics include public plazas and other gathering places, open storefronts with expansive windows, and a rich mix of uses and tenants. [Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 12-2011 § 3 (Exh. A); Ord. 4-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.020)].

23.313.030 Allowed land uses and permit requirements.

Table 23.313-1 identifies allowed uses and corresponding permit requirements for the mixed-use districts subject to compliance with Chapter 23.304 RCMC (Land Use Classification) and all other provisions of this title.

Descriptions/definitions of the land uses can be found in Article 11 of this title (Definitions). The specific use regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Use regulations in the table are shown with a representative symbol by use classification listing: "P" symbolizes uses allowed by right, "AUP" symbolizes uses that require approval of an administrative use permit, "C" symbolizes uses that require approval of a conditional use permit, and "N" symbolizes uses that are not permitted.

Table 23.313-1: Allowed Use and Permit Requirements for Mixed-Use Districts

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Residential Uses									
Adult Day Care Home	P	N	N	N	N	N	N	N	
Caretaker Housing	P	P	P	P	P	P	P	P	RCMC 23.901.020
Dwelling, Multifamily	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Dwelling, Accessory Unit	P	N	N	N	N	N	N	N	RCMC 23.901.060
Dwelling, Single-Family	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Dwelling, Two-Family	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Emergency Shelter	C	C	C	C	N	N	N	N	
Family Day Care Home, Small	P	N	N	N	N	N	N	N	
Family Day Care Home, Large ¹⁷	P	N	N	N	N	N	N	N	RCMC 23.901.080
Group Residential	AUP	N	N	N	N	N	N	N	

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Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Home Occupations	P	P	P	N	N	P	P	P	RCMC 23.901.030
Live-Work Facility	P ¹	P ¹	P ¹	N	N	P ¹	P ¹	P ¹	RCMC 23.901.040
Residential Care Home, Small	P	N	N	N	N	N	N	N	
Residential Care Home, Large ¹⁸	AUP	N	N	N	N	N	N	N	RCMC 23.901.090
Transitional Housing	P	N	N	N	N	N	N	N	
Low-Barrier Navigation Center	P	N	N	N	N	N	N	N	
Agriculture, Resource, and Open Space Uses									
Beekeeping	N	N	N	N	N	N	N	N	Chapter 8.12 RCMC
Recreation, Education, and Public Assembly Uses									
Clubs, Lodges, and Private Meeting Halls	P	P	P	P	AUP	P	P	P	
Community Centers/Civic Uses	P	P	P	P	AUP	P	P	P	
Indoor Amusement/Entertainment Facility ^{32, 33}	AUP	P	P	P	AUP	AUP	P	P	
Indoor Fitness and Sports Facility ^{32, 33}	AUP	P	P	P	AUP	AUP	P	P	
Libraries and Museums	P	P	P	P	P	P	P	P	
Outdoor Commercial Recreation ^{32, 33}	N	C	N	N	P	C	C	C	
Parks and Public Plazas	P	P	P	P	C	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	
Religious Institutions	P	P	P	P	P	P	P	P	
Schools, Private and Special/Studios ³¹	P	P	P	P	C	P	P	P	
Schools, Public ³¹	P	P	P	P	P	P	P	P	
Theaters and Auditoriums ^{32, 33}	C	P	P	P	N	AUP	P	P	
Urban Agriculture									
Aquaculture	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	RCMC 23.904.030
Community Garden, Public	C	C	C	C	C	C	C	C	RCMC 23.904.030
Community Garden, Private	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	RCMC 23.904.030
Market Garden	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	p ²⁴	RCMC 23.904.030
Private Garden	P	P	P	P	P	P	P	P	RCMC 23.904.030
Urban Ag Stand	p ²⁵	p ²⁵	p ²⁵	p ²⁵	p ²⁵	p ²⁵	p ²⁵	p ²⁵	RCMC 23.904.030

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Utility, Transportation, and Communication Use Listings									
Broadcasting and Recording Studios	N	P	P	P	P	N	N	N	
Bus and Transit Shelters	P	P	P	P	P	P	P	P	
Freight Yard/Truck Terminal	N	N	N	C	C	N	N	N	
Fuel Storage and Distribution	N	N	N	N	C	N	N	N	
Heliports	N	AUP	AUP	AUP	AUP	N	N	N	
Park and Ride Facility	C	P	P	P	P	C	C	P	
Parking Facility	AUP	P	P	P	P	AUP	P	P	
Telecommunication Facility	C	AUP/C ²¹	AUP/C ²¹	AUP/C ²¹	AUP/C ²¹	AUP/C ²¹	AUP/C ²¹	AUP/C ²¹	RCMC 23.907.020
Transit Facilities	N	N	N	C	P	N	N	N	
Transit Stations and Terminals	C	P	P	P	P	P	P	P	
Utility Facility and Infrastructure	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	RCMC 23.907.030
Retail, Service, and Office Uses²²									
Adult Day Care Facility	N	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
Alcoholic Beverage Sales, Off-Site ¹⁶	N	C	C ²	C ²	C ²	C	C	C	
Ambulance Service	N	AUP	AUP	P	P	N	N	N	
Animal Sales and Grooming	AUP	P	N	N	N	P	P	P	
Art, Antique, Collectable	P ²	P	P ²	P ²	N	P	P	P	
Artisan Shops	AUP	P	P ²	P ²	P ²	P	P	P	
Banks and Financial Services	P ²	P	P	P	P	P	P	P	
Bars and Nightclubs ²³	C ³	C ³	C ^{2, 3}	C ^{2, 3}	C ^{2, 3}	C ³	C ³	C ³	
Bed and Breakfast Inns	P	P	N	N	N	N	N	N	
Brew Pub ²³	N	P	P ²	P ²	P ²	P	P	P	
Building Materials Stores and Yards	N	P ⁴	N	C ⁴	N	N	C ⁴	C ⁴	
Business Support Services	AUP ^{2, 4, 5}	P	P	P	AUP	P ⁵	P	P	
Call Centers	N	N	P	P	AUP	N	N	N	
Commercial Marijuana Uses	N	N	N	N	N	N	N	N	
Child Day Care Facility	P	AUP	AUP ²	AUP ²	AUP ²	P	C	C	
Consignment Store	N	P	N	N	N	N	AUP	N	
Convenience Stores	AUP ^{2, 26}	AUP ²⁶	AUP ^{2, 26}	AUP ^{2, 26}	AUP ^{2, 26}	AUP ²⁶	AUP ²⁶	AUP ²⁶	RCMC 23.910.020

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Drive-In and Drive-Through Sales and Service	N	C ^{20, 21}	N	N	C ^{6, 20, 21}	C ^{20, 21}	C ^{20, 21}	C ^{20, 21}	RCMC 23.910.030
Equipment Sales and Rental	N	N	N	P	P	N	N	N	
Furniture, Furnishings, and Appliance Stores	N	P	N	N	N	N	C	P	
Garden Center/Plant Nursery	N	P	N	AUP	N	N	C	C	
Grocery Stores/Supermarkets	AUP ²	P	P ²	AUP ²	N	AUP ⁸	P	P	
Home Improvement Supplies	N	P ⁹	N	P	P	N	P ⁹	P ⁹	
Hotels and Motels ^{32, 33}	C ²	P	P	C	N	C	P	P	
Hotels and Motels, Extended Stay ^{32, 33}	C ²	C	C	C	N	C	C	C	
Kennels, Commercial	C ^{2, 4}	N	N	N	AUP ⁴	N	N	N	
Maintenance and Repair, Small Equipment	N	P	N	P	P	AUP	P	P	
Medical Services, General	AUP ²	P	P	P	P	P	P	P	
Medical Services, Extended Care	P	C	C	C	N	N	N	N	
Medical Services, Hospitals	N	P	P	P	P	P	P	P	
Mortuaries and Funeral Homes ¹⁵	N	P	N	N	P ¹⁵	N	N	N	
Neighborhood Market	P ²	P	P ²	AUP ²	N	P	P	P	
Offices, Business and Professional	P ²	P ²	P	P	N	P ²	P ²	P ²	
Offices, Accessory	P	P	P	P	P	P	P	P	
Personal Services	P ^{2, 5}	P	P ²	P ²	P ²	P	P	P	
Residential Care Facility	AUP	C	C	N	N	N	N	N	
Restaurants	P ²	P	P ²	P ²	P ²	P	P	P	
Retail, Accessory	P ²	P	P ⁶	P ⁶	P ⁶	P	P	P	
Retail, General	P ^{2, 11}	P	N	N	N	P	P	P	
Retail, Warehouse Club	N	P	N	N	N	N	C	P	
Smokers' Lounge, Hookah Bar, E-Cigarette Lounge, and Vapor Lounge	N	N	N	N	N	N	N	N	RCMC 23.919.100
Tasting Room, Off-Site ²³	N	P	P ²	P ²	P ²	P	P	P	
Veterinary Facility	AUP ²	P	N	N	AUP	AUP	P	P	
Automobile and Vehicle Uses									
Auto and Vehicle Sales and Rental	N	P ¹⁹	N	N	P ¹⁹	N	N	N	RCMC 23.913.040
Auto and Vehicle Sales, Wholesale	N	N	N	C	P	N	N	N	

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Auto and Vehicle Storage	N	N	N	C ¹²	P ¹²	N	N	N	
Auto Parts Sales	N	P ^{11, 12}	N	N	P ^{11, 12}	N	N	N	
Car Washing	N	C	C	C	C	N	C	C	RCMC 23.913.050
Detailing/Waterless Car Wash	N	AUP	AUP	AUP	N	N	N	N	
Service Stations	N	AUP	C	C	P	N	C	C	
Vehicle Services, Major	N	N	N	C ¹²	P ¹²	N	N	N	
Vehicle Services, Minor	N	AUP ^{12, 13}	N	AUP ¹²	P ¹²	N	N	N	
Industrial, Manufacturing, and Processing Uses									
Agricultural Products Processing	N	N	N	N	C	N	N	N	
Artisanal and Specialty Manufacture, Display, and Sales	N	P	P	P	P	P	P	P	
Brewery, Winery, Distillery	N	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	
Manufacturing, Major	N	N	N	N	C ¹⁴	N	N	N	
Manufacturing, Minor	N	N	N	P	P	N	N	N	
Manufacturing, Small Scale	N	P	P	P	P	P	N	N	
Printing and Publishing	N	C	C	P	P	N	N	N	
Recycling Facility, Processing	N	N	N	N	C	N	N	N	
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	C	N	N	N	
Research and Development	N	N	P	P	P	N	N	N	
Storage, Personal Storage Facility	N	N	N	C ²⁷	P ²⁷	N	N	N	Chapter 23.915 RCMC
Storage, Warehouse	N	N	N	P	P	N	N	N	
Storage, Yards	N	N	N	P ¹⁴	P ¹⁴	N	N	N	Chapter 23.728 RCMC
Wholesaling and Distribution	N	N	N	P ¹⁴	P ¹⁴	N	N	N	
Special Regulated Uses									
Bingo Parlors	N	P ³⁰	P ³⁰	P ³⁰	N	N	N	N	Chapter 4.26 RCMC
Card Rooms	N	P	C	C	C	N	N	N	RCMC 23.919.020
Check Cashing Businesses	N	P	N	N	N	N	N	N	RCMC 23.919.030
Massage Parlors, Massage Establishments	N	P ²⁸	N	N	N	N	N	N	Chapter 4.33 RCMC
Pawnshops	N	P	N	N	N	N	N	N	RCMC 23.919.040
Recycling Facility, Collection Facility	N	C	C	C	P	C	C	C	RCMC 23.919.050

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Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Sexually Oriented Businesses	N	N	N	N	P	N	N	N	RCMC 23.919.060
Smoke Shops	N	P	N	N	C	N	N	N	RCMC 23.919.070
Tattoo Parlors	N	P	N	N	N	N	N	N	RCMC 23.919.080
Thrift Stores	N	P	N	AUP	AUP	N	N	N	RCMC 23.919.090

Notes:

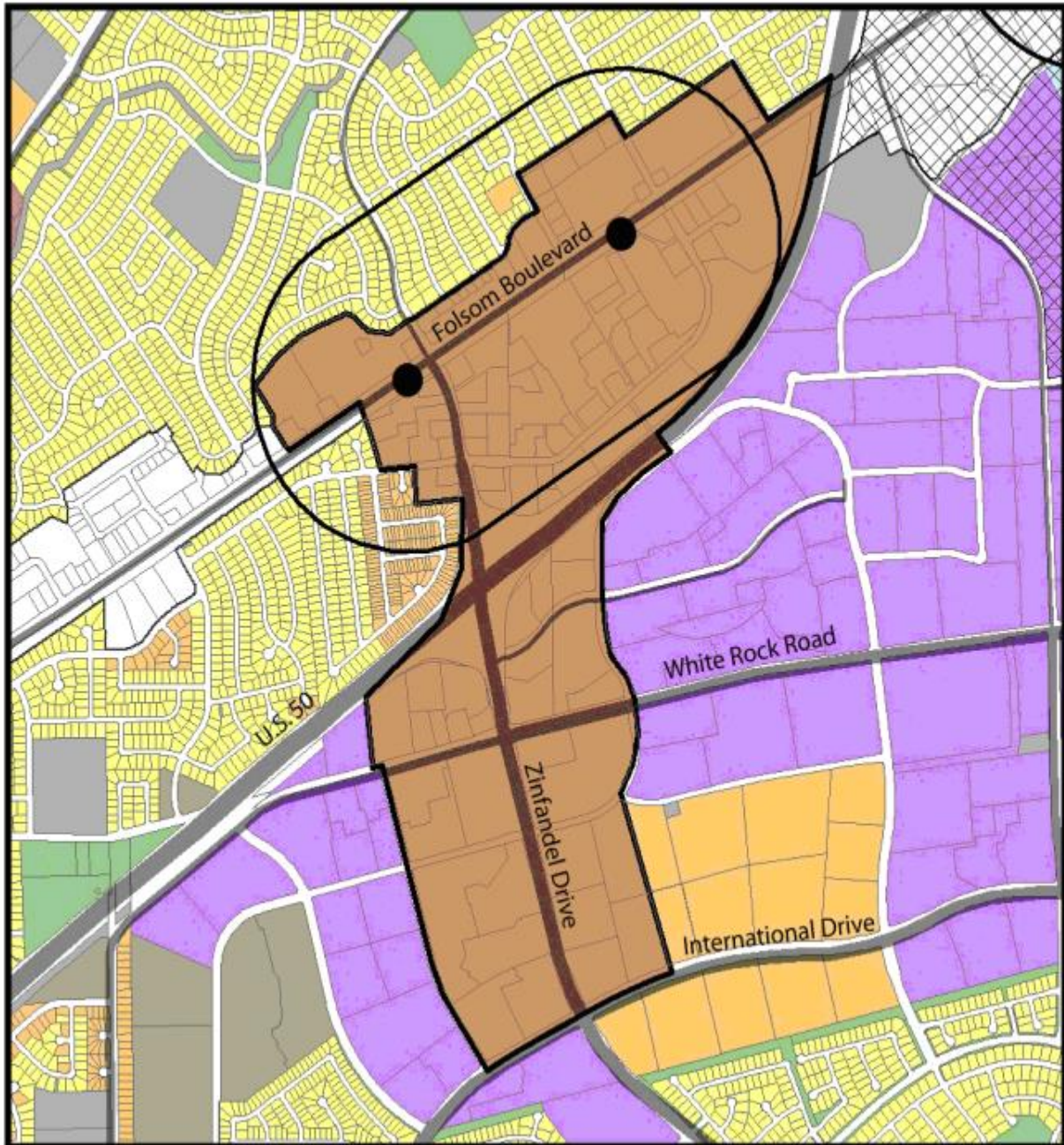
1. See the density restrictions in the underlying zoning district.
 2. This use is permitted or permitted with a use permit as specified only in conjunction with the predominant use of the mixed-use district. In other words, this use is only allowed as part of an integrated development and not as a standalone use. Other uses in the table are allowed as standalone uses.
 3. All forms of speaker amplification exterior to the building shall be prohibited unless authorized in combination with project approval or amendment thereto.
 4. All activities shall occur within a completely enclosed building or shall be located behind a solid/screened enclosure directly adjacent to the building.
 5. Maximum gross floor area is less than 5,000 square feet.
 6. Limited to a maximum of 25 percent of the gross floor area of the integrated development.
 7. Maximum tenant space shall be 25,000 square feet.
 8. Maximum tenant space shall be 50,000 square feet.
 9. Uses 25,000 square feet and over require a conditional use permit.
 10. Limited to less than 50 percent of the gross floor area of the integrated development.
 11. Maximum tenant space shall be 15,000 square feet.
 12. All activity and storage must be located within an enclosed structure.
 13. No portion of the use shall be located within 500 feet of an intersection.
 14. All activity must be entirely screened from public view and not within 500 feet of a residential use. The 500-foot separation from residential uses may be waived if the storage yard adheres to the standards in RCMC 23.728.030(C)(1).
 15. A crematory is prohibited in all zones with the exception of LIBP, where it is permitted in association with a mortuary or funeral home.
 16. Only establishments that sell alcoholic beverages for off-site consumption require a conditional use permit.
 17. See additional provisions in RCMC 23.901.080, Family day care (large).
 18. See additional provisions in RCMC 23.901.090, Residential care home (large).
 19. This use is not permitted if incidental to and not a primary part of the operation of the primary use. Rentals that are an integral part of a primary use are subject to the additional provisions of RCMC 23.913.040.
 20. Drive-throughs that are added to existing buildings may be processed with an AUP.
 21. Conditional use permit required if any portion of proposed facility is within 500 feet of a residential zoning district or existing residential use.
 22. All commercial activity, display and storage shall occur within a building or within a screen enclosure. A temporary use permit, administrative use permit, or conditional use permit may be obtained to deviate from this requirement.
 23. Uses which serve alcohol for on-site consumption and which have an "on-sale" license from the California Department of Alcoholic Beverage Control must be located at least 250 feet from any adult live theater at which live nude dancing is performed and which is subject to Section 143.3 of the California Code of Regulations.
 24. Private community gardens and market gardens are allowed in the city's mixed-use districts up to a maximum three acres in size and pursuant to applicable regulations in RCMC 23.904.030. Approval of an administrative use permit is required for said uses greater than three acres in size.
 25. On-site urban agriculture stands are allowed up to 120 square feet, on the site of an urban agricultural use consistent with applicable regulations in RCMC 23.904.030.
 26. See RCMC 23.910.020 (Convenience stores).
 27. See Chapter 23.915 RCMC (Storage, Personal Storage Facility Development Standards).
 28. Massage parlors and massage establishments must be located at least 1,000 feet from other massage parlors and massage establishments, as measured from the entrance of each establishment. This shall not apply to any home occupation massage business that is in full compliance with home occupation requirements in Chapter 23.901 RCMC.
 29. Over 20,000 square feet requires an administrative use permit.
 30. Bingo games and parlors are regulated by Chapter 4.26 RCMC. The city has a limit of no more than two bingo parlors in the city limits at any given time.
 31. Dormitories are permitted as an accessory use to a public or private school, subject to approval of a conditional use permit.
 32. On-site consumption of food is considered a permitted use if the related primary use is a permitted use.
 33. On-site consumption of alcohol, as an accessory use to a permitted use, requires approval of an administrative use permit.
- [Ord. 1-2020 § 3 (Exh. A); Ord. 5-2019 § 3 (Exh. A); Ord. 3-2019 § 5 (Exh. A); Ord. 17-2018 § 4 (Exh. A); Ord. 15-2018 § 4 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 5-2017 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 1-2016 § 4; Ord. 15-2015 §§ 2, 3; Ord. 8-2015 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.030)].

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23.313.040 Development standards.

The following development standards are applicable to the mixed-use zoning districts. These standards, along with other development standards (e.g., landscaping requirements, parking standards) in this title and citywide design guidelines, are intended to assist property owners and project designers in understanding the city's minimum requirements and expectations for high quality development. Where identified, the downtown shall be that area identified as the downtown planning area in the city's General Plan and as illustrated in Figure 23.313-1.

Figure 23.313-1: Downtown Planning Area



Development standards for the village center (VC), local town center (LTC), and regional town center (RTC) zoning districts are listed in Article 5 of this title (Form-Based Zoning Provisions). Because of their unique character and

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location within the city, these zoning districts benefit from the application of these form-based standards. The Downtown Planning Area is denoted by the outlined dark-orange colored area on the map.

Table 23.313-2: Mixed-Use Zoning District Development Standards¹

Development Standard	RMU (UR2 in FBSP)	CMU	CMU Downtown	OPMU	OPMU Downtown	OIMU	LIBP
Density ²							
Minimum	6.1 du/ac	10.0 du/ac	10.0 du/ac	10.0 du/ac		n/a	
Maximum	40.0 du/ac	18.0 du/ac	40.0 du/ac	18.0 du/ac		n/a	
Predominant Use Standards							
Use Type	Residential	Commercial		Office ³		Industrial ³	
Standard	≥ 50% total combined building sf	≥ 50% of combined ground floor building sf ²		≥ 50% total combined building sf		n/a	
Floor Area Ratio ^{4, 5}							
Minimum	n/a	0.25	0.4	0.25	0.3	n/a	
Maximum	n/a	1.5	3.0	2.0	2.5	n/a	
Setbacks (minimum) ⁶							
Front	10 ft	See below (based on project size)		10 ft		25 ft	
Front – Front-Facing Garage ⁶	18 ft	n/a				n/a	
Front and Street- Side, ≤ 15 acres	n/a	0 ft (min.) to 30 ft (max.) ⁸		n/a		n/a	
Front and Street- Side, > 15 acres	n/a	0 ft (min.) to 80 ft (max.) ⁸		n/a		n/a	
Street-Side	10 ft			10 ft		25 ft	
Rear ⁷	10 ft	10 ft				10 ft	
Interior	n/a	0 ft				10 ft	
Interior – Attached Units	0 ft	n/a					
Interior – Detached Units	5 ft	n/a					
Interior – Zero Lot Line ⁹	0 ft / 10 ft						
Residential, Standalone Structure	n/a	Refer to setbacks for the MDR or HDR zone, based on density of project					n/a
Height (maximum)							
Primary Structures ¹⁰	50 ft	50 ft	No Maximum ¹¹	65 ft	No Maximum ¹¹	45 ft	
Accessory Dwelling Units ¹²	26 ft						

Notes:

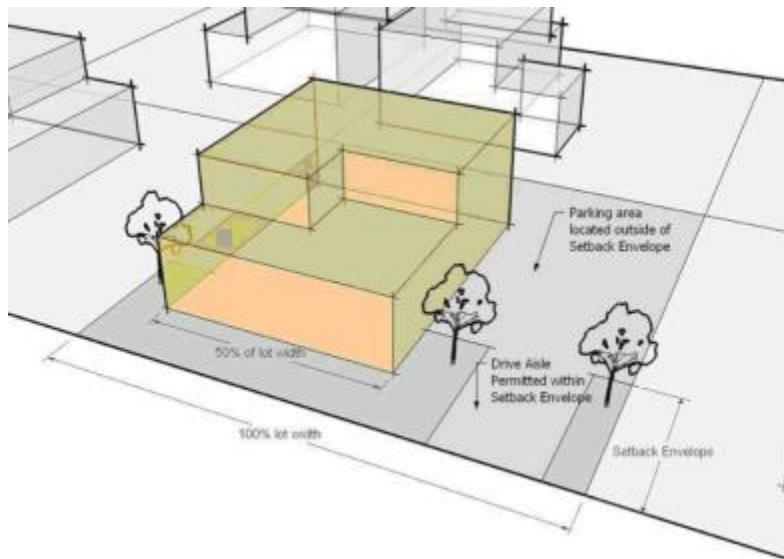
1. VC, LTC, and RTC development standards are provided in Article 5 of this title, Form-Based Zoning Provisions.

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2. The minimum and maximum density standards are only applicable to mixed-use and integrated developments that include residential uses. Residential projects shall include a minimum of four units. The director may approve residential densities below 10 dwelling units per acre if the units are located above retail or office uses.
3. Predominant use standards for the OPMU and OIMU districts are intended to establish maximum square footage allowances for those uses in Table 23.313-1 that are allowed only as accessory or secondary to a primary use. Both OPMU and OIMU districts allow some standalone uses that are not traditional or predominant office uses (e.g., hospitals, banks/financial institutions, hotels/motels, recreation, education, and public assembly uses). This standard does not apply to standalone uses allowed by right or with a use permit consistent with Table 23.313-1.
4. Excludes square footage of structured parking.
5. Includes residential uses and square footage. See Article 11 of this title for definition of floor area ratio (FAR).
6. At no time shall any portion of the structure be located within a designated public utility easement.
7. Garages may also be accessed from an alley with a minimum three-foot rear setback.
8. Consistent with the setback provisions in the design guidelines, the city requires new commercial and mixed use buildings to be located in close proximity to the street for improved relationship to the street and pedestrians. Therefore, for lots less than 15 acres in size, at least 50 percent of the lot width is occupied by primary building frontage and/or pedestrian features located between zero and 30 feet from the front property line. Similarly, for lots 15 acres and greater in size, at least 50 percent of the lot width is occupied by primary building frontage and/or pedestrian features located between zero and 80 feet from the front property line. The following figure, from the design guidelines, is provided to help illustrate this concept:



9. A zero lot line home allows a zero side-yard minimum setback on one side with a corresponding 10-foot minimum side-yard setback on the other side.
10. The maximum height may be increased in conjunction with design review when the proposed structure includes a parking structure or a combination of uses (e.g., commercial with residential and/or office) in the same structure.
11. While there is no height maximum in the downtown, the regulations of the Federal Aviation Administration (FAA) limit the height of structures to between 150 and 350 feet based on location. See the safety element of the General Plan for more information. FAA approval is required for all structures over 150 feet in height.
12. Accessory dwelling units are subject to the square footage limitations provided within this zoning code (see RCMC 23.901.060). Accessory dwelling units may be located above the garage.

[Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.040)].

Exhibit A to the Ordinance

Chapter 23.316

GENERAL COMMERCIAL AND INDUSTRIAL ZONES

Sections:

- 23.316.010 Purpose.
- 23.316.020 Characteristics of zoning districts.
- 23.316.030 Allowed land uses and permit requirements.
- 23.316.040 Development standards.

23.316.010 Purpose.

The purpose of this chapter is to establish zoning districts in the city that support general commercial and industrial uses to implement the city's commercial mixed-use and heavy industrial General Plan land use categories. These districts provide sufficient and appropriately located land for general commercial and industrial uses that minimize impacts on residential neighborhoods. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 7-2010 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.6.010)].

23.316.020 Characteristics of zoning districts.

The following descriptions of each zoning district identify the characteristic uses, intensity of uses, and level of development intended for that district:

A. General Commercial (GC). This district is consistent with the General Plan commercial mixed-use designation by providing locations for a wide variety of commercial uses and some higher density residential uses. The purpose of this zone is to provide an area for general commercial and heavier types of commercial uses. The most appropriate location for this district is along major streets or in commercial areas where the heavier uses permitted would not adversely affect surrounding properties.

