



City of Woodland

Meeting Agenda

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695

530-661-5820

Thursday, April 7, 2016

6:30 PM

Council Chambers

Please Note: The numerical order of items on this agenda is for convenience of reference; items may be taken out of order. No new items shall begin after 10:30 pm unless unanimous consent exists to continue.

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Staff and Commissioner Comments

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting..

E. Subcommittee Reports

F. Communications from the Public

This is an opportunity for the public to speak to the Commission on any item other than those listed for public hearing on the agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Commission may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

H. Public Hearing

[16-429](#)

Prudler Tentative Subdivision Map Project (PLNG 14-00090): A request to amend the General Plan and Spring Lake Specific Plan, rezone the project site, and approve a Tentative Subdivision Map (TSM #4856) and Development Agreement to allow the development of 183 detached single-family units in two phases and a 1.46 acre park, on an approximately 38-acre site in the City of Woodland.

The proposal will include recommendation for:

- Certification of the Environmental Impact Report (EIR) and adoption

of the Mitigation Monitoring and Reporting Plan (MMRP);

- Adoption of Findings of Fact and Statement of Overriding Considerations;
- Amendment to the General Plan Circulation Element to reduce the segment of East Street, located south of the County Fair Mall to CR 24A, from four lanes to two lanes;
- Amendment to the General Plan Land Use Map to re-designate the site from General Commercial (GC) to Low Density Residential (LDR), 3-8 dwelling units/acre;
- Amendment to the Spring Lake Specific Plan (SLSP) to modify the East Street cross-section design to reduce the median width from 45 feet to 18 feet and to reduce the number of lanes from four to two for the road segment located south of the County Fair Mall to CR 24A;
- Rezone from General Commercial (C-2) to Single Family Planned Development (R-1) and adoption of Planned Development Standards (PD);
- Approval of Tentative Subdivision Map # 4856 to subdivide the 38-acre site into 183 residential lots and a 1.46 acre park site;
- Approval of a Conditional Use Permit for development criteria within the Planned Development Zone; and
- Approval of a Development Agreement.

Location: The subject property is located at the northeast corner of East Street and Sports Park Drive/County Road (CR) 24A.

Applicant/Owner: Yolo Residential Investors, LLC., 2625 Fair Oaks Boulevard #3, Sacramento CA 95864

Environmental Report: Environmental Impact Report (SCH #2014122036)

APN: 041-070-042-0000

Project Planner: Cindy Norris, Principal Planner
Cindy Gnos, Raney Planning & Management, Contract Planner

Report For: Planning Commission Hearing April 7, 2016

Staff Recommendation: Recommend City Council Approval subject to Conditions

Attachments: [1 PC Resolution for the Prudler TM Project](#)
[2 Exhibit A CC CEQA and Exhibit A1 & A2](#)
[2 Exhibit A1 - Findings of Fact and Statement of Overriding Considerations.doc](#)
[2 Exhibit A2 - Mitigation Monitoring and Reporting Plan.pdf](#)
[3 Exhibit B - CC GP Amend Resolution](#)
[3 Exhibit B1 - GP Circulation Element Amend](#)
[3 Exhibit B2 - GP Land Use](#)
[4 - Exhibit C - CC SPA Resolution.docx](#)
[4 Exhibit C1 - SL Plan Amendment Exhibit](#)
[5 Exhibit D CC Ordinance to Rezone & PD Standard Ordinance](#)
[5 Exhibit D1 - Rezone Exhibit](#)
[5 Exhibit D2 Planned Development Map and Standards.pdf](#)
[6 Exhibit E TM and CUP Resolution](#)
[6 Exhibit E 1 - Tentative Subdivision Map # 4856 \(4 sheets\).pdf](#)
[6 Exhibit E 2 - Lot Matrix.pdf](#)
[6 Exhibit E 3 - Landscape Plan and Tree Removal Plan 2006 \(2 sheets\).pdf](#)
[7 Exhibit F - CC DA Ordinance](#)
[7 Exhibit F-1 - Development Agreement.doc](#)
[8 Exhibit G to PC reso \(Exhibit C to DA\) - Conditions of Approval v 3.30.16.docx](#)
[9 Letter from Victor Rodriguez, Gen Mgr County Fair Fashion Mall 2.3.16](#)

I. Business Items

Items for Planning Commission discussion and/or action that do not require public hearing.

[16-408](#)

SUBJECT: Public Art Ordinance Framework - Artist
Definition/Qualifications
DATE: April 7, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission review and provide input concerning the draft definition and qualification criteria of a qualified artist in context of a proposed public art ordinance framework.

[16-424](#)

SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

Attachments: [A - PC Long Range Calendar Prepared 3/31/16](#)

J. Staff or Commissioner Comments

Continued as needed.

K. Adjournment

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #:	16-429	Version:	1	Name:	
Type:	Public Hearing Item	Status:		Agenda Ready	
File created:	3/30/2016	In control:		Planning Commission	
On agenda:	4/7/2016	Final action:			
Title:	Prudler Tentative Subdivision Map Project (PLNG 14-00090): A request to amend the General Plan and Spring Lake Specific Plan, rezone the project site, and approve a Tentative Subdivision Map (TSM #4856) and Development Agreement to allow the development of 183 detached single-family units in two phases and a 1.46 acre park, on an approximately 38-acre site in the City of Woodland.				

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Sponsors:

Indexes:

Code sections:

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Date	Ver.	Action By	Action	Result
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Planning Commission April 7, 2016

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The proposal will include recommendation for:

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Staff Recommendation: Recommend City Council Approval subject to Conditions

General Plan Designation (existing): General Commercial

Existing Land Uses: Vacant and farmed

Flood Zone: X - Area Outside the 2% Annual Chance Flood Event, FIRM Community Panel Number - 06113C0445H Revised May 16, 2012

Street Access: East Street and Sports Park Drive

Adjacent Land Uses & Zoning:

DIRECTION

LAND USE

ZONING

North	Commercial, Mall	General Commercial (C-2)
South	Community & Senior Center	Open Space (O-S)
East	Single Family Residential	Spring Lake Specific Plan (SLSP)
West	Single Family Residential, Multi-Family Residential, & Park	Single Family (R-1), Multiple Family (R-M), & Open Space (O-S)

Pending/Potential Action

Staff recommends that the Planning Commission take action on the following:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Adopt Resolution No. PC16-_____ recommending to the City Council certification of the EIR and adoption of the Mitigation Monitoring and Reporting Plan (MMRP), approval of amendments to the General Plan and Spring Lake Specific Plan, the rezone of the site and adoption of Planned Development Designation, a Conditional Use Permit for development criteria within the Planned Development, a Development Agreement and approval of the Tentative Subdivision Map No. 4856 to subdivide the 38-acre site into 183 residential lots and a park site, based upon the Findings of Fact and subject to Conditions of Approval.

Project Site Description:

The project site encompasses approximately 38 acres in the General Commercial zoning area. The current City of Woodland General Plan land use designation for the project site is General Commercial. The site is located on leveled terrain with the elevation of the site ranging from approximately 57 to 65 feet above mean sea level. The project site is currently vacant and is located in a developed area within Woodland. A majority of the site supports leveled cropland that was planted in corn and has been farmed on an annual basis. Disturbed ruderal areas (plants growing in disturbed areas or along roadsides) are located immediately around the field and along the surrounding roads. A series of older walnut trees are located on the east side of the roadway. State Route 113 (SR 113) is located east of the project site.



The site is bordered by County Fair Mall to the north, existing single family residential to the east, and a mix of uses to the west including multi-family residential, single family residential, and Tredway Park, and Sports Park Drive/CR 24A and the Woodland Community and Senior Center and Woodland Sports Park to the south. In addition, the project site forms the north and east borders of the approximately two-acre Forrest property located at the northeast corner of East Street and CR 24A. The Forrest property contains two single-family residences and is zoned and designated for GC (General Commercial) use. The property is currently not included as part of the proposed project.

According to the City of Woodland General Plan Land Use Diagram the project site is bordered by lands designated LDR (Low Density Residential), MLDR (Medium Low Density Residential), and Open Space (OS) to the west, LDR to the east, Public Service (PS) to the south, and GC (General Commercial) to the north.

Background:

Since August of 2005, applications for residential use have been submitted for consideration on the subject site. A General Plan petition was submitted on August 18, 2005, with a formal application submitted by K. Hovnanian in April of 2006 for a 267 unit single-story senior housing development proposal for an attached and detached product as well as a club house and HOA (homeowners association) with a proposed density of 7 dwelling units per acre. K. Hovnanian withdrew its application due to economic and market concerns. A revised application was submitted by Yolo Residential Investors in August 2008 for a similar project, and work progressed on this application through August of 2010. At that time it was put on hold. On January 18, 2013,

the same applicant submitted an amended application, which included an initial proposal for 204 units to be developed in two phases with Phase I proposing 86 lots with minimum lot widths of 60 feet, similar to a Spring Lake R-5 product, and Phase 2 proposing 118 lots with minimum lot widths of 45 feet, similar to a Spring Lake R-8 product. The final proposed project includes 183 units with an overall density of 5.36 units per acre. The number of units in the project was reduced in order to accommodate the City's request that a neighborhood park be provided within the development.

On September 13, 2006, project plans and an arborist report were reviewed by the Parks and Recreation Commission Urban Forest Subcommittee, and subsequently by the Parks and Recreation Commission. At that time it was determined that the walnut trees along East Street were in poor health and that none were Heritage, Specimen or Landmark trees. The trees were approved for removal subject to replacement planting requirements consistent with the City's Tree Preservation Ordinance and are so noted in the MMRP and Conditions of Approval. Submittal of a final tree planting plan and/or payment of in lieu fees will be required.

Project Proposal:

The Yolo Residential Investors, LLC application proposes: 1) a General Plan Amendment to amend the Circulation Element and Land Use Designation; 2) a Spring Lake Specific Plan Amendment of the East Street Road Section; 3) a Rezone of the project site from C-2 to R-1/PD and adoption of Planned Development Standards; 4) a Conditional Use Permit for development within the PD Zone; 5) a proposed Tentative Subdivision Map #4856 for 183 single family lots and a 1.46 acre park site; and 6) a Development Agreement.

General Plan Amendment Request

The applicant is requesting a General Plan Amendment of the project site from GC to LDR (**Attachment 3**). The LDR designation allows for residential densities ranging from 3.0 to 8.0 units per acre. The proposed development includes a density of 5.36 units per acre. Additionally, the General Plan Circulation Element would be amended to include a reduction in the width of East Street from four to two lanes. The proposal to amend the Circulation element is consistent with direction the City is moving to as part of the General Plan update as discussed in the December 15, 2015 City Council workshop on Circulation and Transportation, (as further discussed in the "Circulation" subsection "General Plan Consistency" below).

Spring Lake Specific Plan Amendment Request

The SLSP would be amended with reference to the median on East Street as well as a proposed reduction from four to two lanes (**Attachment 4, Exhibit C1**). The SLSP currently includes a street cross section with a 45-foot median on East Street adjacent to the proposed property. This street section was originally designed to accommodate the trees on the east side of East Street adjacent to the proposed project site. The applicant is proposing to retain a median, but to reduce the width to 18 feet with one travel lane in each direction along with a Class II bike lane. On the east side of the East Street, adjacent to the proposed subdivision, there would be an additional 33 foot landscape corridor consisting on an 8-foot landscape strip, a 10-foot path, and an additional 15 feet of landscaping providing for an attractive improved streetscape.

Rezone Request

The applicant is requesting a rezone of the project site from C-2 to R-1/PD with the adoption of Planned

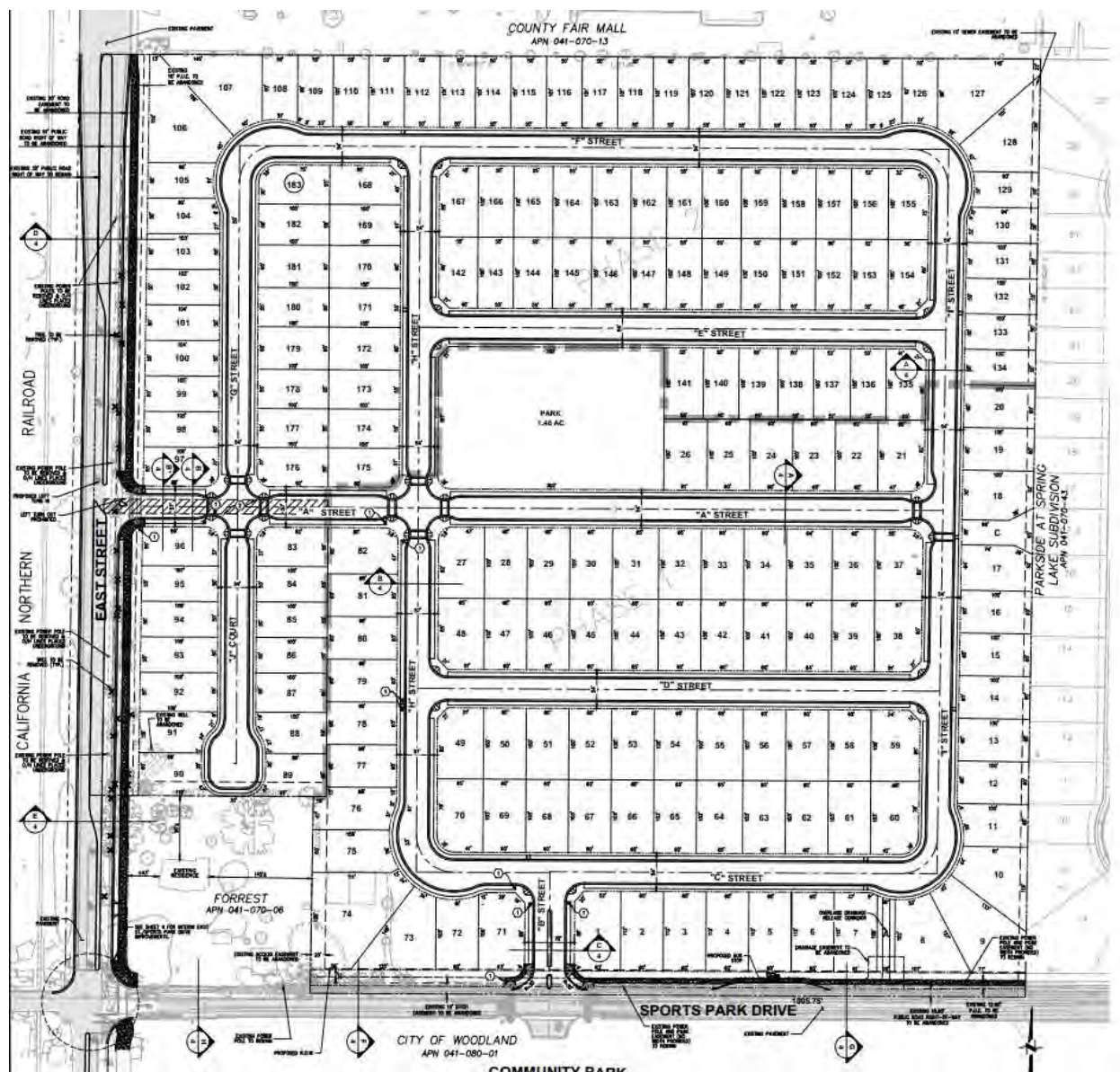
Development Standards. The purpose of the Planned Development (PD) overlay zone is to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments not otherwise possible through strict application of zoning regulations. The proposed Development Standards are included in the Planned Development Exhibit provided in **Attachment 5**.

Conditional Use Permit Request

The applicant is requesting a Conditional Use Permit which is required for development within the PD overlay zone (**Attachments 5 & 6**). The Development Standards are adopted as part of the PD zoning designation. Specific designs for the homes have not been submitted and will be the subject of a future application for Planning Commission review.

Tentative Subdivision Map Request

The applicant is requesting the approval of a Tentative Subdivision Map to allow the development of 183 detached single-family units on an approximately 38-acre site (**Attachment 6**). The proposed project would be developed in two phases. The first phase would include development of 82 units with minimum lot widths of 60 feet (similar to a Spring Lake R-5 product), the 1.46 acre park, and internal roadway improvements. The second phase would include development of the remaining 101 units with minimum lot widths of 45 feet (similar to a Spring Lake R-8 product) and internal roadway improvements. The average density overall would be 5.36 dwelling units per acre. The internal streets, street lighting, and underground utilities in the proposed development would be publicly-owned and maintained by the City of Woodland. All access to the site would be from East Street to the west and Sports Park Drive to the south.



The following off-site improvements are included as part of the proposed project:

1. Construction of East Street improvements between the project site and the East Street/Sports Park Drive intersection (along the Forrest property frontage) for a distance of approximately 250 feet, including widening of the east side of the existing paved section.
2. Construction of improvements between East Street and Sports Park Drive (along the Woodland Sports Park property frontage) for a distance of approximately 270 feet, including widening of the east side of the existing paved section. Enhanced landscaping will be provided on the south side of Sports Park Drive.
3. Modifications to the signal at the East Street/Sports Park Drive intersection to accommodate left turn movements, minor adjustments to signal location, and reconstruction of curb and gutter. (See sheet 4 of TSM #4856, Attachment 6).

Development Agreement Request

Resolution No. 3542, adopted on May 15, 1990, established procedures for the consideration of Development Agreements in Woodland. These procedures essentially parallel the requirements of Section 65864 *et seq.* of the Government Code. Development agreements allow the City to negotiate the vesting of certain development rights for the applicant in exchange for benefits to the City that might not otherwise be required of a developer. Further, state law allows local agencies and developers to negotiate the payment of development fees in the context of a Development Agreement, regardless of whether the local agency has previously adopted a general ordinance imposing the same fee. Development Agreements, like adoption of City wide fee ordinances, are legislative acts that are approved by ordinance. See *Government Code* §65867.5(a). This requirement ensures that the fee agreement embodied in the Development Agreement is subject to public notice and hearing, along with the availability of referendum rights.

The proposed Development Agreement (**Attachment 7**) is valid for a term of 10 years with the option for two (2) 2-year extensions (14 years in total). The Development Agreement outlines park dedication and improvement requirements, requires 10 percent of the subdivision to contain single story homes, requires universal design features on all homes, and requires a minimum of 10 percent of the homes to provide solar with the remaining homes to be photovoltaic ready. In addition, the Development Agreement requires the developer to enter into an inclusionary housing agreement and to establish two Community Facility Districts (CFDs) to fund new services as a result of the project, including lighting and landscape maintenance, park maintenance and increased sports park maintenance. An attachment to the Development Agreement (**Attachment 7, Exhibit D**) outlines the project fees and public benefit contributions.

The following key provisions are contained in the Development Agreement:

Fees and Public Benefit Improvements:

The project will be required to fund necessary fees and project improvements, the majority of which will provide for annual adjustments for inflation. The following is a summary of fees and funded improvements included within the Development Agreement:

- Development Impact Fees - \$26,031 per unit
- Road Improvement, Fire Operation and Maintenance, Public Transit Fees: \$1,918 per unit
- General Purpose Fee - \$12,700 per unit
- Hwy 113 Overcrossing Fee - \$1,100 per unit, or a one time payment of \$183,000
- Spring Lake Infrastructure Reimbursement \$1,266,591
- Reimbursement to Standard Pacific for utility improvements - \$309,282
- West Regional Pond Contribution - \$177,000
- Neighborhood Park dedication and improvement costs - \$699,000 estimated value
- Complete landscaping to the south side of Sports Park Drive - \$160,000 estimated value
- Signal improvements to the Gibson Rd/Matmor Rd intersection (TBD)

Universal Design Requirement:

The project has been conditioned to include Universal Design features in all homes. Universal Design, otherwise known as multi-generational housing, provides features that make homes accessible for the young, old, healthy and infirm. Improvements may include items such as wider doorways, wider hallways, roll-in showers, and reinforced towel bars, as example. **Attachment F** to the Development Agreement provides a list of the minimum requirements to be provided in the future homes.

Public Art Requirement:

The project has been conditioned to provide public art either on site within the neighborhood park, or through the payment of an in-lieu fee. The public art amount for the 38 acre site is \$15,000.

Affordable Housing In-Lieu Fee:

In accordance with the City's Affordable Housing Ordinance 6A, the applicant must provide ten (10) percent of the units as affordable to low income households. The applicant and City recommend allowance for the payment of fees in-lieu of providing actual constructed units to meet the affordability requirement. This is similar to the recent approvals in Spring Lake for the Spring Lake Central and Cal West projects. The proposed in-lieu fee amount is \$620,040 or \$3,388 per unit. The formula is based on a sliding scale that relates to density, the idea being that the higher density product inherently provides greater affordability and is typically less expensive. The project requires eight (8) R-5 affordable units (8 x \$40,000) and ten (10) R-8 units (10 x \$30,000). Discussion regarding the findings for the recommendation of an in-lieu fee is provided later in the report in the section on Affordable Housing Ordinance 6A.

Community Facility Districts/Fiscal Deficit:

Two Community Facilities Districts (CFDs), for the provision of public services, will be required for the project as outlined below:

- The Developer shall join the existing CFD for the operations and maintenance of the Sports Park.
- The City and Developer shall form a new CFD to address the project fiscal deficit to the general fund, as well as to cover the costs for maintenance for the neighborhood park, green spaces and landscaping, as well as to cover landscaping and lighting on the south side of Sports Park Drive and East Street.
- The project as proposed is estimated to have an annual net fiscal loss to the general fund of \$70,821, or \$387 per unit per year. The City and Developer shall form a new Community Facilities District ("CFD") to pay for additional services and service deficits that will result from the project, including but not limited to increased maintenance costs for the new neighborhood park, new green spaces, and additional landscaping and lighting on the south side of Sports Park Drive and East Street. The CFD shall be in place prior to approval of the first final map for the project.

Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Three methods of public notice were used:

- Legal notice was published in the Woodland Daily Democrat on or before March 28, 2016.
- Notices were mailed to all property owners within the Spring Lake Standard Pacific Development area and within 300 feet of the project site.
- Copies of all notices and reports were provided electronically to Spring Lake neighborhood representatives for general distribution and posted on the Spring Lake Facebook page.

Copies of this staff report were made available April 1, 2016.

Applicable Laws, Codes & Ordinances

The project is subject to several laws, codes and ordinances:

- The California Environmental Quality Act (CEQA)
- The City of Woodland General Plan (including the Housing Element)
- The City of Woodland Zoning, Subdivision, Tree Preservation and Affordable Housing Ordinances
- Spring Lake Specific Plan (for the East Street right-of-way only)
- City of Woodland Community Design Standards

Review Agency Comments

The application was circulated for review by agencies of jurisdiction. The comments from Development Engineering, Housing, Building, Fire, and Police, have been incorporated as Conditions of Approval and/or mitigation measures.

Staff Analysis

Staff supports this project, subject to the recommended provisions in the Development Agreement and conditions of approval, and provides the following analysis:

General Plan Consistency

Land Use

The current General Plan designation for the project site is General Commercial (GC), which includes retail, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses. The GC designation on the site was originally intended to serve as an expansion of the County Fair Mall. The applicant is requesting a General Plan Amendment of the project site from GC to Low Density Residential (LDR). The LDR designation provides for single-family detached homes, with a density range of 3.0 - 8.0 units per acre. The proposed project would include an average density of 5.36 units per acre, which is consistent with the LDR designation. Two product types are proposed by phase with Phase I having a density of 4.86 units per acre, and Phase II having a density of 5.85 units per acre. In addition, the proposed project includes an amendment to the Circulation Element to reduce the number of lanes from four to two for the section of East Street that is adjacent to the project site from south of the County Fair Mall to Sports Park Drive/County Road 24A. The General Plan Amendment diagram is found in **Attachment 3, Exhibit B-2**.

The project would change a non-residential designation to a residential use. The change in General Plan designation would not create conflicts with the existing and planned residential uses to the east and west and would potentially reduce impacts to those uses as compared to development of the site under the GC General Plan designation.

Policy 1.G.4 states that *“The City shall promote the expansion of County Fair Mall to the south along East Street.”* However, due to market conditions and demographic factors, it does not appear that this policy would be achievable during the planning horizon of the General Plan. Strict adherence to this policy, and the resulting maintenance of a commercial designation for the site, would continue the status quo, of a vacant and underutilized parcel within the City. Adhering to the policy would also hinder the attainment of other goals of the General Plan. The Guiding Principles of the General Plan calls on the City to “promote the provision of adequate housing including a variety of housing types for all persons in the community regardless of income, age, gender, race, or ethnic background.” The proposed project would implement this principle by providing a variety of housing types that are located adjacent to the Community and Senior Center, the County Fair Mall, and a variety of other amenities.

In addition, Policy 1.E.1 states *“...The City shall strive to avoid creating an oversupply of commercially-designated land to prevent the dilution or deterioration of currently viable commercial areas.”*

The General Plan was designed to provide adequate land for commercial and residential development until the year 2020. The fiscal analysis conducted for the formerly proposed residential project showed that development of the project site for commercial use may not occur for over 20 years. Therefore, it is anticipated

that an oversupply of commercially-designated land exists in the project area under the current market conditions. As a result, re-designation of the project site would be consistent with the economic and social needs of the community.

General Plan Policy 1.B.2 states, The City shall require residential project design to reflect and consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses. Residential densities and lot patterns will be determined by these and other factors. As a result, the maximum density specified by General Plan designations or zoning for a given parcel of land may not be realized.”

In addition, multiple policies in the General Plan support infill development that is consistent with the needs of the community, reflective of existing neighborhood character, and consistent with efforts to maintain a positive fiscal balance for the City. These policies include the following:

Policy 1.A.3 - The City shall designate land for development consistent with the needs of the community and consistent with its efforts to maintain a positive fiscal balance for the City.

Policy 1.A. 6 - The City shall promote infill development and reuse of underutilized parcels in a manner compatible with the character of the surrounding neighborhood.

Policy 1.B. 5 - The City shall require new and infill development to reflect existing neighborhood scale and character.

The General Plan also has policies relating to infill density. However, rather than being mandated infill density is to be assessed on a case by case basis to determine whether it will assist in the reuse of a property. There have been various residential project proposals for this site since 2006. Until this latest proposal, project applicants were unable to develop a project that would succeed from a market perspective. Further, while single family uses create a net fiscal loss to the city, multi-family creates an even greater burden on general fund services. The project as proposed will create an annual net loss to the City's General Fund. The project Development Agreement includes provisions requiring a fiscal deficit fee be provided per unit through a Community Financing District (CFD) (**Attachment 7**).

Policy 1.B.6 - The City shall continue to look for infill opportunities, including increased densities, if it will assist in appropriate reuse of properties.

Policy 1.B.7 - The City shall encourage multi-family housing to be located throughout the community, but especially near transportation corridors, Downtown, major commercial areas and neighborhood commercial centers.

While the project is located adjacent to the Yolo Bus transit center, this use may not remain at this location over the long term. A more centrally located transit center for the city is desired. The project may attract a higher than typical occupancy by senior households due to its proximity to the Community and Senior Center and the incorporation of universal design features, as required in the Development Agreement.

1996 General Plan Growth Management Policies:

The 1996 General Plan included a population limit for the 2020 horizon year. Due to the difficulty in tracking population, the growth management cap was modified in May of 2005 to allow 5,000 single family units in new planned neighborhoods by the year 2020 in anticipation of the build out of Spring Lake and the Master Planned Remainder area. Resolution No. 4636 set forth revised policy 1.A.7 but specifically exempted infill

development by stating, “The intent is not to limit infill and multi-family development, including multi-family development approved in planned neighborhoods.”

This subject property was annexed to the City in July 1999 along with the adjacent 40 acre parcel to the east, known as Parkside at Spring Lake (developed by Standard Pacific). While the General Plan does not include a definition for infill, Section 21061.3 of the CEQA statute contains a definition for infill as follows:

“(a) (1) “ *The site is immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed, with qualified urban uses and the remaining 25 percent of the site adjoins parcels that have previously been qualified for urban uses.*”

Therefore, as a qualified infill site, this site is not subject to the City’s growth cap.