B. Light Industrial/Manufacturing (M-1) Zoning District. This district is consistent with the General Plan light industrial land use designation by providing locations for the development of industrial uses such as fabrication, manufacturing, assembly, or processing of materials that for the most part are already in processed form and which do not in their maintenance, assembly, manufacture, or plant operation create smoke, gas, odor, dust, sound, or other objectionable influences which might be obnoxious to persons conducting business or residing in this or any other zone.

C. Heavy Industrial/Manufacturing (M-2) Zoning District. This district is consistent with the heavy industrial General Plan land use category by providing appropriate locations for intensive industrial uses that may generate noise, vibration, odor, or other conditions that make them undesirable and incompatible near or in conjunction with residential uses or the city's mixed-use districts. A wide range of industrial manufacturing and warehousing uses are permitted in this district. The M-2 district is generally located in areas of the city where it would not create a substantial impact on sensitive residential, commercial, or office uses. Where feasible, development in the M-2 district may require additional measures to reduce impacts to neighboring properties, such as increased setbacks, landscaping, and screening. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 7-2010 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.6.020)].

23.316.030 Allowed land uses and permit requirements.

Table 23.316-1 identifies allowed uses and corresponding requirements for the general commercial and industrial zoning districts subject to compliance with Chapter 23.304 RCMC (Land Use Classification) and all other provisions of this title. Descriptions/definitions of the land uses can be found in Article 11 of this title (Definitions). The specific use regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

This zoning code relies upon a generalized list of allowed and conditionally allowed uses. Some interpretation is required to determine whether or not a specific use falls into a particular use category. Typically a use clearly falls into a particular category, but three additional tools are provided in this title to identify the appropriate use category when necessary:

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A. RCMC 23.1104.040 (Land use definitions) includes land use descriptions.

B. Similar Use Determinations. For uses that are not listed in Table 23.316-1 or where it is not clear whether a use would be permitted, a similar use determination can be processed according to Chapter 23.122 RCMC (Similar Use Determinations). All of the definitions, tables and other provisions of this title, in addition to the operational characteristics of the intended use, can be used to make a similar use determination.

Use regulations in the table are shown with a representative symbol by use classification listing: “P” symbolizes uses allowed by right, “AUP” symbolizes uses that require approval of an administrative use permit, “C” symbolizes uses that require approval of a conditional use permit, and “N” symbolizes uses that are not permitted.

Table 23.316-1: Allowed Use and Permit Requirements for General Commercial and Industrial Zoning Districts

Land Use Category	GC	M-1	M-2	Specific Use Regulations
Residential Uses				
Caretaker Housing	P	P	AUP	RCMC 23.901.020
Dwelling, Multifamily	P	C	N	RCMC 23.901.070 (if senior independent living)
Emergency Shelters	C	C	C	
Home Occupations	P	P	N	RCMC 23.901.030
Live-Work Facility	P	P	N	RCMC 23.901.040
Mobile Home Park	C	N	N	RCMC 23.901.050
Single-Room Occupancy (SRO)	C	C	N	
Transitional Housing	P	P	N	
Low-Barrier Navigation Center	P	N	N	
Agriculture, Resource, and Open Space Uses				
Beekeeping	N	N	N	Chapter 8.12 RCMC
Recreation, Education, and Public Assembly Uses				
Cemeteries, Mausoleums	C	C	C	
Clubs, Lodges, and Private Meeting Halls	P	P	P	
Indoor Amusement/Entertainment Facility ^{16, 17}	P	AUP	AUP	
Indoor Fitness and Sports Facility ^{16, 17}	P	AUP	AUP	
Libraries and Museums	P	P	C	
Outdoor Commercial Recreation ^{16, 17}	C	C	C	
Public Safety Facility	P	P	P	
Recreational Vehicle Parks	P	C	C	
Religious Institutions	P	AUP	AUP	
Schools, Private and Special/Studios	P	AUP ¹	AUP ¹	

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Land Use Category	GC	M-1	M-2	Specific Use Regulations
Schools, Public	P	P	P	
Theaters and Auditoriums ^{16, 17}	P	C	C	
Urban Agriculture				
Aquaculture	P	P	P	RCMC 23.904.030
Community Garden, Public	C	C	C	RCMC 23.904.030
Community Garden, Private	P	P	P	RCMC 23.904.030
Market Garden	P	P	P	RCMC 23.904.030
Private Garden	P	P	P	RCMC 23.904.030
Urban Ag Stand	P ¹¹	P ¹¹	P ¹¹	RCMC 23.904.030
Utility, Transportation, and Communication Use Listings				
Broadcasting and Recording Studios	P	P	P	
Bus and Transit Shelters	P	P	P	
Freight Yard/Truck Terminal	N	P ²	P ²	
Fuel Storage and Distribution	N	P ²	P	
Heliports	C	C	C	
Park and Ride Facility	P	P	P	
Parking Facility	P	P	P	
Telecommunication Facility	AUP	AUP	AUP	RCMC 23.907.020
Transit Facilities	N	P	P	
Transit Stations and Terminals	P	P	P	
Utility Facilities and Infrastructure	AUP	P	P	RCMC 23.907.030
Retail, Service, and Office Use Listings				
Alcoholic Beverage Sales ¹⁰	C ⁴	C ³	C ³	
Ambulance Service	AUP	AUP	AUP	
Animal Sales and Grooming	P	AUP	AUP	
Art, Antique, Collectable	P	AUP	AUP	
Artisan Shops	P	AUP	AUP	
Banks and Financial Services	P	AUP	AUP	
Bars and Nightclubs ¹⁰	C	C	C	
Brew Pub ¹⁰	P	AUP	AUP	
Building Materials Stores and Yards	P	P ²	P ²	
Business Support Services	P	P ²	P ²	
Call Centers	AUP	AUP	AUP	

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Land Use Category	GC	M-1	M-2	Specific Use Regulations
Child Day Care Facility	P	C	N	
Commercial Marijuana Uses	N	N	N	
Consignment Store	P	N	N	
Convenience Stores	P ¹²	C ¹²	C ¹²	RCMC 23.910.020
Drive-In and Drive-Through Sales and Service	P	C	C	RCMC 23.910.030
Equipment Sales and Rental	P ^{2, 8}	P ^{2, 8}	P	
Furniture, Furnishings, and Appliance Stores	P	P ²	AUP	
Garden Center/Plant Nursery	P	P ²	AUP	
Grocery Stores/Supermarket	P	AUP	AUP	
Home Improvement Supplies	P ²	P ²	P	
Hotels and Motels ^{16, 17}	P	N	N	
Hotels and Motels, Extended Stay ^{16, 17}	P	N	N	
Kennels, Commercial	AUP	AUP	AUP	
Maintenance and Repair, Small Equipment	P ²	P	P	
Medical Services, General	P	AUP	AUP	
Medical Services, Extended Care	P	N	N	
Medical Services, Hospitals	P	AUP	P	
Mortuaries and Funeral Homes	P	C	C	
Neighborhood Market	P	AUP	AUP	
Offices, Business and Professional	P	AUP	AUP	
Offices, Accessory	P ⁶	P ⁶	P ⁷	
Personal Services	P	AUP	AUP	
Restaurants ¹⁰	P	AUP	AUP	
Retail, Accessory	P ⁶	P ⁶	P ⁷	
Retail, General	P	AUP	AUP	
Retail, Warehouse Club	P	AUP	AUP	
Smokers' Lounge, Hookah Bar, E-Cigarette Lounge, Vapor Lounge	P	P	N	RCMC 23.919.100; specific distance and other requirements
Tasting Room, Off-Site ¹⁰	P	AUP	AUP	
Veterinary Facility	P	P ²	P ²	
Automobile and Vehicle Uses				
Auto and Vehicle Dismantling	N	N	C	RCMC 23.913.020
Auto and Vehicle Sales	AUP	AUP ⁵	AUP ⁵	RCMC 23.913.040
Auto and Vehicle Rental	P ⁹	P ⁹	P ⁹	RCMC 23.913.040

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Land Use Category	GC	M-1	M-2	Specific Use Regulations
Auto and Vehicle Sales, Wholesale	AUP ⁵	AUP	AUP	RCMC 23.913.040
Auto and Vehicle Storage	P ²	P ²	P ²	
Auto Parts Sales	P ²	P ²	P ²	
Car Washing	C	P	P	RCMC 23.913.050
Detailing/Waterless Car Wash	AUP	P	P	
Service Stations	C	C	C	RCMC 23.913.030
Vehicle Services, Major	P ²	P ²	P ²	
Vehicle Services, Minor	P ²	P ²	P ²	
Industrial, Manufacturing, and Processing Uses				
Agricultural Products Processing	N	C	P	
Artisanal and Specialty Manufacture, Display and Sales	P	AUP	AUP	
Brewery, Winery, Distillery	N	P ¹⁵	P ¹⁵	
Junk Tire Facility	N	N	P	RCMC 23.916.020
Manufacturing, Major	N	AUP ²	P	
Manufacturing, Minor	N	P ²	P	
Manufacturing, Small Scale	P	P ²	P	
Printing and Publishing	N	P	P	
Recycling Facility, Processing	N	AUP	P	
Recycling Facility, Scrap and Dismantling Facility	N	N	C	
Research and Development	N	P	P	
Storage, Personal Storage Facility	N	P ^{2, 13}	P ¹³	Chapter 23.915 RCMC
Storage, Warehouse	AUP	P ²	P	
Storage, Yards	N	N	P ²	Chapter 23.728 RCMC
Wholesaling and Distribution	P	P ²	P	
Special Regulated Uses				
Card Rooms	N	C	C	RCMC 23.919.020
Check Cashing Businesses	N	N	N	RCMC 23.919.030
Massage Parlor, Massage Establishment	N	N	C ¹⁴	Chapter 4.33 RCMC
Pawnshops	N	N	C	RCMC 23.919.040
Recycling Facility, Collection Facility	N	AUP	P	RCMC 23.919.050
Sexually Oriented Businesses	N	P	P	RCMC 23.919.060
Smoke Shops	N	N	C	RCMC 23.919.070
Tattoo Parlors	N	N	C	RCMC 23.919.080

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Land Use Category	GC	M-1	M-2	Specific Use Regulations
Thrift Store	N	AUP	C	RCMC 23.919.090

Notes:

- Trade schools permitted by right; all other schools require an AUP.
- Permitted if the entire operation is conducted within a completely enclosed building or screened from view behind a fence or wall.
- Off-site sales of alcohol permitted as an allowed use if incidental to a permitted use (e.g., breweries, wineries). Only retail sale of alcohol is permitted as part of the primary use. All other types of off-site sales (e.g., convenience store) require a conditional use permit. See Wholesaling and Distribution for nonretail sales.
- On-site sales permitted with limited use permit. Off-site requires a conditional use permit.
- Incidental sales up to 15 percent of developed portion of site are permitted as a by-right use and must be fully screened from view or enclosed within a building. Automotive sales that exceed 15 percent of the developed portion of the site or outdoor display areas that are not screened from view may be permitted with the issuance of a limited use permit.
- All retail, accessory and office, accessory uses are permitted up to a combined 50 percent of total building square footage.
- The following limitations apply to retail, accessory and office, accessory in the M-2 district:
 - Sales are allowed when incidental to a permitted use and sales and stock room area does not exceed 25 percent of total floor area;
 - Offices are allowed when incidental to a permitted use and do not exceed 25 percent of total floor area;
 - Cafes/restaurants are allowed up to 15 percent of building square footage (freestanding restaurants require the issuance of a conditional use permit).
- Up to 50 percent of total building area may be used for storage, warehousing, distribution or similar use as a permitted use. A conditional use permit is required to exceed this percentage.
- This use is permitted if an integral part of the primary use (unrelated, incidental rental operations are not permitted). Additional provisions in RCMC 23.913.040 (Accessory automobile sales and rental uses) apply.
- Uses which serve alcohol for on-site consumption and which have an "on-sale" license from the California Department of Alcoholic Beverage Control must be located at least 250 feet from any adult live theater in which live nude dancing is performed and which is subject to Section 143.3 of the California Code of Regulations.
- On-site urban agriculture stands are allowed up to 120 square feet, on the site of an urban agriculture use consistent with applicable regulations in RCMC 23.904.030.
- See RCMC 23.910.020 (Convenience stores).
- See Chapter 23.915 RCMC (Storage, Personal Storage Facility Development Standards).
- Massage parlors and massage establishments must be located at least 1,000 feet from other massage parlors and massage establishments, as measured from the entrance of each establishment. This shall not apply to any home occupation massage business that is in full compliance with home occupation requirements in Chapter 23.901 RCMC.
- Over 20,000 square feet requires an administrative use permit.
- On-site consumption of food is considered a permitted use if the related primary use is a permitted use.
- On-site consumption of alcohol, as an accessory use to a permitted use, requires approval of an administrative use permit. [Ord. 5-2019 § 3 (Exh. A); Ord. 3-2019 § 5 (Exh. A); Ord. 15-2018 § 4 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 5-2017 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 1-2016 § 3; Ord. 15-2015 §§ 4, 5; Ord. 8-2015 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 20-2010 § 3 (Exh. B); Ord. 7-2010 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.6.030)].

23.316.040 Development standards.

The following development standards are applicable to the general commercial and industrial zoning districts. These standards, along with other development standards (e.g., landscaping requirements, parking standards) in this title and citywide design guidelines, are intended to assist property owners and project designers in understanding the city's minimum requirements and expectations for high quality development.

Table 23.316-2: General Commercial and Industrial Zoning Districts Development Standards

Development Standards	GC	M-1	M-2
Setbacks (minimum):			
Front and Street-Side/Corner	25 ft	25 ft	25 ft
Side and Rear	0 ft	0 ft	0 ft
Side and Rear, Abutting Agricultural or Residential Use or Zone	25 ft	15 ft	15 ft
Height (maximum):			
All Other Parcels	100 ft ¹	40 ft ¹	100 ft ¹

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Development Standards	GC	M-1	M-2
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Notes:

1. The height may be increased to a maximum of 150 feet as part of design review.

[Ord. 4-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 7-2010 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.6.040)].

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Chapter 23.719

PARKING AND LOADING

Sections:

- 23.719.010 Purpose.
- 23.719.020 Applicability.
- 23.719.030 Permit requirements.
- 23.719.040 Calculations.
- 23.719.050 Use and general requirements for parking lots.
- 23.719.060 Requirements for off-street parking spaces.
- 23.719.070 Vehicle parking requirements.
- 23.719.080 Reductions and exceptions to minimum parking requirements.
- 23.719.090 Design standards for surface parking lots.
- 23.719.100 Design standards for parking structures.
- 23.719.110 Bicycle parking requirements.
- 23.719.120 Design standards for bicycle parking facilities.
- 23.719.130 Standards for off-street parking for private residences.
- 23.719.140 Trip reduction requirements.
- 23.719.150 Off-street loading requirements.
- 23.719.160 Electric vehicle parking.

23.719.010 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.010)].

23.719.020 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 the ordinance codified in 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 10 percent in the required number of off-street parking spaces, additional off-street parking shall be provided consistent with Table 23.719-1 (Required Minimum Vehicle Ratios) and required bicycle parking, and the parking lot design shall comply with the requirements of this code.

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 10 percent in the required number of off-street parking spaces. The director or his/her designee shall review the parking requirements of the proposed use and must approve the parking plan before a new business license is issued.

D. Modification to Existing Structures. Whenever an existing building or structure is modified such that it creates an increase of more than 10 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.020)].

23.719.030 Permit requirements.

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

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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 improvement 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 23.113 RCMC (Zoning Certification) to authorize the change as consistent with the zoning 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. Repairing 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. Repairing or replacing in the same location damaged planters and curbs.
4. Working in landscape areas, including sprinkler line repair, replacement of landscape materials, or refurbishment. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.030)].

23.719.040 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 as provided in RCMC 23.107.020 (Rules of interpretation).

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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.040)].

23.719.050 Use and general requirements for parking lots.

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

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 spaces 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 minimum requirements 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 pursuant to the required minimum standards for tenant and guest parking. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.060). Formerly 23.719.060].

23.719.060 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 RCMC 23.719.130 (Standards for off-street parking for private residences) for additional allowances and requirements).

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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 accessway, 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.070). Formerly 23.719.070].

23.719.070 Vehicle parking requirements.

A. Minimum Requirements. Minimum vehicle and parking space requirements are listed in Table 23.719-1 (Required Minimum Vehicle Ratios). Where there is more than one parking ratio listed in the table, the greater of the two applies.

B. For the purpose of calculating parking ratios in all districts, the following types of parking are considered outdoor storage and are not considered 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 than 125 percent 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. The number of vehicle spaces provided shall not exceed 150 percent of the minimum parking ratio.
3. In the downtown district, the number of vehicle parking spaces provided shall not exceed 125 percent 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 23.719-1 (Required Minimum Vehicle Ratios), the required vehicle shall be the same as for the most similar use listed, as determined by the director.

E. Compact Car Spaces.

1. Up to 25 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 spaces 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 parking lot section to the appropriate building or activity.

F. Disabled Parking. All off-street parking areas of multifamily, mixed use, and nonresidential properties must comply with the requirements of the Disabled Access Regulations, California Building Code, Title 24.

G. Tandem parking may be used in apartment and condominium developments.

H. Mechanical or automated parking may be used in apartment and condominium developments.

Table 23.719-1: Required Minimum Vehicle Ratios

Land Use Category	Vehicle Parking Spaces
Residential Uses	
Adult Day Care Home	None beyond single-family
Caretaker Housing	1/bedroom
Dwelling, Multifamily	
Studio and one-bedroom units	1.5/unit 1/unit
Two- and three-bedroom units	2/unit 2/unit
Four- or more bedroom units	2/unit 2/unit
+ Guest parking	0.6/unit 0.2/unit
Accessory Dwelling Unit ¹¹	1/unit
Junior Accessory Dwelling Unit	No minimum
Dwelling, Single-Family ^{1,2}	2/unit
Dwelling, Two-Family ^{1,2}	2/unit
Family Day Care Home, Large	1 additional
Family Day Care Home, Small	No minimum
Dormitories	1 space/3 occupants
Group Residential	None beyond single-family
Guest House	0 additional
Home Occupations ³	1 additional
Live-Work Facility	2/unit (plus 0.25/unit for guests)
Manufactured Home	2/unit
Mobile Home	2/unit
Mobile Home Park	2/unit
Residential Care Home	1 space per employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Senior Independent Living Facility	0.5/unit (plus 0.1 per unit for guests)
Agriculture, Resource, and Open Space Uses	
Equestrian Facility	1/4 stables
Recreation, Education, and Public Assembly Uses	
Cemeteries, Mausoleums	1/4 seats ⁵
Clubs, Lodges, and Private Meeting Halls	1/3 seats ⁵
Community Centers/Civic Uses	4/1,000 sf

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Land Use Category	Vehicle Parking Spaces
Community Garden	1/5,000 sf lot area ⁴
Correctional Institution	Parking Study Required
Golf Courses ⁶	10/hole
Indoor Amusement/Entertainment Facility	4/1,000 sf
Indoor Fitness and Sports Facility	4/1,000 sf
Libraries and Museums	3/1,000 sf
Outdoor Commercial Recreation	2/1,000 sf ⁷ or 1/4 seats or person capacity, whichever is greater
Parks and Public Plazas (less than 10 acres)	No minimum
Parks (10 acres or larger)	5% of total site area ^{4,7}
Public Safety Facility	4/1,000 sf
Recreational Vehicle Parks	1.5/site
Religious Institutions	0.3/seat
Resource-Related Recreation	1/10,000 sf land area, minimum 4 spaces
Schools, Public	
Preschool facilities and kindergartens	1/employee plus 1 per classroom, or 1/3 seats in assembly area, whichever is greater
Elementary or middle schools	1/employee plus 1 per classroom, or 1/3 seats in assembly area, whichever is greater
High schools	1/employee plus 1/3 students in 11th and 12th grades; or 1/3 seats in main auditorium
Colleges	1 space/employee + 1 space/2 students; or 1/3 seats in largest assembly area
Commercial schools	1 space/employee + 1 space/2 students; or 1/3 seats in largest assembly area
Stadiums/Arenas	Special review of parking required
Theaters and Auditoriums	0.3/seat ¹⁰
Utility, Transportation, and Communication Use Listings	
Airport	Parking Study Required
Broadcasting and Recording Studios	3.2/1,000 sf
Heliports	1/landing pad
Park and Ride Facility	N/A
Parking Facility	N/A
Telecommunication Facility	0.5/1 employee
Utility Facilities and Infrastructure	0.5/1 employee
Retail, Service, and Office Uses	
Adult Day Care Facility	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity

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Land Use Category	Vehicle Parking Spaces
Alcoholic Beverage Sales	3.6/1,000 sf
Ambulance Service	3.2/1,000 sf
Animal Sales and Grooming	3.6/1,000 sf
Art, Antique, Collectable	3.6/1,000 sf
Artisan Shops	3.6/1,000 sf
Banks and Financial Services	3.2/1,000 sf 3/1,000 sf
Bars and Nightclubs	1 per 3 fixed seats, or 1/50 sf of net floor area of assembly space
Bed and Breakfast Inns	1/room
Building Materials Stores and Yards	1/1,000 sf
Business Support Services	3.2/1,000 sf
Call Centers	6/1,000 sf 5/1,000 sf
Child Day Care Facility	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Convenience Stores	3.6/1,000 sf
Drive-In and Drive-Through Sales and Service (not including restaurants)	1 space/2 employees during period of greatest employment
Equipment Sales and Rental ⁸	1/250 sf interior sales area, plus 1/1,000 sf exterior display area
Furniture, Furnishings, and Appliance Stores	1/1,000 sf
Garden Center/Plant Nursery	1/300 sf retail sales area, plus 1/1,000 sf exterior display area
Grocery Stores/Supermarket	3.5/1,000 sf
Home Improvement Supplies	2.5/1,000 sf 2/1,000 sf
Hotels and Motels	1/room
Kennels, Commercial	3.2/1,000 sf
Maintenance and Repair, Small Equipment	3.2/1,000 sf
Medical Services, General	3.9/1,000 sf
Medical Services, Extended Care	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Medical Services, Hospitals ⁹	2/bed or 2/1,000 sf
Mortuaries and Funeral Homes ⁵	1/3 seats
Neighborhood Market	3/1,000 sf
Offices, Business and Professional ¹²	3/1,000 sf
Offices, Accessory	3/1,000 sf
Personal Services	3.2/1,000 sf
Residential Care Facility	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity

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Land Use Category	Vehicle Parking Spaces
Restaurants	1/3 seats
Retail, Accessory	3.6/1,000 sf
Retail, General	3.6/1,000 sf
Retail, Warehouse Club	3.6/1,000 sf
Veterinary Facility	3.2/1,000 sf
Regional Shopping Center	5.5/1,000 sf
Tasting Room ¹³	1 space/300 sf
Vehicle Uses	
Vehicle Dismantling	4 spaces, plus 1 space/employee
Vehicle Sales and Rental	2.5/1,000 sf, plus 1 space per rental vehicle
Vehicle Sales, Wholesale	1/1,000 sf, minimum 2 spaces
Vehicle Storage	1/2,000 sf, plus 1 space/company-operated vehicle
Vehicle Parts Sales	3.6/1,000 sf
Car Washing and Detailing	3 spaces minimum + 2 per bay
Service Stations	3 spaces minimum + 2 per bay
Vehicle Services	2 per service bay
Industrial, Manufacturing, and Processing Uses	
Agricultural Products Processing	1.6/1,000 sf, plus 1 space/company-operated vehicle
Manufacturing ¹⁴	1.6/1,000 sf, plus 1 space/company-operated vehicle 1/1,000 sf, plus 1 space/company-operated vehicle
Office (as accessory to a use in this category)	2.7/1,000 sf
Printing and Publishing	1/1,000 sf, plus 1 space/company-operated vehicle
Recycling Facility, Processing	1/200 sf office space, plus 1 space/employee
Recycling Facility, Scrap and Dismantling Facility	1/1,000 sf, plus 1 space/company-operated vehicle
Research and Development	3/1,000 sf 2.5/1,000 sf
Storage, Personal Storage Facility ¹⁵	3 spaces plus one space for every 100 storage units
Storage, Warehouse	0.5/1,000 sf, plus 1 space/company-operated vehicle
Wholesaling and Distribution	0.5/1,000 sf, plus 1 space/company-operated vehicle
Special Regulated Uses	
Card Rooms	1/2 seats in play area
Check Cashing Businesses	3.6/1,000 sf
Massage Parlor	3.2/1,000 sf
Pawnshops	3.6/1,000 sf
Recycling Facility, Collection Facility	3.2/1,000 sf

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Land Use Category	Vehicle Parking Spaces
Sexually Oriented Businesses	1/3 fixed seats or 4/1,000 sf, whichever is greater
Smoke Shops	3.6/1,000 sf
Tattoo Parlors	3.6/1,000 sf
Thrift Store	3.6/1,000 sf

Notes:

1. See RCMC 23.719.130.
2. Parking may be reduced to one space per unit for residential units for low or moderate income subsidized homeownership units.
3. Additional parking for home occupations is not required to be covered or enclosed and may occur within the front or street-side yard setback on a driveway or other paved surface.
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 and provided in addition to required spaces for golf courses. Additional parking not required for accessory uses (e.g., driving ranges, putting greens, maintenance shops, equipment storage).
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.
10. If fixed seating is not used, then parking shall be provided at a ratio of one space/30 square feet of floor area in the assembly hall(s).
11. Parking requirements shall be in compliance with Government Code Section 65852.2. No additional parking shall be required for an accessory dwelling unit if: the unit is located within one-half mile of public transit, the unit is located within an architecturally and historically significant district; the unit is part of the existing primary residence or an existing accessory structure; or there is a car share vehicle located within one block of the unit.
12. Office, Business and Professional shall be allowed up to 200% of minimum required parking by right with no additional approvals.
13. Required parking spaces for adjacent uses can be counted towards the required parking for a tasting room as long as the hours of operations for the use do not overlap with the tasting room hours.
14. Manufacturing shall be allowed up to 300% of minimum required parking by right with no additional approvals.
15. Personal storage facilities with internally accessed storage units (units not directly accessed from internal drive aisles) shall provide loading zones at each building with number of loading spaces determined during project review.

[Ord. 3-2019 § 5 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.080). Formerly 23.719.080].

23.719.080 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 requirements may be waived for properties that have access to public parking facilities. The waiver may be granted by the director.

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

1. Reduction for Special Motor Vehicles. Up to five 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).
2. Reduction for 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. Reduction for Parking Near Major Transit Stops (e.g., light rail stations, BRT stations, or significant bus facilities). Parking requirements may be reduced by 25 percent within one-half mile or 50 percent when within one-quarter mile of a major transit stop.
4. Reduction for Existing Uses to Enable Property Enhancements. Parking requirements for existing nonresidential development may be reduced by up to 10 percent if spaces are replaced with either or both of the following:
 - a. Landscaping.

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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: 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 or Structure. 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 with residential, office and/or commercial components it is assumed that some parking spaces will be shared due to the difference in peak parking demand and required motor vehicle parking may be reduced according to the following formula:

1. Calculation of the minimum vehicular parking for the portion of the building occupied by the primary is based on 100 percent of the floor area.
2. Calculation of the minimum vehicular parking for the portion of the building occupied by secondary or subsequent uses may be calculated at 80 percent of the floor area.

E. Available parking in public or common parking lots and structures.

F. Additional parking reductions may be permitted as part of an adjustment process. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.100). Formerly 23.719.090].

23.719.090 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 1,000 feet, subject to the following requirements:

1. There is a safe, direct, attractive, lighted, and convenient pedestrian route between the vehicle parking area and the use being served.
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. Vehicle parking lots shall be located behind or beside buildings on one or both sides.
2. Vehicle parking and maneuvering areas (including any permitted drive-through service lanes) shall not be located between the street and the building facade with the primary entrance.
3. Vehicle parking and maneuvering areas 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 vehicle 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. Vehicle 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 two-inch asphalt, concrete, or equivalent surface. All parking areas shall be appropriately striped, marked, and signed.
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. Curb cuts must comply with city street improvement standards.
3. **Driveways/Driveway Approach Width and Grade.** The minimum driveway width shall comply with public improvement and fire safety standards.
4. **Back-Out Parking.** With the exception of duplexes and single-family residences, all parking areas shall be designed so that vehicles are not permitted to back out of the parking area onto a public street.
5. **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 or according to Table 23.719-2 (Angle Parking Space and Drive Aisle Dimensions), wherever is greater. 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 driveways and internal access between uses on abutting lots.
6. See RCMC 23.910.030 for drive-in and drive-through sales and services design standards.
7. **Turnaround Areas.** Parking spaces shall be provided with adequate drive aisles or turnaround areas so that all vehicles may enter the street in a forward manner.
8. **Setback Restrictions for Parking Spaces and Drive Aisles.** Parking areas including spaces, aisles, and turnaround and maneuvering areas shall not occupy the required setbacks.
9. **Connect Parking Lots.** Vehicle parking areas shall be designed to connect with vehicle 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. **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. **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. **Clear Vision Area.** See RCMC 23.731.060 (Height measurement) for driveway clearance vision area requirements.
13. **Service and Loading Areas.** Service and loading areas shall not be located on the frontage of a light rail station or adjacent street.

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

1. All surface parking lots shall be designed in accordance with city standards for stalls and aisles as set forth in Tables 23.719-2 (Angle Parking Space and Drive Aisle Dimensions) and 23.719-3 (Parallel Parking Space and Drive Aisle Dimensions) and Figures 23.719-1 (Angle Parking Space and Drive Aisle Dimensions) and 23.719-2 (Parallel Parking Space and Drive Aisle Dimensions).

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Table 23.719-2: Angle Parking Space and Drive Aisle Dimensions

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

* One-way aisle.

** Two-way aisle.

Figure 23.719-1: Angle Parking Space and Drive Aisle Dimensions

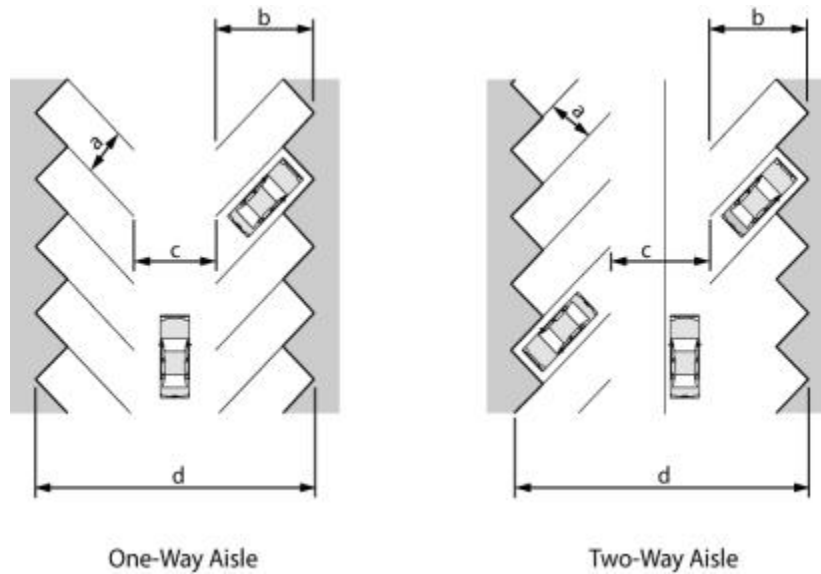


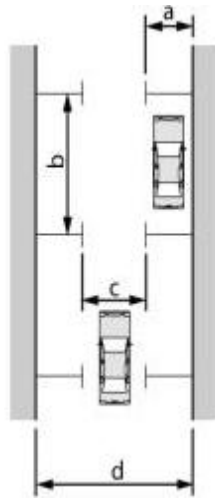
Table 23.719-3: Parallel Parking Space and Drive Aisle Dimensions

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

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Figure 23.719-2: Parallel Parking Space and Drive Aisle Dimensions



E. A minimum of 75 percent of vehicle parking stalls shall be of standard size (the remainder may be compact). See RCMC 23.719.070(E) (Compact Car Spaces).

F. Landscaping of Parking Lots. See RCMC 23.716.070 (Parking lot landscape).

G. Pedestrian Circulation/Walkways. Pedestrian circulation/walkways shall be designed to the requirements specified in RCMC 23.722.050 (Standards for on-site pedestrian pathways).

H. Vehicular Overhang.

1. Vehicular overhang is permitted, provided no vehicle shall overhang into a sidewalk which would reduce the unencumbered width of a sidewalk to less than four feet.
2. A vehicle is permitted to overhang into a landscaped area by two feet; provided, that the required landscaped area is extended by two feet.
3. The overhang shall not count as part of the parking space dimension.

I. Lighting of Parking Lot. See Chapter 23.725 RCMC (Outdoor Lighting). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.110). Formerly 23.719.100].

23.719.100 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. Blank, 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 facade:

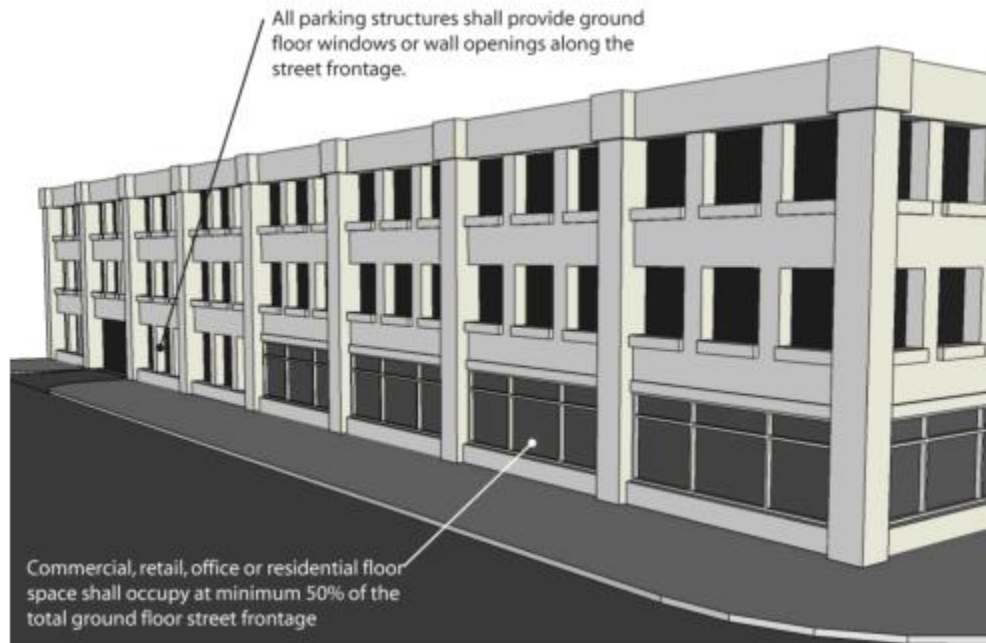
1. Street-facing ground floor active uses (see subsection (A) of this section, Ground Floor Active Use).
2. Ground floor windows, doors, or display areas.
3. A repeating pattern of color change, texture change, and material change, each of which should be integral parts of the structure and not superficially applied trim, graphics, or paint.
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.

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C. Lighting. Metal halide lighting shall be used for all parking structures, with uplighting being the preferred method of lighting. This allows for a more even lighting distribution across the floor and field of vision for users, accurate color rendition, and protection from lighting elements.

D. All parking structures are subject to design review as described in Chapter 23.140 RCMC (Minor Design Review) or Chapter 23.141 RCMC (Major Design Review).

Figure 23.719-3: Parking Structure Design Requirements



[Ord. 4-2017 § 3 (Exh. B); Ord. 13-2013 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.120). Formerly 23.719.110].

23.719.110 Bicycle parking requirements.

A. Short-Term Bicycle Parking. If a land use or project is anticipated to generate visitor traffic, the project must provide permanently anchored bicycle racks within 100 feet of the visitors' entrance. To enhance security and visibility the bicycle racks shall be readily visible to passersby. The bicycle capacity of the racks must equal an amount equivalent to 10 percent of all required motorized vehicle parking. There shall be a minimum of one rack with capacity for two bicycles.

B. Long-Term Bicycle Parking. Buildings with over 10 tenant-occupants (e.g., multifamily tenants, owners, employees) shall provide secure bicycle parking for five percent of required motorized vehicle spaces for employees/residents, with a minimum of one space. Acceptable parking facilities shall be convenient from the street and include one or a combination of the following:

1. Covered, lockable enclosures with permanently anchored racks for bicycles.
2. Lockable bicycle rooms with permanently anchored racks.
3. Lockable, permanently anchored bicycle lockers.
4. In the case of residential development a standard garage is sufficient, if available. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A). Formerly 23.719.115].

Exhibit A to the Ordinance**23.719.120 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 buildings served, 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 RCMC 23.719.110 (Bicycle parking requirements).

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 RCMC 23.725.060 (General lighting standards).
3. Location.
 - a. Outdoor bicycle parking should be located within 100 feet, or as close as possible to the primary building entrance, without impeding pedestrian circulation or emergency access.
 - 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 for All Uses. 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. These may be Class I parking spaces (e.g., bike lockers) or other suitable alternative.

D. Bicycle Parking for Residential Uses. When required, 25 percent of all bicycle parking for residential uses shall be provided as Class I facilities (locker, bike room, etc.).

Figure 23.719-4: Acceptable Covered Bicycle Parking Options (Bicycle Parking Near Entry Door, Freestanding Bicycle Parking Enclosure, and Indoor Bicycle Room)



Bicycle Parking Near Entry



Freestanding Bicycle Parking Enclosure



Indoor Bicycle Room

E. Bicycle Rack Types and Dimensions.

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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 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 23.719-5a: Acceptable Bicycle Rack Options



Bicycle Racks That Support Both Sides of a Bicycle *Bicycle Lockers* *Sheltered Parking*

2. Unique artistic design facilities are encouraged. The racks/facilities should be easily identified as a bike rack.

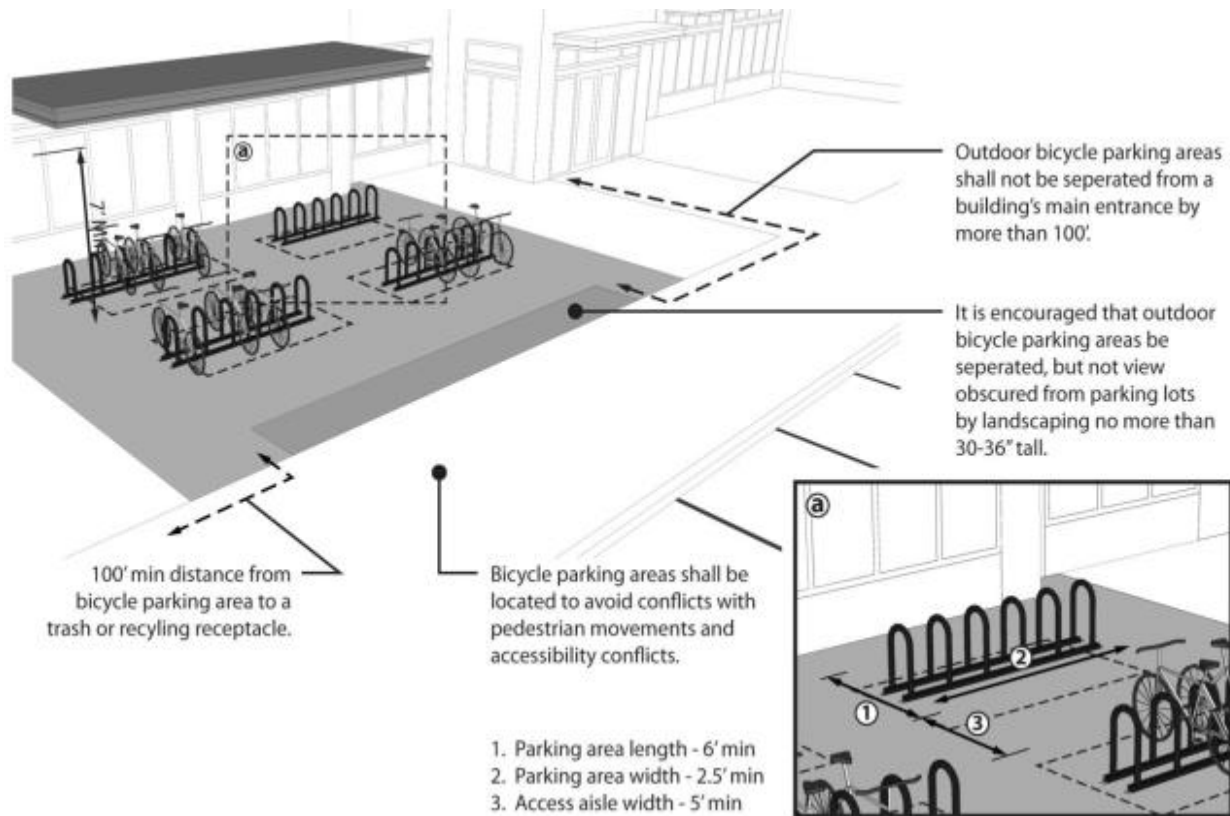
Figure 23.719-5b: Artistic Bike Rack Design Options



3. Standards. Bicycle parking shall be at least one and one-half feet wide by six feet long for a single bicycle parking space or two and one-half feet wide by six feet long for two paired bicycle racks (as pictured in Figure 23.719-6) 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.

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Figure 23.719-6: Bicycle Parking Area Design Requirements



F. Paving and surfacing of 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.

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

1. Temporary uses.
2. Agriculture.
3. Mini-storage facilities.
4. Home occupations. [Ord. 4-2017 § 3 (Exh. B); Ord. 13-2013 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.130)].

23.719.130 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 or vehicles that are Certified as Non-Operation or Planned Non-Operation Certified with the Department of Motor Vehicles shall be stored entirely within an enclosed structure, where it is not visible from the street or other public or private property and shall not be parked or stored in any yard within a residential zoning district or neighborhood.

B. Unless specifically permitted by this code, 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 fully enclosed garage or carport (see RCMC 23.734.040, Development standards).

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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) within the front yard area or as seen by the public street in residential areas shall be provided on a lasting, durable surface (e.g., concrete, asphalt, or similar material). Permeable paving materials, such as paver stones, pervious concrete, or interlocking grids with gravel, are permitted as an alternative to a standard asphalt or concrete surface. Use of grasscrete, ribbon drive (Hollywood strips) or other acceptable alternatives as determined by the director may be allowed for purposes of a driving surface that leads to a legal parking area outside of the front yard area or as seen by the public street. No parking is allowed on these features within the front yard area or as seen by the public street.

2. Parking areas shall not exceed the maximum impervious surface allowed on a parcel (e.g., impervious surface in front yards is limited to 40 percent coverage).

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

D. Each parking space shall be at least eight and one-half 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. The minimum driveway width is 10 feet. Driveway pavement shall be five feet from the side property line in order to provide an area of landscaping between adjacent lots. Deviations from these standards may be allowed through site plan and architecture review for small-lot single-family developments at the time of master home plan review where these standards cannot be attained due to design. Remaining unpaved portion shall be landscaped, irrigated, and maintained. See Figure 23.716-2 (Nonpervious Surface Limits in Single-Family and Two-Family Residential Zones).

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

I. Commercial vehicles shall not be parked on residential property.

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

1. Parking on a lasting, durable surface (e.g., concrete, asphalt, grasscrete, or permeable paving material) is required.

2. Parking within the clear vision area is prohibited. [Ord. 15-2018 § 4 (Exh. A); Ord. 7-2018 § 3; Ord. 4-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.140)].

23.719.140 Trip reduction requirements.

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

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

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

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

B. Exempt Projects. Notwithstanding any other provisions of this code, the following uses and activities shall be specifically exempt from the provisions of this section:

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

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

C. Equivalent Development Size. For the purpose of this section, the standards listed in Table 23.719-4 (Equivalent Development Size) shall be considered equivalent to the 200-employee threshold.

Table 23.719-4: 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.

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(s) 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 Figure 23.719-7 and shall be large enough to accommodate the number of waiting vehicles equivalent to one-half percent of the required parking for the project. See Figure 23.719-7 (Passenger Loading Areas).

Figure 23.719-7: Passenger Loading Areas



E. Preferential Parking Spaces for Carpool and Vanpool Vehicles. All major development projects shall reserve and designate at least 10 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 10 percent of

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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 23.719-5 (Employee Parking Ratios) shall be used to determine the number of employee parking spaces.

Table 23.719-5: Employee Parking Ratios

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

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 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.150)].

23.719.150 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 nonresidential development in mixed-use commercial and industrial districts, whether or not a permit or other approval is required for the development. Buildings smaller than 8,000 square feet in size are exempt from the requirements of this section.

C. General Loading Area Requirements.

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.
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.
3. The provision for maintenance of off-street loading facilities is a continuing obligation of the property owner.
4. Loading and maneuvering areas shall be hard-surfaced unless a permeable surface is required to reduce surface runoff, as determined by the director.
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.
6. Off-Street Loading Standards.

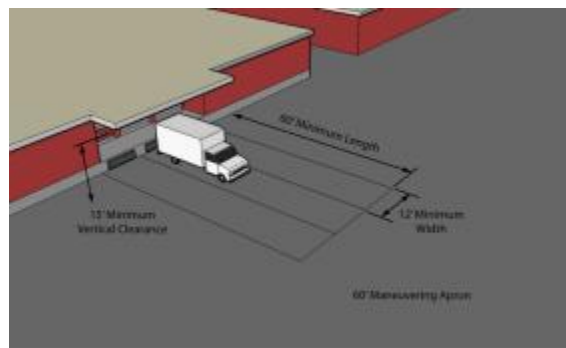
Exhibit A to the Ordinance

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. Off-street loading spaces in industrial zones shall also provide a 60-foot maneuvering apron in addition to the minimum length of the loading space. These requirements apply to all off-street loading spaces in industrial zones including at-grade and depressed loading docks.

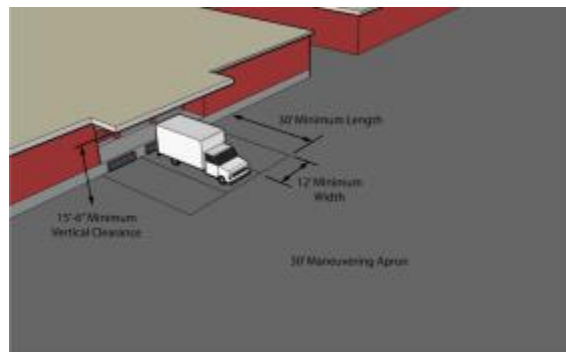
b. Each required off-street loading space, other than in industrial zones, shall have a minimum length of 30 feet, a minimum width of 12 feet, and a minimum vertical clearance of 14.5 feet inside dimensions. Off-street loading spaces shall also provide a 30-foot maneuvering apron in addition to the minimum length of the loading space. These requirements apply to all off-street loading spaces including at-grade and depressed docks.

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.

Figure 23.719-8: Typical Loading Area



Off-Street Loading Spaces in an Industrial Area



Off-Street Loading Spaces in a Nonindustrial Area

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 director.

D. Location of Required Loading Facilities.

1. The off-street loading facilities, including the required maneuvering apron, 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 do not encroach upon required setbacks, driveways, or required parking spaces during maneuvering and loading activities.

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3. No loading space, including the required maneuvering apron, shall be located so that a vehicle using such loading space projects into any public street or any adjoining property except in the case of a reciprocal access agreement or similar mechanism.
4. Loading spaces shall be provided with access to an 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 4.7.160)].

23.719.160 Electric Vehicle Parking Spaces.**A. Applicability.**

The California Green Building Standards Code (CALGreen) requires that new construction and major alterations include adding “EV Capable” parking spaces which have electrical panel capacity, a dedicated branch circuit and a raceway to the EV parking spot to support future installation of charging stations. All new construction and qualifying additions or alterations must comply with CALGreen, Title 24, Part 11.

B. Parking Requirements and Location of Electric Vehicle Spaces.

1. As part of the Minor and Major Design Review process, the City shall require that parking facilities be provided to accommodate electric or other alternative fuel vehicles.
2. The location of the electrical outlets shall be specified on building plans, and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy.
3. Electric vehicle ready charging infrastructure shall be provided in multi-family housing developments and non-residential developments according to the standards outlined by CALGreen.
4. Electric vehicle charging stations may be provided in any area designed for the parking or loading of vehicles.
5. Where electric vehicle recharging stations are provided, they shall follow the space requirements and development standards outlined in CALGreen.
6. Parking spaces with electric vehicle charging shall be counted as a standard parking space for the purposes of providing required parking per this Code.

C. Exemptions

1. Electric vehicle charging stations shall not apply to temporary parking lots.
2. Other exemptions may be granted by the Director, where the Director determines that compliance with the requirements of this Section is technically infeasible.

Exhibit A to the Ordinance**23.743.085 Real estate sign standards.**

This section describes the standards for on- and off-site limited term signs associated with real estate sales activities.

A. Allowed on-site real estate signs are exempt from permit, subject to the following limitations:

1. Not more than one on-site for sale sign and one for lease sign is permitted per property frontage, and shall only be displayed for the period while the unit, building, or property is being marketed for sale or lease and ending thirty (30) days after it is sold or leased.
2. The size of all on-site nonresidential real estate signs is limited to a maximum of 10 feet in height and an area of 32 square feet and shall be set back a minimum of three feet from the right-of-way (window signs are exempt from setback requirement) and shall not obstruct the corner visibility requirements of Improvement Standard 4-18, Visibility Restrictions at Driveways and Intersections.
3. The size of all residential real estate signs is limited to 10 square feet and must be set back a minimum of five feet and shall not obstruct the corner visibility requirements of Improvement Standard 4-18, Visibility Restrictions at Driveways and Intersections.

B. Allowed Off-Site Real Estate Signs. Portable 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.

C. Allowed Temporary Signs for Subdivision Real Estate Sales. Signs of this type are temporary, 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 multifamily for-sale products. These signs are allowed during active home sales and must be removed when sales have concluded. These signs are exempt from permit, subject to the following limitations:

1. On-Site Subdivision Balloons. Five balloons per sales trailer or model home complex to a maximum height of 65 feet are allowed.
2. On-Site Subdivision Directional Signs. One temporary subdivision directional sign per subdivision entrance to a maximum of six such signs are allowed. Each sign can be up to 32 square feet and a maximum height of 10 feet. Signs must be set back 10 feet from the right-of-way.
3. On-Site Subdivision Flags. Up to 10 flag poles per subdivision are allowed. Flags can be up to 15 square feet each and up to 20 feet tall. Poles must be set back 10 feet from the right-of-way.
4. 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. Such signs may be used to identify the name and location of active home sales as part of a new residential subdivision/condominium project; provided, that each face of the sign does not exceed four square feet, and it is mounted such that it is no more than four feet tall from the ground and is set back a minimum of five feet from the edge of the roadway pavement. Additionally, such signs are only allowed on a temporary basis from noon on Friday to no later than noon on the following Monday. In the event that Friday is a nationally recognized holiday, said signs may be erected on Thursday after noon. In the event that Monday is a nationally recognized holiday, said signs may remain in place until Tuesday by noon. In no event may a weekend directional stake sign be located within a roadway median.
5. Off-Site Subdivision Freestanding Signs. Off-site subdivision freestanding signs are allowed within the city limits, up to five such signs per subdivision, to a maximum of 32 square feet and 10 feet in height for each individual sign. These signs are prohibited within the public right-of-way or on any city-owned property. These signs shall be kept in good repair for the duration of the home sales activities. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2014 § 3 (Exh. C)].

Exhibit A to the Ordinance

Chapter 23.901

RESIDENTIAL USES

Sections:

- 23.901.010 Purpose and applicability.
- 23.901.020 Caretaker housing.
- 23.901.030 Home occupations.
- 23.901.040 Live-work facility.
- 23.901.050 Mobile homes and mobile home parks.
- 23.901.060 Accessory dwelling units.
- 23.901.065 Junior accessory dwelling units.
- 23.901.070 Senior independent living facility.
- 23.901.080 *Repealed.*
- 23.901.090 Residential care home (large).

23.901.100 Agricultural employee (farmworker) housing

23.901.010 Purpose and applicability.

A. Purpose. The purpose of this chapter is to establish site planning, development, and/or operating standards for caretaker housing, home occupations, live-work facilities, mobile homes, mobile home parks, and second dwelling 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, regulating activities within the use, and establishing special setback and other development standards.

B. Applicability. The regulations and standards contained in this chapter shall apply only to caretaker housing, home occupations, live-work facilities, mobile homes, mobile home parks, and second dwelling units as expressly identified in the corresponding sections 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 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.010)].

23.901.020 Caretaker housing.

A. Purpose and Applicability. The regulations contained in this section shall apply to caretaker housing as defined in RCMC 23.1104.040 (Land use definitions). The establishment of new caretaker housing shall be consistent with the allowed use provisions of Article 3 of this title (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 nonresidential use on the same property. The caretaker unit must be associated with and directly support the nonresidential 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 nonresidential 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 23.116 RCMC, Temporary Use Permits) for a period of not more than six months as described in Chapter 23.922 RCMC (Temporary Uses). [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.020)].

Exhibit A to the Ordinance**23.901.030 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 principal residential uses in order to protect the integrity and character of neighborhoods.