Housing Element Consistency

The site is not identified in the Housing Element on the inventory of available sites to provide high-density and/or affordable housing units. Therefore, the site was not included in the Housing Element. The development of the proposed project would not impede the City’s ability to provide affordable housing units outlined in the Housing Element. In addition, per the Development Agreement, the project is required to enter into an Inclusionary Housing Agreement in compliance with the City’s Affordable Housing Ordinance 6A. Therefore, the project is consistent with the Housing Element of the General Plan.

Voter Approved Urban Limit Line Initiative

The City of Woodland’s voters approved an initiative in June 2006 known as the “City of Woodland Voter Approved Urban Limit Line Act” (The Act). The initiative amended the City’s General Plan to create a permanent and complete urban limit line. The four purposes of the Act are stated as follows:

1. To amend the General Plan to create a permanent and complete urban limit line.
2. To preserve and protect agricultural, natural resource, and open space uses on lands outside the permanent urban limit line.
3. To allow Woodland to meet its housing needs for all economic segments of the population in an environmentally sound manner.
4. To allow Woodland to provide high quality and reliable public service and infrastructure for its citizens.

As part of the initiative, General Plan Policy 1.B.6 was amended to state (unless amended by a future vote), the following:

Policy 1.B.6 - The City shall continually reevaluate residential land use densities, housing policies, and zoning to determine the potential for increased residential densities for both infill sites and underdeveloped land within the permanent urban limit line. The City shall continually review existing non-residential zoning to determine potential for conversion to higher density residential uses within the permanent urban limit line.

In an effort to address this and other policy issues, the City has undertaken a General Plan update in which growth and density of development are evaluated on a citywide basis and in particular in the Downtown and along key corridors. Policies to further encourage infill development of all types will be addressed. In addition, early planning has begun for a future planned community that will adjoin the Spring Lake Planning Area to the south and west. Consideration of higher density and mixed uses, as well as job generating uses near the interchange, is currently being evaluated as part of the specific planning process. Locating higher density

residential adjacent to Business Park planned uses will hopefully create a desirable mixed use environment conducive to the research/technology sector and attractive to university related uses.

Further, the City continues to encourage and allow the proposed development of higher density residential in locations and in a manner that will facilitate high quality planning and ensure the best management of such properties. This is best evidenced by the recent up-zoning of 9.3 acres of land within the Spring Lake Central Village Center project and the Mercy Housing Project on Beamer and Cottonwood.

Circulation

The proposal to amend the General Plan Circulation Element to include a reduction in the width of East Street from four to two lanes is consistent with the direction the City is moving to as part of the General Plan 2035 Update. The December 15, 2015 City Council workshop on Circulation and Transportation recommended that the General Plan Level of Service (LOS) standard be reduced from a LOS C to LOS D citywide. The purpose of this modification is to better utilize the existing transportation network and better accommodate alternative modes of transportation. Fewer lanes will enhance the bike and pedestrian experience as well as urban design.

The typical Level of Service (LOS) standard “C” is designed specifically to address ease of automobile movements and does not take into account alternative modes of transportation or other factors. Therefore, when looked at in isolation, LOS can lead to roadway expansions that reduce safety for bicycles and pedestrians. First, it focuses on a social impact (driver delay), rather than an environmental impact. Second, roadway widening is the typical mitigation for projects. However, wider roads can actually result in adverse environmental, public health, and fiscal impacts. Wider roads are more expensive to maintain and enable driving at faster speeds, which leads to more pollution, noise, and higher risks to bicyclists and pedestrians. These concerns, among others, have led some cities to accept low LOS ratings or to move away from level of service entirely as a measure of transportation impacts. In fact, recent state legislation (SB 743 [2013]) requires the State CEQA Guidelines to use alternative criteria rather than auto delay for assessing environmental impact. The future General Plan will use multiple criteria to measure environmental impacts, most important of which will be vehicle miles traveled (VMT). The transportation CEQA portion of the General Plan EIR will likely be evaluated differently once the General Plan is adopted.

The affected area, as shown in **Attachment 3, Exhibit B-1**, includes the road segment adjacent to the project on East Street from Sports Park Drive north to south boundary with the County Fair Mall. East Street along this segment will be improved to include an 18-foot median, with turn pockets, one travel lane in each direction with a Class II bike lane. The East side of the street will be improved to include an 8-foot landscape strip, a 10-foot path, and additional 15-feet of landscaping.

It should be noted that the current General Plan includes the following policy:

The City shall develop and manage its roadway system to maintain LOS "C" or better on all roadways, except within one-half mile of state or federal highways and freeways and within the Downtown Specific Plan area. In these areas, the City shall strive to maintain LOS "D" or better. Exceptions to these levels of service standards may be allowed in infill areas where the City finds that the improvements or other measures required to achieve the LOS standards are unacceptable because of the right-of-way needs, the physical impacts on surrounding properties, and/or the visual aesthetics of the required improvement and its impact on community character.

The project site is considered infill, which under this policy may allow an exception to the LOS standards. However, because the General Plan 2035 Update has not yet been adopted which would

provide certainty on this matter, the project environmental review in the Draft EIR utilized a conservative approach, rather than taking the possible infill exemption as stated in the policy, which resulted in the project impacts being significant and unavoidable. The purpose for this was to provide full disclosure. Staff believes that the impacts will be negligible and that the project infrastructure improvements will significantly improve this portion of East Street now and in the long term. Pedestrian access will be improved and bike lanes will provide multi-modal access to a future planned bike overcrossing in this immediate area.

Processing Projects During A General Plan Update

The City is not restricted from processing General Plan Amendments during the process of updating the General Plan. The City Council has not imposed a moratorium on development applications and has in fact taken action on General Plan Amendments during the course of the update.

The determination of General Plan consistency ultimately rests with the City Council. Therefore, upon the approval of the General Plan Amendment, the proposed project would be consistent with the City's General Plan.

Tentative Map Review

The subject property is comprised of 183 detached single-family units and a 1.46-acre park on an approximately 38-acre site (**Attachment 6**).

Because the proposed project is requesting a Planned Development overlay, the standard zoning requirements do not apply. In addition, the site is not located within the SLSP, so the SLSP development standards do not apply to the site. Staff has, however, provided a comparison to some of the SLSP development standards below.

Lot Width - SLSP Development Regulation 2.35.5 states that lot widths along a block shall be varied. The Planned Development Standards include a minimum of 41 feet and a maximum of 70 feet in width for Phase 1 (61-foot average). Phase 2 identifies a minimum of 49 feet and maximum of 60 feet in width (53 foot average). Significant variation in lot widths on each block do not occur. Staff has included a condition of approval (COA #21), which states that where there are groupings of lots where lot width do not vary (5 lots in a row of the same width), then enhanced variability in unit design and setbacks shall be provided. This will be evaluated at the time of architectural design review.

Block length - SLSP Development Regulation 2.34 and Table 2.4 lists the block length in the R-4 zone as 400 to 600 feet desirable with a maximum of 910 feet; the R-5 zone as 400 to 600 feet desirable with a maximum of 840 feet; R-8 zone as 400 feet desirable with a maximum of 600 feet. The goal is to not exceed 10 homes on one side of the block. The proposed Planned Development Standards do not include any restriction on block length.

Staff has provided a condition (COA #34) that requires the applicant to provide further design enhancements to reduce the visual appearance of a long unbroken residential block. Significant variation in home front design, landscaping and hardscape shall be provided to help create variety and interest on these longer segments (more than 10 homes). This will be evaluated at the time of architectural design review. In addition, traffic calming features have been conditioned on the longer blocks.

Back-on Lots - SLSP Development Regulation 2.35.2 provides that *Residential lots shall avoid, to the greatest feasible extent, backing on to greenbelts*. The proposed lot layout does not result in any lots backing-on to

parks or greenbelts.

Cul-de-Sac Calculation - SLSP Development Regulation 4.8 states that a grid system is encouraged, although a modified grid is acceptable with the goal of not more than 50 percent cul-de-sacs in a subdivision. The proposed subdivision provides only one cul-de-sac in the subdivision.

Bicycle / Pedestrian Access - SLSP Development Regulation 2.24 requires access connections for bicycles and pedestrians to open space, parks, and subdivision trails. The map provides a connection to the adjacent Parkside at Spring Lake subdivision via Lot C. Access to surrounding areas is provided via the main access road on East Street and Sports Park Drive. (COA #27)

Energy Efficiency - SLSP Development Standard 2.25 requires five percent (5%) of all units to have roof photovoltaic energy systems or other alternative energy systems. Staff is recommending a condition (COA #22) to require that 10% of homes have photovoltaic (1.5 kV system) or other alternative energy systems. In addition, all homes shall be photovoltaic ready and have outlets on a dedicated circuit for electric vehicles in every garage.

Water Conservation Ordinance - The project shall comply with the City's Water Conservation Ordinance and any applicable state water conservation requirements. (COA #8)

Street Lights - Street lights proposed for the interior of the project will have a unique design separate from Spring Lake and will be LED with upper dark sky compliant shielding. (COA #14)

Fencing -

Privacy Perimeter Walls along Sports Park Drive and East Street Frontage: The walls along the East Street and Sports Park Drive Frontage shall be a masonry material designed and constructed consistent with the existing adjacent project walls along Sports Park Drive to the east. The design of the walls shall be submitted to the Community Development Department for approval prior to issuance of the first building permit. (COAs #16, 17,19, 23, 24, 25 and 26)

Privacy Fencing along the Forrest Property: The fencing adjacent to the Forrest property shall be of a masonry material and shall be submitted to the Community Development Department for approval prior to issuance of the first building permit.

Eastern Boundary Fencing: The eastern boundary of the subdivision, where it intersects with the existing Parkside at Spring Lake subdivision, shall have a masonry block retaining wall with a 6-foot privacy fence on top of the wall. Double fences will not be permitted, so the developer shall work with the adjacent property owners. The design shall be reviewed and approved prior to the issuance of grading permits.

Greenbelt Lot "A" and "C" Fencing. Fencing adjacent to lot "A" and "C" greenbelt paths shall be masonry, consistent in design with the adjoining privacy walls. The walls shall step down to three feet in height at the front setback.

The proposed project as conditioned is consistent with the City's development standards.

Mitigation Monitoring and Reporting Plan (MMRP)

The proposed project includes the adoption of the MMRP (Chapter 4 of the Prudler Tentative Subdivision Map Project Final EIR). As conditioned, the subject project will be consistent with all requirements of the MMRP. (**Attachment 2, Exhibit A-2**)

Consistency with Other Land Use Plans

The project site does not fall within the planning area of any other relevant specific plans, area plans, redevelopment plans, airport land use plans, or other such adopted land use plans of the City.

Zoning Ordinance Consistency

The current zoning designation for the site is General Commercial (C-2). Because the proposed project would be inconsistent with the C-2 designation, the applicant is requesting a rezone of the project site to R-1/PD, (**Attachment 5**). Permitted uses in the PD Zone includes any use or combination of uses and densities shown on the approved development plan that are arranged and designed to provide a development that is in conformity with the General Plan. The proposed Planned Development Standards establish the requirements for the proposed project.

The determination of Zoning Ordinance consistency ultimately rests with the City Council. Therefore, upon the approval of the rezone, the proposed project would be consistent with the City's Zoning Ordinance.

Planned Development and Conditional Use Permit

The proposed project includes the adoption of Planned Development (PD) Standards, which would be adopted as part of the PD zoning designation. The Planned Development Standards have been created with the intent to be more aligned with the SLSP Planned Development Standards. Staff has included **Attachment 5, Exhibit D-2**, which provides a map and listing of the proposed standards.

The purpose of the Planned Development Overlay Zone is to encourage a creative and efficient approach to the use of land, and to provide for greater flexibility in the design of integrated developments than otherwise possible through strict application of the zoning regulations. Permitted uses in the PD Zone include any use or combination of uses and densities shown on the approved development plan that are arranged and designed to provide a development that is in conformity with the General Plan. Development in the PD overlay requires approval of a Conditional Use Permit.

Subdivision Ordinance Consistency

Local builder requirements

Consistent with Section 21-15-1 of the City's Subdivision Ordinance to provide for the sale of lots to local building contractors, the project will be conditioned to include lots available to local builders. The intent of this regulation was to provide the opportunity for the local building community to participate in development in the City. The regulation provides for a process to allow the lots to be offered for a limited time (45-days) to local builders and have to be offered at a fair market price.

Dedication of Parkland and Facilities

Section 21-12-1 of the City's Subdivision Ordinance requires that a developer of residential land dedicate land to the City for parks and recreational purposes, pay to the City a fee in lieu thereof, or a combination of both, at the option of the City. Based on the formula provided in Section 21-12-2, this project would be required to

either dedicate or pay fees for the equivalent of 2.75 acres of land. Since the site is adjacent to the Community Center, which does not provide for neighborhood active play space, the City requested that the applicant both provide and improve a neighborhood park space. A 1.46 acre local neighborhood park is proposed. Based on an estimated cost per acre of \$200,000 and estimated costs for the park improvements, as set forth in the Development Agreement, the cost to the project will be \$669,000 for the park land and improvements, which exceeds the estimated land cost of \$550,000.

The project as conditioned is consistent with the City's Subdivision Ordinance.

Affordable Housing Ordinance 6A Consistency

It is Staff's recommendation that the best means by which to meet City affordability requirements is through the payment of the in-lieu fees for the following reasons:

- The payment of in-lieu fees provides greater certainty to the City and Applicant in defining the affordable housing obligation.
- Allows the City to focus resources on individuals and households with the greatest need and to target areas of greatest unmet need including the development of new low and very low income rental units, the preservation of existing affordable multi-family projects, the rehabilitation of existing low and very low income single family homes, and first-time homebuyer assistance citywide.
- Allows the City the ability to develop an independent fund source in order to support housing needs independent of State and Federal subsidies and to reduce program administration burdens associated with those programs.
- Allows the City the ability to target and support those projects that best meet infill, sustainability, compact development goals, that use land use resources most efficiently, and those sites that are located close to transit and infrastructure and amenities.

Fees collected in-lieu of providing the required ten (10) percent low income single family units may be utilized city-wide as determined by the City Council.

Fees, Reimbursements and Infrastructure Requirements

The project Development Agreement and Conditions of Approval set forth the various fees, reimbursements and infrastructure requirements for the project. The project site is not located within the boundaries of the Spring Lake Specific Plan and as such is not subject to the payment of fees under the Spring Lake Capital Improvement Program (CIP), except as required to contribute to the Project's fair share contribution for downstream wastewater and drainage facilities impacts. This contribution amount is \$1,266,591. The subject fees are outlined in Exhibit D to the Development Agreement (**Attachment 7**). Other reimbursements include payments owed to the adjacent Standard Pacific project for utility improvements and a fair share contribution to the West Regional Pond, both totaling \$486,282. The project is subject to the citywide Development Impact Fees, including citywide park fees totaling \$26,032 per unit. Additionally the City and Developer have negotiated terms of a development agreement that includes payment of additional fees specific to the project. These project specific fees are outlined in Section B to Exhibit D and include a road improvement fee, fire operations and maintenance, public transit as well as an in-lieu fee for an affordable housing contribution. Additional fees levied on the project that are categorized as Project Public Benefit fees and include the following:

General Purpose Fee	\$12,700 per unit	General Purpose Fee to City of Woodland for unrestricted use, to fund public improvements
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Highway 113 Bicycle/ Pedestrian Overcrossing Fee	\$1,100 per unit	Fee for bicycle and pedestrian connectivity and enhancement projects such as a Highway 113 bicycle/pedestrian overcrossing.
Public Art	\$82 per unit (\$15,000 value)	Obligation may be met either by installation of public art within on-site park, or through payment of in lieu fee of \$82.00 per unit.
Improvements to Gibson Road/Matmor Road Intersection	TBD based upon construction cost	Developer shall complete construction of improvements to the intersection of Gibson Road/Matmor Road, converting the current five-phase signal to an eight-phase signal. Developer shall receive credit against the Road Development Impact Fee.
Landscaping Improvements to South Side of Sports Park Drive	\$160,000 in improvement costs	Developer shall improve the south side of Sports Park Drive between East Street and east property line, through the installation of landscaping and irrigation within an area 20 feet south of the path.

The General Purpose fee and Pedestrian overcrossing fee include payments totaling \$13,800 per unit which may be allocated to fund needed public improvements such as land acquisition and development of a fire station as well as a contribution to bike/pedestrian improvements.

The project as conditioned will provide improvements to East Street to include two lanes with adjacent class II bike paths on each side and a 10 foot wide walking path on the east side of the street with an additional landscaping. Further, the project will be required to widen and complete improvements along the north side of Sports Park Drive and to provide landscaping along the south side of Sports Park Drive and to complete necessary improvements across the adjacent Forrest property as described below.

Forrest Property

The project site forms the north and east borders of the approximately two-acre Forrest property located at the northeast corner of East Street and CR 24A. The Forrest property contains two single-family residences and is zoned and designated for GC use. The Forrest property does not include a zone change and is not included as part of the proposed project. The proposed project includes masonry privacy fencing along the Forrest property to provide a buffer. It should be noted that past conceptual design work has shown that the Forrest property could be developed with either commercial or residential uses at a future date.

The design of the East Street improvements, along the Forrest property west frontage, has been modified to accommodate the Forrest property. Depending on the alignment of the right-of-way for Sports Park Drive, additional trees may need to be removed along the Forrest property south frontage.

Environmental Review:

The City of Woodland prepared a Notice of Preparation (NOP) for the proposed project, which was released on December 17, 2014, for a minimum 30-day review, which ended on February 2, 2015.

The Initial Study for the proposed project concluded that the following environmental issues would have less-than-significant impacts without mitigation:

- Agricultural and Forest Resources;
- Hazards and Hazardous Materials;
- Land Use and Planning;
- Mineral Resources; and
- Population and Housing.

The Initial Study for the proposed project concluded that the following environmental issues would have less-

than-significant impacts with mitigation:

- Aesthetics;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Noise;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

Additionally, the Initial Study identified the following environmental issues for study in the Draft EIR:

- Air Quality and Greenhouse Gas Emissions (including Energy); and
- Transportation and Circulation.

Based upon the conclusions of the Initial Study, the Draft EIR included analyses of Air Quality and Greenhouse Gas Emissions, as well as Transportation and Circulation.

The Draft EIR concludes that all impacts are less than significant or reduced to less than significant with the implementation of mitigation measures with the exception of the following traffic impacts, which remain significant and unavoidable:

- Matmor Road and Gibson Road intersection (LOS E in the AM peak hour and LOS F in the AM and PM peak hour in the Cumulative Plus Project Conditions).
 - *Widening is not feasible due to lack of available right of way, however improvements to the signal will be provided.*
- East Street and Gibson Road intersection (LOS E in the AM and PM peak Cumulative Plus Project Condition)
 - *Mitigation is not feasible due to lack of available right of way.*
- Southbound East Street segment (from Gibson to Sports Park Drive) (LOS D in AM and PM peak hour in the Cumulative Plus Project Condition)
 - *Mitigation not feasible due to right of way constraints.*
- Northbound East Street segment (from Sports Park Drive to Gibson) at LOS E in the AM peak hour and at LOS D in the PM peak hour (Cumulative Plus Project Conditions).
 - *Mitigation not feasible due to right of way constraints.*

With respect to a project for which significant impacts are not mitigated to a less-than-significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." A summary of the project "benefits" or "overriding considerations" is provided in Exhibit A-1 to the CEQA Resolution, **Attachment 2**. The findings summarize a variety of goals that benefit both the City and region, including providing needed housing units, needed infrastructure improvements, attractive lifestyle choices, and fiscal and economic benefits to the City.

A Notice of Completion was filed with the Office of Planning and Research (OPR) on September 4, 2015, and the public notice was published to inform interested parties that the EIR was available for agency and/or public review. The EIR was circulated for a period of 45 days for public review and comment from September 8, 2015 through October 23, 2015.

The City of Woodland Planning Commission held a public hearing on October 1, 2015 to receive comments on the Draft EIR, in order to encourage public comment on the adequacy of the Draft EIR. All comments that addressed the adequacy of the environmental review that were received have been responded to in the Final EIR, which is being brought before the Planning Commission along with the review of the project for a recommendation to City Council. At the October 1, 2015 meeting, the Planning Commission expressed concern with regard to the proposal to reduce the number of lanes from four to two on the East Street segment, which is discussed in this report under General Plan Consistency.

Comments on the Draft EIR and Response to Comments

Four comment letters were received regarding the Draft EIR - one from Legal Services of Northern California, one from the Pioneer Law Group, and two from Bobby Harris. The commenters discussed, among other things, consistency with the City's Housing Element and Urban Limit Line Ordinance, effects upon build-out of the Spring Lake Specific Plan, paying a fair share of infrastructure costs, analysis of an increased density alternative, the approach to traffic in the alternatives, the project objectives, processing the project during a General Plan Update, and provision of adequate park area. A Final EIR was prepared that individually addressed all of the comments raised in the four comment letters.

The Draft EIR and Final EIR documents may be viewed at the following link:

http://www.cityofwoodland.org/gov/depts/cd/divisions/planning/environmental_review_documents.asp.

However, several of the comments made did not relate to environmental effects of the proposed project, such as fair share costs, parkland dedication/Quimby fees, consistency with the voter approved Urban Limit Line, citywide achievement of affordable housing objectives, and processing amendments during a General Plan Update. These comments raise policy questions and social concerns rather than project specific effects on the environment. A summary of the key elements raised by commenters is provided below:

Affordable Housing: Commenters raised concern about the project not providing adequate affordable housing, specifically not enough high density multi-family units. While neither the Housing Element nor General Plan compels the development of high density multi-family units at this site, the project shall be subject to the City's inclusionary housing ordinance 6A. That ordinance requires that 10% of the single family units provided be made available to low income households. The project has conditions included to require compliance. The FEIR also addresses this issue on page 2-6)

Fair Share Infrastructure Costs: One commenter provided an opinion that the project would require Spring Lake homeowners to provide infrastructure to the project. However, as discussed in the FEIR on page 2-252, the project's mitigation measures require the applicant to contribute the project's fair share of costs. Additionally, the Development Agreement further addresses additional required contributions. Additional discussion about this issue is provided in the report under the section on Fees, Reimbursement and Infrastructure Requirements.

Increased Density Alternative: An increased density alternative, which was recommended by commenters, was further studied. That analysis concluded that such an alternative would result in increased vehicle trips and increase impacts related to traffic, air quality, climate change, and noise. Also, the City currently uses Level of Service (LOS) standards in order to determine traffic impacts, rather than VMT as suggested by the comments. These issues are also discussed in the FEIR pages 2-253-255, & 258-259.

A letter from Victor Rodriguez, General Manager of the County Fair Fashion Mall, was received on February 3, 2016, after the comment period (**Attachment 9**). This letter indicates a preference for increased densities on the site and inclusion of a higher density alternative analysis.

Project Objectives: Commenters raised questions concerning the proposed project objectives provided in the Draft EIR. CEQA does not set forth requirements for a statement of project objectives. They are not ends in themselves, but rather a means to assist in providing information for development of alternatives that will reduce environmental impacts. The statement of project objectives on pages 3-4 of the Draft EIR adequately frames the purpose of the project and does not unduly restrict the ability of the DEIR to evaluate a reasonable range of alternatives. The City, as lead agency, will apply its independent judgement in deciding whether to certify the FEIR and separately whether to approve the project. Responses to these comments are provided in the FEIR at pages 2-252-253 and 2-255)

Processing Projects During a General Plan Update: The City received comments questioning whether the City should process General Plan Amendments while in the process of updating the General Plan. The City Council has not imposed a moratorium on development applications and has in fact taken action on General Plan Amendments during the course of the update. This issue is also discussed in the FEIR at page 2-268 (Response to Comment 3-8).

Parkland/Quimby Fees: The comments question the amount and size of the proposed neighborhood park. Section 21-12-1 of the City's Subdivision Ordinance requires that a developer of residential land shall dedicate land to the City for parks and recreational purposes, pay to the City a fee in lieu thereof, or both. The project will provide a park and the improvements for an equivalent value. This issue is discussed in the FEIR at page 2-268 (Response to Comment 3-10).

Appeals

The Subdivider, or any party adversely affected by the decision, the City Council, an individual City Council member, or the City Manager, may appeal any action of the Planning Commission with respect to a tentative map to the City Council **within ten days** after the action of the Planning Commission. No conflict of interest shall exist solely by reason of the filing of an appeal by the City Council, an individual City Council member, or the City Manager. Any such appeal shall be filed with the City Clerk and, except an appeal by the City Council, a City Council member, or the City Manager, shall be accompanied by a filing fee as prescribed by City Council resolution. Upon the filing of an appeal, the City Clerk shall set the matter for hearing. Such hearing shall be held within thirty days after the date of filing the appeal. Within ten days, or at its next regular meeting following the conclusion of the hearing, the City Council shall render its decision on the appeal.

Recommendation:

Staff recommends that the Planning Commission take action on the following:

1. Receive the staff report;
2. Conduct the public hearing; and
3. Adopt Resolution No. PC16-_____ recommending to the City Council certification of the EIR and adoption of the Mitigation Monitoring and Reporting Plan (MMRP), approval of amendments to the General Plan and Spring Lake Specific Plan, the rezone of the site and adoption of Planned

Development Designation, a Conditional Use Permit for development criteria within the Planned Development, a Development Agreement and approval of the Tentative Subdivision Map No. 4856 to subdivide the 38-acre site into 183 residential lots and a park site, based upon the Findings of Fact and subject to Conditions of Approval.

ATTACHMENTS:

- 1 - Planning Commission Resolution for the Prudler Tentative Map Project**
- 2 - Exhibit A** to PC Resolution - City Council CEQA EIR Findings of Fact, Statement of Overriding Considerations, Mitigation Monitoring & Reporting Program Resolution
- 2 - Exhibit A-1** - Findings of Fact and Statement of Overriding Considerations
- 2 - Exhibit A-2** - Mitigation Monitoring & Reporting Plan
- 3 - Exhibit B** to PC Resolution - City Council General Plan Amendment Resolution
- 3 - Exhibit B-1** - General Plan Circulation Element Amendment Exhibit
- 3 - Exhibit B-2** - General Plan Land Use Amendment Exhibit
- 4 - Exhibit C** to PC Resolution - City Council Spring Lake Specific Plan Amendment Resolution
- 4 - Exhibit C-1** - Spring Lake Specific Plan Amendment Exhibit
- 5 - Exhibit D** to PC Resolution - City Council Rezone and adopt PD Standards Ordinance
- 5 - Exhibit D-1** - Rezone Exhibit
- 5 - Exhibit D-2** - Planned Development Exhibit and Standards
- 6 - Exhibit E** to PC Resolution - City Council Tentative Map and CUP Resolution
- 6 - Exhibit E-1** - Tentative Subdivision Map # 4856 (4 sheets)
- 6 - Exhibit E-2** - Lot Matrix
- 6 - Exhibit E-3** - Landscape Plans and Tree Removal Plan (2006)
- 7 - Exhibit F** to PC Resolution - City Council Development Agreement Ordinance
- 7 - Exhibit F-1** - Development Agreement
- 8 - Exhibit G** to PC Resolution (Exhibit C to DA) - Conditions of Approval
- 9 - Letter** from Victor Rodriguez, General Manager County Fair Fashion Mall (2.3.16)
- 10 - Draft EIR and Final EIR and Response to Comments**, via electronic view only at the following link:
http://www.cityofwoodland.org/gov/depts/cd/divisions/planning/environmental_review_documents.asp.

RESOLUTION NO. PC 16-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WOODLAND RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE EIR AND ADOPTION OF THE MMRP AND APPROVAL OF A GENERAL PLAN AMENDMENT, SPRING LAKE SPECIFIC PLAN AMENDMENT, REZONE, TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT

WHEREAS, the applicant, Yolo Residential Investors, LLC, filed Planning Application #PLNG14-00090, proposing amendments to the General Plan and Spring Lake Specific Plan, a Rezone, a Tentative Subdivision Map, a Conditional Use Permit, and a Development Agreement for approximately 38 acres located at the northeast corner of East Street and Sports Park Drive/County Road 24A (APN 041-070-042-0000) in the City of Woodland; and

WHEREAS, the Woodland Planning Commission held a duly noticed public hearing on April 7, 2016, to review and consider recommending to the City Council approval of the proposed Prudler Tentative Subdivision Map Project, at which time interested persons had an opportunity to provide comments either in support or opposition to the Project; and

WHEREAS, pursuant to California state law and the Woodland Municipal Code, public hearing notices were mailed to all property owners within an area of a three hundred foot radius of the subject property, and a public hearing notice was published for a minimum of ten days prior to the public hearing in the Daily Democrat; and

WHEREAS, the Planning Commission has determined that the proposed project is in general conformance with the Woodland General Plan; and

WHEREAS, the Planning Commission considered the proposed EIR and the Findings of Fact and Statement of Overriding Considerations included in **Exhibit A**; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Woodland, based upon substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby make findings, determinations, recommendations, and conditions of approval with respect to the proposed project as outlined in **Exhibit G**. The Planning Commission does hereby recommend to the City Council approval of Application No. PLNG 14-00090, including:

- Certification of the Environmental Impact Report (EIR) and adoption of the Mitigation Monitoring and Reporting Plan (MMRP);
- Adoption of Findings of Fact and Statement of Overriding Considerations;

- Approval of General Plan Amendment to the Circulation Element to reduce the segment of East Street south of the County Fair Mall to CR 24A from four lanes to two lanes;
- Approval of General Plan Amendment to re-designate the site from General Commercial (GC) to Low Density Residential (LDR);
- Approval of Spring Lake Specific Plan (SLSP) Amendment to modify the East Street cross-section for the segment south of the County Fair Mall to CR 24A;
- Approval of Rezone from General Commercial (C-2) to Single Family (R-1)/PD and adoption of Planned Development Standards;
- Approval of Tentative Subdivision Map to subdivide the 38-acre site into 183 residential lots and a park site;
- Approval of Conditional Use Permit for development within the PD Zone; and
- Approval of Development Agreement.

PASSED AND ADOPTED by the Planning Commission of the City of Woodland at a regular meeting on the 7th day of April 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

ATTEST:

Cindy Norris, Principal Planner

Attachments

Exhibit A – City Council CEQA EIR Findings of Fact, Statement of Overriding Considerations, Mitigation Monitoring & Reporting Program Resolution

Attachment A-1 – Findings of Fact and Statement of Overriding Considerations

Attachment A-2 – Mitigation Monitoring & Reporting Plan

Exhibit B – City Council General Plan Amendment Resolution

Attachment B-1 – General Plan Circulation Element Amendment Exhibit

Attachment B-2 – General Plan Land Use Amendment Exhibit

Exhibit C – City Council Spring Lake Specific Plan Amendment Resolution

Attachment C-1 – Spring Lake Specific Plan Amendment Exhibit

Exhibit D – City Council Rezone and adopt PD Standards Ordinance

Attachment D-1 – Rezone Exhibit

Attachment D-2 – Planned Development Standards

Exhibit E – City Council Tentative Map and CUP Resolution

Attachment E-1 – Tentative Subdivision Map # 4856 (4 sheets)

Exhibit F – City Council Development Agreement Ordinance

Attachment F-1 – Development Agreement

Exhibit G – Findings of Fact and Conditions of Approval

EXHIBIT 1
COUNCIL CEQA RESOLUTION

ATTACHMENT 1-A
FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

ATTACHMENT 1-A
MITIGATION MONITORING & REPORTING PROGRAM

EXHIBIT 2
CITY COUNCIL GENERAL PLAN AMENDMENT RESOLUTION

ATTACHMENT 2-A
GENERAL PLAN CIRCULATION AMENDMENT

ATTACHMENT 2-B
GENERAL PLAN LAND USE AMENDMENT

EXHIBIT 3
CITY COUNCIL SPRING LAKE SPECIFIC PLAN RESOLUTION

ATTACHMENT 3-A
SPRING LAKE SPECIFIC PLAN AMENDMENT

EXHIBIT 4
CITY COUNCIL REZONE AND PD STANDARDS ORDINANCE

ATTACHMENT 4-A
REZONE EXHIBIT

ATTACHMENT 4-B
PLANNED DEVELOPMENT STANDARDS

EXHIBIT 5
CITY COUNCIL TENTATIVE MAP AND CUP RESOLUTION

ATTACHMENT 5-A
TENTATIVE MAP

EXHIBIT 6
CITY COUNCIL DEVELOPMENT AGREEMENT ORDINANCE

EXHIBIT 6-A
DEVELOPMENT AGREEMENT

EXHIBIT 7
FINDINGS OF FACT AND CONDITIONS OF APPROVAL

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND CERTIFYING THE ENVIRONMENTAL IMPACT
REPORT, ADOPTING FINDINGS OF FACT, STATEMENT OF
OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING
AND REPORTING PROGRAM FOR THE PRUDLER TENTATIVE
SUBDIVISION MAP PROJECT**

WHEREAS, the applicant filed Planning Application #PLNG14-00090, proposing amendments to the General Plan and Spring Lake Specific Plan, a Rezone, a Tentative Subdivision Map, a Conditional Use Permit, and a Development Agreement for approximately 38 acres located at the northeast corner of East Street and Sports Park Drive/County Road 24A (APN 041-070-042-0000) in the City of Woodland; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code § 21000 et seq.) and the State CEQA Guidelines (14 C.C.R. § 15000 et seq.), the City is the lead agency for the Project; and

WHEREAS, the City, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the Project ; and

WHEREAS, in compliance with Public Resources Code Section 21080.4, a Notice of Preparation (“NOP”) was prepared by the City and was distributed to the State Clearinghouse of the Office of Planning and Research, responsible agencies, and other interested parties on December 17, 2014 and was circulated for more than thirty (30) days, with comments due February 2, 2015, pursuant to State CEQA Guidelines section 15082(a), 15103, and 15375; and

WHEREAS, in accordance with State CEQA Guidelines section 15082, a public scoping meeting was held on January 8, 2015; and

WHEREAS, the Draft EIR was prepared by the City, and the City distributed a Notice of Availability (NOA) of the Prudler Tentative Subdivision Map Project Draft EIR to all interested groups, organizations, and individuals on September 8, 2015; and

WHEREAS, distribution of the NOA started the 45-day public review period, which ended October 23, 2015, pursuant to State CEQA Guidelines section 15086; and

WHEREAS, the NOA stated that the City had completed the Draft EIR and that copies were available on the City’s website (<http://www.cityofwoodland.org>), at the City of Woodland Community Development Department (300 First Street, Woodland, California 95695), at the Woodland Library (250 First Street, Woodland, California 95695), and at the Community and Senior Center (2001 East Street, Woodland, California 95695); and

WHEREAS, the NOA was posted in the County Clerk's Office of Yolo County September 8, 2015, pursuant to State CEQA Guidelines section 15087(d); and

WHEREAS, the NOA was posted with the Woodland City Clerk's Office on September 8, 2015; and

WHEREAS, the Planning Commission held a public meeting in order to receive verbal comments on the Draft EIR on October 1, 2015; and

WHEREAS, following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received by the City and the City's responses to such comments; and

WHEREAS, the Final EIR consists of the following: the Draft EIR; comments and recommendations received on the Draft EIR; a list of persons, organizations, and public agencies commenting on the Draft EIR; the responses of the City to significant environmental points raised in the review and consultation process; a Mitigation Monitoring and Reporting Plan; and any other information added by the City; and

WHEREAS, on December 28, 2015, the Final EIR was distributed for a 10-day public review period to all Responsible Agencies, interested groups, organizations and persons, including all persons and agencies that had commented on the Draft EIR; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, on March 28, 2016, a public notice of Final EIR availability and of the Planning Commission's scheduled April 7, 2016 public hearing on the Final EIR, was mailed to all property owners within 300 feet of the Project site, as well as to responsible agencies and interested groups, organizations, and individuals; and

WHEREAS, on April 7, 2016, the Planning Commission of the City of Woodland held a duly noticed public hearing on the proposed Final EIR at which all interested parties had an opportunity to be heard. The Planning Commission considered the Draft and Final EIR, the Mitigation Monitoring and Reporting Plan, and all evidence presented both orally and in writing; and

WHEREAS, at the close of the Planning Commission hearing, the Planning Commission recommended, among other things, that the City Council of the City of Woodland (i) certify the Final EIR, (ii) adopt the Findings and Statement of Overriding Considerations, and (iii) approve the Mitigation Monitoring and Reporting Plan; and

WHEREAS, on [REDACTED], 2016, the City Council of the City of Woodland held a public hearing to discuss the Planning Commission's recommendations, and at such hearing the City Council heard all persons interested in or opposed to the Final EIR; and

WHEREAS, the City Council has reviewed the Final EIR in its entirety, and has determined that the document reflects the independent judgment of the City; and

WHEREAS, the Final EIR identified certain significant effects on the environment that, absent the adoption of mitigation measures, would be caused by the construction and operation of the Project; and

WHEREAS, the City Council is required, pursuant to State CEQA Guidelines section 15126.4, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant project-related environmental effects; and

WHEREAS, as demonstrated by the Findings of Fact attached as Attachment A-1 to this Resolution, many of the Project's significant environmental effects can be either substantially lessened or avoided through the adoption of feasible mitigation measures, although some of these effects will remain significant and unavoidable despite the adoption of all feasible mitigation measures; and

WHEREAS, because the adoption of all feasible mitigation measures cannot substantially lessen or avoid all significant effects on the environment associated with the Project, the City Council must consider the feasibility of alternatives, as set forth in the Final EIR, that will be less environmentally damaging than the Project with respect to the unavoidable significant effects associated with the Project (State CEQA Guidelines section 15126.6); and

WHEREAS, the City Council has determined, for reasons set forth in Attachment A-1 attached hereto, that the No Project Alternative, the Reduced Intensity Alternative, and the Mixed-Use Alternative, as described in the EIR, are not environmentally preferable, are infeasible (e.g., they fail to fully meet the Project objectives), or are neither environmentally preferable nor feasible; and

WHEREAS, the City Council is required by Public Resources Code section 21081.6, subdivision (a), to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted by the City are actually carried out; and

WHEREAS, a Mitigation Monitoring and Reporting Plan for the Project has been prepared, and is attached hereto as Attachment A-2; and

WHEREAS, the City Council, having considered and weighed the economic, legal, social, technological, region-wide and statewide environmental and other benefits of the Project against the Project's unavoidable adverse impacts pursuant to State CEQA Guidelines section 15093, has determined that the benefits of the Project outweigh the potential unavoidable adverse impacts and desires to adopt the Statement of Overriding Considerations for the Project, which is included as Section XV of Attachment A-1 attached hereto and incorporated herein by this reference; and

WHEREAS, the City Council has studied the proposed Project and Final EIR, and considered all public comments on the Project; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the Final EIR reflects the independent judgment of the City Council and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, none of the comments made during the public review period, none of the oral or written testimony presented during the public hearings on the Project, and no other information presented to the City on the Project and the EIR have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

WHEREAS, by and through Resolutions No. _____, _____, _____, and _____, Ordinance No. _____, and Ordinance No. _____ adopted contemporaneously herewith, the City Council has expressed its intent to approve an amendment to the General Plan of the City of Woodland, approve an amendment to the Spring Lake Specific Plan, approve the rezoning, approve the Tentative Map and Conditional Use Permit, and approve the Development Agreement for the Prudler Tentative Subdivision Map Project; and

WHEREAS, the City Council determines it is appropriate to certify the Final EIR, to adopt the Findings of Fact and Statement of Overriding Considerations, to approve the Mitigation Monitoring Program; and

WHEREAS, the City Council of the City of Woodland held a duly noticed public hearing on _____, 2016, at which all interested parties had an opportunity to be heard. The Planning Commission considered the Draft and Final EIR, the Mitigation Monitoring and Reporting Plan, and all evidence presented both orally and in writing; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

1. The above recitals are true and correct and are hereby incorporated as substantive findings of this Resolution.
2. The City hereby certifies that (1) the EIR has been prepared in accordance with the requirements of CEQA (Pub. Res. Code § 21000 et seq.) and the State CEQA Guidelines (14 C.C.R. § 15000 et seq.), (2) the Final EIR was presented to the City Council and the City Council has reviewed and considered the information contained in the Final EIR prior to considering adoption of the Project, and (3) the Final EIR reflects the independent judgment and analysis of the City.

3. The City hereby adopts the CEQA Findings and Statement of Overriding Considerations attached hereto as Attachment A-1 and incorporated herein by this reference as if fully set forth herein.
4. The City hereby adopts, pursuant to Public Resources Code section 21081.6, the Mitigation Monitoring and Reporting Program contained in the Final EIR attached hereto as Attachment A-2 and incorporated herein by this reference. The City finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during the implementation on the Project, the City and any other responsible parties implement the components of the Project and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program.
5. The documents and materials that constitute the record of proceedings on which the findings set forth in this Resolution have been based are located at the City of Woodland, City Clerk's Office, located at 300 First Street, Woodland, CA 95695. The custodian for these records is the City Clerk. This information is provided in compliance with Public Resources Code section 21081.6.
6. The City Council hereby authorizes and directs staff to draft, execute, and file a Notice of Determination with the Yolo County Clerk and the Office of Planning and Research within five (5) working days of the adoption of this Resolution.

PASSED AND ADOPTED on this the ___ day of _____, 2016 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Dated: _____

Attachment A-1 – Findings of Fact and Statement of Overriding Considerations

Attachment A-2 – Mitigation Monitoring and Reporting Program

Exhibit A

CEQA FINDINGS OF FACT

and

**STATEMENT OF OVERRIDING
CONSIDERATIONS**

OF THE CITY OF WOODLAND

for the

PRUDLER TENTATIVE SUBDIVISION MAP PROJECT

I. INTRODUCTION

The Environmental Impact Report (EIR) prepared for the Prudler Tentative Subdivision Map Project (Project) addresses the potential environmental effects associated with constructing and operating the Project. These findings have been prepared to comply with requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). These findings refer to the Notice of Preparation (NOP) or Final EIR where the material appears in either of those documents. Otherwise, references are to the Draft EIR.

CEQA generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project. In order to effectively evaluate any potentially significant environmental impacts of a proposed project, an EIR must be prepared. The EIR is an informational document that serves to inform the agency decision-making body and the public in general of any potentially significant environmental impacts. The preparation of an EIR also serves as a medium for identifying possible methods of minimizing any significant effects and assessing and describing reasonable alternatives to the project.

The EIR for this Project was prepared by the City of Woodland (City) as the “lead agency” in accordance with CEQA and has been prepared to identify and assess the anticipated effects of the Project. The City, as the lead agency, has the principal responsibility for approval of the Project.

II. TERMINOLOGY OF FINDINGS

CEQA and the CEQA Guidelines require that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of the three allowable conclusions:

1. Changes or alterations which avoid or mitigate the significant environmental effects as identified in the EIR have been required or incorporated into the project;
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency; or
3. Specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Draft EIR.

(Pub. Resources Code, § 21081, subds. (a)(1)-(3); CEQA Guidelines, § 15091, subds. (a)(1)-(3).)

For purposes of these findings, the terms listed below will have the following definitions:

- “Mitigation measures” shall constitute the “changes or alterations” discussed above.
- “Avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level.
- “Substantially lessen” refers to the effectiveness of one or more mitigation measures to lessen a significant effect, but not necessarily below the level of significance.
- “Feasible,” pursuant to the CEQA Guidelines, means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

III. DEFINITIONS AND ACRONYMS

Unless otherwise stated herein, these findings use the same definitions and acronyms set forth in the EIR.

IV. PROJECT DESCRIPTION

A. THE PROJECT

The applicant is requesting a General Plan Amendment of the project site from GC to LDR. The LDR designation allows for the residential densities ranging from 3.0 to 8.0 units per acre. In addition, the applicant is requesting a Rezone of the project site from C-2 to Single-Family Residential with the adoption of Planned Development Standards (R-1/PD). The purpose of the Planned Development (PD) overlay zone is to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments not otherwise possible through strict application of zoning regulations. Furthermore, the applicant is requesting a Conditional Use Permit for development within the PD overlay zone.

Additionally, an amendment would be made to the General Plan Circulation Element and Spring Lake Specific Plan with reference to the median and the walnut trees on East Street as well as a reduction from four to two lanes. The Spring Lake Specific Plan includes a 45-foot median on East Street adjacent to the proposed property for the segment of East Street south of the County Fair Mall to Sports Park Drive/CR 24A in order to accommodate the existing walnut trees which are currently adjacent to the east side of East Street, adjacent to the proposed Project site. The Project includes a request for an amendment to the General Plan Circulation Element and Spring Lake Specific Plan to reduce the median width and reduce the number of lanes from four to two.

The applicant is requesting the approval of a Tentative Subdivision Map to allow the development of 183 detached single-family units, in two phases, on an approximately 38-acre site in the City of Woodland. The average density would be 5.46 dwelling units per acre. In addition, the Project would include a 1.46 acre park in the northwestern portion of the Project site.

B. PROJECT SITE

The Project is located in the City of Woodland at the northeast corner of East Street and Sports Park Drive/County Road (CR) 24A. In addition, the project site forms the north and east borders of the approximately two-acre Forrest property located at the northeast corner of East Street and CR 24A. The Forrest property contains two single-family residences and is zoned and designated for General Commercial (GC) use. The property is currently not included as part of the proposed project. The approximately 38-acre Project site is identified by the Yolo County Assessor as Assessor's Parcel Number (APN) 041-070-042-0000.

C. EXISTING LAND USE DESIGNATIONS AND ZONING

The Project site is currently designated General Commercial (GC) in the City of Woodland General Plan. The GC land use designation includes retail, services, restaurants, professional and administrative offices, and hotels. The applicant is requesting a General Plan Amendment of the project site to Low Density Residential (LDR). The LDR designation provides for single-family detached homes, with a density range of 3.0 – 8.0 units per acre. The Project would include an average density of 5.46 units per acre, which is consistent with the LDR designation. In addition, the Project includes an amendment to the General Plan Circulation Element and Spring Lake Specific Plan to reduce the median from 45 feet to 16 feet and reduce the number of lanes from four to two for the section of East Street that is adjacent to the Project site from south of the County Fair Mall to Sports Park Drive/County Road 24A.

The current zoning designation for the site is General Commercial Zone (C-2). The applicant is requesting a Rezone of the Project site to Single-Family Residential/Planned Development (R-1/PD). The purpose of the Planned Development Overlay Zone is to encourage a creative and efficient approach to the use of land, and to provide for greater flexibility in the design of integrated developments than otherwise possible through strict application of the zoning regulations. Permitted uses in the PD Zone include any use or combination of uses and densities shown on the approved development plan that are arranged and designed to provide a development that is in conformity with the General Plan. Development in the PD overlay requires approval of a Conditional Use Permit which is being requested by the applicant for development of the Project.

D. ADJACENT USES

State Route 113 (SR 113), located east of the project site, is a four-lane freeway that runs between Interstate 5 and Interstate 80 and connects the City of Woodland with the City of Davis. SR 113 is a north-south freeway that provides regional access to the proposed project site with interchanges at Gibson Road and CR 25A.

The site is bordered by County Fair Mall to the north, single-family residential existing and currently under construction to the east, multi-family residential, single-family residential, and a park on the other side of East Street to the west, and Sports Park Drive/CR 24A and the Woodland Community and Senior Center and Woodland Sports Park to the south. In addition, the project site forms the north and east borders of the approximately two-acre Forrest property

located at the northeast corner of East Street and CR 24A. The Forrest property contains two single-family residences and is zoned and designated for GC use. The property is currently not included as part of the proposed project.

E. PROJECT OBJECTIVES

The following are the intended objectives for the project:

1. Develop a single-family residential project to contribute to the City's overall housing stock and respond to the regional demand for residential uses.
2. Develop the site with land uses that do not compete with Woodland's existing commercial uses at the adjacent County Fair Mall and in the surrounding area.
3. Develop the infill site with land uses that are compatible with adjacent uses including residential uses, commercial uses and Woodland Sports Park.
4. Develop the site with a land use pattern that does not restrict existing and future uses on the Forrest property.
5. Provide residential uses at a minimum of 5.0 per acre to maximum efficiency of site and to support infrastructure and services to serve the project.

F. REQUIRED DISCRETIONARY ACTIONS

The City of Woodland is the lead agency for the proposed Project. As required by Section 15124(d)(1)(B) of the CEQA Guidelines, the EIR must contain a list of permits and other approvals required to implement the Project. In addition to these requirements, environmental review and consultation requirements related to federal, state, or other local laws or guidance applicable to individual resources are described in the Regulatory Context subsections provided in Chapter 4 of the EIR. The EIR for the proposed Project addresses the approvals and entitlements required by the City.

The following discretionary approvals and permits are required by the City of Woodland for implementation of the proposed Project:

- Certification of the Environmental Impact Report (EIR) and adoption of the Mitigation Monitoring and Reporting Plan (MMRP);
- Adoption of Findings of Fact and Statement of Overriding Considerations;
- General Plan Amendment to the Circulation Element to reduce the segment of East Street south of the County Fair Mall to CR 24A from four lanes to two lanes;
- General Plan Amendment to re-designate the site from General Commercial (GC) to Low Density Residential (LDR);
- Spring Lake Specific Plan (SLSP) Amendment to modify the East Street cross-section for the segment south of the County Fair Mall to CR 24A;
- Rezone from General Commercial (C-2) to Single Family (R-1)/PD and adoption of Planned Development Standards;
- Tentative Subdivision Map to subdivide the 38-acre site into 183 residential lots and a park site;
- Conditional Use Permit for development within the PD Zone; and

- Approval of Development Agreement.

These discretionary actions, which must be preceded by certain steps required by CEQA (Final EIR certification, CEQA Findings, and MMRP), are all part of the “project” that was analyzed in the Draft and Final EIR. The Planning Commission will make a recommendation and the City Council will take action on each of the requested discretionary entitlements when it considers the Prudler Tentative Subdivision Map Project.

V. ENVIRONMENTAL REVIEW PROCESS

In accordance with CEQA, the City released a Notice of Preparation (NOP) on December 17, 2014. The purpose of the NOP was to provide notification that an EIR for the Project was being prepared and to solicit guidance on the scope and content of the document. During the circulation of the NOP, a public scoping meeting was held on January 8, 2015 for the purpose of informing the public and receiving comments on the scope of the environmental analysis to be prepared for the proposed Project. The Draft EIR was circulated for public review and comment period for a period of 45 days from September 8, 2015 to October 23, 2015. This period satisfied the requirement for the public review period as set forth in Section 15105 of the CEQA Guidelines. In addition, a public meeting was held before the Planning Commission on October 1, 2015 in order to receive verbal comments on the Draft EIR.

A list of public agencies and individuals commenting on the Draft EIR is included in Chapter 1 in the Final EIR. A total of four comment letters were received.

On December 7, 2015, the City published the Final EIR for the Project. The Final EIR includes comments received on the Draft EIR, responses to significant environmental issues raised in the comments, revisions to the text of the Draft EIR, and the Mitigation Monitoring and Reporting Program. The comments in the Final EIR and Draft EIR as revised by the Final EIR constitute the EIR for the Project.

VI. RECORD OF PROCEEDINGS

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code, section 21167.6(e). The record of proceedings for the City’s decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR for the Project and all documents relied upon or incorporated by reference;
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR;
- All comments and correspondence submitted to the City during the public comment period on the Draft EIR, in addition to all other timely comments on the Draft EIR;

- The Final EIR for the Project, including the staff reports, minutes of the public hearings; comments received on the Draft EIR; the City’s responses to those comments; technical appendices; and all documents relied upon or incorporated by reference;
- The mitigation monitoring and reporting program (MMRP) for the Project;
- All findings and resolutions adopted by the City in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City’s compliance with the requirements of CEQA and with respect to the City’s action on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the final public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;
- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- The City’s General Plan and applicable Specific Plans and all updates and related environmental analyses;
- Relevant sections of the City’s Zoning Code;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code, section 21167.6(e).

Pursuant to CEQA Guidelines section 15091(e), the administrative record of these proceedings is located at, and may be obtained from, the City’s Community Development Department at 300 First Street, Woodland, CA 95695.

The City Council has relied on all of the documents listed above in reaching its decisions on the proposed Project. Without exception, any of the documents set forth above not found in the Project files fall into one of two categories: (1) prior planning or legislative decisions, or (2) other documents that influenced the expert advice provided to City Staff or consultants. Many of them reflect prior planning or legislative decisions with which the City Council was aware in approving the Project. Other documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City Council as final decisionmakers. For that reason, such documents form part of the underlying factual basis for the City Council’s decisions relating to approval of the Project.

VII. FINDINGS REQUIRED UNDER CEQA

Public Resources Code, section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute provides that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible

alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to provide that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code, section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines, § 15091.) Public Resources Code, section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors.”

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant’s project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (CNPS) [“an alternative ‘may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record’”] (quoting 1 Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009], § 17.30, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 [“[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives”; “a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal”].) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also CNPS, *supra*, 177 Cal.App.4th at p. 1001 [“an alternative that ‘is impractical or undesirable from a policy standpoint’ may be rejected as infeasible”] [quoting 2 Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act*, *supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether or not the effect in question has been “avoided” (i.e., reduced to a less than significant level).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency.

With respect to a project for which significant impacts are not mitigated to a less-than-significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II, supra*, 52 Cal.3d at p. 576.) The EIR for the Prudler Tentative Subdivision Project concluded the Project would create significant and unavoidable impacts to transportation and circulation; thus a Statement of Overriding Considerations is required.

VIII. LEGAL EFFECT OF FINDINGS

These findings constitute the City’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City adopts a resolution approving the Project.

IX. MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and is being approved by the City Council by the same Resolution that has adopted these findings. The City will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period. The Final MMRP is attached to and incorporated into the environmental document approval resolution and is approved in conjunction with the certification of the EIR and adoption of these Findings of Fact.

X. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Draft EIR identified a number of significant environmental effects (or impacts) that the Project will cause or contribute to. Nearly all of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Two effects, Impacts 4.2-2 and 4.2-5, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. For reasons set forth in Section XV, however, the City Council has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effect of the Project.

With respect to the entitlements over which the City Council has final approval authority and in support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 15091 of the *CEQA Guidelines*:

Significant Impacts Mitigated to a Less-Than-Significant Level

The following significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less-than-significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and Section 15091(a)(1) of the *CEQA Guidelines*, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

- **Impact 4.2-3 Alternative transportation facilities.** The Project would generate additional ridership on the Yolo County Transportation District (YCTD) transit system. Additional funding to serve the site is required. Therefore, Mitigation Measure 4.2-3 requires the contribution of a fair share fee toward providing transit service to the project site. Implementation of Mitigation Measure 4.2-3 would ensure that the impact is less than significant.
- **Impact 4.2-6: Alternative transportation facilities under cumulative conditions.** Similar to Impact 4.2-3, the Project would generate additional ridership on the YCTD transit system in the cumulative scenario. Therefore Mitigation Measure 4.2-6 requires implementation of Mitigation Measure 4.2-3 which requires a contribution of a fair share fee toward providing transit service to the project site. Implementation of Mitigation Measure 4.2-3 would ensure that the impact is less than significant.
- **Impact I-d: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.** The Project would generate residential sources of light and glare where none currently exist. Therefore Mitigation Measure I-1 requires a lighting plan to ensure all on-site lighting is directed within the project site and does not illuminate adjacent properties. Implementation of Mitigation Measure I-1 would ensure that the impact is less than significant.
- **Impact IV-a,b: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? Have a**

substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. The Project site could provide potential nesting habitat for special-status species of various raptors and other migratory birds. Therefore, Mitigation Measure IV-1 requires a pre-construction survey to determine if active raptor nests are present and if found, construction cannot occur within 500 feet of active raptor nests until the young have fledged. Implementation of Mitigation Measure IV-1 would ensure that the impact is less than significant.