B. Approval Process. A home occupation shall not be conducted prior to approval of zoning certification (see Chapter 23.113 RCMC, Zoning Certification).

C. Business License. A business license from the city is required for any home occupation.

D. 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. There is no limit on the number of home occupations at a residence; provided, that the performance standards identified in this section are met. All of the following standards are calculated and/or applied based on a single residence.
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.
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 55 dBA and shall comply with the city's noise ordinance (Chapter 6.68 RCMC). 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 except as provided by the California Health and Safety Code for cottage food operators and except as specified in subsection (D)(7) of this section.
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. Servicing and repair of firearms are permitted, subject to obtaining any state or federal license.
8. 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.
9. 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 the home 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.
10. Storage. There shall be no storage of material or supplies within view of a public right-of-way and storage shall not utilize a required parking space (e.g., within a required garage).
11. Exterior Appearance. There shall be no remodeling or construction of facilities especially for the home occupation which changes the external appearance of the neighborhood from a residential to a more commercial look when viewed from the front of the building.
12. Signs. Signs shall be allowed for the home occupation in accordance with Chapter 23.743 RCMC (Signs).

Exhibit A to the Ordinance

13. 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. (regardless of how many businesses operate out of the home).

14. 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 FedEx-, UPS-, or USPS-type home pickups and deliveries.

15. Hazardous Materials. No storage of hazardous materials is permitted beyond normal household use. Businesses that require hazardous chemicals (e.g., pest control, pool cleaning, etc.) are not permitted as home occupations.

E. Limitations on Specific Home-Based Businesses.

1. Certified massage practitioners are permitted if the following criteria are met:

- a. Only one client is on site at a time and by appointment only.
- b. The use shall be conducted on a part-time basis.
- c. The practitioner must submit proof of a certificate of training from a state-approved school (e.g., Department of Education, Office of Post Secondary Education).
- d. The use will not be conducted in such a fashion as to constitute a public or a private nuisance.

2. Mobile food vendor vehicles cannot be parked at a private residence (see mobile food vendor limitation in RCMC 23.910.040).

3. Taxicab, limousine, or pedicab service shall not be on call and available for service; no vehicle shall be dispatched from the residence by radio, telephone, or other means, but may be parked at the residence when not in service.

4. Cottage food operations, as defined by and consistent with the requirements of the California Health and Safety Code, are limited to one full-time employee, not including a family member or household member of the cottage food operation.

F. Prohibited Home Occupations.

1. Alcohol beverage manufacturing or sales business;
2. Ambulance service;
3. Ammunition reloading, including custom reloading;
4. Boarding house, bed-and-breakfast hotel, timeshare condominium;
5. Carpentry, cabinet makers;
6. Ceramics (kiln of six cubic feet or more);
7. Firearms sales;
8. Health salons, gyms, dance studios, aerobic exercise studios;
9. Medical, dental, chiropractic, or veterinary clinics;
10. Mortician, hearse service;

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

11. Noncertified massage practitioners;
12. Palm reading, fortunetelling;
13. Private clubs;
14. Repair or reconditioning of boats or recreation vehicles;
15. Restaurants or taverns;
16. Retail sales from site (except direct distribution of artist's originals, and as provided by the California Health and Safety Code for cottage food operations);
17. Storage, repair, or reconditioning of major household appliances;
18. Storage, repair, or reconditioning of motorized vehicles or large equipment on site;
19. Tattoo service;
20. Tow truck service;
21. Veterinary uses (including boarding);
22. Welding services;
23. Other uses the director determines to be similar to those above per RCMC 23.107.030 (Official interpretation). [Ord. 4-2017 § 3 (Exh. B); Ord. 13-2013 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.030)].

23.901.040 Live-work facility.

A. Purpose and Applicability. The regulations contained in this section shall apply to live-work facilities as defined in RCMC 23.1104.040 (Land use definitions). The establishment of new live-work facilities shall be consistent with the allowed use provisions of Article 3 of this title (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 nonresidential 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 RCMC 23.1104.040 (Land use definitions).
2. Any special regulated uses as listed in RCMC 23.1104.040 (Land use definitions).
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 RCMC 23.1104.040 (Land use definitions).
4. Any other activity or use as determined by the director as incompatible 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.

Exhibit A to the Ordinance**D. Design Standards.**

1. **Floor Area Requirements.** No more than 50 percent of the ground floor area shall be reserved for living space. Up to 100 percent of the ground floor area may be dedicated to working space.
2. **Separation and Access.** Each live-work unit 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. **Parking.** Each live-work facility shall comply with the parking standards of Chapter 23.719 RCMC (Parking and Loading).

E. Nonresident 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.

F. 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 administrative use permit approval. As part of the approval of the administrative use permit, the designated approval authority must find that the exclusive residential use will not impair the ability of nonresidential 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.040)].

23.901.050 Mobile homes and mobile home parks.

A. Purpose and Applicability. This section 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 mobile home parks.

B. Special Standards for Mobile Homes. Mobile homes outside of a mobile home park shall comply with the standards set forth for single-family homes in Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards), as well as the following criteria:

1. A mobile home 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.

C. Mobile Home Parks. Mobile home parks must be constructed and designed according to state law.

D. Management and Maintenance. Every mobile home 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. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.050)].

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23.901.060 Accessory dwelling units.

23.901.070 Senior independent living facility.

A. Elevators shall be provided for all multi-story structures; or

B. A management program shall be in place to address the aging in place issue that is acceptable to the director. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.1.070)].

23.901.080 Family day care (large).

Repealed by Ord. 1-2020. [Ord. 10-2018 § 3; Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A)].

23.901.090 Residential care home (large).

A. Plans shall be approved by the fire department prior to any approval and additional fire protection measures may be required.

B. City business license is required.

C. Minimum 1,000-foot separation is required between other residential care home facilities. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A)].

23.901.100 Agricultural employee (farmworker) housing

A. Applicability

Agricultural Employee (Farmworker) Housing Projects that provide housing for at least five farmworkers and are proposed pursuant to §17021.6 of the Employee Housing Act are referred to as “EHA Projects”. Eligible project types include Employer-Provided Farmworker Housing or Rural Farmworker Housing projects, of up to twelve dwelling units or up to 36 beds in group quarters (dormitory-style housing); or a Small Project that provides housing for at least five farmworkers. EHA Projects may be for seasonal or temporary residency. EHA Projects shall not include any proposed land division (i.e., parcel map, subdivision map or condominium map) for the purposes of creating a separate parcel for the EHA Project or EHA units.

B. Agricultural Employee Project Types

Agricultural Employee (Farmworker) Housing Projects provide housing for 5 or more Farmworkers (“EHA Projects”). EHA Projects include the following project types:

1. Employer-Provided Farmworker Housing Project
 - a. 5 to 36 beds in group quarters designed for single adult farmworkers, or;
 - b. 5 to 12 dwelling units, mobile home/RV spaces, each designed for occupancy by at least one farmworker and his/her household.
2. Small Farmworker Housing Project
 - a. 1 to 4 dwelling units or mobile homes housing at least 5 farmworkers and licensed by the Enforcement Agency.

C. Required Permits and Approvals

1. Site Development Permit. In the AG Zone districts, EHA Projects proposed are considered an agricultural use and require an Administrative Use Permit from the Planning Department. Conditions of approval may be imposed by the Director to ensure compliance with the standards of this section, and the City, and with the

Act.

2. Water and Sanitation Permits. EHA Projects not connected to community sewer or water shall obtain required City permits for proposed well water and/or septic systems. EHA Projects on well water that meet the definition of Public Drinking Water System shall comply with State Water Resources Control Board Standards.
3. Building Permits. EHA Projects shall obtain building permits or other required permits, depending on type of housing accommodations proposed for the project. For EHA Projects consisting of two to four mobile or manufactured homes (not on a permanent foundation system) or recreational vehicles, or spaces for two to four mobile homes or recreational vehicles (a “trailer park”), HCD is the permitting agency. For EHA Projects of five to twelve spaces, mobile homes, or recreational vehicles, the City is the permitting agency.
4. Recorded Covenant. The site development permit shall include a condition of approval for the property owner to record a farmworker housing covenant with the City to provide constructive notice of and ensure owner’s compliance with the requirements of this section of the Rancho Cordova City Code, the Act, and their License.
5. License. EHA Projects shall obtain and maintain a License to operate the proposed farmworker housing from the Enforcement Agency pursuant to §17030-17039 of the Act. The Enforcement Agency in the City is the Planning Department. EHA Projects are subject to environmental review (“CEQA”). The Public Resources Code provides some exemptions to CEQA that may apply to certain types of farmworker housing defined herein.

D. Development Standards and Criteria

1. Applicability. EHA Projects shall comply with development standards of the zone districts in which they are located, as well as the additional standards and criteria provided below. In the event of any conflict between Chapter 23.307 and the standards and criteria provided in this section, those in this section shall prevail. EHA Projects proposed in agricultural zones are considered an agricultural use pursuant to the Act and as such are not subject to the residential density limitations set forth in the General Plan or Zoning Code.

E. Single-Family Farmworker Housing Projects

1. Intent. Single-Family Farmworker Housing projects, at the applicant’s option, may be proposed pursuant to §17021.5 of the Act, in which case they are deemed a residential use and subject to the same permitting requirements and development standards that apply to a single-family dwelling proposed in the applicable zone, rather than being deemed an agricultural use pursuant to this section. All Single-Family Farmworker Housing Projects that provide housing for more than five farmworkers shall obtain a License from the Enforcement Agency pursuant to the Act.

Small Farmworker Projects proposed to provide housing for four or fewer individual farmworkers (at least one farmworker per proposed unit, not to exceed four farmworkers total in the project) are not an EHA Project and not subject to the Act. Such projects may be approved in agricultural zones with an Administrative Use Permit pursuant to all requirements above, except for the requirement to obtain or maintain a License.

4. In lieu of a License, such projects shall be subject to annual monitoring by the Planning Department to verify the owner’s compliance with the recorded farmworker housing covenant and project conditions of approval. If, upon monitoring or in response to a complaint, any dwelling unit in such project is determined to be non-compliant with the occupancy requirements set forth in the farmworker housing covenant, after reasonable notice and opportunity to correct the violation as set forth in City Code, the project permit may be revoked and the unit(s) subject to enforcement pursuant to Rancho Cordova City Code Chapter 23.173, possibly including abatement.

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¹ Code reviser's note: Ordinance 13-2013 Exhibit B sets out all of Article 9 without intending to amend the entire article. Only sections intended to be amended by the ordinance cite the ordinance in the section's legislative history.

23.1104.040 Land use definitions.

“Adult day care facilities” means state-licensed facilities that provide supervised care of older adults, providing activities such as meals and socialization one or more days a week during specified daytime hours. The participants, primarily persons with physical and/or mental limitations who need socialization, physical assistance, and/or psychological assistance, return to their homes each evening. The program is often used as respite by family members caring for an older person who cannot be left alone safely in the home. Supervision for more than six adults for periods of less than 24 hours, with no overnight stays.

“Adult day care home” is defined by state law as the provision of nonmedical care to six or fewer adults, including seniors, in the provider’s own home, for a period of less than 24 hours at a time. Homes serving more than six adults are included in “Adult day care facilities.”

“Agricultural Employee” means an employee engaged in agriculture, which includes farming in all its branches, including but not limited to the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry, and any practices performed by a farmer or on a farm, as further defined in CA Labor Code §1140.4(b).

“Agricultural Employee” also means farm worker, farmworker, or farm laborer.

“Agricultural Employer” means an employer engaged in agricultural operations who employ employees, as defined in Labor Code Section 1140.4(c).

“Agricultural Housing, Single-Family Farmworker Housing” means housing accommodations occupied by no more than six farmworkers for which the owner/operator has obtained or seeks a License pursuant to Section 17021.5 of the Employee Housing Act, which allows such projects to be deemed a single-family dwelling and a residential use of the property.

“Agricultural Housing, Employer Provided” means housing accommodations described in Section 17008(a) of the Employee Housing Act for five or more farmworkers by their employer and maintained in connection with any work or place where work is being performed, whether or not rent is involved.

“Agricultural products processing” means the act of changing an agricultural crop after harvest from its natural state to the initial stage of processing in order to prepare it for market and for further processing at an off-site location. Examples of this processing include nut hulling and shelling, bean cleaning, corn shelling and sorting, grape sorting and crushing, primary processing of fruits to juice and initial storage of the juice, without fermentation, cleaning and packing of fruits.

“Agricultural tourism” means establishments that cater to tourists and provide agricultural products either produced on the site or within the community. Such uses include but are not limited to wineries with tasting rooms and permanent roadside crop stands or fruit stands.

“Airport” means a facility where aircraft such as airplanes can take off and land. An airport minimally consists of one runway but other common components are hangars and terminal buildings.

“Alcoholic beverage sales” means the retail sale of beer, wine, and/or other alcoholic beverages for off-premises consumption.

“Ambulance service” means emergency medical care and transportation, including incidental storage and maintenance of vehicles.

“Animal husbandry” means raising and breeding of animals or production of animal products. Typical uses include grazing, ranching, dairy farming, poultry farming, and beekeeping, but exclude slaughterhouses and feedlot operations. This classification includes accessory agricultural buildings accessory to such uses. Animal sales, boarding, and grooming are defined separately under “Animal sales and grooming.” Keeping of animals is defined separately under “Animal keeping.”

“Animal keeping” means care and maintenance of animals on private property. The listing below provides a distinction between various types of animals related to allowed use provisions in Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards). This classification is distinct from animal husbandry, animal sales and grooming, and equestrian facilities (commercial or hobby). Also see “Kennels, commercial,” which provides for the boarding of animals (e.g., “doggie day care”).

1. “Domestic pets” means small animals (no larger than the largest breed of dogs) customarily kept as pets within a dwelling unit. This classification includes dogs, cats, fish, and birds (excluding large tropical birds and poultry).
2. “Exotic animals” means wild animals not customarily confined or cultivated by man for domestic or commercial purposes, but kept as a pet or for display, including miniature pigs, snakes, reptiles, and large tropical birds (including peacocks).
3. “Livestock animals” means domesticated animals that may be kept or raised in pens, barns, houses, and pastures, whether for commercial or private use. Livestock includes, but is not limited to, cattle, sheep, swine, goats, equine, and fowl.
4. “Poultry” means domesticated birds (fowl) customarily kept for eggs or meat. This classification includes chickens, roosters, ducks, geese, turkeys, guinea fowl, and Cornish game hens.

“Animal sales and grooming” means retail sales of domestic and exotic animals, bathing and trimming services, and boarding of said animals for a maximum period of 72 hours, conducted entirely within an enclosed building with no outdoor use.

“Aquaculture” means the cultivation of marine or freshwater fish, shellfish, or plants under controlled conditions. Aquaponics is a subset of aquaculture which integrates aquaculture with hydroponics by recycling the waste products from fish to fertilize hydroponically growing plants.

“Art, antique, collectable” means retail sales uses including antique shops, art galleries, curio, gift, and souvenir shops, and the sales of collectible items including sports cards and comic books. Stores selling handcrafted items that are produced on the site are defined separately as “Artisan shops.”

“Artisan shops” means retail stores selling art, glass, ceramics, jewelry, and other handcrafted items, where the facility includes an area for the crafting of the items being sold.

“Artisanal and specialty manufacture, display and sales” means the manufacture, display, and sales of specialty food and goods requiring the transformation of raw materials into products that may be edible, useful, or decorative. Outdoor display, sales and consumption on premises may be included subject to zoning and accessibility requirements, and any other state or local regulations such as, but not limited to, the California Uniform Food Facilities Law (CURFFL).

“Auto and vehicle sales and rental” means retail establishments selling and/or renting automobiles, trucks, and vans. This use listing includes the sales and rental of mobile homes, recreation vehicles, and boats. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. It does not include the sale of auto parts/accessories separate from a vehicle dealership (see “Auto parts sales”), bicycle and moped sales (see “Retail, general”), tire recapping establishments (see “Vehicle services – major”), businesses dealing exclusively in used parts (see “Recycling facility – scrap and dismantling”), or “Service station,” all of which are separately defined.

“Auto and vehicle sales, wholesale” means wholesale establishments selling new and used vehicles and used vehicle parts. This use is normally developed as part of an auto wrecking yard, junkyard, or salvage yard. Conventional automobile dealerships are listed under “Auto and vehicle sales and rental.”

“Auto and vehicle storage” means facilities for the storage of operative and inoperative vehicles for limited periods of time. Includes but is not limited to storage of parking tow-aways, impound yards, and storage lots for

automobiles, trucks, buses, and recreation vehicles. Does not include vehicle dismantling (see “Auto vehicle dismantling”) or retail sales (see “Auto and vehicle sales, wholesale”).

“Auto parts sales” means stores that sell new automobile parts, tires, and accessories. May also include minor parts installation (see “Vehicle services – minor”). Does not include tire recapping establishments, which are found under “Vehicle services – major” or businesses dealing exclusively in used parts, which are included under “Auto and vehicle sales, wholesale.”

“Auto vehicle dismantling” means establishments for the dismantling of automobile vehicles, including the dismantling or wrecking of automobiles or other motor vehicles, and/or the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking. Retail sales are included under the definition of “Auto and vehicle sales, wholesale.”

“Banks and financial services” means financial institutions such as banks and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, and investment companies. Also includes automated teller machines (ATM). “Banks and financial services” shall not mean check cashing or finance lending businesses that do not qualify as a “financial institution” under California Financial Code statutes.

“Bars and nightclubs” means any bar, cocktail lounge, discotheque, or similar establishment, which may also provide live entertainment (e.g., music and/or dancing, comedy) in conjunction with alcoholic beverage sales. These facilities do not include bars that are part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Bars and nightclubs may include outdoor food and beverage areas.

“Bed and breakfast inns” means residential structures with one family in permanent residence with up to five bedrooms rented for overnight lodging, where meals may be provided subject to applicable health department regulations. A bed and breakfast inn with more than five guest rooms is considered a hotel or motel and is included under the definition of “Hotels and motels.”

“Brew pub” means an establishment that produces ales, beers, meads, hard ciders, and/or similar beverages to serve on site. Sale of beverages for off-site consumption is also permitted in keeping with the regulations of the ABC. Service of brewed beverages must be in conjunction with the service of food. Manufacturing activities shall occur entirely within an enclosed building or outdoor work area screened from public view and be separated from the restaurant portion of the facility by applicable building codes. All beverage tasting shall occur within the restaurant portion of the facility. Brew pubs may not produce more than 5,000 barrels of beverage (all types of beverage combined) annually per ABC licensing standards. May also include the wholesale distribution of beverages for off-site consumption.

“Brewery, winery, distillery” means a facility where specific alcoholic beverages are manufactured. Incidental to the manufacturing process, a tasting area not to exceed 50 percent of the floor area is allowed. Tasting rooms must comply with retail hours of operation from 10:00 a.m. to 11:00 p.m. Tasting shall follow all guidelines established and enforced by Alcoholic Beverage Control. All manufacturing activities occur within a completely enclosed building or in an outdoor work area screened from view. Off-site sales of alcoholic beverages are allowed at this facility consistent with regulations of ABC licensure. Prior to occupancy, all breweries, wineries, or distilleries shall provide evidence of acquisition of all required state and federal permits. See also “Tasting room, off-site.”

“Broadcasting and recording studios” means commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Does not include transmission and receiving apparatus such as antennas and towers, which are under the definition of “Telecommunication facility.”

“Building materials stores and yards” means retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in “Wholesaling and distribution.” Hardware stores are listed in

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the definition of “Retail, general,” even if they sell some building materials. Also see “Home improvement supplies” for smaller specialty stores.

“Bus and transit shelter” means a small structure designed for the protection and convenience of waiting transit passengers and that has a roof and usually two or three sides.

“Business support services” means establishments primarily within buildings, providing other businesses with services such as maintenance, repair and service, testing, rental, etc. Support services include, but are not limited to:

1. Equipment repair services (except vehicle repair; see “Vehicle services”);
2. Commercial art and design (production);
3. Computer-related services (rental, repair);
4. Copying, quick printing, and blueprinting services (other than those defined as “Printing and publishing”);
5. Equipment rental businesses within buildings (rental yards are “storage yards”);
6. Film processing laboratories;
7. Heavy equipment repair services where repair occurs on the client site;
8. Janitorial services;
9. Mail advertising services (reproduction and shipping);
10. Mailbox services;
11. Outdoor advertising services; and
12. Photocopying and photofinishing.

“Call center” means an office equipped to handle a large volume of calls, especially for taking orders or servicing customers.

“Car washing” means permanent, drive-through, self-service, and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes (e.g., fundraising activities generally conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one day) are not part of this use classification.

“Card rooms” means gambling establishments that offer card games for play by the public.

“Caretaker housing” means a residence that is accessory to a site with a nonresidential primary use and that is needed for security, 24-hour care or supervision, or monitoring of facilities, equipment, or other conditions on the site.

“Cemeteries” or “mausoleums” means land used for the burial of the dead and dedicated for cemetery purposes, including crematories, columbariums, and mausoleums. Also see “Mortuaries and funeral homes.”

“Check cashing business” means an establishment that, for compensation, engages in the business of cashing checks, warrants, drafts, money orders, title cashing, or other commercial paper serving a similar purpose. Also includes establishments primarily engaged in cashing payroll or personal checks for a fee or advancing funds on future checks. This classification does not include a state or federally chartered bank, savings association, credit union or similar financial institution (see “Banks and financial services”).

“Child day care facility” means a state-licensed facility which provides nonmedical care, protection, and supervision to more than 14 children under 18 years of age, on a less than 24-hour basis. Commercial or nonprofit child day care

facilities include infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

“Clubs, lodges, and private meeting halls” means permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for business associations; civic, social and fraternal organizations; labor unions and similar organizations; political organizations; professional membership organizations; and other membership organizations.

“Commercial marijuana uses” means any and all commercial and nonprofit entities, businesses, organizations, facilities, enterprises, buildings, structures, delivery service, vehicle or location, whether fixed or mobile, where recreational or medical marijuana (cannabis), recreational or medical marijuana products, or devices for the use of recreational or medical marijuana or marijuana products are offered, either individually or in any combination, for retail sale, including an establishment that delivers recreational or medical marijuana and recreational marijuana products. “Commercial marijuana uses” also includes any and all uses involving the cultivation, testing, research, distribution, possession, processing, storing, labeling, transporting, or sale of medical or recreational marijuana or recreational or medical marijuana products, regardless of whether such uses are permitted under state laws.

“Community centers/civic uses” means multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchens and/or outdoor barbecue facilities that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

“Community garden” means a site used for growing plants for food, fiber, herbs, or flowers, which is shared and maintained by city residents.

“Community garden, private” means an otherwise undeveloped lot divided into multiple plots for the growing and harvesting of fruits, vegetables, flowers, fiber, nuts, seeds, or culinary herbs, primarily for the personal use of the growers, and that is established, operated, and maintained by a group of persons, other than the city. This does not include a private garden or edible landscaping that is incidental to the primary use of the lot.

“Community garden, public” means public land divided into multiple plots that are available to the public for growing and harvesting of fruits, vegetables, flowers, fiber, nuts, seeds, or culinary herbs primarily for the personal use of the growers, and that is established, operated, and maintained by the city.

“Convenience stores” means easy-access retail stores of 5,000 square feet or less in gross floor area, which carry a range of merchandise oriented to convenience and travelers’ shopping needs. These stores may be part of a service station or an independent facility. Also see “Neighborhood market” and “Grocery store/supermarket” for larger stores or stores oriented toward the daily shopping needs of residents.

“Cottage food operation” means a cottage food operation as defined in the California Health and Safety Code.

“Crop production” means raising and harvesting of plants, tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing. Includes horticulture establishments engaged in the cultivation of flowers, fruits, vegetables, or ornamental trees and shrubs for wholesale and incidental retail sales. This classification includes accessory agricultural buildings accessory to such uses and roadside stands for display/sale of agricultural products grown on the premises. Excludes uses for which other garden, nursery, or landscape merchandise is stored and sold on the site.

“Detailing or waterless car wash” means a facility that offers interior or exterior cleaning of chrome trim, windows, wheels and other visible components on a vehicle’s exterior. Cleaning typically includes the use of pre-mixed cleaners that are sprayed on and wiped off and very little use of water.

“Drive-in and drive-through sales and service” means facilities where food or other products may be purchased by motorists without leaving their vehicles. These facilities include fast-food restaurants, drive-through coffee, dairy products, photo stores, etc.

“Dwelling, accessory unit” means 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.

“Dwelling, multifamily” means a building designed and intended for occupancy by three or more families living independently of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., apartment, apartment house, townhouse, condominium).

“Dwelling, single-family” means a building designed exclusively for occupancy by one family on a single lot. This classification includes manufactured homes (defined in California Health and Safety Code Section 18007) and model homes for the first sale of homes within the subdivision.

“Dwelling, two-family” means an attached building (e.g., duplex) designed for occupancy by two families living independently of each other, where both dwellings are located on a single lot. For the purposes of this title, this definition also includes halfplexes (two attached units, each with a separate lot). More than one two-family dwelling may be located on a single lot consistent with the density provisions of the General Plan. Does not include accessory dwelling units (see “Dwelling, accessory unit”).

“E-cigarette lounge” and “vapor bar” means any business, facility, building, establishment, structure or location, whether fixed or mobile, where customers or others utilize a heating element or other device that vaporizes a liquid solution that releases nicotine or flavored vapor, including but not limited to e-cigarettes, hookah pens, e-hookahs, or vape pipes. E-cigarette lounge and vapor bar shall include private smokers lounge and smokers lounge as defined below. “E-cigarette” or “electronic cigarette” shall have the same definition as that in RCMC 6.84.020(F).

1. “Hookah bar” means any business, facility, building, establishment, structure or location, whether fixed or mobile, where customers or others utilize hookahs, pipes, or other mechanisms placed at various locations throughout the establishment to smoke tobacco or other substances.

2. “Private smokers’ lounges” or “smokers’ lounges” means any enclosed or unenclosed area within or attached to a retail or wholesale tobacco store or smoke shop that is dedicated, in whole or in part, to the use of tobacco or e-cigarette products, including but not limited to cigarettes, cigars, pipes, hookahs, e-cigarettes, hookah pens, e-hookahs, or vape pipes or pens. Such area need not be separated from the main floor area of the retail establishment.

“Emergency facilities” means a temporary facilities to accommodate emergency public health and safety needs and activities.

“Emergency shelter” means any facility, the primary purpose of which is to provide temporary or transitional shelter for the homeless in general or for specific populations of the homeless.

“Equestrian facility, commercial” means commercial horse, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), pack stations, and barns, stables, corrals, and paddocks accessory and incidental to these uses.

“Equestrian facility, hobby” means stables, corrals, and paddocks used by the individual homeowners of corresponding property and their animals.