- **Impact IV-e: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.** The proposed Project includes the removal of trees along the western property boundary in the future right-of-way for East Street. Therefore, Mitigation Measures IV-2, IV-3, and IV-4 are required. The mitigation measures require a tree mitigation plan, compliance with the Tree Plan approved by the Parks and Recreation Commission and the Urban Forestry Subcommittee, and compliance with the Woodland City Code 20A. Implementation of Mitigation Measures IV-2, IV-3, and IV-4 would ensure that the impact related to removal of trees is less than significant.
- **Impact V-b-d: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature? Disturb any human remains, including those interred outside of formal cemeteries.** Although surface cultural resources are not likely on-site, the possibility exists that during construction activities, unidentified archaeological resources, paleontological resources, or human remains may be uncovered. Therefore, Mitigation Measures V-1(a) and V-1(b) are required to ensure that if remains are discovered during construction, work is halted and an archaeologist is retained or the County Coroner is notified if human remains are discovered. Implementation of Mitigation Measures V-1(a) and V-1(b) would ensure that the impact related to removal of trees is less than significant.
- **Impact VI-ai-iii, c, d: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. Strong seismic ground shaking? Seismic-related ground failure, including liquefaction? Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.** Despite Woodland being within the low severity zone with respect to earthquake intensity, and liquefaction potential is considered low, structural damage could occur as a result of these processes. Therefore, Mitigation Measure VI-1 is required to ensure that the recommendations in the geotechnical study and UBC standards are implemented. Implementation of Mitigation Measure VI-1 would ensure the impact is less than significant.
- **Impact VI-b: Result in substantial soil erosion or the loss of topsoil.** Soil erosion or

the loss of topsoil could result from grading and excavation of the Project site. Therefore, Mitigation Measure VI-2 is required to ensure an erosion control plan is prepared that will identify construction practices to limit the erosion effects during construction. Implementation of Mitigation Measure VI-2 would ensure the impact is less than significant.

- **Impact IX-a, f: Violate any water quality standards or waste discharge requirements? Otherwise substantially degrade water quality.** The proposed Project has the potential to degrade downstream water quality due to construction as well as operational increases in pollutants in urban stormwater runoff. Therefore, Mitigation Measure IX-1 is required to ensure compliance with State and local regulations. Implementation of Mitigation Measure IX-1 would ensure the impact is less than significant.
- **Impact IX-c-e: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control.** Development of the Project would create impervious surfaces on the site which may increase stormwater runoff in the area. Therefore, Mitigation Measure IX-2 is required to ensure that the discharge of peak flow from the site will not increase predevelopment downstream flows. Implementation of Mitigation Measure IX-2 would ensure the impact is less than significant.
- **Impact XII-b: Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.** Construction of the proposed Project could result in construction vibrations that exceed safe thresholds at adjacent sensitive receptors. Therefore, Mitigation Measures XII-1, XII-2, and XII-3 are required to establish a disturbance coordinator, evaluate before and after building conditions to identify and repair any damage due to construction. Implementation of Mitigation Measures XII-1, XII-2, and XII-3 would ensure the impact is less than significant.
- **Impact XII-d: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.** Construction activities could result in periods of elevated noise levels for existing sensitive receptors. Therefore, Mitigation Measure XII-4 is required to limit the hours of construction and require muffling of internal combustion engines in compliance with City requirements. Implementation of Mitigation Measure XII-4 would ensure the impact is less than significant.
- **Impact XIV-d: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks.** The proposed Project does not provide on-site park land to meet the General Plan and Quimby requirements. Therefore, Mitigation Measure XIV-1 requires the developer to either dedicate the required acreage or pay the appropriate in-lieu fee.

Implementation of Mitigation Measure XIV-1 would ensure the impact is less than significant.

- **Impact XV-a,b:** Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Similar to Impact XIV-3, the Project does not include adequate parkland on-site and could impact the use of other facilities. Therefore, Mitigation Measure XIV-1 requires the developer to either dedicate the required acreage or pay the appropriate in-lieu fee. Implementation of Mitigation Measure XIV-1 would ensure the impact is less than significant.
- **Impact XVII-a,e:** Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Development of the proposed Project would result in an increase in wastewater discharge from the site which could affect downstream facilities and the capacity of the wastewater treatment plant. Therefore, Mitigation Measures XVII-1 and XVII-2 are required to ensure the applicant pay the Project's fair share contribution toward downstream wastewater facilities and pay the City-wide wastewater impact fee. Implementation of Mitigation Measures XVII-1 and XVII-2 would ensure the impact is less than significant.
- **Impact XVII-b,d:** Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed. The proposed Project would contribute to the increased demand for water services in the City of Woodland. Therefore, Mitigation Measure XVII-3 is required to ensure that the development fund its fair share towards the installation of additional water supply and delivery infrastructure. Implementation of Mitigation Measure XVII-3 would ensure the impact is less than significant.
- **Impact XVII-c:** Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The proposed Project is creating impervious surfaces that may cause increases in runoff volume for the area. Therefore, Mitigation Measures XVII-4 and XVII-5 are required to ensure that adequate storm drain retention is provided on site or the applicant pay the appropriate fees for the use of existing facilities. Implementation of Mitigation Measures XVII-4 and XVII-5 would ensure the impact is less than significant.

Significant Impacts Which Could Not Be Fully Mitigated to a Less-Than-Significant Level

Mitigation measures to mitigate, avoid, or substantially lessen the following significant environmental impacts of the Project, including cumulative impacts, have been identified. However, pursuant to Section 21081(a)(3) of CEQA and Section 15091(a)(3) of the *CEQA Guidelines*, as to each such impact and mitigation measure, the City Council, based on the

evidence in the record before it, specifically finds that the mitigation measures are infeasible. Each impact and mitigation measure and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the City Council elects to approve the Project due to the overriding considerations set forth below in Section XV, Statement of Overriding Considerations.

- **Impact 4.2-2: Study roadway intersections and roadway segments under EPAP Plus Project conditions.** The proposed Project would exacerbate congestion at the Matmor Road and Gibson Road intersection under the Existing Plus Approved Projects (EPAP) Plus Project Conditions, resulting in an unacceptable LOS E in the AM peak hour. Mitigation which may reduce the impact to a less-than-significant level is not feasible as described below:

Matmor Road / Gibson Road

The lanes at the Matmor Road and Gibson Road intersection could be reconfigured to include the following lanes:

- Northbound leg: Provide exclusive left-turn, through, and right-turn lanes in place of the single shared lane;
- Southbound leg: Provide two exclusive left-turn lanes and a shared through and right-turn lane in place of the single shared lane;
- Eastbound leg: Provide an exclusive left-turn lane in addition to the one already present; and
- Westbound leg: Provide an exclusive left-turn lane in addition to the one already present.

However, the widening of Matmor Road and Gibson Road are not feasible mitigation measures due to the lack of available right of way. It should be noted that the City has planned improvements to modify the intersection to include a northbound left-turn lane and a northbound through/right-lane. The southbound lanes will be modified to include a left-turn lane and a through/right-lane. Other feasible mitigation measures at the Matmor Road and Gibson Road intersection do not exist.

Therefore, feasible mitigation does not exist, and the above impact would remain significant and unavoidable.

- **Impact 4.2-5: Study roadway intersections and roadway segments under Cumulative Plus Project conditions.** In the cumulative condition, implementation of the proposed Project would result in the signalized intersections of Matmor Road/Gibson Road and East Street/Gibson Road operating at unacceptable levels according to the current City of Woodland standards. In addition, the East Street study segment was found to be operating at unacceptable levels of service in both directions for the AM and PM peak hours. As discussed above, mitigation which may reduce the impact to a less-than-significant level is not feasible for the intersection of Matmor Road/Gibson Road due to the lack of right of way. Additionally, mitigation which may reduce the impact to a less-

than-significant level is not feasible for the East Street/Gibson Road nor the East Street study segment, as described below:

East Street and Gibson Road

The East Street and Gibson Road intersection could be reconfigured to include the following lanes:

- Northbound leg: Provide an additional exclusive left-turn lane, and provide an exclusive right-turn lane;
- Southbound leg: Provide an exclusive right-turn lane in addition to the current lanes;
- Eastbound leg: Provide an additional exclusive left-turn lane and an exclusive right-turn lane; and
- Westbound leg: Provide an additional exclusive left-turn lane in addition to the one already present.

However, the widening of East Street and Gibson Road are not feasible mitigation measures due to the lack of available right of way. The East Street and Gibson Road intersection is adjacent to an existing railroad to the west, County Fairgrounds to the northeast (State Property), and a commercial site to the southeast.

East Street

East Street could be widened from two lanes to four lanes along the project frontage. However, widening of East Street does not appear to be feasible given Right of Way constraints. There is an existing residence on the east side of East Street north of Sports Park Drive and an existing railroad on the west side of East Street.

Therefore, feasible mitigation does not exist, and the above impact would remain significant and unavoidable.

XI. GROWTH INDUCEMENT

CEQA requires a discussion of the ways in which a project could be growth inducing. Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, the stimulation of economic activity within the region, or the establishment of policies or other precedents that directly or indirectly encourage additional growth. Under CEQA, this growth is not considered necessarily detrimental, beneficial, or of significant consequence. Induced growth would be considered a significant impact if it can be demonstrated that the potential growth, directly or indirectly, significantly affects the environment.

In general, a project could foster spatial, economic, or population growth in a geographic area if the project removes an impediment to growth (e.g., the establishment of an essential public service, the provision of new access to an area, or a change in zoning or General Plan amendment approval), or economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion).

As discussed in the Draft EIR, growth-inducing impacts associated with the Project would be considered to be any effects of the Project allowing for additional growth or increases beyond that proposed by the Project or anticipated in the City of Woodland General Plan. The aforementioned planning documents established and previously analyzed the population growth patterns in the area and, thus, are appropriate standards to evaluate the impacts of the proposed Project on population growth.

Although the intensity and type of land uses proposed as part of the project are not necessarily consistent with what has been anticipated for the site by the City, the site has been anticipated for urban development. Existing development surrounds the site; thus, the proposed project is considered infill development and would likely have been developed in the future. Development of the proposed project would assist the City in meeting the Regional Housing Needs Allocation by contributing 183 single-family housing units to the housing supply within the City limits. The proposed project would be required to comply with the City's Affordable Housing Ordinance. For example, Section 6A-3-20 of Chapter 6A, Affordable Housing, of the City's Ordinance Code requires that 10 percent of new for-sale units be affordable to low income households. The project applicant and the City of Woodland would enter into a written inclusionary housing agreement that specifically sets out the manner in which affordable housing obligations would be met. Other possible alternatives to on-site construction of affordable for-sale housing units could include sale or dedication of land to affordable housing developers, land dedication within the City, or in-lieu fees.

The primary infrastructure systems installed as part of the proposed project, including roadways and wastewater, water, and storm drain systems, would be sized to meet demands created by the proposed project. The infrastructure improvements would be consistent with the previously-approved City infrastructure plans in order to accommodate planned future growth in the area. It should be noted that existing utility lines currently exist in the project vicinity, and the proposed project would include connection to the existing lines. The internal streets, street lighting, and underground utilities in the proposed development would be publically-owned and maintained by the City of Woodland.

Therefore, because the growth associated with the proposed project would not allow or facilitate for additional increases in population beyond that proposed by the project or anticipated by the City, involve a lack of public service infrastructure, or eliminate or change a regulatory obstacle, the proposed project would be expected to result in less-than-significant growth-inducing impacts.

XII. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental change that would be caused by the proposed Project. Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses (such as a highway improvement that provides access to a previously inaccessible area);
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Implementation of the proposed Project would result in the long-term commitment of resources of the Project site to urban land use. The development of the proposed Project would likely result in or contribute to the following irreversible environmental changes:

- Conversion of currently undeveloped land to urban land uses;
- Placement and/or extension of roadways in areas providing access to the proposed project and connecting to adjacent developments;
- Irreversible consumption of goods and services associated with the future population; and
- Irreversible consumption of energy and natural resources associated with the future population.

The CEQA Guidelines also require a discussion of the potential for irreversible environmental damage caused by environmental accidents associated with the Project. Residential projects do not typically result in the use, transport, storage, and disposal of hazardous materials. The Project itself does not include any uniquely hazardous uses that would require any special handling or storage. Further, the Project does not contain any industrial uses that would use or store acutely hazardous materials.

Implementation of the proposed Project would result in the long-term commitment of resources to urban development. The most notable significant irreversible impacts include the use of non-renewable and/or slowly renewable natural and energy sources, such as lumber and other forest products and water resources construction activities. Operations associated with future uses would also consume natural gas and electricity. These irreversible impacts, which are unavoidable consequences of urban growth, are described in detail in the appropriate sections of the Draft EIR.

XIII. FINDINGS REGARDING RECIRCULATION OF THE DRAFT EIR

The City Council adopts the following findings with respect to whether to recirculate the Draft EIR. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when “significant new information” is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term “information” can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to

implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
 - (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is “not intend[ed] to promote endless rounds of revision and recirculation of EIRs.” (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1132.) “Recirculation was intended to be an exception, rather than the general rule.” (*Ibid.*)

The City Council recognizes that the Final EIR contains additions, clarifications, modifications, and other changes to the Draft EIR. As noted above, a few comments on the Draft EIR resulted in minor modification to the language in the Draft EIR. As explained in the Final EIR (Text Revisions), some of the suggestions were found to be appropriate and feasible and were adopted in the Final EIR. Where changes have been made, these changes do not change the significance of any conclusions presented in the Draft EIR.

CEQA case law emphasizes that “[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.” (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737 (*Kings County Farm Bureau*); see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) “‘CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.’ [Citation.] In short, a project must be open for public discussion and subject to agency modification during the CEQA process.” (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.) Here, the changes made to the Draft EIR are exactly the kind of project improvements that the case law recognizes as legitimate and proper.

The changes to the Draft EIR text described in Chapter 2 of the Final EIR supplement or clarify the existing language. Thus, none of these changes involves “significant new information” triggering recirculation because the changes to the Draft EIR did not result in any new significant environmental effects or any substantial increase in the severity of any previously identified

significant effects, and did not otherwise trigger recirculation. Instead, the modifications were either environmentally benign or environmentally neutral, and thus represent the kinds of changes that commonly occur as the environmental review process works towards its conclusion. Under such circumstances, the City finds that recirculation of the EIR is not required.

XIV. PROJECT ALTERNATIVES

A. BASIS FOR ALTERNATIVES

Public Resources Code, section 21002, a key provision of CEQA, provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Feasible mitigation measures that can substantially lessen impacts in connection with the Project are not available, therefore resulting in the following significant and unavoidable impacts:

- **Impact 4.2-2: Study roadway intersections and roadway segments under EPAP Plus Project conditions.** The proposed Project would exacerbate congestion at the Matmor Road and Gibson Road intersection under the EPAP Plus Project Conditions, resulting in an unacceptable LOS E in the AM peak hour. Mitigation which may reduce the impact to a less-than-significant level is not feasible. Therefore, the impact would remain significant and unavoidable.
- **Impact 4.2-5: Study roadway intersections and roadway segments under Cumulative Plus Project conditions.** In the cumulative condition, implementation of the Proposed Project would result in the signalized intersections of East Street/Gibson Road and Matmor Road/Gibson Road operating at unacceptable levels according to the current City of Woodland standards. In addition, the East Street study segment was found to be operating at unacceptable levels of service in both directions for the AM and PM peak hours. Mitigation which may reduce the impact to a less-than-significant level is not feasible. Therefore, the impact would remain significant and unavoidable.

Under CEQA, where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if an alternative would mitigate the impact to a greater degree than the proposed project. (Pub. Resources Code, § 21002; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521 (*Laurel Hills*); see also *Kings County Farm Bureau, supra*, 221 Cal.App.3d at pp. 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) Specifically, the CEQA Guidelines provide that “[t]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impeded to some degree the attainment of the project objectives, or would be

more costly.” (CEQA Guidelines, § 15126.6, subd. (b).) When a lead agency has determined that certain effects on the environment of a project are not significant, the lead agency does not need to discuss those impacts in detail within the environmental impact report. (Pub. Resources Code, § 21100.) Therefore, like mitigation measures, a lead agency is not required to consider the feasibility of implementing an alternative to a project unless the alternative will avoid or substantially lessen a significant impact. (CEQA Guidelines, § 15126.4, subd. (a)(3) [mitigation measures are not required for effects which are not found to be significant]; CEQA Guidelines, § 15126.6, subd. (a) [alternatives must focus on significant impacts of the project and the ability of the alternative to avoid or substantially lessen such impacts].)

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *CNPS, supra*, 177 Cal.App.4th at p. 998.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to “feasibly attain most of the basic objectives of the project[.]” Based on the requirements of CEQA Guidelines section 15126.6 and the Project’s objectives, the following alternatives to the Project were identified:

- No Project (No Build) Alternative;
- Reduced Intensity Alternative; and
- Mixed-Use Alternative.

The City Council finds that that a good faith effort was made to evaluate all potentially feasible alternatives in the EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The City Council also finds that all reasonable alternatives were reviewed, analyzed and discussed in developing the EIR.

As is evident from the text of the EIR and the above discussion of the proposed Project’s environmental impacts, every significant effect of the proposed Project, with the exception of Impacts 4.2-2 (Project-level impacts to study roadway intersections and roadway segments under EPAP Plus Project conditions) and 4.2-5 (cumulative impacts to study roadway intersections and roadway segments under Cumulative Plus Project conditions), has been reduced to a less-than-

significant level, if not fully avoided, by the adoption of feasible mitigation measures. Thus, as a legal matter, except to the extent that proposed alternatives substantially reduce transportation, traffic, and circulation impacts, the City Council need not consider, in these findings, the feasibility of the various alternatives described in the Draft EIR. The City Council has chosen to address alternatives to the proposed Project in detail within these findings in the interest of full disclosure and to demonstrate it has fully considered whether any of the alternatives is indeed feasible or more desirable from a policy standpoint. As explained below, the City Council is unable to identify any alternative that is both feasible and environmentally superior to the proposed Project with respect to its only remaining significant unavoidable effects.

B. ALTERNATIVES CONSIDERED AND DISMISSED FROM FUTURE CONSIDERATION

As noted previously, the purpose of an alternatives analysis is to develop alternatives to a proposed project that substantially lessen at least one of the significant environmental effects identified as a result of the project, while still meeting most, if not all, of the basic project objectives. The Project results in two significant and unavoidable impacts (Impacts 4.2-2 and 4.2-5). In addition, the Project results in impacts that, in the absence of mitigation, would be significant. Project alternatives that would reduce the size of development on the site or change the mix of uses that would lessen the severity of impacts identified under the Project are addressed in the EIR and summarized below.

Consistent with CEQA, primary consideration was given to alternatives that could reduce significant impacts, while still meeting most of the basic project objectives. Any alternative that would have impacts identical to or more severe than the proposed Project, and/or that would not meet any or most of the project objectives were dismissed from further consideration. The alternatives considered but dismissed from further analysis in the Draft EIR are discussed below.

Two alternatives, the Off-Site Alternative and the Existing Zoning Alternative, were considered but dismissed. The major characteristics of the Off-Site Alternative and the Existing Zoning Alternative are summarized below.

Off-Site Alternative

Section 15126.6(f)(2)(B) of the CEQA Guidelines states, “If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reason in the EIR.” A feasible location for the proposed project that would result in substantially reduced impacts does not exist.

The CEQA Guidelines Section 15126.6(b) requires that only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR. The Off-Site Alternative would involve the construction of the proposed project on an alternative location. The Off-Site Alternative would locate the proposed project on other lands located within the vicinity of the proposed project site. However, other sites in the vicinity would likely have equal or greater impacts compared to the proposed project site. For example, the proposed project site is surrounded by existing development on all sides and was previously

farmed and disturbed on an annual basis. In addition, the project site does not contain any aquatic resources or sensitive habitat. A comparable off-site property could contain water resources, vegetation, or other habitat types, thereby resulting in potentially greater impacts to biological resources.

In addition, the CEQA Guidelines state that, by definition, an alternative should avoid or substantially lessen one or more of the environmental effects of the project. Development of the project on another similar site would result in an equal area being graded and, therefore, similar physical environmental impacts would occur related to land disturbance activities. In addition, the development of the same number of residential units would result in traffic, air quality, and noise impacts that would likely be very similar, or even potentially worse than the proposed project, depending on site accessibility. Therefore, development of the project at an alternative location in the City of Woodland would be expected to result in the same impacts, or worse, when compared to the proposed project. As a result, an environmentally feasible off-site location that would meet the requirements of CEQA, as well as meet the basic objectives of the project, does not exist.

Existing Zoning Alternative

The Existing Zoning Alternative would develop the project site per the existing General Plan land use and zoning designation of General Commercial. The General Commercial land use designation allows for retail, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses. Per the Woodland General Plan, the floor-area ratio for General Commercial land uses shall not exceed 0.8. Per the Woodland Municipal Code, Section 25-15-20, buildings in the General Commercial zone shall not exceed 65 feet in height. Although the maximum allowable square footage for the site would be 1.3 million square feet (sf) per the existing zoning, due to the surrounding uses and the presence of the County Fair Mall to the north of the site, two commercial buildings totaling 400,000 square feet (sf) is assumed for the following analysis.

Due to the wide range of acceptable uses allowed by the General Commercial zoning code, the potential environmental impacts resulting from the Existing Zoning Alternative would vary depending on the proposed use. For example, the number of vehicle trips resulting from the Existing Zoning Alternative could range from approximately 17,728 vehicle trips per day to over 30,000 vehicle trips per day.

When utilizing the Institute of Transportation Engineers (ITE), 9th Edition, trip generation rate for Specialty Retail Center (Land Use Code 826), the Existing Zoning Alternative would result in approximately 17,728 daily trips, 2,736 AM peak hour trips, and 1,084 PM peak hour trips (44.32 daily trips per thousand sf [KSF] $\times$ 400 KSF = 17,728 daily trips). Alternatively, when utilizing the ITE trip generation rate for Movie Theatre Without Matinee (Land Use Code 443), the Existing Zoning Alternative would result in approximately 31,224 daily trips, 88 AM peak hour trips, and 2,464 PM peak hour trips (78.06 daily trips per KSF $\times$ 400 KSF = 31,224 daily trips). Furthermore, when utilizing the ITE trip generation rate for Office Park (Land Use Code 750), the Existing Zoning Alternative would result in approximately 4,568 daily trips, 684 AM

peak hour trips, and 592 PM peak hour trips (11.42 daily trips per KSF $\times$ 400 KSF = 4,568 daily trips).

The proposed project would result in approximately 2,024 daily trips, 153 AM peak hour trips, and 200 PM peak hour trips. As such, all of the aforementioned uses (retail center, movie theatre, and office park) would result in substantially greater impacts related to transportation and circulation. Specifically, the impacts to the Matmor Road and Gibson Road intersection would be further exacerbated by the Existing Zoning Alternative. In addition, the intersections which would be impacted by implementation of the Existing Zoning Alternative may differ from those impacted by the proposed project. Due to the substantially higher number of vehicle trips generated by the Existing Zoning Alternative, the mobile air pollutant emissions would also increase. Therefore, impacts related to air quality, climate change, and noise would be greater than anticipated for the proposed project.

Depending on the proposed use of the commercial building, the Existing Zoning Alternative could increase the demand for public services and utilities. For example, the two commercial buildings totaling 400,000 sf could be used for hotel or motel uses, which would likely increase demand for water, wastewater, and other utilities as compared to the proposed project. Therefore, development of the Existing Zoning Alternative would be expected to result in the same impacts, or worse, when compared to the proposed project.

C. ALTERNATIVES CONSIDERED IN THE EIR

The Project alternatives identified in the Draft EIR address the significant impacts (before mitigation) identified for the Project, including transportation and circulation associated with Project operation. In many instances, the impacts are virtually identical to those of the proposed Project.

The alternatives analyzed in the Draft EIR are briefly described below.

- **Alternative 1: No Project (No Build) Alternative.** This alternative assumes no development would occur and the site would remain in its current undeveloped condition.
- **Alternative 2: Reduced Intensity Alternative.** This alternative assumes that the 38-acre project site would ultimately be developed with 120 units with 1.8 acres of parkland. The Reduced Intensity Alternative would reduce the overall density to 3.31 dwelling units per acre (du/ac) and increase the lot size for each residential unit.
- **Alternative 3: Mixed-Use Alternative.** This alternative assumes development of 120 units on the eastern half of the project site with 1.6 acres of parkland. On the western half of the project site, the Mixed-Use Alternative would develop two 100,000 sf commercial buildings (200,000 sf total). The commercial buildings could contain a variety of uses, including, but not limited to, the following: pharmacy/drug store, drive-in bank, general office space, quality restaurant, coffee/donut shop, sit down restaurant, or discount supermarket.

Each of the alternatives is described in more detail, below, followed by an assessment of the alternative's impacts relative to the Project.

ALTERNATIVE 1: NO PROJECT (NO BUILD)

Description

The No Project (No Build) Alternative considers the effects of forgoing the Project entirely, and leaving the Project site in its current, vacant condition. The No Project (No Build) Alternative thus allows decision-makers to compare the impacts of the proposed Project to retaining the existing condition of the site. The No Project (No Build) Alternative describes the environmental conditions that exist at the time that the environmental analysis commences. (CEQA Guidelines, § 15126.6, subd. (e)(2).)

Comparative Analysis of Environmental Effects

The No Project (No Build) Alternative would produce no changes on the Project site, because the site would remain in its current condition, effectively preventing those Project impacts discussed in the Draft EIR. Air emissions associated with Project construction and operation or cumulative contribution to global climate change would not occur. A change in the visual environment would not occur and an increase in the number of vehicles accessing the site and on area roadways and intersections, or increase in demand for public services or utilities, would not occur. Operational impacts on the surrounding roadway network, or associated changes in ambient noise levels, would also not occur.

Relationship to Proposed Project Objectives

The No Project (No Build) Alternative would not meet any of the project objectives because the site would not be developed with single-family residential uses.

Feasibility of the No Project (No Build) Alternative

Pursuant to CEQA, a lead agency should adopt a feasible project alternative that substantially lessens or avoids significant environmental effects of the proposed project. (Pub. Resources Code, § 21002; *Stockton Citizens, supra*, 48 Cal.4th at p. 498 [“[An] agency may not . . . approve the project as proposed if there are feasible alternatives . . . that would avoid or substantially lessen the adverse environmental effects.”]; *Cherry Valley, supra*, 190 Cal.App.4th at p. 348 [“‘in the event specific economic, social, or other conditions make infeasible project alternatives [that would otherwise substantially lessen or avoid the project’s significant environmental impacts],’ the project may be approved despite its significant environmental impacts”].)

As noted in Section X, the proposed project would result in significant and unavoidable impacts to study roadway intersections under EPAP Plus Project and the Cumulative Plus Project Conditions. Under the No Project (No Build) Alternative, transportation and circulation in the project vicinity would not be modified; thus, all associated impacts, such as increased vehicle

traffic on area roadways, would not occur. Therefore, the No Project (No Build) Alternative would reduce the significant and unavoidable impacts resulting from the proposed project. In addition, as noted above, the No Project (No Build) Alternative would not meet any of the project objectives because the site would not be developed with single-family residential uses. Therefore, although the No Project (No Build) Alternative would substantially lessen or avoid significant environmental effects of the proposed project, the alternative should not be adopted by the City Council.

ALTERNATIVE 2: REDUCED INTENSITY

Description

The Reduced Intensity Alternative includes the development of 120 units on the 38-acre project site. The park parcel would be increased from 1.38 acres to approximately 1.8 acres in order to meet the requirements of Woodland Municipal Code, Section 21-12-02. The Reduced Intensity Alternative would reduce the overall density to 3.31 du/ac and increase the lot size for each residential unit. The parcels and streets would be laid out in a grid with three north-south streets and four east-west streets. Overall, the Reduced Intensity Alternative would increase the amount of parkland and decrease the total number of residential units under the proposed project from 186 to 120 units.

Comparative Analysis of Environmental Effects

Impacts under the Reduced Intensity Alternative would be similar to those of the Project, but less intense because the alternative would generate a decrease in average daily vehicle trips compared to the proposed Project. As provided in Chapter 6 of the Draft EIR, Alternative 2 would result in 1,142 average daily trips (9.52 daily trips per dwelling unit $\times$ 106 units = 1,142 daily trips), which is approximately 882 less trips than the proposed project.

Impacts Identified as Being the Same or Similar to those of the Project

Similar to the proposed project, development of the Reduced Intensity Alternative would introduce new sources of light and glare to the area. Therefore, the Reduced Intensity Alternative would result in equal impacts compared to the proposed project related to aesthetics. Because the Reduced Intensity Alternative would be developed on the same site as the proposed project, an equal potential exists to impact Swainson's hawk, white-tailed kite, and other raptors and migratory birds which are known to occur in the area. Similarly, an equal potential exists to impact previously unknown cultural resources. Therefore, the Reduced Intensity Alternative would result in equal impacts compared to the proposed project related to biological and cultural resources. In addition, although the Reduced Intensity Alternative would result in slightly more permeable surfaces than the proposed project, a similar potential exists for the project to result in the loss of topsoil during construction. Similarly, an equal potential exists to alter the existing drainage pattern of the site. Therefore, the Reduced Intensity Alternative would result in equal impacts compared to the proposed project related to geology and soils and hydrology and water quality.

Because development of the Reduced Intensity Alternative would occur on the same site as the proposed project, similar noise and vibration disturbance would occur. Therefore, the Reduced Intensity Alternative would result in equal impacts compared to the proposed project related to noise. Under the Reduced Intensity Alternative, the 1.38-acre park parcel would be increased to 1.8 acres and 120 single-family units would be developed. Based on a population factor of 3.0 persons per household, the Reduced Intensity Alternative would result in 360 residents to the City. Using the Quimby Ordinance requirement of five acres per 1,000 residents, the Reduced Intensity Alternative would require 1.79 acres of parkland. Therefore, the Reduced Intensity Alternative would result in fewer impacts compared to the proposed project related to public services and recreation. In addition, as noted on page 67 of the Initial Study, the projected peak flow from the project site using the current land use of “Other Commercial” would be 0.22 millions of gallons per day (mgd). Rezoning the project site to a low density residential use would result in peak flows of 0.14 mgd. Although the peak flows for the Reduced Intensity Alternative would reduce the peak flows, the Alternative would also be required to pay fair-share fees towards wastewater improvements. Therefore, the Reduced Intensity Alternative would result in equal impacts compared to the proposed project related to utilities and services systems.

Impacts Identified as Being Less Severe than those of the Proposed Project

Development of the Reduced Intensity Alternative would result in buildout of fewer dwelling units as compared to the proposed project, ultimately reducing the intensity of traffic-related impacts. It should be noted, however, that the Reduced Intensity Alternative would still increase traffic on surrounding intersections and roadways and would not eliminate any significant and unavoidable impacts identified for the proposed project. Furthermore, the Reduced Intensity Alternative would also contribute to a significant and unavoidable impact to Matmor Road and Gibson Road as this intersection is currently operating at an unacceptable level.

The unmitigated construction-related emissions of reactive organic gasses (ROG) and nitrous oxides (NO_x) associated with the Reduced Intensity Alternative would be lower than those of the proposed project, and the emissions of PM₁₀ would be equal. Thus, construction-related air quality impacts would be similar under the Reduced Intensity Alternative as compared to the proposed project.

In addition, the unmitigated operational emissions of NO_x and respirable particulate matter (PM₁₀) associated with the Reduced Intensity Alternative would be lower than those of the proposed project, and the emissions of ROG would be greater. In addition, the operational GHG emissions would be lower than those of the proposed project. The Reduced Intensity Alternative would result in fewer overall operational emissions, including daily and annual criteria air pollutant emissions.

The total GHG emissions were estimated to be lower than that of the proposed project. Therefore, impacts related to GHG emissions would be slightly fewer under the Reduced Intensity Alternative than the proposed project. It should be noted that impacts related to GHG emissions as a result of implementation of the proposed project were determined to be less than significant.

Because the Reduced Intensity Alternative would result in fewer trips than the proposed project, the alternative would result in less traffic on area roadways and, thus, a reduced contribution to localized carbon monoxide (CO) concentrations at surrounding intersections. As the Reduced Intensity Alternative would consist of buildout on the same site in the same location as the proposed project with the same land uses, the effects of the project, as well as on the project from nearby sources of Toxic Air Contaminants (TACs), would be similar to that of the proposed project.

Impacts Identified as Being More Severe than those of the Proposed Project

Under this alternative, none of the impacts would be more severe than those of the proposed Project.

Relationship to Project Objectives

Although the Reduced Intensity Alternative would include 66 fewer units than the proposed project, the Alternative would not achieve all of the proposed project's objectives except for objective five. Under objective five, the proposed project would provide residential uses at a minimum of 5.0 units per acre to maximize efficiency of the site and support infrastructure and services to serve the project.

Feasibility of the Reduced Intensity Alternative

Pursuant to CEQA, a lead agency should adopt a feasible project alternative that substantially lessens or avoids significant environmental effects of the proposed project. (Pub. Resources Code, § 21002; *Stockton Citizens, supra*, 48 Cal.4th at p. 498 [“[An] agency may not . . . approve the project as proposed if there are feasible alternatives . . . that would avoid or substantially lessen the adverse environmental effects.”]; *Cherry Valley, supra*, 190 Cal.App.4th at p. 348 [“‘in the event specific economic, social, or other conditions make infeasible project alternatives [that would otherwise substantially lessen or avoid the project’s significant environmental impacts],’ the project may be approved despite its significant environmental impacts”].)

As noted in Section X, the proposed project would result in significant and unavoidable impacts to study roadway intersections under EPAP Plus Project and the Cumulative Plus Project Conditions. Under the Reduced Intensity Alternative, a reduction in average daily trips as compared to the proposed project would occur. However, the Reduced Intensity Alternative would still increase traffic on surrounding intersections and roadways and would not eliminate any significant and unavoidable impacts identified for the proposed project. Furthermore, the Reduced Intensity Alternative would also contribute to a significant and unavoidable impact to Matmor Road and Gibson Road as this intersection is currently operating at an unacceptable level. Therefore, the Reduced Intensity Alternative would not reduce the significant and unavoidable impacts resulting from the proposed project. In addition, as noted above, the Reduced Intensity Alternative would achieve most of the proposed project's objectives except for objective five. Under objective five, the proposed project would provide residential uses at a minimum of 5.0 units per acre to maximize efficiency of the site and support infrastructure and

services to serve the project. While the Reduced Intensity Alternative does meet most of the project objectives, the Alternative would not substantially lessen or avoid significant environmental effects; thus, the alternative should not be adopted by the City Council.

ALTERNATIVE 3: MIXED-USE

Description

The Mixed-Use Alternative would reduce the amount of single-family units on the eastern half of the project site from 186 to 106 units on approximately 14 acres resulting in a density of 7.6 du/ac. In addition, the park parcel would be increased from 1.38 acres to approximately 1.6 acres in order to meet the requirements of Woodland Municipal Code, Section 21-12-02. A pedestrian and bicycle path would meander through the center of the project site in a north-south direction and would connect to the park parcel. On the western half of the project site, the Mixed-Use Alternative would develop two 100,000 sf commercial buildings (200,000 sf total). The commercial buildings could contain a variety of uses, including, but not limited to, the following: pharmacy/drug store, drive-in bank, general office space, quality restaurant, coffee/donut shop, sit down restaurant, or discount supermarket. The commercial buildings would function as ancillary uses for the Community/Senior Center and the Sports Complex south of the project site.

Overall, the Mixed-Use Alternative would reduce the total number of residential units from 186 under the proposed project to 106 units, increase the amount of parkland and trails, and introduce 200,000 sf of commercial development to the western half of the project site. The Mixed-Use Alternative would maintain an average single-family lot size of 5,000 sf.

Comparative Analysis of Environmental Effects

Impacts under the Mixed-Use Alternative would be similar to those of the Project, but more intense because the alternative would generate an increase in average daily vehicle trips compared to the proposed Project. As provided in Chapter 6 of the Draft EIR, Alternative 3 would result in 9,873 average daily trips ($[44.32 \text{ daily trips per KSF} \times 200 \text{ KSF}] + [9.52 \text{ daily trips per dwelling unit} \times 106 \text{ units}] = 9,873 \text{ daily trips}$), which is approximately 7,849 more trips than the proposed project.

Impacts Identified as Being the Same or Similar to those of the Project

Similar to the proposed project, development of the Mixed-Use Alternative would introduce new sources of light and glare to the area. Therefore, the Mixed-Use Alternative would result in equal impacts compared to the proposed project related to aesthetics. Because the Mixed-Use Alternative would be developed on the same site as the proposed project, an equal potential exists to impact Swainson's hawk, white-tailed kite, and other raptors and migratory birds which are known to occur in the area. Similarly, an equal potential exists to impact previously unknown cultural resources. Therefore, the Mixed-Use Alternative would result in equal impacts compared to the proposed project related to biological and cultural resources. In addition, although the Mixed-Use Alternative would result in slightly more permeable surfaces than the proposed project, a similar potential exists for the project to result in the loss of topsoil during

construction. Similarly, an equal potential exists to alter the existing drainage pattern of the site. Therefore, the Mixed-Use Alternative would result in equal impacts compared to the proposed project related to geology and soils and hydrology and water quality.

Similar to the proposed Project, the Alternative would also be required to pay fair-share fees towards wastewater improvements based on buildout of the Spring Lake Specific Plan. Therefore, the Mixed-Use Alternative would result in equal impacts compared to the proposed project related to utilities and services systems.

Impacts Identified as Being Less Severe than those of the Project

Under the Mixed-Use Alternative, the 1.38-acre park parcel would be increased to 1.6 acres and 106 single-family units would be developed. Based on a population factor of 3.0 person per household, the Mixed-Use Alternative would result in 318 residents to the City. Using the Quimby Ordinance requirement of five acres per 1,000 residents, the Mixed-Use Alternative would require 1.59 acres of parkland. Therefore, the Mixed-Use Alternative would result in fewer impacts compared to the proposed project related to public services and recreation.

Impacts Identified as Being More Severe than those of the Project

The unmitigated construction-related emissions of ROG associated with the Mixed-Use Alternative would be higher than those of the proposed project, and the emissions of NO_x and PM₁₀ would be lower than the proposed project. In addition, the construction-related GHG emissions would be higher than those of the proposed project. Thus, overall, construction-related air quality impacts would be greater under the Mixed-Use Alternative than the proposed project.

The unmitigated operational emissions of ROG, NO_x, and PM₁₀ associated with the Mixed-Use Alternative would be higher than those of the proposed project. In addition, the operational GHG emissions would be significantly higher than those of the proposed project. The Mixed-Use Alternative would result in significantly greater overall operational emissions, including daily and annual criteria air pollutant emissions. The total GHG emissions were estimated to be significantly higher than that of the proposed project. Therefore, impacts related to GHG emissions would be greater under the Mixed-Use Alternative than the proposed project.

Because the Mixed-Use Alternative would result in greater trips than the proposed project, the alternative would result in greater traffic on area roadways and, thus, an increased contribution to localized CO concentrations at surrounding intersections. As the Mixed-Use Alternative would consist of buildout on the same site in the same location as the proposed project with the same land uses, the effects of the project, as well as on the project from nearby sources of TACs, would be similar to that of the proposed project.

Because development of the Mixed-Use Alternative would occur on the same site as the proposed project, similar noise and vibration disturbance would occur. However, because the Mixed-Use Alternative would generate approximately 7,849 more trips than the proposed project, traffic noise would be greater than the proposed project. Therefore, the Mixed-Use Alternative would result in greater impacts compared to the proposed project related to noise.

Because more vehicle trips would be generated by the Mixed-Use Alternative, the intensity of traffic-related impacts would be increased, as compared to the proposed project. The Mixed-Use Alternative would still increase traffic on surrounding intersections and roadways. Specifically, the impacts to the Matmor Road and Gibson Road intersection would be further exacerbated by the Mixed-Use Alternative. The Mixed-Use Alternative would contribute to a significant and unavoidable impact to Matmor Road and Gibson Road as this intersection is currently operating at an unacceptable level. Overall, the Mixed-Use Alternative would result in greater impacts compared to the proposed project related to transportation and circulation.

Relationship to Project Objectives

The Mixed-Use Alternative would fail to meet all objectives except for objective one, by providing housing stock to respond to the regional demand.

Feasibility of the Reduced Intensity Alternative

Pursuant to CEQA, a lead agency should adopt a feasible project alternative that substantially lessens or avoids significant environmental effects of the proposed project. (Pub. Resources Code, § 21002; *Stockton Citizens, supra*, 48 Cal.4th at p. 498 [“[An] agency may not . . . approve the project as proposed if there are feasible alternatives . . . that would avoid or substantially lessen the adverse environmental effects.”]; *Cherry Valley, supra*, 190 Cal.App.4th at p. 348 [“in the event specific economic, social, or other conditions make infeasible project alternatives [that would otherwise substantially lessen or avoid the project’s significant environmental impacts],’ the project may be approved despite its significant environmental impacts”].)

As noted in Section X, the proposed project would result in significant and unavoidable impacts to study roadway intersections under EPAP Plus Project and the Cumulative Plus Project Conditions. Under the Mixed-Use Alternative, an increase in average daily trips as compared to the proposed project would occur. The Mixed-Use Alternative would still increase traffic on surrounding intersections and roadways. Specifically, the impacts to the Matmor Road and Gibson Road intersection would be further exacerbated by the Mixed-Use Alternative. The Mixed-Use Alternative would contribute to a significant and unavoidable impact to Matmor Road and Gibson Road as this intersection is currently operating at an unacceptable level. Therefore, the Mixed-Use Alternative would not reduce the significant and unavoidable impacts resulting from the proposed project. In addition, as noted above, the Mixed-Use Alternative would fail to meet all objectives except for objective one, by contributing to the City’s overall housing stock and responding to the regional demand for residential uses. While the Mixed-Use Alternative does meet most of the project objectives, the Alternative would not substantially lessen or avoid significant environmental effects of the proposed project; thus, the alternative should not be adopted by the City Council.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

From the alternatives evaluated for the Project, shown in Table 6-3 of the Draft EIR, the environmentally superior alternative would be Alternative 2, the Reduced Intensity Alternative. Aside from the No Project (No Build) Alternative, the development alternatives would meet some of the proposed project’s objectives. The Reduced Intensity Alternative would include 66 fewer units than the proposed project and would achieve most of the proposed project’s objectives, except for objective five. Under objective five, the proposed project would provide residential uses at a minimum of 5.0 units per acre to maximize efficiency of the site and support infrastructure and services to serve the project. The Mixed-Use Alternative would fail to meet all objectives except for objective one, by providing housing stock to respond to the regional demand. However, the Mixed-Use Alternative would include commercial uses that would compete with the existing commercial uses adjacent to the County Fair Mall. Generally, the alternatives would meet some of the objectives; however, it should be noted that the objectives would likely be satisfied to a lesser extent than with the proposed project. As shown in the table, the Reduced Intensity Alternative would result in fewer impacts than the proposed project in two resource areas. The Mixed-Use Alternative would result in greater impacts in three resource areas. Therefore, the Reduced Intensity Alternative would be considered the environmentally superior alternative.

XV. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the City of Woodland’s approval of the proposed Project will result in four significant adverse operational environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures; and there are no feasible Project alternatives that would mitigate or substantially lessen this impact. Despite the occurrence of this effect, however, City Council, in accordance with CEQA Guidelines section 15093, chooses to approve the proposed Project because, in the City Council’s view, the economic, social, and other benefits that the Project will produce will render this significant temporary effect acceptable.

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed in Section XV.A, *supra*, the proposed Project will result in the following potentially significant and unavoidable impacts, even with the implementation of all feasible mitigation measures:

- **Impact 4.2-2: Study roadway intersections and roadway segments under EPAP Plus Project conditions.** The proposed Project would exacerbate congestion at the Matmor Road and Gibson Road intersection under the EPAP Plus Project Conditions, resulting in an unacceptable LOS E in the AM peak hour. Mitigation which may reduce the impact

to a less-than-significant level is not feasible. Therefore, the impact would remain significant and unavoidable.

- **Impact 4.2-5: Study roadway intersections and roadway segments under Cumulative Plus Project conditions.** In the cumulative condition, implementation of the Proposed Project would result in the signalized intersections of East Street/Gibson Road and Matmor Road/Gibson Road operating at unacceptable levels according to the current City of Woodland standards. In addition, the East Street study segment was found to be operating at unacceptable levels of service in both directions for the AM and PM peak hours. Mitigation which may reduce the impact to a less-than-significant level is not feasible. Therefore, the impact would remain significant and unavoidable.

B. OVERRIDING CONSIDERATIONS

In the City Council's judgment, the proposed Project and its benefits outweigh its unavoidable significant transportation, traffic, and circulation effects. The following statement identifies the specific reasons why, in the City Council's judgment, the benefits of the proposed Project as approved outweigh its unavoidable significant effects. It is the City Council's judgment that any one of these reasons is sufficient to justify approval of the proposed Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section VI above.

The proposed Project provides an opportunity for the City of Woodland to achieve a variety of important goals that will benefit both the City and the region. The Project will provide needed housing units within the City and will also provide significant fiscal and economic benefits to the City of Woodland.

- The project would help stabilize the community's housing market by providing housing types and densities that meet the housing needs of existing and future Woodland residents.
- The project would comply with the City's affordable housing ordinance to ensure adequate affordable housing is available throughout the City.
- The project would create an inviting aesthetic streetscape comprised of a distinct neighborhood and 1.46 acre centrally located park, which would provide an attractive lifestyle choice for residents.
- The project will provide land uses that are economically beneficial to the City through property tax revenue and development impact fee revenue for public facilities, including:
 - Law enforcement and fire protection: Under the current fee schedule, single-family developments such as the proposed project pay \$1,110 per unit for fire protection and \$950 per unit for police. The proposed project would contribute approximately \$420,240 for fire protection and police facilities and equipment.

- Schools: The project applicant is required to pay school impact fees per Senate Bill 50 (SB 50). SB 50 charges residential establishments per square foot to utilize the local school district.
- Parks: The proposed project includes 1.38 acres for park facilities. In order to meet the City's parkland dedication requirement, the project applicant would be required to dedicate the required acreage of parkland or pay the appropriate Quimby Act fee [see Mitigation Measure XIV-1].
- The project will provide necessary on-site infrastructure and contribute fair share funding to upgrade the City's infrastructure, including:
 - Water utilities [see Mitigation Measure XVII-3];
 - Wastewater utilities [see Mitigation Measures XVII-1 and XVII-2]; and
 - Storm drainage [see Mitigation Measures XVII-4 and XVII-5].
- The project includes key roadway segment improvements to East Street, including the following:
 - Construction of East Street improvements between the project site and the East Street/Sports Park Drive intersection (along the Forrest property frontage) for a distance of approximately 250 feet, including widening of the east side of the existing paved section.
 - Construction of East Street improvements between East Street and Sports Park Drive (along the Woodland Sports Park property frontage) for a distance of approximately 270 feet, including widening of the east side of the existing paved section.
 - Modifications to the signal at the East Street/Sports Park Drive intersection to accommodate left turn movements, minor adjustments to signal location, and reconstruction of curb and gutter.

In addition, the project would contribute the fair share fee towards providing transit service to the project site [see Mitigation Measures 42-3].

C. CONCLUSION

As explained above, the City Council has concluded that the significant and unavoidable environmental effects of the transportation and circulation impacts are outweighed by the benefits. The City Council believes the proposed Project benefits to the City of Woodland community and economy override the two significant and unavoidable environmental impacts associated with the proposed Project.

3

MITIGATION MONITORING AND REPORTING PLAN

3.0 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Plan (MMRP) for the Prudler Tentative Subdivision Map Project. The intent of the MMRP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

3.1 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Prudler Tentative Subdivision Map project prepared by the City of Woodland. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR prepared for the proposed project.

The Prudler Tentative Subdivision Map Project EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of

construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Woodland. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City of Woodland will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City Planning Division and will be thoroughly familiar with permit conditions and the MMRP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities;
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures;
- Ensuring contractor knowledge of and compliance with the MMRP;
- Verifying the accuracy and adequacy of contract wording;
- Having the authority to require correction of activities that violate mitigation measures, securing compliance with the MMRP;
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Woodland;
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures; and
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

3.2 MITIGATION MONITORING AND REPORTING PLAN

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
4.2 Transportation and Circulation				
4.2-3	Alternative transportation facilities.	4.2-3 Prior to approval of Improvement Plans, the project applicant shall contribute the fair share fee towards providing transit service to the project site. The applicant's fair share contribution shall be determined by the City of Woodland and YCTD.	Community Development Department Yolo County Transportation District	Prior to approval of Improvement Plans
4.2-6	Alternative transportation facilities under cumulative conditions.	4.2-6 Implement Mitigation Measure 4.2-3	See Mitigation Measure 4.2-3	See Mitigation Measure 4.2-3
Initial Study				
I-d	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	I-1 A detailed lighting plan shall be submitted for the review and approval by the Community Development Department and the Engineering Department in conjunction with the project improvement plans. The plan shall show, at minimum, the locations (both ground and wall mounted), height, and design of shielded light fixtures ensuring that all on-site lighting is directed within the project site and does not illuminate adjacent properties. A photometric plan shall also be submitted to the Community Development Department for review and approval.	Community Development Department Engineering Department	In conjunction with the project Improvement Plans

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
IV-a,b	Have a substantial adversely effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<i>IV-1 If construction is expected to occur during the raptor nesting season (January 1 to October 31), then no later than 30 days prior to the initiation of construction activities, a pre-construction survey shall be performed by a qualified biologist to determine if active raptor nests are present within the boundaries of the site or within 500 feet of said boundaries. The survey shall be conducted on-site as well as in any off-site improvement areas. If active raptor nests are not found on or within 500 feet of the phase area, further mitigation is not necessary. In addition, if construction activities are proposed to occur during the non-breeding season (November 1 to December 31), a survey is not required and further studies are not necessary. However, if active raptor nests are found on or within 500 feet of the project site, construction activities shall not occur within 500 feet of any active raptor nests until the young have fledged or until the biologist has determined that the nest is not active any longer. The results of the pre-construction surveys must be submitted to the Community Development Department prior to initiation of construction.</i> <i>It should be noted that extensive buffers, such as those recommended for nesting raptors, are not necessary for nesting avian species</i>	Community Development Department	No later than 30 days prior to the initiation of construction activities, if construction is expected to occur during the raptor nesting season (January 1 to October 31)	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
IV-e	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<i>protected by the Migratory Bird Treaty Act. Depending on the bird species, site conditions, and the proposed construction activities near an active nest, a smaller buffer could be prescribed, as determined by the biologist.</i> IV-2 Prior to grading permit, the applicant shall prepare and submit a tree mitigation plan for review and approval by the Community Development Department. The plan shall include, but not be limited to the following: • Grade cuts within the drip line of a tree shall be maintained at less than 20% of the critical root zone area. Grade cuts should be supervised by the Project Arborist; • If grade fills exceed 1 foot in depth up to 20% of the critical root zone area aeration systems may serve to mitigate the presence of fill materials; • If grade fills are built on two or three sides of a tree drainage away from the critical root zone of the tree shall be provided; • Structural encroachments shall be evaluated and the appropriate measures taken; • Where possible, dry utilities should be routed on the opposite side of the street from tree locations;	Community Development Department	Prior to grading permit

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
		- Wet utility locations shall be carefully considered and boring may be an option to reduce impact on trees from wet utilities; and - Street and hardscape construction shall be evaluated and aeration systems shall be used, where appropriate, to mitigate impacts.		
IV-3		The applicant shall comply with the Tree Plan approved by the Parks and Recreation Commission and the Urban Forestry Subcommittee, which includes the following conditions: - The applicant is required to provide 301, 15-gallon size replacement trees based on the removal of 35 trees within the proposed right-of-way along East Street, resulting in a total of 904 inches at diameter breast height (DBH) of trees removed and a replacement requirement of two trees for every 6 inches of trees removed. This may be modified if the removal of trees not previously identified in the Tree Report is required. - The replacement trees are in addition to those trees required as part of project approval per the City's Landscaping Ordinance and	Community Development Department	During construction

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
		<i>Community Design Standards.</i> <i>The Tree Plan shall be approved upon approval of the project, including the proposed roadway alignment included in the Tree Plan;</i> <i>Should the roadway alignment for the project change in a manner that affects additional trees, the applicant shall submit a revised Tree Plan for recommendation by the City staff;</i> <i>A final tree planting plan shall be submitted that specifies the exact location of all replacement trees, or in-lieu fees shall be submitted;</i> <i>Trees proposed for removal shall not be removed until the project has been approved by the City and a grading permit has been issued; and</i> <i>The applicant shall conduct a public relations effort, including professionally-prepared signage to announce the planned tree removal and replacement. The signs shall include the tree removal and replacement information, a schedule, and an artist's rendering of the final East Street design.</i>		
IV-4	Tree preservation and/or removal must be in compliance with Woodland City Code 20A.		Community Development Department	During construction

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
V-b-d	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature? Disturb any human remains, including those interred outside of formal cemeteries.	V-1(a) Prior to Improvement Plan approval, the plans shall indicate (via notation on the improvement plans) that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the Applicant/Developer shall immediately notify the Community Development Department of the discovery. In such case, the Applicant/Developer shall be required, at their expense, to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the proceeding steps have been taken, per the approval by the Community Development Department.	Community Development Department	Prior to Improvement Plan approval	
		V-1(b) Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Yolo County Coroner shall be contacted	Community Development Department Yolo County Coroner	During construction	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. Additional work is not to take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.</i>	Native American Heritage Commission		
VI-ai-iii,c,d	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	VI-1 All grading and foundation plans for the development designed by the project Civil and Structural Engineer must be reviewed and approved by the City Engineer and Community Development Department prior to issuance of grading and building permits. The Plans shall ensure that UBC standards and all geotechnical recommendations specified in the geotechnical report for the project site are properly incorporated and utilized in design, including, but not limited to, the following: • Site preparation shall include the clearance and appropriate removal of any underground structures such as irrigation piping and agricultural wells, any utilities to be relocated and abandoned, debris, trees, and	City Engineer and Community Development Department	Prior to issuance of grading and building permits	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	Strong seismic ground shaking? Seismic-related ground failure, including liquefaction? Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	vegetation. Site preparation should be accomplished in accordance with the recommendations of the geotechnical report as well as the Earthwork Specifications provided in Appendix B of the report and a representative from the geotechnical consultant's office should be present during site preparation and grading operations to observe and test the fill to verify compliance with the recommendations; • Strippings shall not be used in general fill construction, but may be used in landscaped areas (such as backyards), provided they are kept at least five feet from the building pads and pavements, moisture conditioned and compacted; • Due to the relatively loose nature of the soils, the processed soils shall be moisture conditioned to at least the optimum moisture content and uniformly compacted to at least 90 percent of the ASTM D1557 maximum dry density; • Native soils shall be used as backfill for utility trenches located within the building footprint and extending at least five feet beyond the perimeter foundations to minimize water			