“Equipment sales and rental” means service establishments with outdoor storage/rental yards, which may offer a wide variety of materials and equipment for rental (e.g., construction equipment).

“Family day care home, large” means state-licensed facilities that provide nonmedical care and supervision of minor children for periods of less than 24 hours within a single-family residence. The occupant of the residence provides care and supervision generally for seven to 14 children. As described in the California Health and Safety Code, large day care homes may provide services for up to 16 children when specific conditions are met.

“Family day care home, small” means state-licensed facilities that provide nonmedical care and supervision of minor children for periods of less than 24 hours within a single-family residence. The occupant of the residence

provides care and supervision generally to six or fewer children. As described in the California Health and Safety Code, small day care homes for children may provide services for up to eight children when specific conditions are met.

“Fuel storage and distribution” means a large-scale facility where fuel (such as propane and gasoline) is stored and distributed without retail sales.

“Furniture, furnishings, and appliance stores” means stores engaged primarily in selling the following products and related services, including incidental repair services: draperies, floor coverings, furniture, glass and chinaware, home appliances, home furnishings, home sound systems, interior decorating materials and services, large musical instruments, lawn furniture, moveable spas and hot tubs, office furniture, other household electrical and gas appliances, outdoor furniture, refrigerators, stoves, and televisions.

“Garden center/plant nursery” means establishments providing for the cultivation and sale of ornamental trees, shrubs, and plants, including the sale of garden and landscape materials (packaged and/or bulk sale of unpackaged materials) and equipment.

“Golf courses/clubhouse” means golf courses and accessory facilities and uses including clubhouses with bar and restaurant, locker and shower facilities, driving ranges, “pro shops” for on-site sales of golfing equipment, and golf cart storage and sales facilities.

“Grocery store/supermarket” means a retail business of more than 15,000 square feet in size, where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the site of the store. These full-service businesses do not typically have limited hours of operation. See separate but related listings for “Neighborhood market” and “Convenience store.”

“Group residential” means shared living quarters without separate kitchen and/or bathroom facilities for each room or unit. This classification includes residential hotels, fraternities, sororities, convents, rectories, and private residential clubs but does not include living quarters shared exclusively by a family. This category includes boarding houses, which are defined as a building other than a hotel or restaurant where meals or lodging or both meals and lodging are provided for compensation for four or more persons.

“Guest house” means a detached structure accessory to a single-family dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

“Heliport” means a designated, marked area on the ground or the top of a structure where helicopters may land at any time.

“Hog farm, commercial” means any premises used for the raising or keeping of hogs when raised, fed, and fattened for purposes of sale and consumption by other than the owner of the site. In agricultural and agricultural-residential zoning districts, the term “hog farm, commercial” does not exclude the raising of hogs as part of general agricultural practices and 4-H purposes (also see “Animal keeping”).

“Home improvement supplies” means establishments (retail or wholesale) that sell kitchen, bath, furnishings, carpeting, and other home-oriented supplies. Other retail uses are permitted if accessory to the primary use. These uses may include an expansive showroom. This category does not include the sale of lumber and does not permit the outdoor display of merchandise. This use classification is a subcategory of the larger building materials stores and yards use classification and may be combined with or separate from such uses.

“Home occupation” means the conduct of a business within a dwelling unit or residential site, employing occupants of the dwelling, with the business activity being subordinate to the residential use of the property. Examples include, but are not limited to, accountants and financial advisors, architects, artists, attorneys, offices for construction businesses (no equipment or material storage), and real estate sales.

“Hookah bar” means any business, facility, building, establishment, structure or location, whether fixed or mobile, where customers or others utilize hookahs, pipes, or other mechanisms placed at various locations throughout the establishment to smoke tobacco or other substances.

“Hotels and motels” means facilities with guest rooms or suites, provided without kitchen facilities, rented to the general public for transient lodging (less than 30 days). Hotels provide access to most guest rooms from an interior walkway and typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

“Hotels and motels, extended stay” means facilities with guest rooms or suites, provided with kitchen facilities, rented to the general public for transient lodging (less than 30 days) or for longer periods of time. Hotels provide access to most guest rooms from an interior walkway and typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

“Hydroponics” means a method of growing plants in soil-less medium or an aquatic-based environment in which plant nutrients are distributed via water.

“Indoor amusement/entertainment facilities” means establishments providing indoor amusement and entertainment services for a fee or admission charge, including dance halls and ballrooms and electronic game arcades, as primary uses. Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or less machines are not considered a land use separate from the primary use of the site.

“Indoor fitness and sports facilities” means predominantly participant sports and health activities conducted entirely within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice/roller skating rinks, indoor racquetball courts, indoor climbing facilities, soccer areas, athletic clubs, and health clubs. This use does not include special studios not a part of an athletic or health club (e.g., karate studio, dance studio, etc.). Also see “Schools, private and special/studio.”

Kennels, Commercial. These facilities provide boarding of animals as the primary use of the facility. May also include day-time boarding and activity for animals (e.g., “doggie day care”) and ancillary grooming facilities. Also see “Animal sales and grooming.”

“Kennels, hobby” means facilities for the keeping, boarding, or maintaining of five or more dogs (four months of age or older) or five or more cats. Excludes dogs or cats for sale in pet shops or patients in animal hospitals. This includes a kennel where the animals are owned or kept by the owner or occupant for personal, noncommercial purposes, including hunting, tracking, exhibiting at shows, exhibitions, field trials or other competitions, or for enhancing or perpetuating a given breed, other than dogs or cats used in conjunction with an agricultural operation on the lot or premises.

“Libraries and museums” means public or quasi-public facilities including aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally noncommercial in nature.

“Live-work facility” means a structure or portion of a structure:

1. That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner’s employee, and that person’s household;
2. Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and
3. Where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

“Low Barrier Navigation Center” means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

“Maintenance and repair, small equipment” means establishments providing on-site repair and accessory sales of supplies for appliances, office machines, home electronic/mechanical equipment, bicycles, tools, or garden equipment, conducted entirely within an enclosed building. This classification does not include maintenance and repair of vehicles.

Manufactured Home. California Health and Safety Code Section 18007 defines a manufactured home as a structure that meets the following criteria:

1. Transportable in one or more sections;
2. When in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet;
3. Built on a permanent chassis;
4. Designed to be used as a residential dwelling;
5. Erected with or without a permanent foundation when connected to the required utilities;
6. Includes the plumbing, heating, air conditioning, and electrical systems contained therein.

This term shall include any structure which meets all the requirements of this definition except the size requirements so long as the manufacturer voluntarily files a certification and complies with the standards established under this definition. “Manufactured home” includes a mobile home subject to the National Manufactured Housing Construction and Safety Act of 1974 (42 USC Section 5401 et seq.).

“Manufacturing, major” means manufacturing, fabrication, processing, and assembly of materials in a raw form. Uses in this category typically create greater than usual amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on site or on an adjacent site. Uses include but are not limited to batch plants, rendering plants, aggregate processing facilities, and plastics and rubber products manufacturing. Also see “Manufacturing, minor” and “Manufacturing, small scale.” “Manufacturing” shall not mean any uses involving medical or recreational marijuana products.

“Manufacturing, minor” means manufacturing, fabrication, processing, and assembly of materials from parts that are already in processed form and that, in their maintenance, assembly, manufacture, or plant operation, do not create excessive amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on site or on an adjacent site. Uses include but are not limited to furniture manufacturing and cabinet shops, laundry and dry cleaning plants, metal products fabrication, and food and beverage manufacturing, processing and assembly. Also see “Manufacturing, major” and “Manufacturing, small scale.” “Manufacturing” shall not mean any uses involving medical or recreational marijuana products.

“Manufacturing, small scale” means establishments manufacturing and/or assembling small products primarily by hand, including but not limited to jewelry, pottery and other ceramics, as well as small glass and metal art and craft products. This use category also includes minor manufacturing, so long as the activity occurs on a small scale and within spaces less than 20,000 square feet in size. Also see “Manufacturing, major” and “Manufacturing, minor.”

“Market garden” means the cultivation of fruits, vegetables, flowers, fiber, nuts, seeds that involves the sale or donation of its produce to the public to the public located outside of agricultural zoning districts.

“Massage parlor” means an establishment where customers can receive a massage.

“Medical marijuana dispensary” means (1) any facility, building, structure, delivery service, vehicle or location, whether fixed or mobile, where a primary caregiver makes available, sells, transmits, gives or otherwise provides medical marijuana (cannabis) to two or more of the following: a qualified patient or a person with an identification card, or a primary caregiver, in strict accordance with California Health and Safety Code Section 11362.5 et seq.; or (2) any facility, building, structure, delivery service, vehicle or location, whether fixed or mobile, where qualified patients and/or persons with identification cards and/or primary caregivers meet or congregate in order to collectively or cooperatively distribute, sell, dispense, transmit, process, deliver, exchange or give away marijuana for medicinal purposes pursuant to California Health and Safety Code Section 11362.5 et seq. and such group is organized as a medical marijuana cooperative or collective as set forth in the Attorney General Guidelines; or (3) any facility, building, structure, vehicle or location, whether fixed or mobile, where medical marijuana, medical marijuana products, or devices for the use of medical marijuana or medical marijuana products are offered, either individually or in any combination, for retail sale, including an establishment that delivers medical marijuana and medical marijuana products as part of a retail sale. The terms “primary caregiver,” “qualified patient,” and “person with an identification card” shall be as defined in California Health and Safety Code Section 11362.5 et seq.

The terms “primary caregiver,” “qualified patient,” and “person with an identification card” shall be as defined in California Health and Safety Code Section 11362.5 et seq.

A “medical marijuana dispensary” shall not include the following uses, as long as the location of such uses is otherwise regulated by applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code; a residential hospice, or a home health agency licensed pursuant to Chapter 8 of the California Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, California Health and Safety Code Section 11362.5 et seq.

“Medical services, extended care” means residential facilities providing nursing and health-related care as a primary use with inpatient beds, such as board and care homes, convalescent and rest homes, extended care facilities, and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential care home.”

“Medical services, general” means facilities primarily engaged in providing outpatient medical, mental health, surgical, and other personal health services, but which are separate from hospitals, including medical and dental laboratories, medical, dental and psychiatric offices, outpatient care facilities, and other allied health services. Counseling services by other than medical doctors or psychiatrists are included under “Offices.”

“Medical services, hospitals” means hospitals and similar facilities engaged primarily in providing diagnostic services and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses (see the separate definition of “Retail, accessory”), and emergency heliports.

“Mobile/manufactured home” means 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 mobile home on a permanent foundation is included under the definition of single-family dwellings.

“Mobile home” means a transportable structure which is built on a permanent chassis and designed as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein (California Health and Safety Code Sections 18007 and 18008). A mobile home is included in the definition of “Manufactured home,” and the minimum dimensions for a mobile home are eight feet wide, 40 feet long, and a total area of 320 square feet.

“Mobile home park” means a residential facility arranged or equipped for the accommodation of two or more mobile homes, with spaces for such mobile homes available for rent, lease, or purchase, and providing utility services and other facilities either separately or in common to mobile home spaces therein.

“Mobile home park” means any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

“Mortuaries and funeral homes” means funeral homes and parlors, where the deceased are prepared for burial or cremation and funeral services may be conducted.

“Neighborhood market” means a pedestrian-oriented grocery/specialty market store offering food products packaged for preparation and consumption away from the site of the store and oriented to the daily shopping needs of surrounding residential areas. Neighborhood markets are more than 5,000 square feet and less than 15,000 square feet in size and operate less than 18 hours per day. For larger stores, see “Grocery store/supermarket.” Neighborhood markets may include deli or beverage tasting facilities that are ancillary to the market/grocery portion of the use.

“Offices, accessory” means offices that are incidental and accessory to another business or sales activity that is the primary use (part of the same tenant space or integrated development). The qualification criteria for this definition is that the floor area of the accessory office use shall not exceed 50 percent of the total net habitable or leaseable floor area of the tenant space for a single-use development or the combined floor area of an integrated development for a mixed-use project.

Offices, Business and Professional. This use listing includes offices of administrative businesses providing direct services to consumers (e.g., insurance companies, utility companies), government agency and service facilities (e.g., post office, civic center), professional offices (e.g., accounting, attorneys, employment, public relations), and offices engaged in the production of intellectual property (e.g., advertising, architectural, computer programming, photography studios). This use does not include medical offices (see “Medical services”), temporary offices (see Chapter 23.922 RCMC, Temporary Uses), or offices that are incidental and accessory to another business or sales activity that is the primary use (see “Offices, accessory”). Outdoor storage of materials is prohibited.

“Outdoor commercial recreation” means facilities for various outdoor participant sports and types of recreation where a fee is charged for use (e.g., amphitheaters, amusement and theme parks, golf driving ranges, health and athletic clubs with outdoor facilities, miniature golf courses, skateboard parks, stadiums and coliseums, swim and tennis clubs, water slides, zoos).

“Park and ride facility” means a designated area where a vehicle may be left in order to carpool with other commuters or to ride public transit.

“Parking facility” means a parking lot or parking structure used for parking motor vehicles where the facility is the primary use of the site. Parking structures and lots that are developed in conjunction with another primary use of the site to satisfy the on-site parking requirements for the development are not included in this definition.

“Parks and public plazas” means public parks including playgrounds and athletic fields/courts and public plazas and outdoor gathering places for community use. If privately owned and restricted to the public (e.g., require payment of fee), the same facilities are included under the definition of “Outdoor commercial recreation.”

“Pawnshop” means, consistent with RCMC 4.30.010, any room, store, building, or other place in which the business of pawn brokering, or the business of lending money upon personal property, pawns or pledges, or the business of purchasing articles from vendors or their assignees at prices agreed upon at or before the time of such purchase, is engaged in, carried on, or conducted.

“Personal services” means establishments providing nonmedical services as a primary use, including, but not limited to, barber and beauty shops, permanent makeup application, clothing rental, dry cleaning pick-up stores with limited

equipment, home electronics and small appliance repair, laundromats (self-service laundries), shoe repair shops, and tailors. These uses may also include accessory retail sales of products related to the services provided, spas and hot tubs for rent, and tanning salons.

“Printing and publishing” means establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying, and other establishments serving the printing trade including bookbinding, typesetting, engraving, photoengraving, and electrotyping. This use also includes establishments that publish newspapers, books, and periodicals, and establishments manufacturing business forms and binding devices. Does not include “quick printing” services or desktop publishing, which are included in “Business support services.”

“Private garden” means a private food-producing garden located in the front, side, or rear yard, courtyard, balcony, fence, wall, window sill or basement that is accessory to the primary use of a site. This definition does not include incidental fruit and vegetable plants as part of an ornamental garden for individual, rather than resale, use.

“Private smokers’ lounges” or “smokers’ lounges” means any enclosed or unenclosed area within or attached to a retail or wholesale tobacco store or smoke shop that is dedicated, in whole or in part, to the use of tobacco or e-cigarette products, including but not limited to cigarettes, cigars, pipes, hookahs, e-cigarettes, hookah pens, e-hookahs, or vape pipes or pens. Such area need not be separated from the main floor area of the retail establishment.

“Public safety facility” means a facility operated by public agencies including fire stations, other fire prevention and firefighting facilities, and police and sheriff substations and headquarters, including interim incarceration facilities.

“Recreational vehicle park” means a site where one or more lots are used, or are intended to be used, by campers with recreational vehicles or tents. Recreational vehicle parks may include public restrooms, water, sewer, and electric hookups to each lot and are intended as a higher density, more intensively developed use than campgrounds. May include accessory retail uses where they are clearly incidental and intended to serve RV park patrons only.

“Recycling facility – collection” means a recycling facility used for the acceptance by donation, redemption, or purchase of recyclable materials from the public that does not occupy more than 500 square feet. This classification may include a mobile unit, kiosk-type units that may include permanent structures, and unattended containers placed for the donation of recyclable materials. This also includes so-called “reverse vending machines,” an automated mechanical device that accepts one or more types of empty beverage containers including, but not limited to, aluminum cans, glass bottles and plastic bottles, and issues a cash refund or a redeemable credit slip with value of not less than the container’s redemption value as determined by the state.

“Recycling facility – processing” means a recycling facility located in a building or enclosed space and used for the collection and processing of recyclable materials. “Processing” means the preparation of material for efficient shipment or to an end user’s specifications by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Collection of recycling materials as the sole activity is included in the definition of “Recycling facility – collection.”

“Recycling facility – scrap and dismantling” means uses engaged in the assembling, breaking up, sorting, temporary storage, and distribution of recyclable or reusable scrap and waste materials. This use does not include landfills or other terminal waste disposal sites. Also see “Auto vehicle dismantling” for related use for automobiles. Collection of recycling materials as the sole activity is included in the definition of “Recycling facility – collection.”

“Religious institutions” means facilities operated by religious organizations for worship or the promotion of religious activities (e.g., churches, mosques, synagogues, temples) and accessory uses on the same site (e.g., living quarters for ministers and staff, child day care facilities which were authorized in conjunction with the primary use). Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals, and other potentially related operations (e.g., recreational camp), are classified according to their respective activities.

“Research and development” means indoor facilities for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes but is not limited to chemical and biotechnology research and development. Does not include computer software companies (see “Offices, business

and professional”), soils and other materials testing laboratories (see “Business support services”), or medical laboratories (see “Medical services, general”). Does not include medical or recreational marijuana (cannabis) research facilities.

“Residential care facility” means, consistent with the definitions of state law, a facility that provides 24-hour nonmedical care for more than six persons 18 years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living or for the protection of the individual. This classification includes, but is not limited to, residential care facilities for the elderly, adult residential facilities, wards of the juvenile court, and other facilities licensed by the state of California.

“Residential care home (large)” means, consistent with the definitions of state law, a home that provides 24-hour nonmedical care for more than six persons 18 years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living or for the protection of the individual. This classification includes, but is not limited to, rest homes, residential care facilities for the elderly, adult residential facilities, wards of the juvenile court, and other facilities licensed by the state of California. Convalescent homes, nursing homes, and similar facilities providing medical care are included under the definition of “Medical services, extended care.”

“Residential care home (small)” means, consistent with the definitions of state law, a home that provides 24-hour nonmedical care for six or fewer persons 18 years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living or for the protection of the individual. This classification includes, but is not limited to, rest homes, residential care facilities for the elderly, adult residential facilities, wards of the juvenile court, and other facilities licensed by the state of California. Convalescent homes, nursing homes, and similar facilities providing medical care are included under the definition of “Medical services, extended care.”

“Resource protection and restoration” means activities and management of an area to preserve, re-create, and enhance natural resource values such as fish and wildlife habitat, rare and endangered plants, vernal pools, erosion control, and floodwater conveyance.

“Resource-related recreation” means facilities related to passive recreation in open space areas including bicycle and pedestrian trails, picnic areas, parking areas, and interpretive centers.

“Restaurant” means a retail business selling food and beverages prepared and/or served on the site, for on- or off-premises consumption. Includes eating establishments where customers are served from a walk-up ordering counter for either on- or off-premises consumption and establishments where most customers are served food at tables for on-premises consumption, but may include providing food for take-out. Also includes coffee houses and accessory cafeterias as part of office and industrial uses.

“Retail, accessory” means the retail sales of various products (including food service) in a store or similar facility that is located within a health care, hotel, office, or industrial complex. These uses include but are not limited to pharmacies, gift shops, and food service establishments within hospitals, and convenience stores and food service establishments within hotel, office, and industrial complexes. This use category also includes retail associated with industrial uses for the products sold, distributed, or manufactured on site. The permitted retail area of the accessory use is based on the total square footage of the tenant space of a single-use development or the combined floor area of an integrated development in a mixed-use project.

“Retail, general” means stores and shops selling multiple lines of merchandise. These stores and lines of merchandise include but are not limited to art galleries, bakeries (all production in support of on-site sales), clothing and accessories, collectibles, department stores, drug and discount stores, dry goods, fabrics and sewing supplies, florists and houseplant stores (indoor sales only; outdoor sales are plant nurseries and included in the definition of “Garden center/plant nursery”), furniture, home furnishings and equipment, general stores, gift shops, hardware, hobby materials, musical instruments, parts and accessories, newsstands, pet supplies, specialty shops, sporting goods and equipment, stationery, and variety stores.

“Retail, warehouse club” means retail stores that emphasize the packaging and sale of products in large quantities or volumes, some at discounted prices. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees.

“Schools, private and special/studio” includes private educational institutions (e.g., boarding schools, business, secretarial and vocational schools, colleges and universities, establishments providing for courses by mail or online), and special schools/studios (e.g., art, ballet and other dance, computers and electronics, drama, driver education, language, music, photography). This also includes dormitories as an accessory use to a private school. Also includes facilities, institutions, and conference centers that offer specialized programs in personal growth and development (e.g., fitness training studios, gymnastics instruction, and aerobics and gymnastics studios, environmental awareness, arts, communications, management). Also see “Indoor fitness and sports facilities.”

“Schools, public” means public educational institutions such as community colleges, universities, elementary schools, middle/junior high schools, high schools, and military academies. This also includes dormitories as an accessory use to a public school. “Service station” means a retail business selling gasoline or other motor vehicle fuels. Vehicle services which are incidental to fuel services are included under “Vehicle services – minor.”

“Sexually oriented business” means adult bookstores, adult motion picture theaters, adult live theaters, adult video stores, or any establishment that consists of a combination of such uses. An adult bookstore is a building or a portion thereof used by an establishment either (1) 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 RCMC 23.1104.070 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 (2) 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 RCMC 23.1104.070 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. An adult motion picture theater is a building or portion thereof or an 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 RCMC 23.1104.070 or specified anatomical areas as defined in RCMC 23.1104.070. An adult live theater is a building or portion thereof or an 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 RCMC 23.1104.070 or specified anatomical areas as defined in RCMC 23.1104.070 for observation by patrons or customers. An adult video store is a building or portion thereof used by an establishment either (1) 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 videos, is devoted to the sale or rental of videos which are distinguished or characterized by their emphasis on matters explicitly depicting, describing, or relating to specified sexual activities as defined in RCMC 23.1104.070, 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 (2) where 25 percent or more of the total number of videos offered for sale or rental to the public consist of videos which are distinguished or characterized by their emphasis on matters explicitly depicting, describing, or relating to specified sexual activities as defined in RCMC 23.1104.070, 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.

“Single room occupancy (SRO) facilities” means multi-unit housing for very low income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area. SROs may be restricted to seniors or be available to persons of all ages. Subsidized versions may be supervised by a government housing agency.

“Smoke shop” means an establishment selling smoking, drug, and/or traditional or electronic tobacco paraphernalia or products where 15 percent or more of the total floor or shelf area is devoted to selling tobacco products (as defined in RCMC 4.07.030). Limited sales of tobacco products that commonly occur within convenience stores or service stations are not included in this definition. Smoking, as defined in RCMC 6.84.020(S), shall be prohibited

within all smoke shops, unless the establishment has been formally permitted to operate a private smokers' lounge under applicable state and local laws.

"Storage, personal storage facility" means a structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

"Storage, warehouse" means a facility for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, or mini-storage facilities offered for rent or lease to the general public (see "Storage, personal storage facility") or warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see "Wholesaling and distribution").

"Storage, yards" means the storage of various materials outside of a structure other than fencing, either as an accessory or principal use.

"Supportive housing" means a combination of affordable housing and services. Supportive housing is typically for individuals and families confronted with homelessness and who also have very low incomes and/or serious life challenges. Supportive housing can be coupled with such social services as job training, life skills training, alcohol and drug abuse programs, and case management to populations in need of assistance, including the developmentally disabled, those suffering from dementia, including Alzheimer's disease, and the frail elderly.

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

"Tasting room, off-site" means a facility allowing beer, wine, or spirits tasting with on-site and off-site retail sales directly to the public (or shipped). The tasting room facility must be directly affiliated with a minimum of one brewery, winery, or distillery, meeting all applicable requirements of state and federal licensure. The tasting room may be operated as a standalone retail use. Food preparation is not permitted. Prepackaged foods may be sold on premises. Patrons may carry food on site for personal consumption. Tasting rooms must comply with the retail hours of operation of 10:00 a.m. to 11:00 p.m. On-site tasting rooms are included as an accessory use in "Brewery, winery, distillery." Any facilities not operating with these standards are considered "Bars and nightclubs."

"Tattoo parlor" means any establishment that engages in the business of tattooing and/or branding human beings.

"Telecommunication facility" means a facility designed and/or used for the purpose of transmitting, receiving, or relaying voice and/or data signals from various wireless communication devices, including a transmission tower, antenna, and/or other facility designed or used for that purpose. Amateur radio transmission facilities, facilities operated exclusively as part of a public safety network, and facilities used exclusively for the transmission of television and/or radio broadcasts are not telecommunication facilities.

"Theaters and auditoriums" means indoor facilities for public assembly and group entertainment, other than sporting events (e.g., civic theaters, facilities for "live" theater and concerts, exhibition and convention halls, motion picture theaters, auditoriums). Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events; see "Outdoor commercial recreation."

"Thrift store" means a retail establishment selling secondhand goods donated by members of the public.

"Trade school" means a type of higher learning school that focuses on job skill training rather than academics in the liberal arts. Trade schools focus on a particular set of skills that are taught to students looking to enter a certain career field. These schools help to train workers to perform the tasks needed to work in certain fields, and they usually do it in a shorter period of time than traditional universities.

"Transit facilities" means maintenance and service centers for the vehicles operated in a mass transportation system. Includes buses, taxis, railways, etc.

“Transit stations and terminals” means passenger stations for vehicular and rail mass transit systems.

“Transitional housing” means housing that has a predetermined end point in time and operated under a program which provides supportive services to assist in finding and keeping permanent housing. The program length is typically no less than six months.

“Utility facilities and infrastructure” includes the following:

1. Fixed-base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091: electrical substations and switching stations, natural gas regulating and distribution facilities, public water system wells, treatment plants and storage, telephone switching facilities, wastewater treatment plants, settling ponds and disposal fields. These uses do not include office or customer service centers (classified in “Offices”) or equipment and material storage yards.
2. Pipelines for potable water, reclaimed water, natural gas, and sewage collection and disposal, and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television, and other communications transmission facilities utilizing direct physical conduits.

“Urban agriculture” means the production of food in a form and scale that is appropriate for the urban context. Urban agriculture includes: market garden, private community garden, public community garden, private garden, and aquaculture.

“Urban agriculture stand” means a temporary produce stand that is accessory to an urban agriculture use.

“Vehicle services – major” means the repair, alteration, restoration, towing, painting, cleaning (e.g., self-service and attended car washes), or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes major repair and body work repair facilities dealing with entire vehicles; such establishments typically provide towing, collision repair, other body work, and painting services and may also include tire recapping establishments.

“Vehicle services – minor” means minor facilities that specialize in limited aspects of repair and maintenance (e.g., muffler and radiator shops, quick-lube, smog check). Does not include repair shops that are part of a vehicle dealership on the same site (see “Auto and vehicle sales”) or automobile dismantling yards, which are included under “Recycling facility – scrap and dismantling.”