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		transmission beneath the structure. In addition, trench backfill materials and compaction requirements shall conform to current City of Woodland and/or County of Yolo Standards, latest edition; • All continuous foundations shall maintain a minimum width of 12 inches, and spread foundations shall be at least 18 inches in plan dimension; • Areas to receive exterior concrete flatwork (i.e., sidewalks, patios, etc.) should be uniformly compacted and moisture conditioned to at least the optimum moisture, immediately prior to the placement of the concrete. Proper moisture conditioning of the subgrade soils is considered essential to the performance of exterior flatwork; • The ground adjacent to the buildings should be sloped away from the structures at a gradient no less than two percent for a distance of at least five feet, where possible; • Materials quality and construction of the structural section of the pavement shall conform to the applicable provisions of the Caltrans Standard Specifications and the City of			

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
VI-b	Result in substantial soil erosion or the loss of topsoil?	<i>Woodland Standard Specifications and Details, latest editions; and</i> <i>Geotechnical testing and observation during construction shall be obtained to verify compliance with the geotechnical report and the project plans and specifications.</i> VI-2 Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval by the City Engineer, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the proposed project. Measures could include, but are not necessarily limited to the following: - Hydro-seeding; - Placement of erosion control measures within drainageways and ahead of drop inlets; - The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric); - The placement of straw wattles along slope contours; - Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire); - The use of siltation fences; and	City Engineer	Prior to issuance of a grading permit	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
IX-a,f	Violate any water quality standards or waste discharge requirements? Otherwise substantially degrade water quality?	The use of sediment basins and dust palliatives. IX-1 Prior to the issuance of a grading permit, the developer shall obtain and comply with the NPDES general construction permit, including the submittal of a Notice of Intent (NOI) and associated fee to the SWRCB, and the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which includes construction BMPs, consistent with the Stormwater Control Plan, to be submitted to the City Engineer for review.	City Engineer	Prior to issuance of a grading permit	
XI-c-e	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner	IX-2 Prior to the recordation of final maps, the applicant/developer shall demonstrate to the satisfaction of the City that discharge of peak flow from the project site for the two-year frequency storm event will maintain or reduce predevelopment downstream erosion potential and protect stream habitat. The applicant shall provide the appropriate calculations and site-specific design-measures pursuant to the requirements of the City's MS4 permit and the Stormwater Management Program.	City Engineer	Prior to recordation of final maps	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	which would result in flooding on- or off-site? Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control?				
XIII-b	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<i>XII-1 During construction, the owner/contractor shall designate a disturbance coordinator and conspicuously post this person's phone number around the project site. The disturbance coordinator will receive all public complaints about construction vibration disturbances and will be responsible for determining the cause of the complaint, and implement feasible measures to be taken to alleviate the problem. The disturbance coordinator shall immediately report all complaints and corrective measures taken to the Community Development Department.</i> <i>XII-2 The pre-existing condition of buildings within a 100-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 100-foot radius of construction activities will be documented (photographically and in writing) prior to construction. If there is any documented</i>	Community Development Department	During any construction	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		damage resulting from project construction activities, the project proponent will be required to repair it back to its pre-existing condition to the satisfaction of the Community Development Department. XII-3 Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre existing state, to the satisfaction of the Community Development Department, and to avoid any further structural damage	Community Development Department	During any construction	
XII-d	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	XII-4 Construction activities shall adhere to the requirements of the City of Woodland with respect to hours of operation, muffling of internal combustion engines, and other factors which affect construction noise generation and the effects on noise-sensitive land uses.	Community Development Department	During any construction	
XIV-d	Would the project result in substantial adverse physical impacts associated with the	XIV-1 Prior to the recordation of final maps, the applicant/developer shall be required to dedicate the required acreage of parkland or pay the appropriate Quimby Act, subject to	Community Development Department	Prior to recordation of final maps	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure <i>approval by the Community Development Department.</i>	Monitoring Agency	Implementation Schedule	Sign-off
XV-a,b	provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks? Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the construction or expansion of recreational facilities	<i>XV-1 Implement Mitigation Measure XIV-1.</i>	See Mitigation Measure XIV-1	See Mitigation Measure XIV-1	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact which might have an adverse physical effect on the environment?	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
XVII-a,e	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<i>XVII-1 Prior to the approval of a final map, applicant shall pay the project's fair-share contribution (consistent with SLSP CIP, updated for residential zoning) toward downstream wastewater facilities impacts.</i>	Community Development Department	Prior to approval of a final map	
		<i>XVII-2 Prior to the issuance of building permits, the applicant shall pay the City-wide wastewater impact fees (consistent with 2008 Major Projects Financing Plan).</i>	Community Development Department	Prior to issuance of building permits	
XVII-b,d	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Have sufficient water supplies available to serve the project from	<i>XVII-3 Prior to the issuance of building permits, the applicant shall pay the City-wide water and surface water impact fees (consistent with 2008 Major Projects Financing Plan).</i>	Community Development Department	Prior to issuance of building permits	

MITIGATION MONITORING AND REPORTING PLAN PRUDLER TENTATIVE SUBDIVISION MAP PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	existing entitlements and resources, or are new or expanded entitlements needed?				
XVII-c	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	XVII-4 Prior to the issuance of building permits, the proposed project shall provide storm drain retention on-site consistent with City Standard Specification, or pay the appropriate fees to pay back the Parkside at Spring Lake applicant for the construction of the storm drainage detention in the "West Regional Detention Basin" on the Community Park site and downstream conveyance facilities. XVII-5 Prior to the approval of a final map, applicant shall pay the project's fair-share contribution (consistent with SLSP CIP, updated for residential zoning) toward storm drain facilities impacts related to the project.	Community Development Department	Prior to issuance of building permits	Prior to approval of final map

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND AMENDING THE GENERAL PLAN LAND USE
DIAGRAM AND CIRCULATION ELEMENT FOR THE PRUDLER
TENTATIVE SUBDIVISION MAP PROJECT BY YOLO RESIDENTIAL
INVESTORS, LLC.**

WHEREAS, Article 5 of Chapter 3 of Division 1 of Title 7 (commencing with section 65300) of the Government Code requires the City to prepare and adopt a comprehensive, long-term General Plan for the physical development of the City; and,

WHEREAS, in February of 1996, the City of Woodland, (“City”) adopted its General Plan, which was updated on December 17, 2002 and has since been amended from time to time; and

WHEREAS, the General Plan contains the General Plan Land Use Diagram (Figure 1-4), which designates that certain real property consisting of parcels located in the City of Woodland, California, which comprise approximately 38 acres and is more commonly known as Yolo County Assessor’s Parcel Number 041-070-042-0000 as General Commercial (GC); and

WHEREAS, Yolo Residential investors, LLC, have submitted an application to the City requesting that the General Plan Land Use Diagram be amended to designate the 38 acres as Low Density Residential (LDR), as shown in Attachment B-2; and

WHEREAS, Yolo Residential investors, LLC, have submitted an application to the City requesting that the General Plan Circulation Element be amended to reduce the segment of East Street south of County Fair Mall to Sports Park Drive/CR 24A be reduced from four to two lanes, as shown in Attachment B-1; and

WHEREAS, On April 7, 2016, the Planning Commission of the City of Woodland (“Planning Commission”) held a duly noticed public hearing at which all persons wishing to testify in connection with the General Plan Amendment were heard, and the General Plan Amendment and all other relevant information contained in the record were comprehensively reviewed by the Planning Commission; and

WHEREAS, at the conclusion of the public hearing before the Planning Commission, the Planning Commission voted to recommend to the City Council that the General Plan amendment be approved; and

WHEREAS, On _____, 2016, the City Council of the City of Woodland (“City Council”) held a duly noticed public hearing at which all persons wishing to testify in connection with the General Plan Amendment were heard, and the General Plan Amendment and all other relevant information contained in the record were comprehensively reviewed by the City Council; and

WHEREAS, at the conclusion of the public hearing before the City Council, the City Council by resolution certified the Prudler Tentative Subdivision Map Project Environmental Impact Report; and

WHEREAS, this will be the [REDACTED] amendment of the General Plan in the calendar year 2016; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

1. Based on the entire record before the City Council, all written and oral evidence presented to the City Council, and the findings made in this Resolution, the City Council hereby approves the General Plan Amendment, hereby amending the General Plan Land Use Designations of the Prudler Tentative Subdivision Map Project to redesignate approximately 38 acres from General Commercial (GC) to Low Density Residential (LDR), as shown in Attachment B-2, attached hereto and incorporated herein by this reference.
2. Based on the entire record before the City Council and all written and oral evidence presented, the City Council hereby makes the following findings:
 - A. The General Plan Amendment is integrated and compatible with the Land Use and Community Design Element of the General Plan in that it supports infill development and use of parcels in a manner compatible with the surrounding character.
 - B. The General Plan Amendment is integrated and compatible with the Economic Development Element of the General Plan in that it allows for economic development within the City while maintaining orderly and well-planned for steady growth to prevent urban sprawl.
 - C. The General Plan Amendment promotes the goals and objectives of the General Plan and each element thereof and leaves the General Plan a compatible, integrated and internally consistent statement of policies.
 - D. The project is consistent with the goals and policies of the General Plan in that the proposed modification provides for a more economically viable land use designation for single family residential densities that the current housing market will more readily absorb and support.
 - E. The project provides for infill development that is compatible with adjacent uses including residential, commercial and community Sports Park and increases the likelihood for transit and viability of the existing commercial uses to the north.
 - F. The project is consistent with the goals and policies of the Housing Element by providing for a variety of housing types and by meeting the requirements of the City's Affordable Housing Plan as conditioned.
 - G. The proposed modification to the Circulation Element is consistent with the overall goals and policies of the General Plan in that the overall goal of the

Element is to provide for the long-range planning and development of the City’s roadway system to ensure the safe and efficient movement of people and goods. The reduction to two lanes still allows the safe and efficient movement of people and goods.

- 3. The City Council has determined that the General Plan Amendment is in the public interest because the change in General Plan designation is in compliance with General Plan policy 1.B.1 as the City supports residential development at a manageable pace to achieve its fair share of regional housing needs and Policy 1.C.1 as the City promotes new residential development in a range of residential densities.
- 4. The General Plan Amendment was reviewed, studied, and found to comply with the California Environmental Quality Act and, based on the foregoing, the City Council has adopted Resolution No. [redacted] certifying the EIR, adopting findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting program.

PASSED AND ADOPTED on this the ____ day of _____, 2016 by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

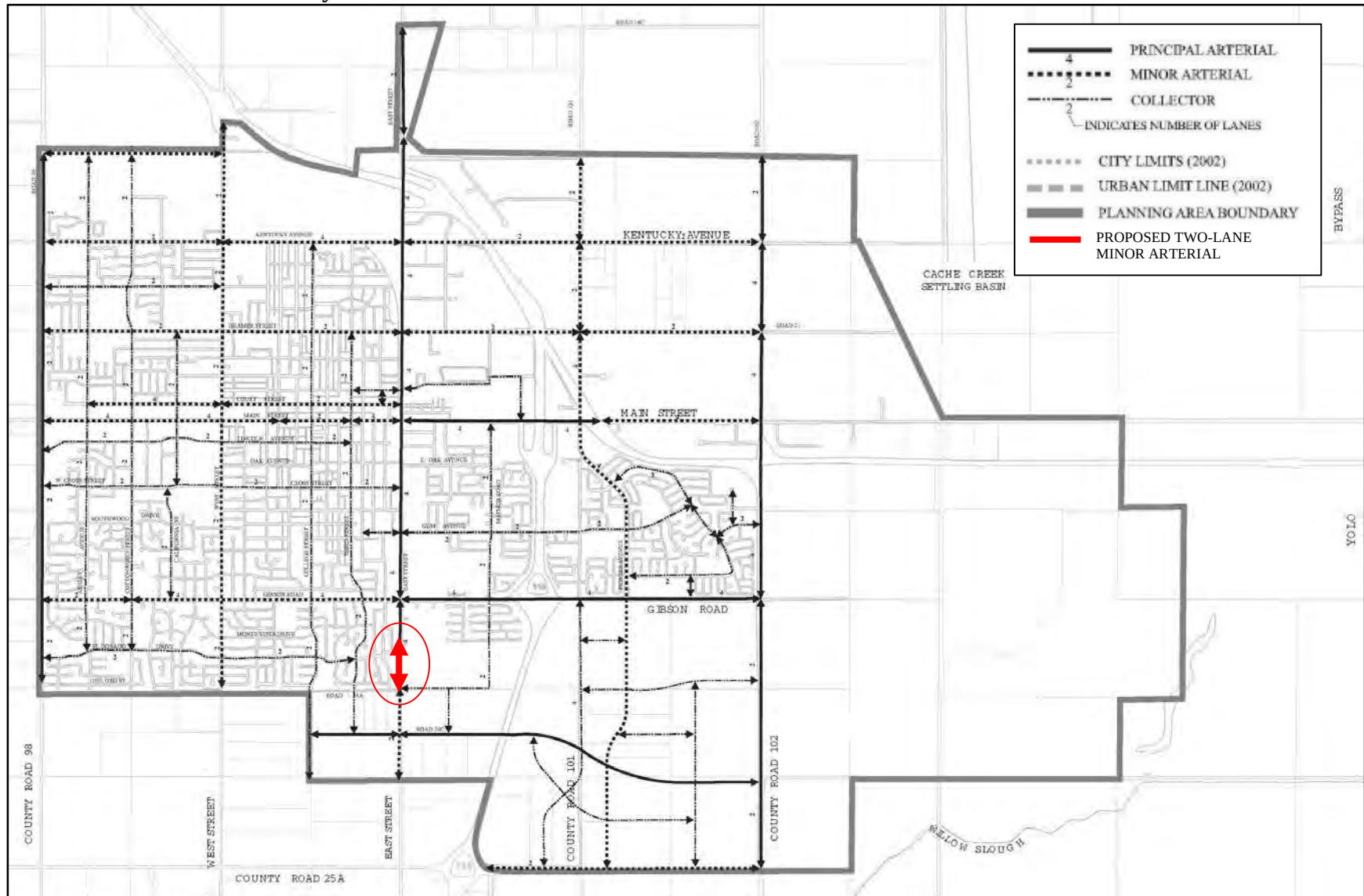
Ana Gonzalez, City Clerk

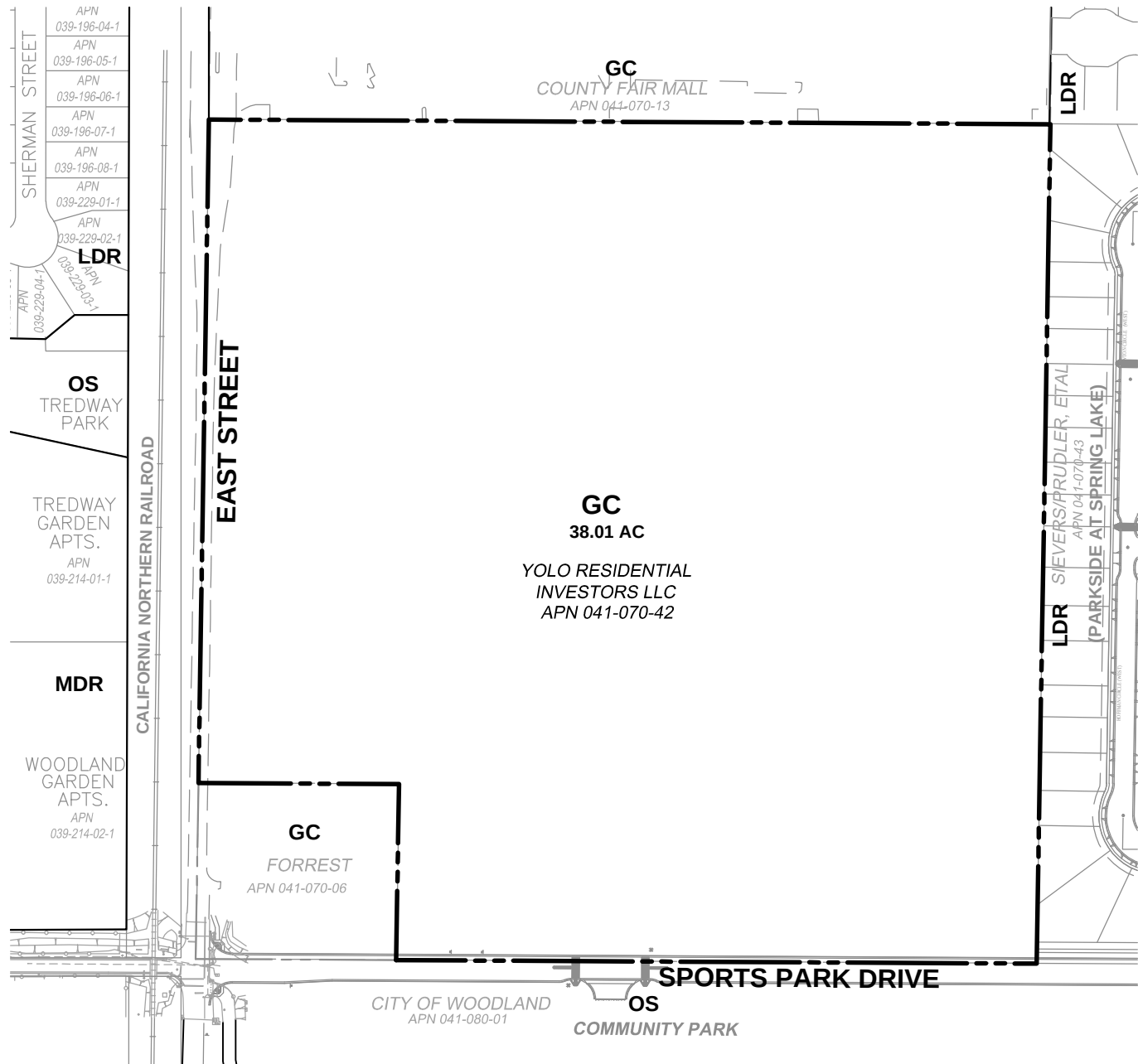
Kara K. Ueda, City Attorney

Dated:_____

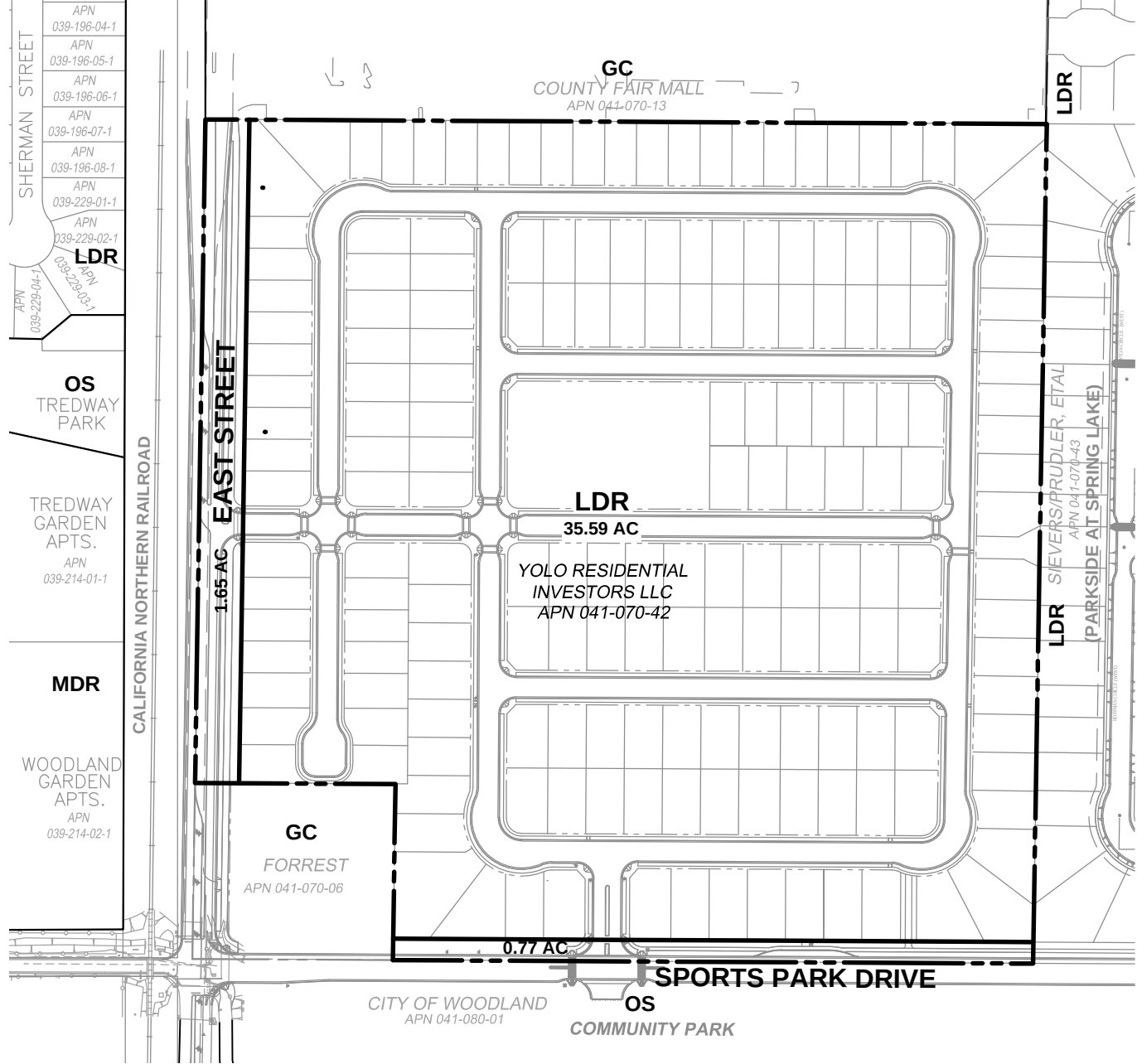
Attachment B-1 – General Plan Circulation Element Amendment Exhibit
Attachment B-2 – General Plan Land Use Amendment Exhibit

Attachment B-1 **City of Woodland General Plan Circulation Element Amendment Exhibit**





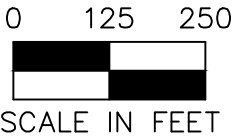
EXISTING GENERAL PLAN



PROPOSED GENERAL PLAN

GENERAL PLAN SUMMARY

EXISTING LAND USE	EXISTING DESIGNATION	AREA	PROPOSED LAND USE	PROPOSED DESIGNATION	AREA
GENERAL COMMERCIAL	GC	38.01 AC.	LOW-DENSITY RESIDENTIAL	LDR	38.01 AC.



**TENTATIVE SUBDIVISION MAP NO. 4856
GENERAL PLAN AMENDMENT
PRUDLER**

DESIGNED BY: --
DRAWN BY: AB
CHECKED BY: SG
SCALE
1" = 250'

CECWEST.COM
Project Planning ■ Civil Engineering ■ Landscape Architecture
Sacramento Office ■ Davis Office ■
2120 20th Street, Suite Three 2940 Spafford Street, Suite 200
Sacramento, CA 95818 Davis, CA 95618
(916) 455-2026 (530) 758-2026

CITY OF WOODLAND

CALIFORNIA



SHEET
1
OF
1

DATE: 03/30/16
JOB NO: 984.05

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND AMENDING THE SPRING LAKE SPECIFIC PLAN EAST
STREET CROSS SECTION FOR THE PRUDLER TENTATIVE
SUBDIVISION MAP PROJECT**

WHEREAS, the City of Woodland ("City") desires to amend the Spring Lake Specific Plan to modify the East Street cross-section of the segment south of the County Fair Mall to Sports Park Drive/CR 24A; and,

WHEREAS, the City desires to reduce the 45-foot median on East Street to 18 feet and reduce the number of lanes from four to two as shown in Attachment C-1; and

WHEREAS, the City of Woodland Planning Commission held a duly noticed public hearing on April 7, 2016, to receive public testimony concerning the Amendment; and

WHEREAS, the City of Woodland City Council held a duly noticed public hearing on _____, 2016 to receive public testimony concerning the Amendment, consider the Planning Commission's recommendations, and take action on the Amendment; and

WHEREAS, the City of Woodland City Council, based on oral testimony and documentary evidence submitted during the public hearing, and amending the conditions of approval, now finds it proper to amend the Spring Lake Specific Plan as shown in Attachment C-1; and

WHEREAS, the City of Woodland has taken action to approve all entitlements necessary for implementation of the Amendment for the Prudler Tentative Subdivision Map Project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES
HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:**

1. The foregoing recitals are hereby true and correct.
2. The City of Woodland City Council finds that the actions as set forth in this Resolution are in the public interest and necessary to the public health, safety, and welfare.
3. The City Council hereby certifies that its members have reviewed, studied, and found to comply with the California Environmental Quality Act and, based on the foregoing, the City Council has adopted Resolution No. ____ certifying the EIR, adopting findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting program.
4. The City Council hereby amends the Spring Lake Specific Plan for the Prudler Tentative Subdivision Project as shown in Attachment C-1 provided that this Amendment shall take

effect only upon execution by the City and the owner of the Property of a development agreement governing the Property. No final map shall be recorded or approved for the Property in conformance with the Amendment until the Amendment has taken effect pursuant to this paragraph.