“Veterinary facility” means a veterinary facility that is primarily enclosed, containing only enough cage arrangements as necessary to provide services for domestic and exotic animals requiring acute medical or surgical care with accessory outdoor use that provides long-term medical care. Grooming and boarding of animals is allowed only if accessory to the facility use.

“Wholesaling and distribution” means establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as agents, merchandise or commodity brokers, and commission merchants, assemblers, buyers and associations engaged in the cooperative marketing of farm products, merchant wholesalers, and stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment. [Ord. 3-2019 § 5 (Exh. A); Ord. 15-2018 § 4 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 1-2016 § 6; Ord. 8-2015 § 4 (Exh. B); Ord. 13-2014 § 7; Ord. 15-2013 § 3; Ord. 13-2013 § 4 (Exh. B); Ord. 17-2013 § 3; Ord. 12-2011 § 3 (Exh. A); Ord. 7-2010 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 10.1.020). Formerly 23.1101.020].

ITEM 9.4.

ATTACHMENT 2
Exhibit A to the Ordinance

MEMORANDUM



ITEM 9.5.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Darcy Goulart, Planning Manager
SUBJECT: **SECOND READING OF AN ORDINANCE AMENDING TITLE 2
ADMINISTRATION AND PERSONNEL, CHAPTER 2.30 PLANNING
COMMISSION OF THE CITY OF RANCHO CORDOVA MUNICIPAL
CODE**

RECOMMENDATION

Waive the second reading and adopt the Ordinance amending Title 2 Administration and Personnel, Chapter 2.30 Planning Commission, Section 2.30.120 Compensation of the City of Rancho Cordova Municipal Code related to the compensation for the Planning Commission.

RESULT OF RECOMMENDED ACTION

Approval of the Ordinance would amend Title 2 Administration and Personnel, Chapter 2.30 Planning Commission, Section 2.30.120 Compensation of the City of Rancho Cordova Municipal Code related to the compensation for the Planning Commission.

BACKGROUND

On December 20, 2021 the City Council waived the first reading and passed to a second reading of the Ordinance.

FISCAL IMPACT AND FUNDING SOURCE

The Fiscal Impact to the General Fund would be \$12,600 per fiscal year for two regularly scheduled meetings per month. Additional costs may be incurred for necessary special meetings or joint meetings with the City Council.

ATTACHMENT(S)

1. Ordinance
2. Exhibit A to the Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2022

AN ORDINANCE AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.30 PLANNING COMMISSION OF THE CITY OF RANCHO CORDOVA MUNICIPAL CODE**Section 1. Purpose and Declarations.**

WHEREAS, on November 15, 2021, the City Council reinstated the Planning Commission by; and

WHEREAS, the previous Planning Commission received a compensation of one hundred fifty dollars per month for each partial or full month during which a member served upon the Planning Commission; and

WHEREAS, the amendment proposes to compensate the Planning Commission seventy-five dollars per regularly and/or special meeting attended to each member serving upon the Planning Commission; and

WHEREAS, on December 20, 2021, the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. The City Council hereby finds:

A. The amendment to the Rancho Cordova Municipal Code establishing regulations relating to compensation of the Planning Commission is exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061. The proposed amendment to establish regulations pertaining to the Planning Commission will not have the potential to degrade the quality of the environment. Establishment and function of the Planning Commission compensation will not alter the criteria for project reviews, which could result in a negative impact on the environment. Therefore, such compensation regulations will not negatively impact the environment.

Section 3. Amendments to Title 2 Administration and Personnel

The City Council hereby adopts the amendments to Title 2 Administration and Personnel, Chapter 2.30 Planning Commission of the Rancho Cordova Municipal Code, as shown and incorporated in Exhibit A to this Ordinance.

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

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 3rd day of January 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

ITEM 9.5.

Rancho Cordova Municipal Code
Chapter 23.110 APPLICATION PROCESSING

ATTACHMENT 2 Exhibit A to the Ordinance

Page 1/3

Chapter 2.30

PLANNING COMMISSION

Sections:

- 2.30.010 Establishment
- 2.30.020 Membership
- 2.30.030 Appointments and terms of office
- 2.30.040 Qualifications
- 2.30.050 Removal from office.
- 2.30.060 Vacancies
- 2.30.070 Duties and functions of the planning commission
- 2.30.080 Rules
- 2.30.090 Organization
- 2.30.100 Meetings
- 2.30.110 Voting
- 2.30.120 Compensation

ITEM 9.5.

ATTACHMENT 2 Exhibit A to the Ordinance

Rancho Cordova Municipal Code
Chapter 23.110 APPLICATION PROCESSING

Page 2/3

2.30.010 Establishment.

Pursuant to Section 65100 of the Government Code of the state of California, there is hereby established a planning commission which shall have the powers and duties and serve the purposes enumerated in said Section 65100 and this chapter, and which shall have jurisdiction within the incorporated boundaries of the City of Rancho Cordova.

2.30.020 Membership.

The planning commission shall consist of seven commission officers.

2.30.030 Application, appointments, and terms of office.

Appointments to the planning commission shall be made by the City Council as follows:

1. An application period of three (3) weeks shall be opened for any vacant planning commissioner seat. All applications shall be provided to individual members of the City Council needing to fill the vacant seat for review and consideration for possible nomination.
2. Five (5) commissioners shall be nominated by the individual members of the City Council and confirmed by a majority vote prior to the first meeting of the Council in February 2022. A commissioner's term for those Council seats up for re-election in 2024, shall coincide with the term of the Councilmember that nominated that commissioner. A commissioner's term for those Council seats up for re-election in 2022, shall serve an initial two (2) years. After the conclusion of the initial two (2) year term, the Councilmember elected in 2022, shall have the ability to nominate a new commissioner for the remainder of the term if desired. Thereafter, following each election of the City Council, re-elected or newly elected members of the Council shall each nominate one member to serve on the Planning Commission within 90 days of taking office. All commissioners nominated by an individual member of the City Council shall be confirmed by a majority vote of the City Council.
3. Two (2) commissioners shall be designated at large members and shall be selected by the City Council as a body from a pool of nominees. At large members may be nominated by any member of the City Council and confirmed by a majority vote prior to the first meeting of the Council in February 2022. The term of the at large commissioners will be terms of four (4) years.

2.30.040 Qualifications.

Minimum qualifications for the position of planning commissioner are as follows:

1. Must be at least eighteen (18) years of age.
2. Shall not be an elected or appointed official of another public entity whose jurisdiction includes any part of the City.
3. Shall reside within the incorporated boundaries of the City of Rancho Cordova.

2.30.050 Removal from office. A planning commissioner may be removed from office by the City Council without cause, notice or hearing.

2.30.060 Vacancies.

Vacancies which occur within the commission shall be filled for the unexpired portions of the terms pursuant to section 2.30.030.

2.30.070 Duties and functions of the planning commission.

The planning commission shall have the duties and functions as specified below.

1. Serve as the approval authority as specified in Chapter 23.104 of the Rancho Cordova Municipal Code;
2. Promote public interest in, and understanding of, the general plan, specific plans, special planning areas, and regulations relating to such plans;
3. Consider and provide recommendations to the City Council on amendments to the general plan, zoning code, specific plans and special planning areas;
4. Consider subdivision matters arising from the Subdivision Map Act and this code;
5. Consider appeals of the Community Development Director;
6. Perform other powers and duties as directed by the City Council.

2.30.080 Rules.

ITEM 9.5.

ATTACHMENT 2 Exhibit A to the Ordinance

Rancho Cordova Municipal Code

Chapter 23.110 APPLICATION PROCESSING

Page 3/3

The Planning Commission shall adopt, subject to City Council approval, rules of procedure which shall govern the conduct of hearings and other business of the commission. Copies of the rules shall be published and shall be available with the City Clerks Office.

2.30.090 Organization

At the initial meeting of the commission, and annually thereafter at the first meeting of the calendar year for the commission, the members of the commission shall select a chairperson and vice-chairperson and shall determine the time, place, and frequency of regular meetings.

2.30.100 Meetings.

The Planning Commission shall meet at least twice a month at a regularly scheduled time and date, and at other such times as the chairperson deems necessary to perform the duties of the commission.

2.30.110 Voting.

Four (4) members of the seven (7) member planning commission shall constitute a quorum, and a quorum is required for the commission to take action on any item on its agenda.

2.30.120 Compensation.

1. Each member of the Planning Commission shall receive compensation for services as follows: Each member of the Commission shall receive seventy-five (\$75) dollars compensation for each Planning Commission meeting attended, including regularly scheduled or special meetings.
2. The City may, at the discretion of the City Manager, approve payment to a member for necessary and actual expenses incurred by a member acting in an official capacity as a member of the Planning Commission.

MEMORANDUM



ITEM 9.6.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Michelle Mingay, Senior Finance Analyst
SUBJECT: **RESOLUTIONS OF INTENTION TO ESTABLISH THE CITY OF RANCHO CORDOVA ARISTA DEL SOL COMMUNITY FACILITIES DISTRICT NO. 2022-1, TO LEVY A SPECIAL TAX THEREIN, AND TO INCUR BONDED INDEBTEDNESS IN AND FOR THE DISTRICT TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR SUCH DISTRICT**

RECOMMENDATION

Adopt the Resolutions.

RESULT OF RECOMMENDED ACTION

Adoption of these Resolutions begins the process of forming the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1, with bonded indebtedness in the principal amount not to exceed Fifty Million Dollars (\$50,000,000) to pay for certain Public Facilities in and for such Community Facilities District, and sets 5:30 p.m. on February 22, 2022 as the time and date for a public hearing on the matter.

BACKGROUND

The property owner of the Arista Del Sol project has requested the City proceed with the formation of a Mello-Roos Community Facilities District ("CFD") to assist in the funding of public infrastructure and payment of certain fees within the project. The district is proposed to be called the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1 (hereinafter referred to as "CFD No. 2022-1").

The Arista Del Sol project is an approximately 209 mixed use acre parcel located west of Grantline Road and one mile south of Douglas Boulevard. The development anticipates 740 single family lots which will be developed in three phases. While the CFD will be formed over the full project, the CFD will be phased in through the use of Improvement Areas. The first Improvement Area will include 365 market rate lots ranging in size from 40' x 105' and 55' x 105' in size. Through the subdivision map and entitlement process, the CFD properties will be required to construct all appropriate infrastructure. The CFD program simply provides a funding mechanism for a part of the total costs. The balance of the costs will be paid by the developer.

City staff has reviewed the list of improvements and services authorized by CFD No. 2022-1 to

make certain that all appropriate projects are included. Keep in mind however, that the underlying entitlement requirements and subdivision map processing are the governing documents for the scope and timing of improvements, the CFD simply provides a financing mechanism for the improvements.

The proposed special tax rates in Improvement Area 1 range between \$1,752 - \$3,264 per market rate unit in the base year (fiscal year 2021 - 2022). These rates are consistent with current rates being levied in surrounding projects including the Anatolia CFD, which range between \$978 - \$1,625, the North Douglas CFD, which range between \$1,250 - \$2,073, and the Grantline 208 CFD, which range between \$2,122 - \$2,600 in 2021-22 dollars. The special tax will automatically increase annually, starting July 1, 2022, for the life of the CFD.

A Resolution of Intention to establish CFD No. 2022-1 is attached. The resolution sets forth the City's intention to establish the CFD, designates the name of the district, identifies the facilities to be funded, calls for the preparation of a CFD Report and states the City's intention to levy a special tax to pay for these facilities. Attached to the Resolution of Intention is the proposed Rate and Method of Apportionment (RMA) of Special Tax for CFD No. 2022-1 ([Attachment 2](#)), which details how and when the special tax will be levied on properties within the district, a list of authorized facilities to be provided ([Attachment 3](#)), and a copy of the public hearing notice, in a form as required by the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, which requires publication in a newspaper of general circulation circulated within the Community Facilities District at least 7 days before the public hearing ([Attachment 4](#)). The resolution also sets 5:30 p.m., or as soon thereafter as possible, on February 22, 2022 as the time and date for a hearing on the matters set forth therein. Notice of the Public Hearing will be published in the Grapevine Independent at least seven days prior to the hearing date.

A Resolution Declaring the Intent to Incur Bonded Indebtedness is also attached. This Resolution declares there is a public convenience which requires bonded indebtedness and sets the not to exceed amount of the bonds at Fifty Million Dollars (\$50,000,000). The bonds are to be used to finance the acquisition and construction of, and the payment of fees for, the Facilities in and for the Community Facilities District.

This CFD is being formed with 100% property owner approval and the election by property owners is expected to generate a 100% favorable vote. It is anticipated the property owners will be waiving their rights to challenge the accelerated CFD formation process that is planned for this CFD.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact to the City. Any Special tax Bonds to be issued on behalf of the CFD are secured solely by the Special Tax levies within the District and are not debt of the City's General Fund.

ATTACHMENT(S)

1. Resolution of Intention
2. Exhibit A to the Resolution - (Arista del Sol RMA)
3. Exhibit B to the Resolution - (List of Facilities)
4. Exhibit C to the Resolution - (Legal Notice)
5. Resolution of Intention for Bonds
6. Boundary Map

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2022

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO FORM ARISTA DEL SOL COMMUNITY FACILITIES DISTRICT NO. 2022-1, DESIGNATE AN INITIAL IMPROVEMENT AREA THEREIN AND ESTABLISH A FUTURE ANNEXATION AREA, AND TO LEVY SPECIAL TAXES THEREIN TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council (the "City Council") of the City of Rancho Cordova (the "City") having received indications of interest on behalf of the owners of the area of land proposed to be included in a community facilities district, has duly considered the advisability and necessity of establishing a community facilities district in an area of the City described herein and levying a special tax therein to finance the acquisition and construction of certain public facilities in and for such community facilities district under and pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, the City Council, desires to proceed with the establishment of a community facilities district in order to finance costs of public infrastructure necessary or incidental to new development in the City; and

WHEREAS, the Act provides that for purposes of financing of, or contributing to the financing of, all or a portion of public facilities to be financed by the community facilities district, the legislative body of the City may provide that a portion or portions of the district be established as one or more improvement areas and that after the designation of an improvement area, all proceedings for purposes of the Act will apply only to the improvement area for those specified facilities; and

WHEREAS, pursuant to Section 53339.3 of the Act, this Council further desires to provide for future annexation of territory to the proposed community facilities district; and

WHEREAS, the City Council has determined that the establishment of such community facilities district is substantially consistent with and follows the local goals and policies concerning the use of the Act that have been adopted by the City Council and are now in effect; and

WHEREAS, the City Council is fully advised in this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AS FOLLOWS:

1. It is the intention of the Council to establish a community facilities district within the City of Rancho Cordova and provide that certain territory within the City may be annexed thereto in the future upon the unanimous approval of the owner of each parcel or parcel to be annexed, and to establish improvement areas therein, all under the terms of the

Act for the purpose of financing costs of public infrastructure necessary or incidental to new development in the City.

2. The name for the proposed community facilities district is the "City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1" (the "CFD"). Pursuant to Section 53350 of the Act, all of the territory to be initially included in the CFD (as shown on the map described in Section 3 hereof) is hereby designated as "Improvement Area No. 1 of the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1" ("Improvement Area No. 1").

The name proposed for the territory proposed to be annexed into the CFD in the future is "City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1 ("Future Annexation Area") (the "Future Annexation Area").

3. The proposed boundaries of the CFD, Improvement Area No. 1 and the Future Annexation Area are as shown on the map on the Map of Proposed Boundary of a proposed community facilities district to be known as Arista Del Sol Community Facilities District No. 2022-1, on file with the City Clerk, which the City Council approves as the map describing the extent of the territory included in the proposed community facilities district, Improvement Area No. 1 and the Future Annexation Area. The City Council finds that the map is in the form and contains the matters prescribed by Section 3110 of the California Streets and Highways Code. The City Council directs the City Clerk to certify the adoption of this resolution on the face of the map, and to file a copy of the map in the office of the City Clerk in accordance with Section 3111 of the California Streets and Highways Code and within 15 days of the date of adoption of this resolution but in no event later than 15 days prior to the public hearing provided for herein, transmit the map to the County Recorder for recording in the Book of Maps of Assessment and Community Facilities Districts in the office of the County Recorder of the County of Sacramento.
4. Except to the extent that funds are otherwise available to the CFD to pay for the Facilities (as defined below), and/or the principal and interest as it becomes due on bonds issued by the City for the CFD to construct and/or acquire the Facilities, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes, or in such other manner as the City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit A attached hereto and hereby incorporated herein.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

All or any portions of territory that annexes into the CFD from the Future Annexation Area or otherwise may be annexed into a separate improvement area (each, a "Future Improvement Area") then in existence or to be formed at the time of such annexation

and no additional hearings or procedures are required. The designation of a parcel or parcels as a Future Improvement Area shall be specified and approved by the Unanimous Approval at the time that the parcel or parcels are annexed to the CFD. After the designation of a parcel or parcels as an improvement area, all proceedings for approval of an appropriations limit, the rate and method of apportionment and manner of collection of special taxes, and the authorization to incur bonded indebtedness may differ from other areas of the CFD, all as set forth in the Unanimous Approval, and shall apply only to the parcel or parcels within such improvement area.

The City Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

5. The type of public facilities, including development impact fees payable to the City for public facilities, proposed to be financed by the CFD, Improvement Area No. 1 and any Future Improvement Areas pursuant to the Act shall consist of those items listed as Facilities, and incidental costs related thereto (the "Facilities") on Exhibit B hereto and hereby incorporated herein. The financing of the costs of Facilities may include, without limitation, the payment of principal of and interest on bonds together with all direct, indirect periodic, and/or other related costs (including, without limitation, costs of administering the CFD, levying the Special Tax and administering the bonds, and establishing and replenishing reserve funds). The City Council hereby finds and determines that the public interest will not be served by allowing the property owners in the CFD to enter into a contract in accordance with Section 53329.5(a) of the Act. Notwithstanding the foregoing, the City Council, on behalf of the CFD, may enter into one or more contracts directly with any of the property owners with respect to the construction and/or acquisition of any portion of the Facilities.
6. It is the intention of the Council that, except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California and the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, the City will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required debt service payments and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax. It is anticipated that the Special Tax will be billed as a separate line item on the regular property tax bill. However, the City Council reserves the right, under Section 53340, to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City, including, but not limited to, direct billing by the City to the property owners and supplemental billing.

The proposed rate and method of apportionment of the Special Tax among the parcels of real property within a Future Improvement Area, in sufficient detail to allow each landowner within such Future Improvement Area to estimate the maximum amount such owner will have to pay, shall be set forth in the applicable Unanimous Approval. The Special Tax shall not be levied in a Future Improvement Area after the fiscal year identified in the rate and method for such Future Improvement Area, except that a special tax that was lawfully levied in or before the final tax year and that remains

delinquent may be collected in subsequent years. Under no circumstances shall the special tax levied against any parcel in a Future Improvement Area for private residential purposes be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within such Future Improvement Area by more than 10 percent.

For Future Improvement Areas, a different rate and method may be adopted than the Rate and Method adopted for Improvement Area No. 1 if the annexed territory is designated as a separate zone or improvement area. No supplements to the Rate and Method for any of the Future Improvement Areas and no new rate and method will cause the maximum tax rate in the then-existing territory of the CFD (including Improvement Area No. 1) to increase. The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the facilities to be financed, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by the applicable property owner(s) in connection with each annexation to the CFD from the Future Annexation Area. The annexation and related matters described in the Unanimous Approval shall be implemented and completed without the need for Council approval as long as the following conditions are met:

- (i) The rate and method of apportionment of special tax for the new improvement area is prepared by a special tax consultant retained by the City.
- (ii) The rate and method of apportionment of special tax for the new improvement area substantially complies with the City's local goals and policies concerning the use of the Act.
- (iii) The rate and method of apportionment of special tax for the new improvement area does not establish a maximum special tax amount for the initial fiscal year in which the special tax may be levied for any category of special tax set forth in the Rate and Method for Improvement Area No. 1 that is greater than 125% of the maximum amount of the same or closest category of special tax for the same fiscal year calculated pursuant to the Rate and Method for Improvement Area No. 1.
- (iv) The rate and method of apportionment of special tax for the new improvement area does not introduce a type of special tax that was not included in the Rate and Method for Improvement Area No. 1 (e.g., a single special tax that is levied and must be paid in a single fiscal year).

The rate and method of apportionment of special tax for the new improvement area includes a mechanism that protects against revenue loss as a result of land use changes.

- (v) The Special Tax proposed to pay for the Facilities to be supplied within the territory annexed will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD and Improvement Area No. 1, except that (i) a higher Special Tax may be levied on territory annexing into the CFD to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD and Improvement Area No. 1, less any depreciation allocable to the financed

Facilities, and (ii) a higher Special Tax may be levied on territory annexing into the CFD to pay for new or additional Facilities, with or without bond financing.

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD and Improvement Area No. 1.

7. The levy of the Improvement Area No. 1 Special Tax shall be subject to the approval of the qualified electors within Improvement Area No. 1 at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in Improvement Area No. 1, with each owner having one vote for each acre or portion of an acre such owner owns in Improvement Area No. 1 not exempt from the Improvement Area No. 1 Special Tax.

The Special Tax shall be levied in a Future Annexation Area only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings. The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the facilities to be financed, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD, without the need for any further public hearings or proceedings.

8. In order to finance the costs of the Facilities it is necessary to incur bonded indebtedness on behalf of the CFD and it is the intention of this Council, acting as the legislative body for the CFD, to cause bonds of the City to be issued for the CFD pursuant to the Act to finance in whole or in part the construction and/or acquisition of the Facilities.
9. The Administrative Services Director of the City, as the officer having charge and control of the Facilities, or the designee of such official, is hereby directed to cause and direct a study of said proposed CFD and the Facilities and to cause to be prepared for filing at the public hearing the report required by Section 53321.5 of the Act (the "CFD Report") presenting at least the following:

(a) A brief description of the Facilities by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Facilities including the cost of acquisition of lands, rights-of-way and easements, any physical facilities required in conjunction therewith and incidental expenses in connection therewith, including the costs of the proposed bond financing and all other related costs as provided in Section 53345.3 of the Act.

The CFD Report shall be made a part of the record of the public hearing specified below.

10. The City Council also intends to establish the annual appropriations limit of the CFD in the amount not to exceed the amount of bonds authorized for the CFD.

11. The City Council hereby sets Tuesday, February 22, 2022, at the hour of 5:30 P.M., at the regular meeting place of the City Council, City Council Chambers, Rancho Cordova City Hall, 2729 Prospect Park Drive, Rancho Cordova, California 95670, as the time and place when and where the City Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD, Improvement Area No. 1, the designation of Future Annexation Area, and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD, Improvement Area No. 1, and the Future Annexation Area, and the levy of the Special Tax. At the hearing, testimony concerning the CFD, the extent of the CFD or the furnishing of the particular types of public facilities will be heard and protests will be considered from registered voters residing within the CFD and persons owning real property within the CFD. Written protests by the owners of a majority of the land which would be subject to special taxation within the proposed the CFD will require the suspension of proceedings for at least one year. Written protests must be filed with the City Clerk at or before the time fixed for the hearing. If such protests are directed only against certain elements of the proposed improvements or proposed special tax, and if such protests constitute a majority protest, only those elements shall be deleted from the proceedings.
12. The City Clerk is hereby directed to cause notice of the public hearing, in the form attached hereto as Exhibit C, to be given in the form required by the Act, which requires publication in a newspaper of general circulation circulated within the CFD, which such publication shall be made pursuant to Section 6061 of the Government Code of the State of California. The publication shall be completed at least 7 days before the date of the public hearing referenced above. The notice shall be substantially in the form specified in Section 53322 of the Act and attached hereto, with the form summarizing the provisions hereof hereby specifically approved.
14. Section 53314.9 of the Act provides that, either before or after formation of the CFD, the City may accept work in-kind from any source, including, but not limited to, private persons or private entities, may provide, by resolution, for the use of that work in-kind for any authorized purpose and the Council may enter into an agreement (an "Acquisition Agreement"), by resolution, with the person or entity advancing the work in-kind, to reimburse the person or entity for the value, or cost, whichever is less, of the work in-kind, as determined by the Council, with or without interest, under the conditions specified in the Act. Any work in-kind must be performed or constructed as if the work had been performed or constructed under the direction and supervision, or under the authority of, the City.

Section 53316.2 of the Act provides that a community facilities district may finance facilities to be owned or operated by a public agency other than the agency that created the district, or services to be provided by a public agency other than the agency that created the district, or any combination, only pursuant to a joint community facilities agreement or a joint exercise of powers agreement adopted pursuant to this section. The Administrative Services Director of the City and each other authorized officer of the City is hereby authorized and directed to enter into such joint community facilities agreements as are needed with respect to any entity other than the City that will own or operate any of the Facilities, as may be necessary to comply with the provisions of Section 53316.2 of the Act. The Council hereby declares that such joint agreements will be beneficial to owners of property in the area of the CFD.

13. The City Council finds and determines that adoption of this Resolution is not a “project” under the California Environmental Quality Act, because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4).

14 This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 3rd day of January 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Donald Terry, Mayor

Stacy Leitner, CMC
City Clerk

**IMPROVEMENT AREA NO. 1 OF THE
CITY OF RANCHO CORDOVA
ARISTA DEL SOL
COMMUNITY FACILITIES DISTRICT NO. 2022-1**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Improvement Area No. 1 of the City of Rancho Cordova Arista del Sol Community Facilities District No. 2022-1 shall be levied and collected according to the tax liability determined by the City Council through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in Improvement Area No. 1, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to Improvement Area No. 1 unless a separate Rate and Method of Apportionment is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Acre” or “Acreage” means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded at the County Recorder's Office.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Part 1, Division 2 of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City in carrying out its duties with respect to Improvement Area No. 1, the CFD and the Bonds, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its counsel, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Tax, costs associated with appeals or requests for interpretation associated with the Special Tax and this RMA, amounts needed to pay rebate to the federal government with respect to Bonds, costs associated with complying with continuing disclosure requirements for the City and any major property owners or other obligated parties, costs associated with foreclosure and collection of delinquent Special Taxes, and all other costs and expenses of the City and County in any way related to the establishment or administration of Improvement Area No. 1 and the CFD.

“Administrator” shall mean the person or firm designated by the City to administer the Special Tax according to this RMA.

“Assessor's Parcel” or “Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Authorized Facilities” means the public facilities authorized to be financed, in whole or in part, by the CFD.

“Base Special Tax” means, for any Land Use Category, the applicable Special Tax initially identified in Table 1 in Section C, as may be adjusted pursuant to Sections D or H herein.

“Bonds” means bonds or other debt (as defined in the Act), whether in one or more series, secured by the Special Tax and issued or assumed by or for Improvement Area No. 1 to fund Authorized Facilities.

“Building Permit” means a permit that allows for vertical construction of a building or buildings, which shall not include a separate permit issued for construction of the foundation thereof.

“Capitalized Interest” means funds in any capitalized interest account available to pay debt service on Bonds.

“CFD” means the City of Rancho Cordova Arista del Sol Community Facilities District No. 2022-1.

“CFD Formation” means the date on which the Resolution of Formation to form the CFD and Improvement Area No. 1 was adopted by the City Council.

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova.

“County” means the County of Sacramento.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Taxable Owners Association Property, Taxable Public Property, or Taxable Welfare Exemption Property for which a Building Permit for new construction was issued prior to June 1 of the preceding Fiscal Year.

“Development Class” means, individually, Developed Property, Final Map Property, Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property.

“Expected Land Uses” means the number of Residential Units and the Acreage of Other Property expected within Improvement Area No. 1 at CFD Formation, as identified in Attachments 1 and 2 of this RMA. Pursuant to Section D of this RMA, the Administrator shall update Attachment 2 each time there is a Land Use Change. Such update(s) shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

“Expected Maximum Special Tax Revenues” means the aggregate Special Tax that can be levied based on application of the Base Special Tax to the Expected Land Uses. The Expected Maximum Special Tax Revenues at CFD Formation are shown in Attachment 2 and may be revised pursuant to Sections D or H herein. Such update(s) will be maintained internally by the Administrator and will not require recordation of an amended RMA.

“Final Map” means a final map, or portion thereof, approved by the City or County pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq*) that creates SFD Lots. The term “Final Map” shall not include any large-lot subdivision map, Assessor’s Parcel Map, or subdivision map or portion thereof, that does not create SFD Lots, including Assessor’s Parcels that are designated as remainder parcels.

“Final Map Property” means, in any Fiscal Year, all SFD Lots created within Final Maps that had recorded prior to June 30 of the preceding Fiscal Year and which have not yet become Developed Property.

“First Bond Sale” means issuance of the first series of Bonds secured, in whole or in part, by Special Taxes levied and collected from Parcels in Improvement Area No. 1.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Improvement Area No. 1” means Improvement Area No. 1 of the CFD.

“Improvement Fund” means the account (regardless of its name) identified in the Indenture to hold funds that are available for expenditure to acquire or construct Authorized Facilities.

“Indenture” means the bond indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

“Land Use Category” means the categories of land use identified in Table 1 in Section C below.

“Land Use Change” means a proposed or approved change to the Expected Land Uses after CFD Formation, including changes to the Lot Category designation for SFD Lots.

“Lot Category” means, individually, Lot Category A, Lot Category B, and Lot Category C.

“Lot Category A” applies to SFD Lots within the portion of Improvement Area No. 1 in which an average lot size of 40’x105’ was anticipated at CFD Formation, as identified in Attachment 1 hereto. Changes to such designation shall be considered a Land Use Change, and the Administrator shall apply Section D herein each time such a Land Use Change occurs.

“Lot Category B” applies to SFD Lots within the portion of Improvement Area No. 1 in which an average lot size of 45’x105’ was anticipated at CFD Formation, as identified in Attachment 1. Changes to such designation shall be considered a Land Use Change, and the Administrator shall apply Section D herein each time such a Land Use Change occurs.

“Lot Category C” applies to SFD Lots within the portion of Improvement Area No. 1 in which an average lot size of 55’x105’ was anticipated at CFD Formation, as identified in Attachment 1 hereto. Changes to such designation shall be considered a Land Use Change, and the Administrator shall apply Section D herein each time such a Land Use Change occurs.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on a Parcel in any Fiscal Year, as determined in accordance with Sections C and D below.

“Other Property” means any Parcel of Developed Property in Improvement Area No. 1 that does not fit within the definition of Single Family Attached Property or Single Family Detached Property.

“Owners Association” means a homeowners association or property owners association that provides services to, and collects assessments, fees, dues, or charges from, property within Improvement Area No. 1.

“Owners Association Property” means any property within the boundaries of Improvement Area No. 1 that is owned in fee or by easement by an Owners Association, not including any such property that is located directly under a residential structure.

“Proportionately” means, for each Development Class, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all parcels assigned to the Development Class.

“Public Property” means any property within the boundaries of Improvement Area No. 1 that is owned by the City, federal government, State of California or other public agency.

“Required Coverage” means the amount by which the Expected Maximum Special Tax Revenues must exceed the Bond debt service and priority Administrative Expenses (if any), as set forth in the Indenture, Certificate of Special Tax Consultant, or other formation or bond document that identifies the minimum required debt service coverage.

“Residential Unit” means an SFD Unit or an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure. A second unit (granny flat) that shares a Parcel with an SFD Unit will not be considered a Residential Unit for purposes of levying the Special Tax.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“SFA Unit” means an individual Residential Unit on a Parcel of Single Family Attached Property.

“SFD Lot” means an individual residential lot, identified and numbered on a recorded Final Map, on which a Building Permit has been or is permitted to be issued for construction of an SFD Unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved Tentative Map.

“SFD Unit” means a residential unit that does not share a common wall with another residential unit.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a Building Permit was issued for construction of a residential structure consisting of two or more Residential Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share a Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Residential Units are purchased and subsequently offered for rent by the owner), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 4125.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a Building Permit was issued for construction of an SFD Unit.

“Special Tax” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement.

“Special Tax Requirement” means the amount necessary in any Fiscal Year to: (i) pay principal and interest on Bonds that are due in the calendar year that begins in such Fiscal Year; (ii) pay periodic costs on the Bonds, including but not limited to, credit enhancement, liquidity support and rebate payments on the Bonds; (iii) replenish reserve funds created for the Bonds under the Indenture to the extent such replenishment has not been included in the computation of the Special Tax Requirement in a previous Fiscal Year; (iv) cure any delinquencies in the payment of principal or interest on Bonds which have occurred in the prior Fiscal Year or, based on prior delinquencies, are expected to occur in the current Fiscal Year; (v) pay Administrative Expenses; and (vi) pay directly for Authorized Facilities, so long as such levy under this clause (vi) does not increase the Special Tax levied on Final Map Property or Undeveloped Property. The amounts referred to in clauses (i) and (ii) of the definition of Special Tax Requirement may be reduced in any Fiscal Year by: (a) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against such costs pursuant to the Indenture; (b) in the sole and absolute discretion of the City, proceeds received by the CFD from the collection of penalties associated with delinquent Special Taxes; and (c) any other revenues available to pay such costs, each as determined in the sole discretion of the City.

“Taxable Owners Association Property” means, in any Fiscal Year after the First Bond Sale, any Parcel of Owners Association Property that satisfies all three of the following conditions: (i) the Parcel had not been Owners Association Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Owners Association Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Owners Association Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Property” means all of the Parcels within the boundaries of Improvement Area No. 1 that are not exempt from the Special Tax pursuant to law or Section G below.

“Taxable Public Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Public Property that satisfies all three of the following conditions: (i) the Parcel had not been Public Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Public Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Public Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Welfare Exemption Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Welfare Exemption Property that satisfies all three of the following conditions: (i) the Parcel had not been Welfare Exemption Property on the date of issuance of the First Bond Sale; (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D herein), the Parcel was not anticipated to be Welfare Exemption Property based on the Expected Land Uses, as determined by the Administrator; and (iii) if the Parcel were to be exempt from the Special Tax because it has become Welfare Exemption Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Tentative Map” means a tentative map or substantial conformance exhibit for property in Improvement Area No. 1, including any adjustments or amendments thereto.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Final Map Property, Developed Property, Taxable Owners Association Property, Taxable Public Property, or Taxable Welfare Exemption Property.

“Welfare Exemption Property” means, in any Fiscal Year, any Parcels in the CFD that have received a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code and for which such welfare exemption is still in place.

B. DATA FOR ADMINISTRATION OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall: (i) assign each Parcel of Taxable Property to the appropriate Development Class, (ii) for Developed Property, categorize each Parcel as Single Family Detached Property, Single Family Attached Property, or Other Property; (iii) for Single Family Detached Property, determine the Lot Category for each SFD Lot; (iv) for Single Family Attached Property, determine the number of SFA Units on each Parcel; (v) for Other Property, determine the Acreage of each Parcel; and (vi) determine the Special Tax Requirement for the Fiscal Year. In addition, the Administrator shall, on an ongoing basis, monitor the Tentative Map, Final Maps, and Building Permits to determine if there are any proposed Land Use Changes that would change the Expected Maximum Special Tax Revenues. If the Expected Maximum Special Tax Revenues will be revised pursuant to a proposed Land Use Change, the Administrator shall apply the steps set forth in Section D below.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in Improvement Area No. 1 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new

ITEM 9.6.

Exhibit A to the Resolution

Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels is in a different Development Class and/or Land Use Category than other Parcels created by the subdivision, the Administrator shall calculate the Special Taxes for the property affected by recordation of the parcel map by determining the Special Taxes that apply separately to the property within each Development Class and/or Land Use Category, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX

1. Developed Property and Final Map Property

The Maximum Special Tax for a Parcel of Developed Property or Final Map Property is the greater of (i) the Base Special Tax set forth in Table 1 below, or, (ii) the Maximum Special Tax determined pursuant to Section D.

Table 1
Base Special Tax
Developed Property and Final Map Property

Land Use	Base Special Tax Fiscal Year 2021-22 *
Single Family Detached Property Lot Category A Lot Category B Lot Category C	\$1,752 per Residential Unit or SFD Lot \$2,528 per Residential Unit or SFD Lot \$3,264 per Residential Unit or SFD Lot
Single Family Attached Property	\$1,752 per Residential Unit
Other Property	\$25,401 per Acre

*** On July 1, 2022, and on each July 1 thereafter, all figures shown in Table 1 above shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.**

2. Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property

The Maximum Special Tax for Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property is \$25,401 per Acre for Fiscal Year 2021-22, which amount shall increase on July 1, 2022 and each July 1 thereafter by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.

D. CHANGES TO THE MAXIMUM SPECIAL TAX**1. *Land Use Changes***

The Expected Maximum Special Tax Revenues shown in Attachment 2 were originally calculated based on the Expected Land Uses at CFD Formation. Attachment 2 is subject to modification upon the occurrence of Land Use Changes, as described below. The Administrator shall review all Land Use Changes and compare the revised land uses to the Expected Land Uses to evaluate the impact on the Expected Maximum Special Tax Revenues.

Prior to the First Bond Sale, if a Land Use Change is proposed or identified that will result in a change in the Expected Maximum Special Tax Revenues, no action will be needed pursuant to this Section D. Upon approval of the Land Use Change, the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

After the First Bond Sale, if a Land Use Change is proposed or identified, Steps 1 through 3 must be applied:

- Step 1:** By reference to Attachment 2 (which shall be updated by the Administrator each time a Land Use Change has been processed according to this Section D or a prepayment has been made), the Administrator shall identify the Expected Maximum Special Tax Revenues prior to the Land Use Change.
- Step 2:** The Administrator shall calculate the Expected Maximum Special Tax Revenues that could be collected from Taxable Property in Improvement Area No. 1 after the Land Use Change based on application of the Base Special Taxes from Table 1.
- Step 3:** If the revenues calculated in Step 2 are (i) higher than those determined in Step 1 or (ii) less than those calculated in Step 1, but the reduction in Expected Maximum Special Tax Revenues does not reduce debt service coverage on outstanding Bonds below Required Coverage, no further action is needed, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

If the revenues calculated in Step 2 are less than those calculated in Step 1, and the Administrator determines that the reduction in Expected Maximum Special Tax Revenues would reduce debt service coverage on outstanding Bonds below the Required Coverage, one of the following shall occur:

3.a. The landowner requesting the Land Use Change (the “Requesting Landowner”) may make a prepayment in an amount that will ensure that the reduced Expected Maximum Special Tax Revenues are sufficient to provide Required Coverage, as determined pursuant to Section H below. If the Requesting Landowner notifies the Administrator that he/she would like to remedy the reduction by making a prepayment, such prepayment must be made by the earlier of (i) 30 days from the date of delivery of the prepayment

estimate or (ii) the date of issuance of any Building Permits for any Parcel owned by the Requesting Landowner that was Final Map Property or Undeveloped Property at the time the Administrator prepared the prepayment estimate, **or**

3.b. If a prepayment is not received by the due date specified above, the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the area affected by the Land Use Change shall be increased proportionately until the Expected Maximum Special Tax Revenues are sufficient to maintain Required Coverage.

Pursuant to this Section D.3, the Administrator may from time to time update Attachment 2 to reflect revised Expected Maximum Special Tax Revenues. Such update shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

If multiple Land Use Changes are proposed simultaneously by a single landowner (which may include approval of multiple Final Maps at one time), and the landowner requests that the impact of two or more of the Land Use Changes be considered together, the Administrator shall consider the combined effect of the Land Use Changes to determine if there is a reduction in Expected Maximum Special Tax Revenues. If there is a reduction that would reduce debt service coverage below the Required Coverage, and no prepayment has been received, then the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the areas affected by the Land Use Changes shall be increased proportionately until the aggregate amount that can be levied within such areas is equal to the amount that could have been levied prior to the proposed Land Use Changes. If Land Use Changes are proposed simultaneously by multiple landowners, or if an individual landowner proposing multiple Land Use Changes does not request that such Land Use Changes be considered together, the Administrator shall consider the proposed Land Use Changes individually.

Notwithstanding the foregoing, once a certificate of occupancy has been issued for a Residential Unit on a Parcel, the Maximum Special Tax for the Parcel cannot be increased because of subsequent Land Use Changes that may occur within the area in which the Parcel is located.

The duties imposed on the Administrator pursuant to this Section D to review Land Use Changes, and to review Final Maps and make certain calculations, are intended only to facilitate the administration of the Special Tax and to better assure the sufficiency of tax capacity to pay debt service on Bonds. Such duties are not intended to give any developer, subdivider, or owner of property the right to receive notice of the potential impact of Land Use Changes on the Special Tax applicable to a Parcel; and each developer, subdivider, or owner of property whose property is the subject of a Land Use Change shall be responsible for understanding the impact thereof on the Special Tax applicable to such property.

2. Partial Prepayments

If an owner of a Parcel makes a prepayment pursuant to Section H below, the Administrator shall recalculate the Maximum Special Tax for the Parcel pursuant to Section H.2. In addition, the Administrator shall update Attachment 2 to reflect the prepayment and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1. After the prepayment has been

received, the application of Sections D and H of this RMA shall be based on the adjusted Expected Maximum Special Tax Revenues after the prepayment.

3. *Conversion of a Parcel of Public Property to Private Use*

If, in any Fiscal Year, a Parcel of Public Property is converted to private use, such Parcel shall be subject to the levy of the Special Tax. The Maximum Special Tax for each such Parcel shall be determined based on the applicable Base Special Tax for the Parcel, as determined by the Administrator. In addition, the Administrator shall update Attachment 2 to reflect the conversion and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1.

E. METHOD OF LEVY OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year. A Special Tax shall then be levied according to the following steps:

- Step 1:** The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property until the amount levied is equal to the Special Tax Requirement prior to applying any Capitalized Interest that is available in the CFD accounts.
- Step 2:** If additional revenue is needed after Step 1 in order to meet the Special Tax Requirement after Capitalized Interest has been applied to reduce the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Final Map Property up to 100% of the Maximum Special Tax for each Parcel of Final Map Property until the amount levied is equal to the Special Tax Requirement.
- Step 3:** If additional revenue is needed after Step 2, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property until the amount levied is equal to the Special Tax Requirement.
- Step 4:** If additional revenue is needed after Step 3, the Special Tax shall be levied Proportionately on each Parcel of Taxable Welfare Exemption Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Welfare Exemption Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement.
- Step 5:** If additional revenue is needed after Step 4, the Special Tax shall be levied Proportionately on each Parcel of Taxable Owners Association Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Owners Association Property until the amount levied is equal to the Special Tax Requirement.
- Step 6:** If additional revenue is needed after Step 5, the Special Tax shall be levied Proportionately on each Parcel of Taxable Public Property, up to 100% of the

Maximum Special Tax for each Parcel of Taxable Public Property until the amount levied is equal to the Special Tax Requirement.

F. MANNER OF COLLECTION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section H below and provided further that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid. However, in no event shall Special Taxes be levied after Fiscal Year 2062-63. Under no circumstances may the Special Tax on a Parcel of Developed Property in residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

G. EXEMPTIONS

Notwithstanding any other provision of this RMA, no Special Tax shall be levied in any Fiscal Year on the following:

- (1) Public Property, except Taxable Public Property.
- (2) Owners Association Property, except Taxable Owners Association Property.
- (3) Welfare Exemption Property, except Taxable Welfare Exemption Property.
- (4) Parcels that are owned by a public utility for an unmanned facility.
- (5) Parcels that are subject to an easement that precludes any other use on the Parcel.
- (6) Parcels that have fully prepaid the Special Tax obligation assigned to the Parcel pursuant to the formula set forth in Section H below.

H. PREPAYMENTS

The following definitions apply to this Section H:

“Outstanding Bonds” means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from

the total Bond principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

“Public Facilities Requirement” means either \$15.4 million in 2022 dollars, which shall increase on January 1, 2023, and on each January 1 thereafter by 2% of the amount in effect in the prior year or such other number as shall be determined by the City as sufficient to fund improvements that are authorized to be funded by Improvement Area No. 1. The Public Facilities Requirement shown above may be adjusted each time property annexes into Improvement Area No. 1 or there is an adjustment to the Expected Maximum Special Tax Revenues due to a Land Use Change.

“Remaining Facilities Costs” means the Public Facilities Requirement minus public facility costs funded by Previously Issued Bonds, developer equity and any other source of funding.

1. *Full Prepayment*

The Special Tax obligation applicable to a Parcel in Improvement Area No. 1 may be prepaid and the obligation of the Parcel to pay the Special Tax permanently satisfied as described herein, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City or its designee shall notify such owner of the prepayment amount for such Parcel. Prepayment must be made not less than 75 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):

	Bond Redemption Amount
plus	Remaining Facilities Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
less	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Identify the Maximum Special Tax for the Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the City. If this Section H is being applied to calculate a prepayment pursuant to Section D above, compute the amount by which the proposed Land Use Change would reduce Expected Maximum Special Tax Revenues below the amount needed for Required Coverage, and use this amount for purposes of this Step 1.

- Step 2.** Divide the Maximum Special Tax computed pursuant to Step 1 for such Parcel by the total Expected Maximum Special Tax Revenues for all property in Improvement Area No. 1, as shown in Attachment 2.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the “**Bond Redemption Amount**”).
- Step 4.** Compute the current Remaining Facilities Costs (if any).
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Remaining Facilities Costs to be prepaid (the “**Remaining Facilities Amount**”).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the “**Redemption Premium**”).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment will be received until the earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 7, 8 and 9 of this prepayment formula will not apply.
- Step 8:** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 9:** Subtract the amount computed pursuant to Step 8 from the amount computed pursuant to Step 7 (the “**Defeasance Requirement**”).
- Step 10.** The administrative fees and expenses associated with the prepayment will be determined by the Administrator and include the costs of computing the prepayment, redeeming Bonds and recording any notices to evidence the prepayment and the redemption (the “**Administrative Fees and Expenses**”).
- Step 11.** If and to the extent so provided in the Indenture, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the “**Reserve Fund Credit**”).

- Step 12.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “**Prepayment Amount**”).
- Step 13.** From the Prepayment Amount, the amounts computed pursuant to Steps 3, 6, and 9 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Step 5 shall be deposited into the Improvement Fund. The amount computed pursuant to Step 10 shall be retained in the account or fund that is established to pay Administrative Expenses.

Once a full prepayment of a Parcel’s Special Tax obligation has been received, a Notice of Cancellation of Special Tax Lien shall be recorded against the Parcel to reflect the discharge of the Parcel’s obligation to pay the Special Tax. However, a Notice of Cancellation of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected. The Administrator shall also update Attachment 2 to reflect the prepayment.

2. *Partial Prepayment*

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment, except that the full amount of Administrative Fees and Expenses determined in Step 10 shall be included in the partial prepayment. The Maximum Special Tax that can be levied on a Parcel after a partial prepayment is made shall be equal to the portion of the Maximum Special Tax that was not prepaid, subject to 2% annual increases each July 1. Once a partial prepayment has been received, an Amended Notice of Special Tax Lien shall be recorded against the Parcel to reflect the reduced Special Tax lien for the Parcel, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues. However, an Amended Notice of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

3. *Maintaining Required Coverage*

Notwithstanding the foregoing, if at any point in time the Administrator determines that the Maximum Special Tax revenue that could be collected from Taxable Property that remains subject to the Special Tax after the proposed prepayment would be less than the Required Coverage on Bonds that will remain outstanding after defeasance or redemption of Bonds from proceeds of the estimated prepayment, the amount of the prepayment shall be increased until the amount of Bonds defeased or redeemed is sufficient to reduce remaining annual debt service to a point at which Required Coverage is maintained.

I. INTERPRETATION OF RMA

Interpretations may be made by Resolution of the City Council to interpret, clarify, and/or revise this RMA to correct any inconsistency, vagueness, or ambiguity as it relates to the Special Tax,

ITEM 9.6.**Exhibit A to the Resolution**

method of apportionment, classification of properties, or any definition applicable to Improvement Area No. 1 of the CFD, as long as such correction does not materially affect the levy and collection of Special Taxes. The City, upon the request of an owner of land within Improvement Area No. 1 which is not Developed Property, may also amend this RMA in any manner acceptable to the City, by resolution or ordinance following a public hearing, upon the affirmative vote of such owner to such amendment and without the vote of owners of any other land within Improvement Area No. 1, provided such amendment only affects such owner's land. Under no circumstances may such revisions to the RMA decrease the Expected Maximum Special Tax Revenues to a level that will reduce debt service coverage below the Required Coverage.

ATTACHMENT 1

**Improvement Area No. 1 of the
City of Rancho Cordova
Arista del Sol
Community Facilities District No. 2022-1**

**Arista del Sol
Expected Layout and Lot Category Assignment for
Lots in Improvement Area No. 1**

ATTACHMENT 2

**Improvement Area No. 1 of the
City of Rancho Cordova
Arista del Sol
Community Facilities District No. 2022-1**

**Expected Land Uses and Expected Maximum Special Tax Revenues
in Improvement Area No. 1**

Land Use	Expected Land Uses	Base Special Tax (FY 2021-22) *	Expected Maximum Special Tax Revenues (FY 2021-22) *
<u>Single Family Detached Property</u> Lot Category A Lot Category B Lot Category C	92 Residential Units 184 Residential Units 90 Residential Units	\$1,752 per Residential Unit \$2,528 per Residential Unit \$3,264 per Residential Unit	\$161,184 \$465,152 \$293,760
Single Family Attached Property	0 Residential Units	\$1,752 per Residential Unit	\$0
Other Property	0 Acres	\$25,401 per Acre	\$0
Expected Maximum Special Tax Revenues (FY 2021-22 \$)			\$920,096

* On July 1, 2022, and each July 1 thereafter, all dollar amounts shown above shall be increased by 2% of the amount in effect in the prior Fiscal Year.

**LIST OF AUTHORIZED FACILITIES
FOR THE COMMUNITY FACILITIES DISTRICT**

The Facilities and Services shown below are to be finance by the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1 (the, "CFD").

Facilities

The Facilities which are proposed to be financed with the proceeds of the sales of bonds of the proposed CFD, or the payment of the fees to the appropriate jurisdiction with respect to such facilities proposed to be financed with the proceeds of the sale of bonds of the proposed CFD, are generally described as follows:

- P-1 Park Improvements
- R-1 Chrysanthy Blvd Improvements
- R-2 Americanos Blvd Improvements
- R-3 In-tract Improvements for development within the CFD

Impact, Development Agreement and Specific Plan Fees for Facilities

- I-1 Transportation Impact Fee
- I-2 Sunrise Douglas Community Plan Roadway Impact Fee
- I-3 City Supplemental Transportation Fee
- I-4 Park Renovation Fee
- I-5 Sunrise Douglas Park Fee
- I-6 Sacramento County Water Agency Zone 40 Water Fee

Other

- O-1 Any other facilities serving substantially the same purpose as the above described facilities.
- O-2 Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time, provided that such facilities satisfy at least one of the following criteria: 1) augment, improve or expand existing District facilities that are primarily for the benefit of the District, or 2) repair or rehabilitate existing District facilities.

The foregoing description of the type of Facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses related to the Facilities. The final nature

ITEM 9.6.**ATTACHMENT 3
Exhibit B to the Resolution**

and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Incidentals

The bond related expenses authorized include the City, underwriters discount, financial advisor, appraisals, reserve fund balance, capitalized interest, bond counsel, disclosure counsel, special tax consultant, bond and official statement printing and all other incidental expenses.

CFD formation costs and administrative fees include those of the City, the CFD, the bond trustee or fiscal agent, legal counsel, the special tax consultant and other costs related to the CFD or the Bonds.

CITY OF RANCHO CORDOVA NOTICE OF PUBLIC HEARING

NOTICE is hereby given that on **Tuesday, February 22, 2022**, at **5:30 p.m.**, or as soon thereafter as the matter may be heard, the City Council of the City of Rancho Cordova will hold a Public Hearing at **Arista Del Solo Cordova City Hall, located at 2729 Prospect Park Drive, Rancho Cordova**, to consider the following:

PROPOSED "ARISTA DEL SOL COMMUNITY FACILITIES DISTRICT NO. 2022-1"

The purpose of this public hearing is: **The City of Rancho Cordova is considering the formation of a community facilities district (the "CFD") under the authority of the Mello-Roos Community Facilities District Act of 1982, as amended, to fund certain public facilities related to new development within the City of Rancho Cordova.**

This Notice contains a brief summary of the proposal, but you are referred to the City Council's resolution "A Resolution of Intention of the City Council to Form a Community Facilities District and Levy a Special Tax in City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1 to Finance the Acquisition and Construction of Certain Public Facilities in and for such Community Facilities District" adopted December 20, 2021 and its resolution "A Resolution of the City Council Declaring its Intention to Incur a Bonded Indebtedness to Finance the Acquisition and Construction of Certain Public Facilities in and for City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1" adopted December 20, 2021 for the definitive description of the proposal.

The proposal is to subject the property within the CFD to a special tax which will be used to pay for facilities of benefit to land within the CFD, including paying principal and interest on bonds used to build facilities, and will expire when the bonds are retired and all eligible facilities are financed. The proceeds of the bonds will be used to pay for the facilities and other expenses set forth in the resolutions referred to in the preceding paragraph. A map showing the land proposed to be included in the CFD is on file with the City Clerk.

As set forth above, the City Council will hold a public hearing on the establishment of the CFD, the facilities to be financed by the CFD, and the levy of the special tax within the CFD.

The proposal also includes authority to issue up to \$50,000,000 in bonds to be repaid by the special tax. Neither the City of Rancho Cordova nor any person outside the CFD has any liability for the special tax or the bonds. The security for the bonds is limited to the property subject to the special tax within the CFD.