PASSED AND ADOPTED on this the ____ day of _____, 2016 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

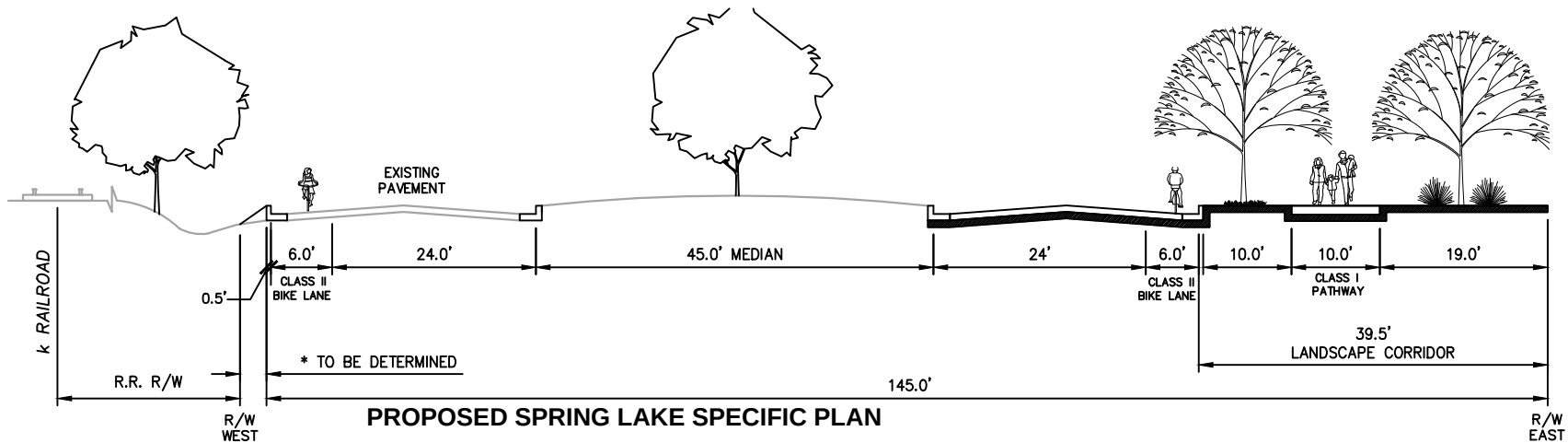
APPROVED AS TO FORM:

Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

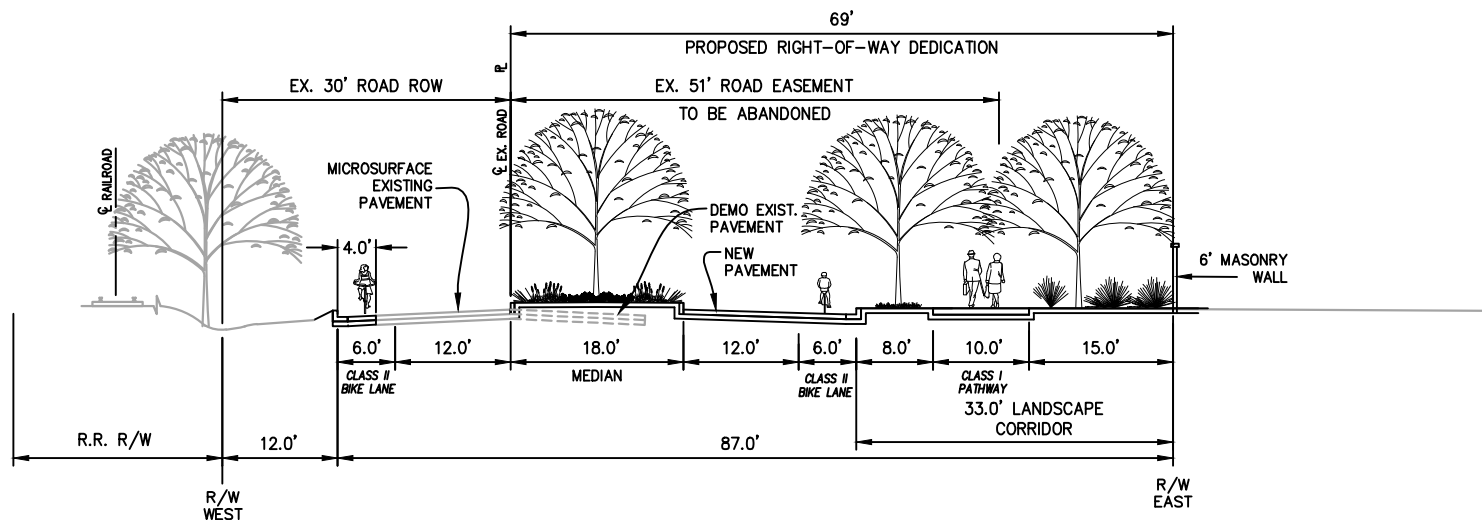
Dated: _____

Attachment C-1 – Spring Lake Specific Plan Amendment Exhibit



EAST STREET NORTH OF SPORTS PARK DRIVE

NTS



EAST STREET NORTH OF SPORTS PARK DRIVE

NTS

REFERENCE: FIGURE 4.10



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2120 20th Street, Suite Three
Sacramento, CA 95818
(916) 455-2026

■ Davis Office
2940 Spafford Street, Suite 200
Davis, CA 95618
(530) 758-2026

SPRING LAKE SPECIFIC PLAN AMENDMENT COMPARISON Prudler Tentative Map

CITY OF WOODLAND

MARCH 30, 2016

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WOODLAND APPROVING THE REZONING FROM GENERAL
COMMERCIAL (C-2) TO SINGLE FAMILY/PLANNED DEVELOPMENT
(R-1/PD) AND ADOPTION OF PLANNED DEVELOPMENT
STANDARDS FOR THE PRUDLER TENTATIVE SUBDIVISION MAP
PROJECT SITE**

Section 1. **Purpose and Authority.** The purpose of this ordinance is to approve the rezoning of the Prudler Tentative Subdivision Map Project site to Single Family/Planned Development (R-1/PD) and adopt Planned Development Standards. This ordinance is adopted pursuant to Government Code sections 65853-65860, and other applicable law.

Section 2. **Findings.** The City Council finds and determines as follows:

- A. On April 7, 2016, the Planning Commission held a duly noticed public hearing concerning the proposed rezoning of the Prudler Tentative Subdivision Map Project, which is depicted in Attachment D-1 attached hereto and incorporated herein by reference, as Single Family/Planned Development (R-1/PD). After the hearing, the Planning Commission recommended City Council approve the proposed rezoning of the property and adoption of the Planned Development Standards which are included as Attachment D-2 and incorporated herein by reference.
- B. An Environmental Impact Report (EIR) was prepared for the proposed project. The EIR addressed all the subjects required pursuant to the California Environmental Quality Act (CEQA).
- C. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared in compliance with CEQA in order to ensure implementation of the mitigation measures outlined in the EIR.
- D. The proposed rezoning to R-1(PD) is consistent with and would implement the policies of the City of Woodland General Plan, as amended.
- E. The area is physically suited to the uses authorized in the proposed zone.
- F. The proposed rezoning is compatible with the land uses existing and permitted on the properties in the vicinity.
- G. The land uses and their density and intensity, allowed in the proposed zones are not likely to create serious health problems or create nuisances on properties in the vicinity.

Section 3. **Approval of Rezoning.** The City Council hereby approves the rezoning of the Prudler Tentative Subdivision Map Project site, which is shown in Attachment D-1, to Single

Family/Planned Development (R-1/PD) and adoption of the Planned Development Standards as shown in Attachment D-2.

Section 4. **Severability.** If any part of this ordinance is held by a court of competent jurisdiction to be invalid or unenforceable, then such decision shall not affect the validity of the remaining parts, which shall remain in full force and effect.

Section 5. **Effective Date.** This ordinance shall take effect no sooner than 30 days after its final passage.

Section 6. **Publication.** Within 15 days from the date of passage of this ordinance, the City Clerk shall post a copy of it in at least three public places in the City.

INTRODUCED by the City Council on the ____ day of _____, 2016.

PASSED AND ADOPTED by the City Council of the City of Woodland this ____ day of _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

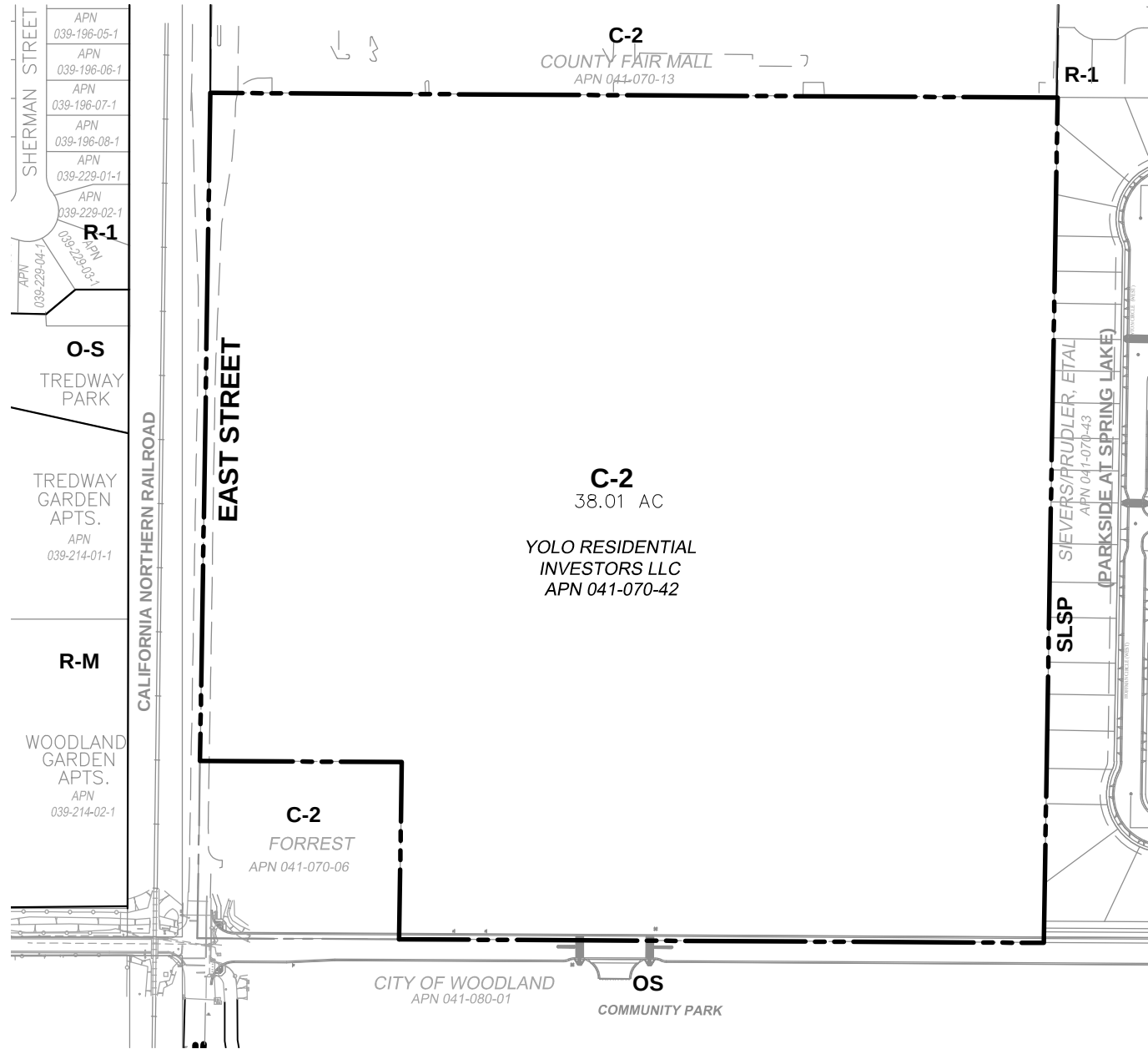
Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

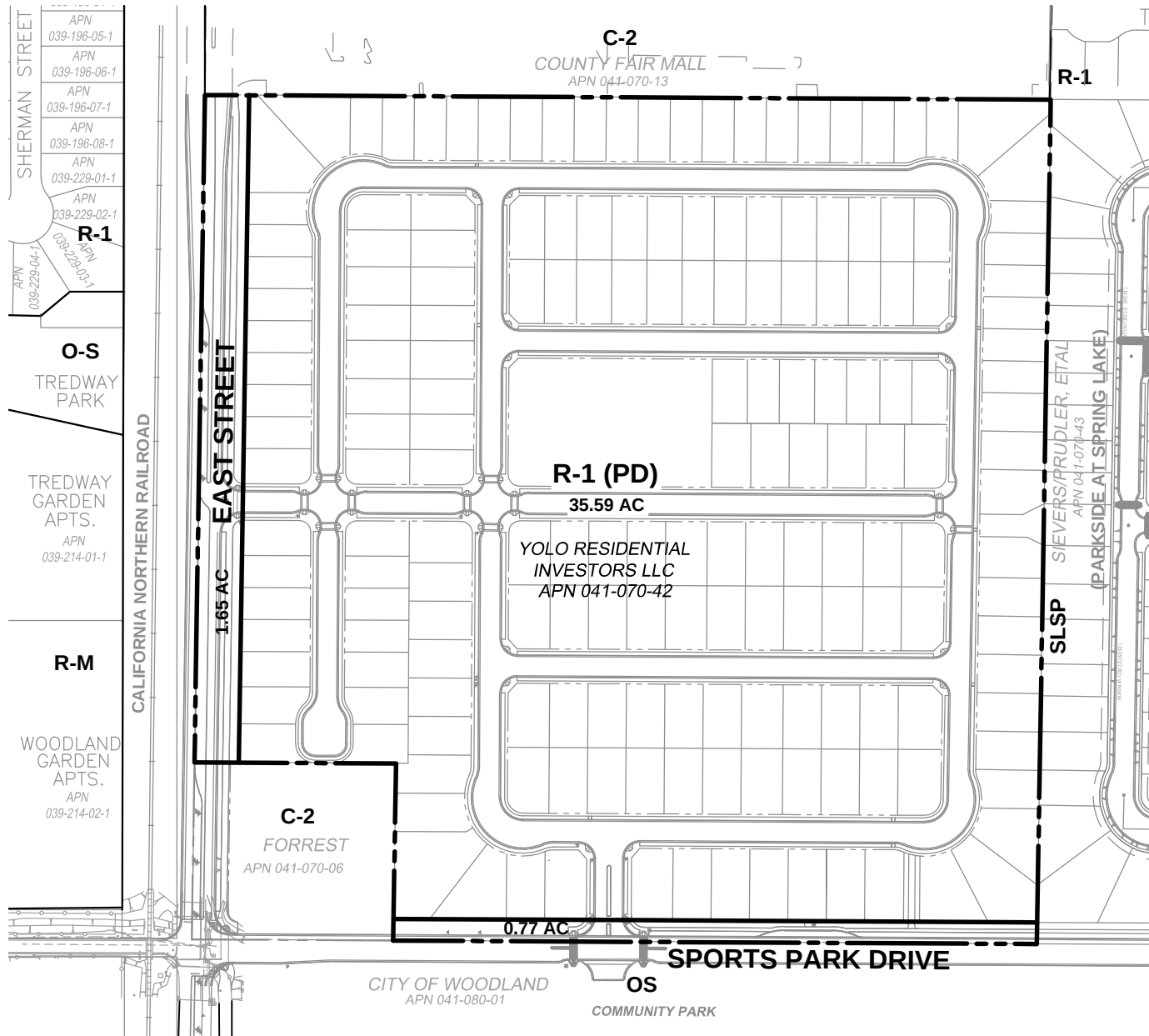
Dated:_____

Attachment D-1 – Rezone Exhibit

Attachment D-2 – Planned Development Standards



EXISTING ZONING

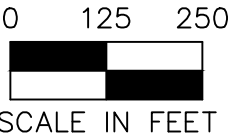


PROPOSED ZONING

ZONING SUMMARY

EXISTING LAND USE	EXISTING ZONING	AREA	PROPOSED LAND USE	PROPOSED ZONING	AREA
GENERAL COMMERCIAL	C-2	38.01 AC.	SINGLE FAMILY RESIDENTIAL	R-1 (PD)	38.01 AC.

NOTE: (PD) = PLANNED DEVELOPMENT OVERLAY



DESIGNED BY: --
DRAWN BY: AB
CHECKED BY: SG
SCALE
1" = 250'

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Project Planning ■ Civil Engineering ■ Landscape Architecture
Sacramento Office ■ 2120 20th Street, Suite Three Sacramento, CA 95818 (916) 455-2026
Davis Office ■ 2940 Spafford Street, Suite 200 Davis, CA 95618 (530) 758-2026

TENTATIVE SUBDIVISION MAP NO. 4856
RE-ZONE EXHIBIT
PRUDLER

CITY OF WOODLAND

CALIFORNIA



SHEET
1
OF
1
DATE: 03/30/2016
JOB NO: 984.05

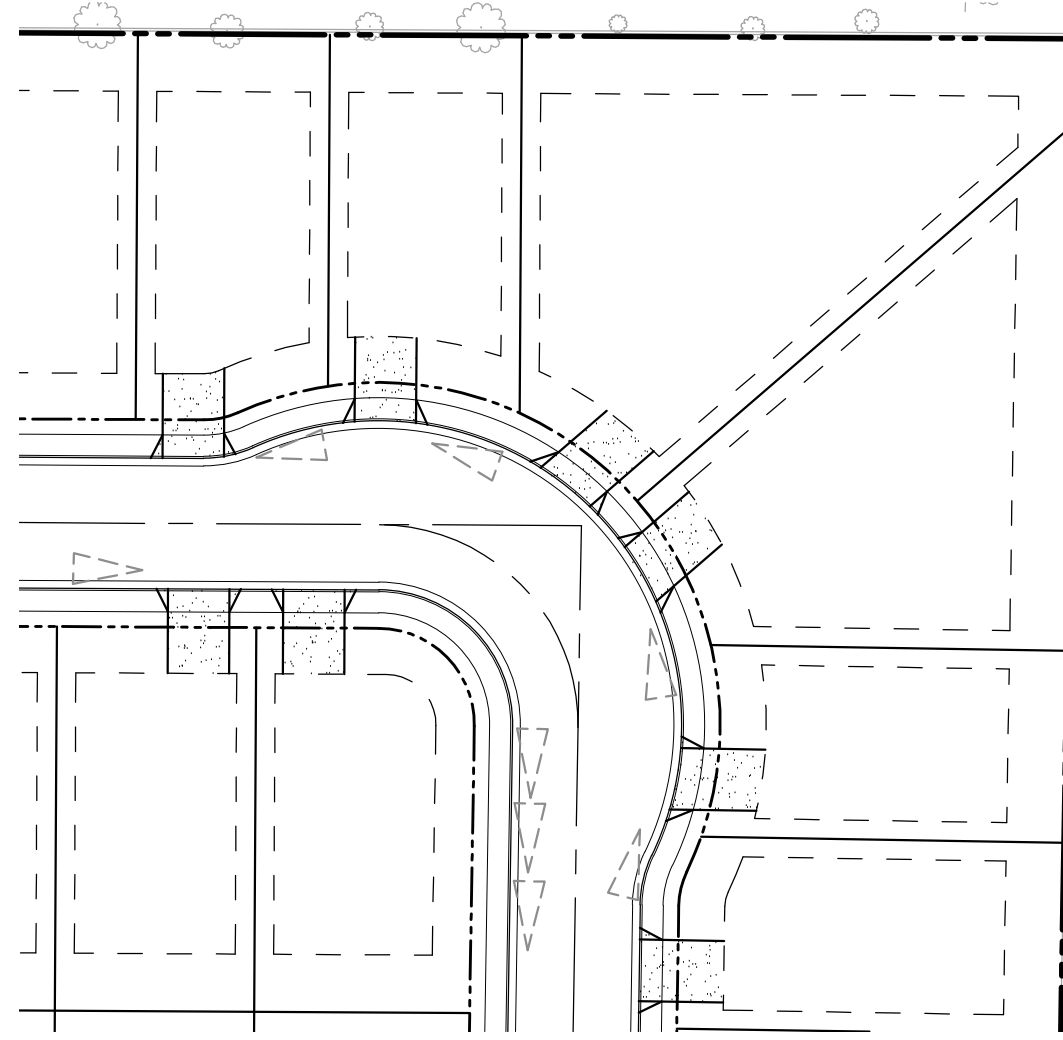


NOTES:

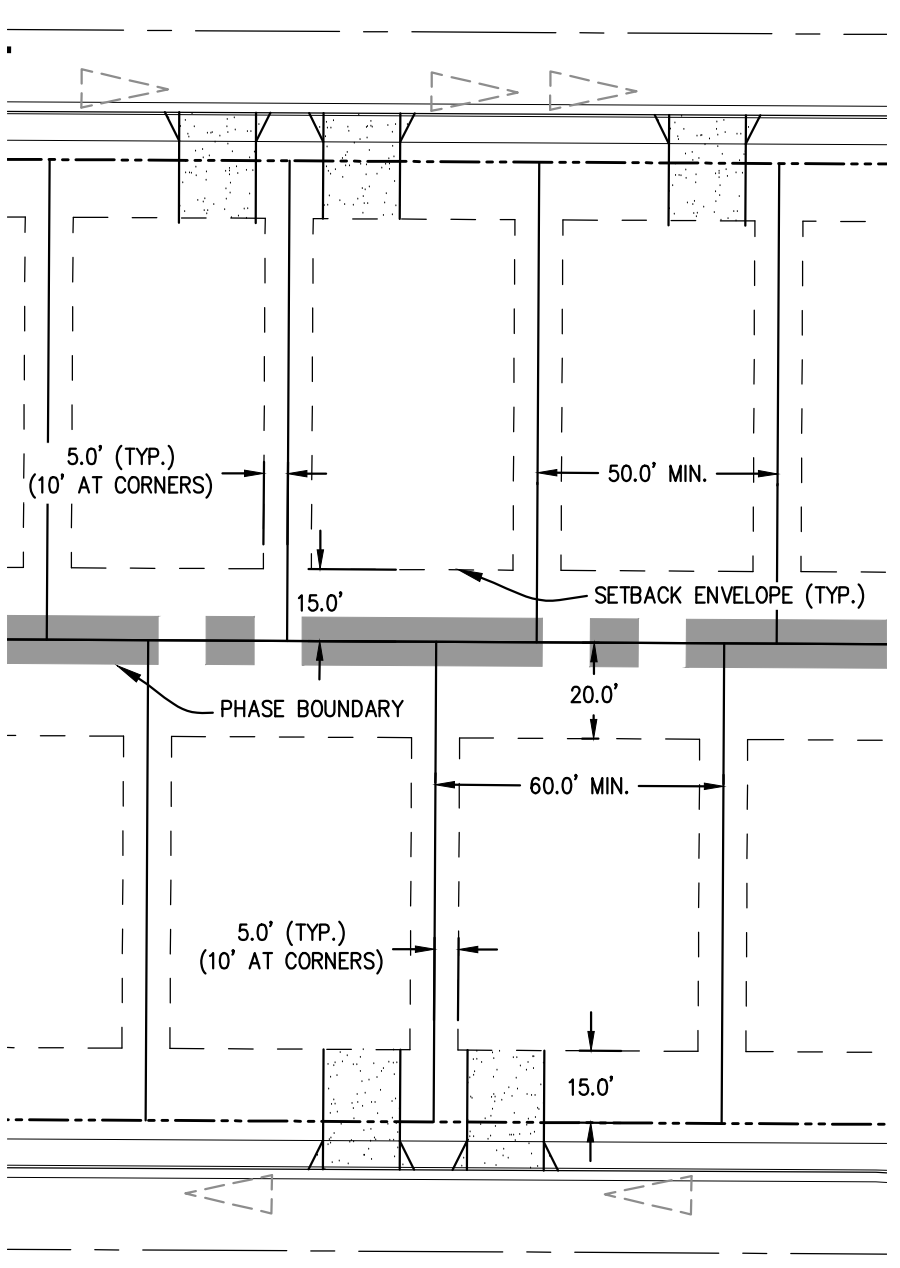
- EACH SINGLE FAMILY RESIDENCE SHALL DEMONSTRATE DEDICATED SPACE FOR THREE WASTE BINS (TRASH, RECYCLE & GREEN WASTE).
- ALL RESIDENTIAL UNITS SHALL BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM.
- CUL-DE-SACS SHALL MEET THE MINIMUM CITY REQUIREMENTS FOR TURNING RADIUS.
- ALL INTERSECTIONS SHALL MEET CITY TURNING RADIUS FOR FIRE APPARATUS.
- STREET WIDTHS SHALL BE SUCH THAT THERE WILL BE CLEAR, DRIVEABLE WIDTH OF 20'. IF THERE IS NOT CLEAR WIDTH OF 20', RED CURB PAINTING AND "NO PARKING - FIRE LANE" SIGNAGE SHALL BE INSTALLED.
- FIRE HYDRANTS WITH "BLUE LIGHT PAVEMENT MARKINGS" SHALL BE INSTALLED PER CITY OF WOODLAND STANDARDS.
- LIGHTING SHALL BE PROVIDED FOR SECURITY TO RESIDENTS, YET NOT INTRUSIVE (i.e. MOTION SENSOR LIGHTING FOR PORCHES).
- STREETS AND HOUSES SHALL BE DESIGNED TO ENCOURAGE INTERACTION BETWEEN NEIGHBORS.
- PLANTING ADJACENT TO PRIVACY WALLS SHALL MINIMIZE ACCESS FOR GRAFFITI.
- POSTAL CLUSTER BOXES SHALL BE LOCATED IN WELL-LIGHTED PLACES AND HIGHLY VISIBLE.
- LANDSCAPING SHOULD BE OF THE TYPE AND LOCATION TO ALLOW NATURAL SURVEILLANCE. SECURITY PLANTING MATERIALS ARE ENCOURAGED ALONG FENCE AND PROPERTY LINES AND UNDER VULNERABLE WINDOWS.
- IF A PATHWAY IS CREATED BEHIND THE RESIDENTS, GRAFFITI-DETERRENT SURFACES SHOULD BE CONSIDERED FOR WALLS (i.e. PLANTING AND GRAFFITI SHIELD PAINT).
- THE PROJECT MUST MEET ALL CRITERIA AND MANDATES FOR THE FOLLOWING CITY-ADOPTED CODES:
 - 2007 BUILDING CODE
 - 2007 PLUMBING CODE
 - 2007 CALIFORNIA MECHANICAL CODE
 - 2007 CALIFORNIA ELECTRICAL CODE
 - THE CODE OF THE CITY OF WOODLAND
- APPLICATIONS FOR WHICH NO PERMIT IS ISSUED WITHIN 180 DAYS FOLLOWING THE DATE OF APPLICATION WILL EXPIRE. PLANS AND OTHER DATA MAY BE RETURNED TO THE APPLICANT OR DESTROYED BY THE BUILDING OFFICIAL.
- PUBLIC LANDSCAPE DESIGN ON SPORTS PARK DRIVE SHALL BE COMPATIBLE TO THE EXISTING LANDSCAPING ON SPORTS PARK DRIVE.
- THE LOCATION OF ON-SITE UTILITIES, SUCH AS TRASH ENCLOSURE FOR BINS, METERS AND POSTAL BOXES, SHOULD BE LOCATED ON-SITE TO CLEARLY SHOW IMPACT TO STREET TREE PLANTING AND IMPERVIOUS SURFACING.

LEGEND

PROPOSED ON-STREET PARKING LOCATION (SEE TYPICAL DETAILS)



TYPICAL ELBOW ON-STREET PARKING SPACES
N.T.S.



TYPICAL MINIMUM BUILDING SETBACKS AND TYPICAL ON-STREET PARKING LOCATIONS
N.T.S.

PLANNED DEVELOPMENT STANDARDS

FEATURES	PROPOSED DIMENSIONS	
	PHASE 1	PHASE 2
AVG. LOT AREA	6,464 sq. ft.	5,476 sq. ft.
MIN. LOT AREA	5,604 sq. ft.	4,562 sq. ft.
AVG. WIDTH AT SETBACK	61'	53'
MIN. WIDTH AT SETBACK	41'	49'
AVG. LOT DEPTH	102'	100'
MIN. LOT DEPTH	91'	86'
MIN. CORNER LOT WIDTH	65'	55'
MIN. FRONTAGE AT FRONT PROPERTY LINE	34'	38'
LOT COVERAGE (MAX %)	50%	50%
MIN. FRONT SETBACK TO HOUSE	15'	12'
MIN. FRONT SETBACK TO GARAGE	22'	20'
MIN. SETBACK OF GARAGE FROM HOUSE FRONT	3'	3'
CORNER SIDE SETBACK	10'	10'
INTERIOR SIDE SETBACK	5'	5'
REAR SETBACK	20'	15'
HEIGHT LIMITATIONS	30'	30'
MIN. DRIVEWAY LENGTH	22'	20'

PRUDLER
TENTATIVE SUBDIVISION MAP NO. 4856
PLANNED DEVELOPMENT EXHIBIT

SHEET
1
OF
1
DATE: 03/30/2016
JOB NO: 984.05

DESIGNED BY: AB
DRAWN BY: AB
CHECKED BY: SG
SCALE: AS SHOWN

CECWEST.COM
Project Planning - Civil Engineering - Landscape Architecture
11 Davis Office
2200 20th Street, Suite 200
Sacramento, CA 95818
(916) 455-2026

CUNNINGHAM ENGINEERS

CALIFORNIA

WOODLAND

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND APPROVING TENTATIVE SUBDIVISION MAP NO. 4856
AND CONDITIONAL USE PERMIT FOR THE PRUDLER TENTATIVE
SUBDIVISION MAP PROJECT**

WHEREAS, the applicant, Yolo Residential Investors, LLC. filed Planning Application #PLNG14-00090, proposing a Tentative Subdivision Map (TSM #4856) and Conditional Use Permit, as well as amendments to the General Plan and Spring Lake Specific Plan, a rezone and a development agreement for 38 acres, located at the northeast corner of East Street and Sports Park Drive/County Road (CR) 24A, in the City of Woodland (“Project”); and

WHEREAS, the applicant prepared a tentative subdivision map, as provided in the proposed tentative subdivision map attached to this Resolution as Attachment E-1; and

WHEREAS, the City Council of the City of Woodland held a duly noticed public hearing on _____, 2016, to review and consider approval of the proposed Prudler Tentative Subdivision Map #4856 and the Conditional Use Permit, at which time interested persons had an opportunity to provide comments either in support or opposition to the Project; and

WHEREAS, pursuant to California state law and the Woodland Municipal Code, public hearing notices were mailed to all property owners within an area exceeding a three hundred foot radius of the subject property, and a public hearing notice was published for a minimum of ten days prior to the public hearing in the Daily Democrat; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Public Resources Code section 21000 *et seq.*, on _____, 2016, the City Council adopted Resolution No. _____ certifying the EIR for the Prudler Tentative Subdivision Map Project, including the Tentative Subdivision Map #4856 and Conditional Use Permit; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date and has recommended to the City Council approval of the proposed Prudler Tentative Subdivision Map #4856 and the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Woodland, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby make the following findings, determinations, and recommendations with respect to the proposed Tentative Subdivision Map and Conditional Use Permit for the Project:

1. The City Council hereby makes the following findings concerning the Tentative Subdivision Map pursuant to Government Code section 66474:

a. The proposed Tentative Subdivision Map is consistent with the City’s General Plan, including the Housing Element. The proposed Tentative Map will implement the

General Plan by providing the opportunity for development of for-sale, single family housing within the community and by providing for additional recreational opportunities at the neighborhood level. The Tentative Subdivision Map is also consistent with the City's Community Design Guidelines.

b. The Tentative Subdivision Map depicts a site that is physically suitable for development. There are no conditions that would render the Property unsuitable for residential development.

c. The Project site is physically suitable for the proposed density of development. The site is of a sufficient size and shape to allow the proposed density, and the subdivision will be able to accommodate the future development of 183 residential units given the shape and topography of the Project site.

d. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Prudler Tentative Subdivision Project EIR (The Jurisdictional Delineation & Special-Status Species Assessment, Prudler Subdivision [March 2004, Revised September 2013]) shows that there would not be any significant and unavoidable impacts related to existing habitat.

e. The design of the proposed subdivision will not cause serious public health problems and is not anticipated to have any negative impacts on Project residents or occupants of the surrounding area.

f. The subdivision design will not conflict with easements acquired by the public at large, for access through or use of property with the proposed subdivision, absent alternative, equivalent easements. Any new easements have been made conditions of map approval.

g. Any proposed phases and their proposed sequence of construction are identified on the submitted map.

h. The tentative map is in conformance with the applicable provisions of the Subdivision Ordinance and Zoning Ordinance of the City.

i. The project substantially satisfies the relevant requirements of the City's Standard Specifications and Details.

j. The project substantially satisfies the Infrastructure Master Plans for streets, water, sewage, and storm drainage.

k. The Development Agreement satisfies the City's Development Agreement Resolution and the requirements of State law.

2. The City Council does hereby approve Tentative Subdivision Map #4856 (Attachment E-1) and Conditional Use Permit to allow the subdivision and development of property located at the northeast corner of East Street and Sports Park Drive/CR 24A, subject to the recommended conditions of approval.

PASSED AND ADOPTED on this the ____ day of _____, 2016, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

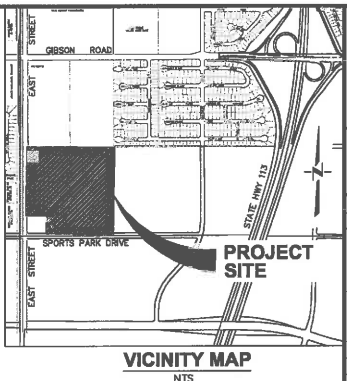
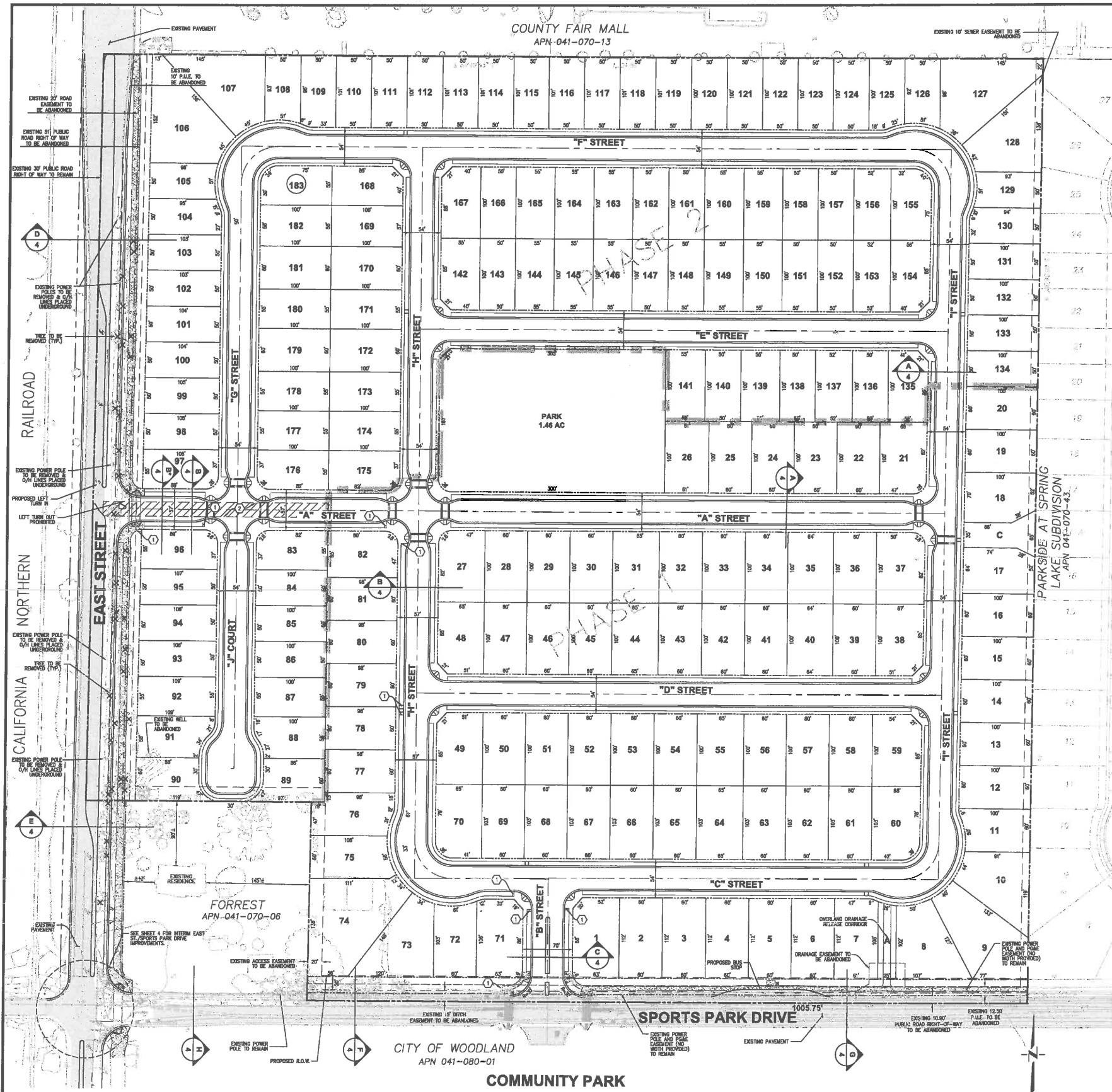
APPROVED AS TO FORM:

Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Dated:_____

Attachment E-1 – Tentative Map (4 sheets)



OWNER:
YOLO RESIDENTIAL INVESTORS LLC
401 WATT AVENUE, SUITE 3
SACRAMENTO, CALIFORNIA 95864
(916) 425-3080

DEVELOPER:
YOLO RESIDENTIAL INVESTORS LLC
401 WATT AVENUE, SUITE 3
SACRAMENTO, CALIFORNIA 95864
(916) 425-3080

CIVIL ENGINEER:
CUNNINGHAM ENGINEERING
2940 SPAFFORD STREET, SUITE 200
DAVIS, CALIFORNIA 95618
(530) 758-2026

ASSESSORS PARCEL NO.:
041-070-042-000

AREA:
38.01 ACRES, 183 LOTS

ZONING:
C-2 (EXISTING)
R-1 WITH PLANNED UNIT OVERLAY (PROPOSED)

USE:
GENERAL COMMERCIAL,
MALL EXPANSION SITE (EXISTING)
PLANNED UNIT DEVELOPMENT,
SINGLE FAMILY RESIDENTIAL (PROPOSED)

FLOOD ZONE:
ZONE X PER COMMUNITY PANEL NO.
06113C0445H DATED 05/16/2012

**DOMESTIC WATER, SANITARY
SEWER AND DRAINAGE:**
CITY OF WOODLAND

ELECTRICITY & GAS:
PG & E

CABLE TELEVISION:
CHARTER COMMUNICATIONS

NOTES:

- THE STREET NAMES SHOWN ON THIS MAP ARE FOR PLANNING PURPOSES ONLY. FINAL STREET NAMES TO BE APPROVED BY THE CITY OF WOODLAND.
- THIS TENTATIVE MAP CONFORMS WITH ALL REQUIREMENTS OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT.
- THIS TENTATIVE MAP CONFORMS WITH ALL THE REQUIREMENTS OF THE CITY OF WOODLAND SUBDIVISION ORDINANCE.
- LOT "B" NOT USED.

PROJECT PHASING:
THE SUBDIVISION WILL BE FINAL MAPPED IN PHASES AS CONCEPTUALLY SHOWN HEREIN OR SUBJECTS THEREOF AS DETERMINED TO BE SUBSTANTIALLY SIMILAR BY THE COMMUNITY DEVELOPMENT DIRECTOR AND THE CITY ENGINEER.

SECOND UNITS:
10 X (21 UNITS) OF THE R-1 SINGLE FAMILY LOTS SHALL BE ALLOWED TO HAVE SECOND UNITS BY RIGHT ON A FIRST-COME, FIRST-SERVED BASIS, WITH SITE PLAN / DESIGN REVIEW. SUBSEQUENT LOTS WILL REQUIRE A USE PERMIT FOR SECOND UNIT INCLUSION.

LOT SIZES:
THE SINGLE FAMILY RESIDENTIAL LOTS HAVE BEEN SHOWN TO BE OF VARYING WIDTHS TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR. THE DEVELOPER RESERVES THE RIGHT OF LOT WIDTH MODIFICATION, SUBJECT TO THE APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR, AT THE FINAL MAP STAGE, BASED UPON SELECTION OF FLOOR PLANS AND MARKET DEMAND.

SHEET INDEX:

1	STREET AND LOTTING PLAN
2	GRADING & DRAINAGE PLAN
3	UTILITY PLAN
4	STREET SECTIONS AND DETAILS

LAND USE SUMMARY			
USE	ACRES	UNITS	DENSITY
SINGLE FAMILY DETACHED - PHASE 1	16.87	82	4.86 du / ac
SINGLE FAMILY DETACHED - PHASE 2	17.26	101	5.85 du / ac
EAST STREET / SPORTS PARK DRIVE	2.42		
PARK	1.46		
TOTAL:	38.01	183	5.36 du / ac*

*OVERALL DENSITY IS EQUAL TO TOTAL NUMBER OF LOTS DIVIDED BY SUM OF PHASE 1 AND PHASE 2 ACREAGES (EXCLUDES SPORTS PARK DRIVE / EAST STREET DEDICATIONS AND PARK ACREAGE).

KEYNOTES:

- "PEDESTRIAN ACCESS TO EAST STREET" OR "PEDESTRIAN ACCESS TO SPORTS PARK DRIVE" DIRECTIONAL SIGN (SEE SHEET 4 FOR DETAIL)
- TEMPORARY ALL-WEATHER EMERGENCY VEHICLE ACCESS ROAD TO BE CONSTRUCTED WITH PHASE 1 IMPROVEMENTS. ROAD WILL BE PROTECTED WITH APPROPRIATE BOLLARDS AND SIGNAGE.

EASEMENTS TO BE ABANDONED:

- 15' DITCH EASEMENT PER 1982 O.R. 710, EASEMENT OUTLINED, 2009, BY THE YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT TO THE CITY OF WOODLAND PER DOCUMENT 2009-009124 AS RECORDED BY THE YOLO COUNTY RECORDER'S OFFICE.
- 20' ROAD EASEMENT PER 1744 O.S. 276.
- 20' ACCESS EASEMENT PER BOOK 8, PAGE 5 OF PARCEL MAPS.
- 10' PUBLIC UTILITY EASEMENT PER BOOK 1998, OF MAPS, PAGE 11-13.
- 10' SEWER EASEMENT PER BOOK 1998, OF MAPS, PAGE 11-13.
- 51' PUBLIC ROAD RIGHT OF WAY PER BOOK 1998, OF MAPS, PAGE 11-13.
- 10.00' RIGHT-OF-WAY DEDICATION PER DOC# 2010-0019616.
- 12.5' PUBLIC UTILITY EASEMENT PER DOC# 2011-0024082.
- DRAINAGE EASEMENT PER DOC# 2011-0024083.

DESIGNED BY: AB
DRAWN BY: LE/AB
CHECKED BY: SG
SCALE: AS SHOWN

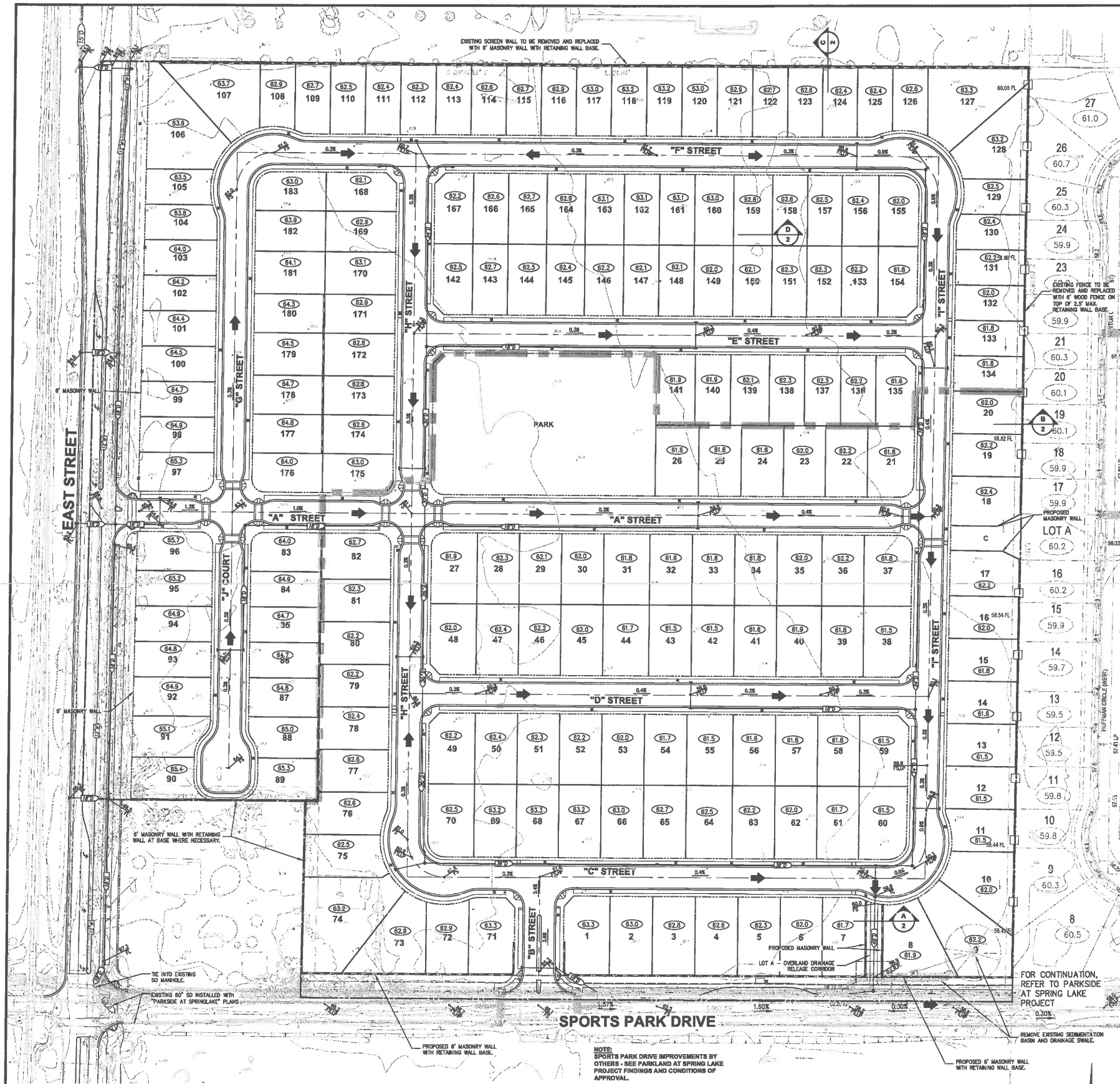
NO. DATE REVISIONS

CERWEST.COM
Project Planning - Civil Engineering - Landscape Architecture
1600 Office
2100 20th Street, Suite 100
Sacramento, CA 95811
(916) 425-3028

CUNNINGHAM ENGINEERING
CALIFORNIA

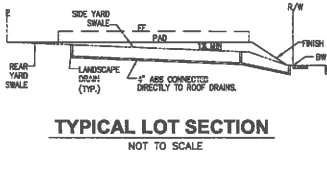
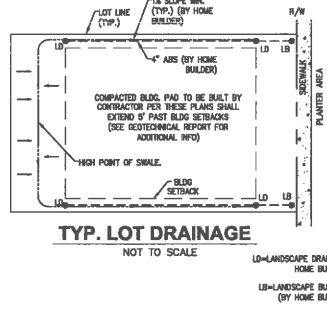
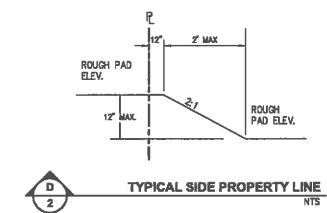
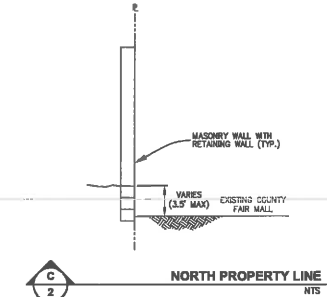
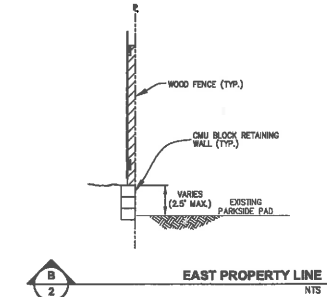
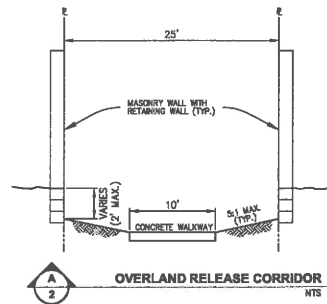
PRUDLER
TENTATIVE SUBDIVISION MAP NO. 4856
STREET AND LOTTING PLAN

SHEET 1 OF 4
DATE: 03/30/16
JOB NO: 984.05



LEGEND			
	ORIGINAL GRADE		DRAIN PIPE, SIZE AND FLOW DIRECTION
	PAD GRADE		DRAIN MANHOLE
	LOT NUMBER		DIRECTION OF DRAINAGE OVERLAND RELEASE
	STREET GRADE AND DIRECTION		MODULAR BLOCK RETAINING WALL
	FINISH GRADE ELEVATION		FENCE ON 2' RETAINING WALL
	DRAIN INLET		

NOTE:
SPORTS PARK DRIVE IMPROVEMENTS BY
OTHERS - SEE PARKLAND AT SPRING LAKE
PROJECT FINDINGS AND CONDITIONS OF
APPROVAL.



DESIGNED BY: **AB**
DRAWN BY: **LE/AB**
CHECKED BY: **SG**
SCALE: **AS SHOWN**

APPROVED BY: **AB**
DATE: **02/30/16**

NO. **1** DATE **02/30/16**

REVISIONS

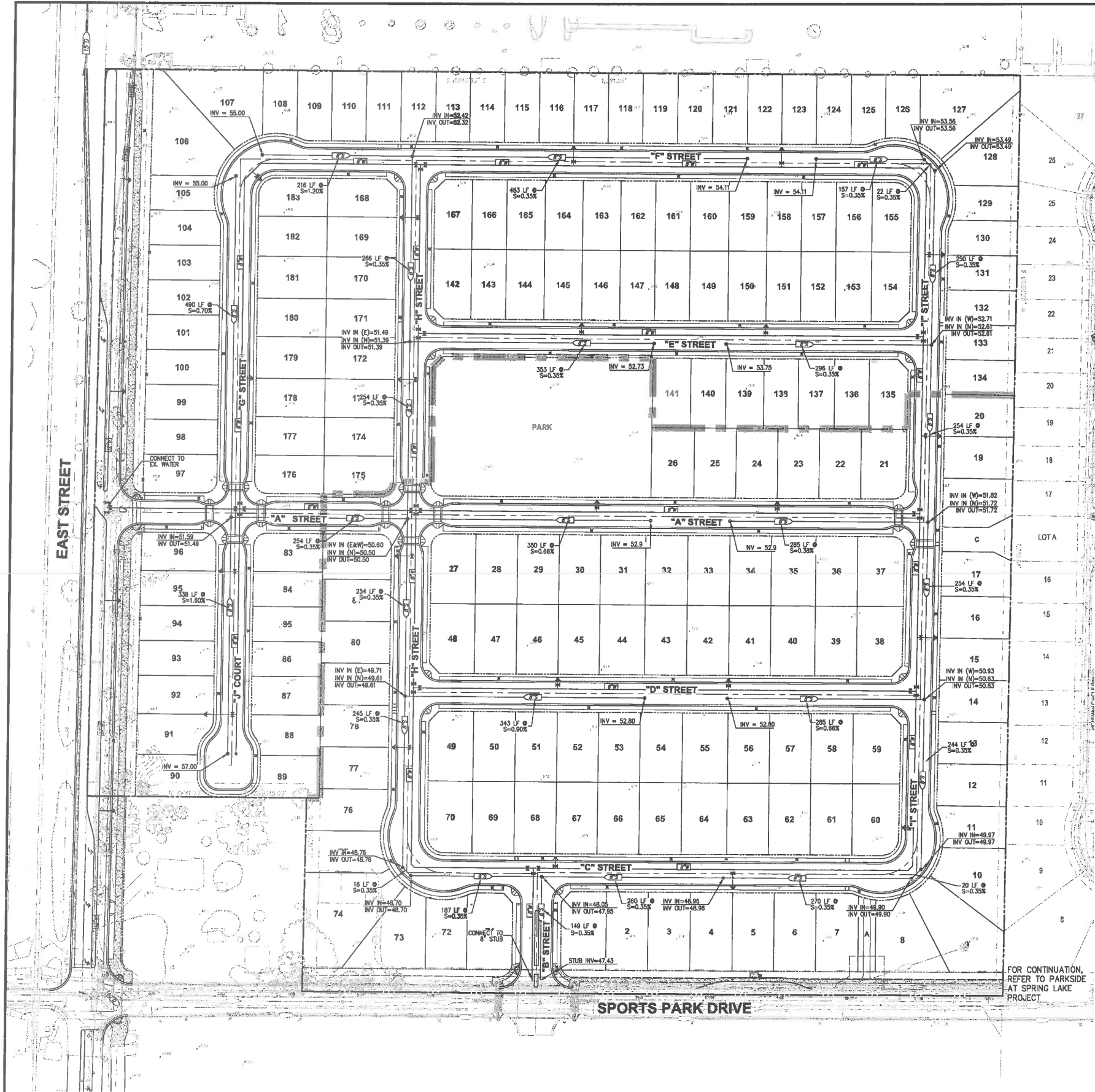
PROJECT: **PRUDLER TENTATIVE SUBDIVISION MAP NO. 4856 GRADING AND DRAINAGE PLAN**

PROJECT PLANNING & CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
3000 S. GATEWAY BLVD., SUITE 200
SACRAMENTO, CA 95833
(916) 455-1000

CALIFORNIA

WOODLAND

SHEET **2**
OF **4**
DATE: **02/30/16**
JOB NO: **384.05**

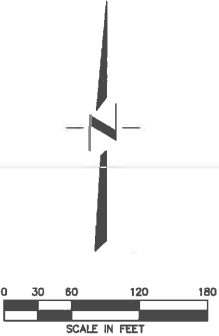


SANITARY SEWER SYSTEM

EACH PARCEL WILL BE CONNECTED TO THE PUBLIC ON-SITE SANITARY SEWER SYSTEM DESIGNED IN ACCORDANCE WITH CITY STANDARDS. SEWER FLOWS WILL BE CARRIED TO SPORTS PARK DRIVE AND CONNECTED TO THE NEW WASTEWATER CONVEYANCE SYSTEM INSTALLED BY THE ADJACENT PARKLAND AT SPRING LAKE SUBDIVISION PROJECT. IN ACCORDANCE WITH THE SLSP INFRASTRUCTURE STUDY REPORT, THE NEW CONVEYANCE SYSTEM INSTALLED BY THE PARKLAND AT SPRING LAKE PROJECT COLLECTS FLOWS FROM THE SPRING LAKE SPECIFIC PLAN AND REMAINDER MASTER PLAN AREAS WEST OF HIGHWAY 113 AND IS CONVEYED TO THE EAST USING AN EXISTING SLEEVE UNDER HIGHWAY 113. THESE FLOWS ARE CONNECTED TO THE SPRING LAKE SEWER MAINS IN FARMER'S CENTRAL ROAD EAST OF HIGHWAY 113 AND CARRIED TO THE SLSP SEWER PUMP STATION AT FARMER'S CENTRAL ROAD AND MEIKLE AVENUE.

WATER DISTRIBUTION SYSTEM

AN ON-SITE PUBLIC LOOPE WATER DISTRIBUTION SYSTEM HAS BEEN DESIGNED TO PROVIDE WATER SERVICE TO EACH PARCEL AND ADEQUATELY SUPPLY THE REQUIRED FIRE FLOWS PER CITY AND FIRE DEPARTMENT STANDARDS. THE ON-SITE LOOPE WATER SYSTEM WILL HAVE TWO POINTS OF CONNECTION TO THE CITY SYSTEM: 1) CONNECTION WILL BE MADE TO THE NEW WATER MAIN IN EAST STREET CONSTRUCTED AS PART OF THE COMMUNITY CENTER PROJECT AND; 2) A SECOND CONNECTION WILL BE MADE TO THE NEW WATER MAIN IN SPORTS PARK DRIVE INSTALLED BY THE ADJACENT PARKLAND AT SPRING LAKE PROJECT.



LEGEND

- 204 LOT NUMBER
- 120" WATER PIPE AND SIZE
- 1" FIRE HYDRANT ASSEMBLY
- 12" SEWER PIPE, SIZE, AND DIRECTION OF FLOW SEWER MANHOLE
- INV=30.1 SEWER INVERT ELEVATION
- S=0.35% SEWER PIPE SLOPE
- x STREET LIGHT

DESIGNED BY: JAB
DRAWN BY: LE/AB
CHECKED BY: BSO
SCALE: AS SHOWN

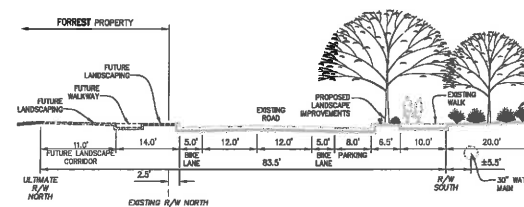
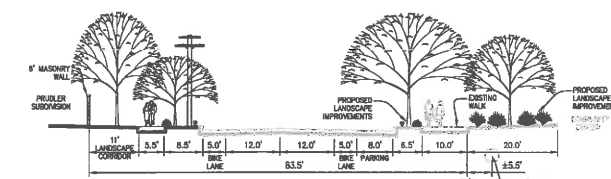