In order to confer the authority upon Arista Del Solo Cordova City Council to levy the special tax and to issue the bonds, a public hearing must be held on the proposal, then the City Council will decide whether to form the CFD, and finally the qualified electors within the CFD must approve the proposal by a two-thirds vote. Where the CFD is uninhabited (as is the case here) the qualified electors are, pursuant to law, the owners of property within the CFD.

At the hearing, the testimony of all interested persons or potential special taxpayers for or against the formation of the proposed community facilities district, the authorization to levy the special tax, and the authorization to issue the bonds will be heard. If written protests against the proposed CFD are delivered to the City Clerk at or before the time set for the hearing by either registered voters residing within, or the owners of property within, the proposed CFD, they will be counted

ITEM 9.6.

ATTACHMENT 4 Exhibit C to the Resolution

toward a possible majority protest. Such protests by a majority of the registered voters residing within the CFD or by the owners of a majority of the land area within CFD which is or will be subject to the special tax, if not withdrawn prior to the close of the hearing so as to reduce the value of the protests to less than a majority, will require the proposed CFD to be eliminated from immediate consideration, and prevent its being included in a subsequent proceedings for at least one year.

If the City Council, after the public hearing, determines that a majority protest under Section 53324 of the California Government Code was not made at the hearing, the City Council may conduct an election by mailed ballot to levy a special tax and incur bonded indebtedness.

The City of Rancho Cordova encourages interested parties to attend public meetings and comment on the issues being discussed. If you wish to provide testimony and are unable to attend the meeting, written comments that are delivered to the City Clerk's office prior to the time of the hearing will be made a part of the public record. Questions regarding this matter should be directed to the **City of Rancho Cordova Finance Department at (916) 851-8700.**

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and/or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the city at, or prior to, this public hearing.

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Department at (916) 851-8720. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Printed in the Grapevine Independent on _____, 2022

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO INCUR A BONDED INDEBTEDNESS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR CITY OF RANCHO CORDOVA
ARISTA DEL SOL CFD COMMUNITY FACILITIES DISTRICT NO. 2022-1**

WHEREAS, the City Council (the "City Council") of the City of Rancho Cordova (the "City") has duly adopted Resolution No. ____-2022 (the "Resolution of Intention") on October 18, 2022, wherein it declared its intention to establish a community facilities district under and pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"), to be known and designated as the "City of Rancho Cordova Arista del Sol CFD Community Facilities District No. 2022-1" (the "CFD") , designate therein "Improvement Area No. 1 of the City of Rancho Cordova Arista del Sol CFD Community Facilities District No. 2022-1" ("Improvement Area No. 1"), and form a future annexation area for the CFD (the "Future Annexation Area"), and to levy a special tax therein to finance the acquisition and construction of certain public facilities (collectively the "Facilities") listed in Exhibit B to the Resolution of Intention and incorporated therein and made a part hereof; and

WHEREAS, in order to finance the costs of the Facilities it is necessary to incur bonded indebtedness in the amount of not to exceed \$50,000,000 on behalf of the CFD and a bonded indebtedness limit for Improvement Area No. 1; and

WHEREAS, the City Council is fully advised in this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, AS FOLLOWS:

1. The above recitals are true and correct, and the City Council so finds and determines.
2. The City Council hereby declares that the public convenience and necessity require that a bonded indebtedness in the principal amount of not to exceed \$50,000,000 be incurred in one or more series to finance the acquisition and construction of the Facilities, which amount includes all costs and estimated costs incidental to, or connected with, the accomplishment of the purpose for which such bonded indebtedness is proposed to be incurred (the "Authorization"), initially allocated as follows: (i) for Improvement Area No. 1, the bonded indebtedness limit is \$25,000,000 and (ii) for land within the Future Annexation Area (the "Future Improvement Area, the bonded indebtedness limit is not to exceed \$25,000,000 (the "Future Improvement Area Indebtedness Limit"). Indebtedness subject to this limit shall only include indebtedness evidenced by bonds or notes and shall not include bonds described in Section 53364.2(e) of the Act.

Upon designation of a parcel or parcels annexed into the CFD from the Future Annexation Area as a Future Improvement Area, the Unanimous Consent shall include an authorization to incur bonded indebtedness for such Future Improvement Area in a maximum amount which does not exceed the Future Improvement Area Indebtedness Limit, net of the amount or amounts of the Future Improvement Area Indebtedness Limit previously established in connection with a prior annexation from the Future Annexation Area, which limit shall be set forth in a Unanimous Consent. Such allocation may be made without any requirement for further public hearings, Council action or other additional proceedings, and the Authority shall include the Unanimous Consent in the records for the CFD.

3. This Council, acting as legislative body for the CFD, intends to authorize the issuance and sale of bonds and other debt in one or more series in the maximum aggregate principal amount of not to exceed the sum of the Improvement Area No. 1 bonded indebtedness limit bearing interest payable semi-annually or in such other manner as this Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds and other debt, and maturing not to exceed 40 years from the date of the issuance of each series of the bonds and other debt.

This Council, acting as legislative body for the CFD, intends to authorize the issuance and sale of bonds and other debt in one or more series in the maximum aggregate principal amount with respect to the Future Improvement Areas to be determined at the time of annexation (not to exceed the Future Improvement Area Indebtedness Limit in the aggregate), bearing interest payable semi-annually or in such other manner as this Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of each series of bonds and other debt, and maturing not to exceed 40 years from the date of the issuance of the respective series of bonds and other debt.

4. Notice is given that Tuesday, February 22, 2022, at the hour of 5:30 P.M., at the regular meeting place of the City Council, City Council Chambers, Rancho Cordova City Hall, 2729 Prospect Park Drive, Rancho Cordova, California 95670, has been fixed by the City Council as the time and place for a public hearing to be held by the City Council to consider the incurring of such bonded indebtedness to finance the acquisition and construction of the Facilities in and for the CFD. At the hearing, testimony concerning the incurring of such bonded indebtedness secured by a special tax to be levied within the CFD to finance the acquisition and construction of the Facilities will be heard and protests will be considered from registered voters residing within the CFD and persons owning real property within the CFD. Written protests by the owners of a majority of the land which would be subject to special taxation within the proposed the CFD will require the suspension of proceedings for at least one year. Written protests must be filed with the City Clerk at or before the time fixed for the hearing.
5. The City Clerk is hereby directed to cause notice of the public hearing to be given in the form required by the Act, which requires publication in a newspaper of general circulation circulated within the CFD, which such publication shall be made pursuant to Section 6061 of the Government Code of the State of California. The publication shall be completed at least 7 days before the date of the public hearing referenced above.

ITEM 9.6.

ATTACHMENT 5

The notice shall be substantially in the form specified in Section 53346 of the Act and attached hereto, with the form summarizing the provisions hereof hereby specifically approved.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 3rd day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

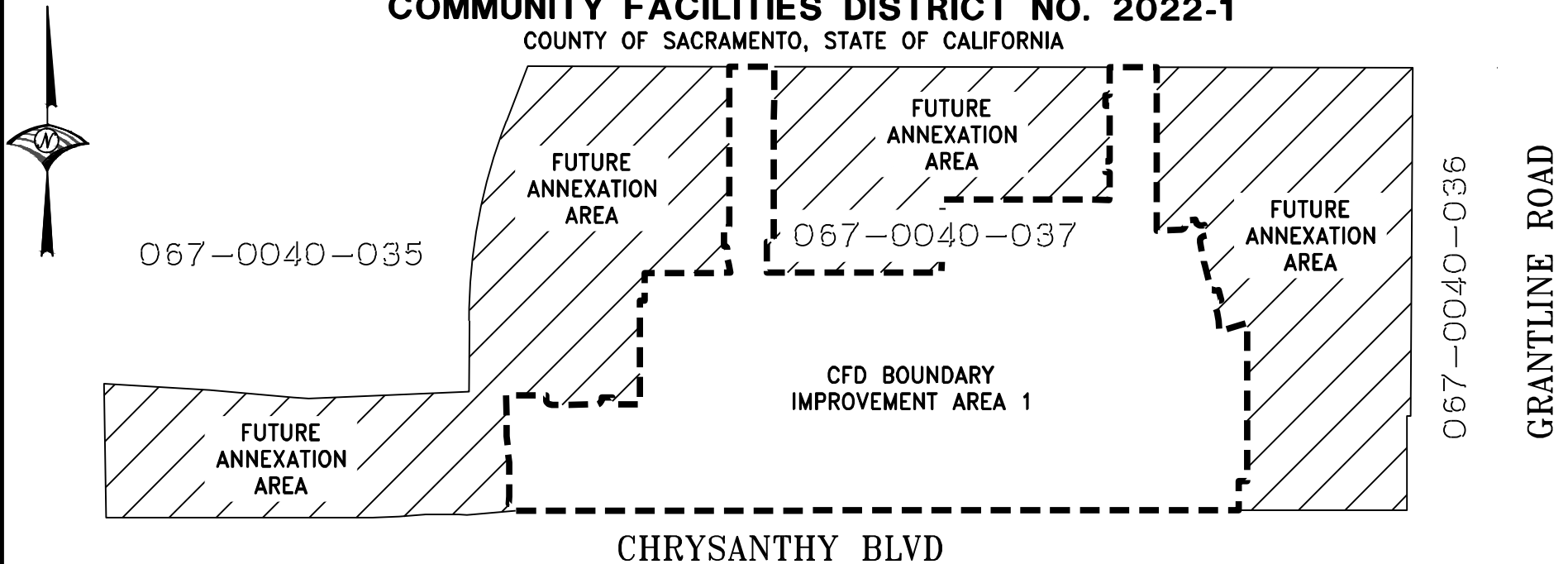
Donald Terry, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

**PROPOSED BOUNDARIES OF CITY RANCHO CORDOVA
ARISTA DEL SOL
COMMUNITY FACILITIES DISTRICT NO. 2022-1**

COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

**CLERK'S MAP STATEMENT**

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF RANCHO CORDOVA
THIS _____ DAY OF _____ 2022.

CITY CLERK OF THE CITY OF RANCHO CORDOVA

CLERK'S MAP STATEMENT

I HEREBY CERTIFY THAT THE AREA SHOWN ON THIS MAP OF THE PROPOSED
COMMUNITY FACILITIES DISTRICT NO. 2022-1, CITY OF RANCHO CORDOVA
ARISTA DEL SOL, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS
APPROVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AT A
REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE _____ DAY OF
_____ 2022. BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF RANCHO CORDOVA

600' 300' 0 600'



SCALE: 1" = 600'

COUNTY RECORDER'S FILING STATEMENT

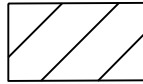
FILED THIS _____ DAY OF _____ 2022. AT THE HOUR OF
_____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT
AND COMMUNITY FACILITIES DISTRICTS PAGE NO. _____ IN THE OFFICE OF THE
COUNTY RECORDER IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

DONNA ALDRED
COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: _____
DEPUTY

FILE: _____

LEGEND

---	CFD BOUNDARY IMPROVEMENT AREA 1
	FUTURE ANNEXATION AREA



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3301 C ST, BLDG. 100-B TEL 916.341.7760
SACRAMENTO, CA 95816 FAX 916.341.7767

MEMORANDUM



ITEM 9.7.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Adam Lindgren, City Attorney
SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO GOVERNMENT CODE SECTION 54952(B) CONFIRMING THE STATE OF EMERGENCY UNDER GOVERNMENT CODE SECTION 8625, RECOGNIZING CONTINUED MEASURES TO PROMOTE SOCIAL DISTANCING, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY FOR THE PERIOD FROM JANUARY 3, 2022 TO FEBRUARY 2, 2022.**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the attached Resolution would allow the City Council and the City's other legislative bodies to continue to meet via teleconference ("virtually") in a manner substantially similar to the manner in which they have met during the COVID-19 pandemic, if a proclaimed State of Emergency remains in effect and other requirements are satisfied.

BACKGROUND

All meetings of the City Council and the City's other legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq., so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct virtual meetings to slow the spread of COVID-19. As a result of Executive Order N-29-20, City Staff set up virtual meetings for the City Council and other City legislative bodies. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ended the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means.

On September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), which allows local legislative bodies to continue to conduct meetings via teleconferencing under specified

conditions. AB 361 took effect upon the expiration of Executive Order N-29-20 on October 1, 2021. On September 20, 2021, the City Council held a meeting in compliance with AB 361's requirements for remote meetings.

In order for AB 361 to remain effective for meetings of the City's legislative bodies, the City Council is required to make specified findings every 30 days. AB 361 allows a legislative body to continue holding meetings utilizing teleconferencing without complying with the standard teleconferencing requirements if a State of Emergency is proclaimed under Government Code section 8625, the City has reconsidered the emergency conditions, and if the local Public Health Officer continues to recommend social distancing measures to protect the public's health and safety during local government meetings. These conditions are present.

Governor Newsom's March 4, 2020 Proclamation of Emergency related to the COVID-19 pandemic is still in effect. The potential spread of COVID-19 continues to threaten public health and safety during indoor public gatherings, including indoor gatherings of the Rancho Cordova City Council and other Rancho Cordova legislative bodies. In addition, the Sacramento County Public Health Officer continues to recommend teleconferencing or social distancing to protect the public's health and safety during local government meetings.

SUMMARY

The attached Resolution makes the required findings that the current conditions exist to allow teleconference meetings pursuant to AB 361 for the City Council and on behalf of all of the legislative bodies commissions and committees created by the City Council pursuant to Government Code section 54952(b). This will allow members of the public to safely observe and participate in local government meetings during the pandemic.

If a meeting is held via teleconference under AB 361, the following requirements apply:

1. Notices and agenda requirements remain the same under the Brown Act;
2. No physical location is required for public attendance or public comment. However, the public must be able to access and participate in the meeting through a call-in or an internet-based service, and instructions for how to participate must appear in the posted notices or agenda;
3. Teleconference meetings must protect the statutory and constitutional rights of the parties and the public;
4. If there is any disruption of the call-in or internet-based service, the agency must suspend the meeting until the problem is fixed;
5. Legislative bodies may allow public comments to be submitted prior to a meeting but must also allow the public to participate in real time through call-in or internet-based service;
6. If an internet-based service requires registration through a third-party, individuals can be required to register with the third-party to participate in the meeting; and
7. When providing a public comment period, whether after each item or during a general comment period, a legislative body must allow reasonable time for members of the public to comment and must also include reasonable time for members to register with a third-party host if applicable.

FISCAL IMPACT AND FUNDING SOURCE

The cost of continued remote access to Council meetings and the meetings of other City committees.

ATTACHMENT(S)

1. Resolution - AB 361 Rancho Cordova

CITY OF RANCHO CORDOVA

CITY COUNCIL RESOLUTION NO. XX-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO GOVERNMENT CODE SECTION 54952(b) CONFIRMING THE STATE OF EMERGENCY UNDER GOVERNMENT CODE SECTION 8625, RECOGNIZING CONTINUED MEASURES TO PROMOTE SOCIAL DISTANCING, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY FOR THE PERIOD FROM JANUARY 3, 2022 TO FEBRUARY 2, 2022

WHEREAS, the City is committed to preserving and promoting public access and participation in meetings of the legislative bodies; and

WHEREAS, all meetings of the City are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the City conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on September 20, 2021 the City held a meeting during a state of emergency under Government Code section 8625 and during a period of recommended social distancing by state and local officials while complying with Government Code section 54953(e)(2); and

WHEREAS, the City is required to make certain findings every thirty (30) days to continue teleconferencing under Government Code section 54953(e)(3), including reconsideration of the state of emergency declared by the Governor pursuant to Government Code section 8625, and State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, the City continues to experience emergency conditions due to COVID-19, specifically, the highly transmissible SARS-CoV-2 B.1.617.2 ("Delta") continues to threaten public health and safety during indoor public gatherings; and

WHEREAS, the City Council has considered the circumstances of the Governor's state of emergency proclamation pursuant to Government Code section 8625, which remains active; and

WHEREAS, on July 30, 2021, the Sacramento County Health Officer issued an order requiring all individuals, regardless of vaccination status, to wear a mask while indoors in public spaces; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least six feet (6') from others outside of the household; and

WHEREAS, the Sacramento County Health Officer's order incorporates the CDC's guidance for vaccinated and unvaccinated people; and

WHEREAS, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees, and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as the "Legislative Bodies"), does hereby find that the Legislative Bodies shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Legislative Bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953 as a consequence of the ongoing state of emergency and the continued social distancing measures required by local officials.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The City Council hereby considers the conditions of the state of emergency pursuant to Government Code section 8625 and proclaims that a local emergency persists throughout the City, affirms the Sacramento Health Order's required and recommended measures to promote social distancing, and finds that the conditions continue to exist pursuant to Government Code section 54953(e)(3) to allow the Legislative Bodies to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.

Section 3. Remote Teleconference Meetings. City Staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 2, 2022 or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of City may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova, this 3rd day of January 2022, by the following vote:

ITEM 9.7.

ATTACHMENT 1

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 12.1.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Micah Runner, Deputy City Manager
SUBJECT: CITY COUNCIL WORK SESSION PRIORITIES FOR 2022

RECOMMENDATION

Receive information and provide direction as needed.

RESULT OF RECOMMENDED ACTION

Staff will receive input and direction on the Work Session Priorities for 2022.

BACKGROUND

In 2021 the City Council discussed priorities for council work session topics for staff to prepare items for Council consideration. These conversations took place in January, February, and July of last year to set the priorities and provide updates on progress. The topics are both City Council initiated, and policy discussions initiated by staff to fulfill either legal requirements or operational efficiencies.

Staff will present the results of the 2021 matrix ([Attachment 1](#)) and an anticipated timeline for major policy discussion items for the 2022 calendar year ([Attachment 2](#)). Council will be able to provide input and direction on the 2022 policy item discussion list for further review and consideration. To provide a brief context of the items on the list here is a short description of each subject.

1st Quarter

ARPA/Measure R: Continuing the priorities discussion on both the American Rescue Plan Act (ARPA) and future Measure R expenditures.

Mobile Home Stabilization: Bringing back a rent stabilization ordinance for discussion or adoption. This follows Council direction provided in November 2021.

Homeless and Housing Initiatives: In addition to HOT Team enhancements, the team will present additional homeless housing options to gauge Council interest in pursuing. Including a conversation about future phases of the Mather Veterans Village and other veterans housing opportunities.

Mills Crossing Civic Center Pre-Development Agreement: Following Council from December 2021, staff will first engage with the public regarding the current development concept and return to Council for adoption of the next agreement that will allow us to proceed into the detailed design phase and predevelopment phases of the project.

City Manager Priorities: Continuing discussion of City Manager priorities.

Transportation Development Impact Fee Update: The transportation development impact fee is enacted through Chapter 16.84 of the City's municipal code. It is an equitable means to ensure that future development contributes a fair share to new transportation improvements needed to support additional traffic. The program is updated on a regular basis to accurately reflect expected development and necessary improvements.

2nd Quarter

Community Enhancement and Investment Fund: Annual application review and process.

City Council Visioning for 2022: Annual visioning session for the City Council.

Coloma Road Update: Collaboration with the community to evaluate options to address unsafe driving behavior on Coloma Road.

Street and Asset Naming Final Policy: Conclusion of the discussion on the naming of streets and assets and report back from the City Council committee.

Flavored Tobacco: Council requested follow-up discussion on flavored tobacco.

3rd Quarter

Climate Action Plan (CAP) Adoption: By Q3 2022, all of the significant components of the CAP and the majority of the public engagement will be complete. The draft of the Climate Action Plan will be presented to Council.

Economic Development Strategic Plan: This Economic Development Strategic Plan will establish a unified vision and direction for the City that will set forth achievable, strategic economic development for the City over the next several years. The Plan will include extensive stakeholder input and data analysis to uncover Rancho Cordova's differentiating strengths and challenges, as well as, identifying specific goals and strategies to inform a tactical roadmap for economic development.

General Plan Amendments (Circulation, Environmental Justice, Land-Use): Beginning in 2022, staff will begin an effort to update various elements of the General Plan such as Circulation and Land Use. Additionally, per State law, jurisdictions are required to incorporate an Environmental Justice element into the General Plan when more than two elements are updated. The process to start working on the new element will begin in 2022 and will likely be completed in 2023.

Residential Over Paving Enforcement Issues: Staff will present a proposal to City Council to review on how to bring over paving violations into compliance. Currently staff is addressing over paving if caught prior to being installed, but is concerned with how to address the over paving that has been in place for several years.

Re-imagining the Office Park - Integrated Development: During 2022 staff will be working on an assessment of the City's current office parks, industry trends, and future expectations to determine strategies for keeping our office parks relevant and competitive. Some of those strategies will include looking at opportunities for new infill housing and other uses within the existing office areas and would need policy level input from the City Council.

4th Quarter

Comprehensive Zoning Code Update: The Zoning Code has undergone periodic updates but has not undergone a thorough review and update in several years. There are various ambiguities and/or areas within the code that require various determinations, as well as conflicting standards or standards that are outdated. These hurdles can delay projects or permits from being processed in a timely manner. Additionally, the City has numerous old County planning documents that need updating to reflect new development practices.

Storage/Shipping Container Enforcement Issues: Seeking clarity on proactive enforcement and consistencies.

Noise Standards Review: The City of Sacramento just did an overhaul on their noise standards and ordinance. They hired a consultant to assist. I think we take the same approach and incorporate some of the various conditions that we have discussed surrounding the issues related to the Flame to Fire.

Auto Uses on Commercial Corridors: Council has raised concerns about the number of automotive uses that locate on major corridors such as Sunrise Blvd. The topic would be presented as a work session for further discussion and direction.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. 2021 Council Workshop Priorities
2. Council 2022 Policy Item List

Council Policy Discussions – Anticipated Timeline 2021

	Council Requests	Staff Policy Work	Other Major Topics
MARCH	Climate Action Plan Kick Off 3rd Party Food Delivery Discussion	Animal Ordinance Updates Emergency Shelter rezone for M-1	Civic Center RCPD Update
APRIL	Affordable Housing Strategy		CEF Application Review
MAY		Multi Family Design Book Finalization General Plan Amendment – Housing Element Finalization and clean up	CEF Application Review 2021-23 Budget Review
JUNE	Planning Commission Follow-up	Zoning Code Update (Parking/Convention Center Overlay)	2021-23 Budget Adoption
JULY	Street Naming Discussion		Civic Center
AUGUST	Mobile Home Strategy Report Back Planning Commission Discussion (2nd)	SB 743 Guidelines Consideration	RCPD Update
SEPTEMBER	CM Review (CA)		
OCTOBER	Commercial Real Estate Signs Climate Action – Community Engagement Plan		
NOVEMBER	<u>Auto Uses on Commercial Corridors</u>		RCPD Update Civic Center
DECEMBER		<u>Integrated Development in the Office Park</u>	
PENDING ITEMS – NO TIMELINE YET IDENTIFIED	- Council Committees Goals - County 2X2 - LAFCO - SACOG - Regional Sanitation Electric Charging Stations	- Storage/Shipping Containers Enforcement Issues - Security Park – Special Planning Area - Residential Over Paving Enforcement Issues	

*List does not include Development Projects or other regular Council Actions

Council Policy Discussions – Anticipated Timeline 2022

Q1	Q2	Q3	Q4
ARPA/Measure R*	ARPA/Measure R*	Climate Action Plan Adoption (CAP)*	Comprehensive Zoning Code Update*
Mobile Home Stabilization	CEIF – Application Review*	Economic Development Strategic Plan	Storage/Shipping Container Enforcement Issues
Homelessness and Housing Initiatives	City Council Visioning for 2022	General Plan Amendments (Circulation, Environmental Justice, Land-Use)*	Noise Standards Review
Mills Crossing Development Agreement	Coloma Road	Residential Over Paving Enforcement Issues	Auto uses on Commercial Corridors
City Manager Priorities Review	Street and Asset Naming Final Policy	Re-imagining the Office Park: Integrated Development	
Transportation Impact Fee Update	Flavored Tobacco		

Pending Items

- Council Committees Goals (Sacramento County, LAFCO, SACOG, Regional Sanitation)

*Will likely require multiple meetings

MEMORANDUM



ITEM 12.2.

DATE: January 3, 2022
TO: Honorable Mayor and Council Members
FROM: Adam Lindgren, City Attorney
SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA APPROVING A 5% PERFORMANCE INCENTIVE PAYMENT FOR CYRUS ABHAR FOR SERVICE AS CITY MANAGER**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will authorize payment of the 5% performance incentive payment.

BACKGROUND

Cyrus Abhar has served as the City Manager for the City of Rancho Cordova since November 2, 2015. The City Council conducted closed sessions to evaluate Mr. Abhar's performance, and to receive information and provide direction regarding his salary and benefits package. The City Council unanimously agreed that the City Manager's overall performance in 2021 was "exemplary."

Consistent with the terms of the City's employment agreement with the City Manager, the Resolution before the City Council approves the 5% performance incentive payment (\$13,800.06) to be paid immediately based on the City Council's conclusion that Mr. Abhar has displayed an exemplary performance and succeeded in achieving the specific objectives previously established by the City Council.

Before taking final action, the City Council will orally report a summary of the recommended actions on City Manager pay and benefits during this open session of a regular council meeting.

FISCAL IMPACT AND FUNDING SOURCE

Various.

ATTACHMENT(S)

1. Resolution City Manager Performance Bonus 2021

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, REGARDING THE PERFORMANCE EVALUATION AND INCENTIVE PAYMENT FOR CYRUS ABHAR FOR SERVICE AS CITY MANAGER

WHEREAS, Cyrus Abhar has served as City Manager for the City of Rancho Cordova since November 2, 2015; and

WHEREAS, the City Council approved an amended and restated employment agreement ("Agreement") with Cyrus Abhar ("City Manager") on November 5, 2018; and

WHEREAS, Section II(A)(1) of his Agreement allows up to a 5% performance incentive benefit, in addition to his salary; and

WHEREAS, the City Council conducted a performance evaluation of City Manager in closed session at its September 28, 2021 meeting and subsequently met in closed session on December 20, 2021 to discuss labor negotiations related to the City Manager; and

WHEREAS, on September 28, 2021, it was reported out of closed session that the City Council unanimously agreed that the City Manager's overall performance in 2020 was "exemplary"; and

WHEREAS, following the performance review and labor negotiations, the Council directed that an item be placed on the City Council agenda for the Council to consider awarding the City Manager the maximum performance incentive pay available for 2021 based on his performance, as demonstrated by his success in meeting the specific objectives established by the City Council.

NOW THEREFORE BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA resolves that City Manager, Cyrus Abhar, shall be awarded a performance incentive for his exemplary 2021 performance in the amount of \$13,800.06.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 3rd day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ITEM 12.2.

ATTACHMENT 1

Donald Terry, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk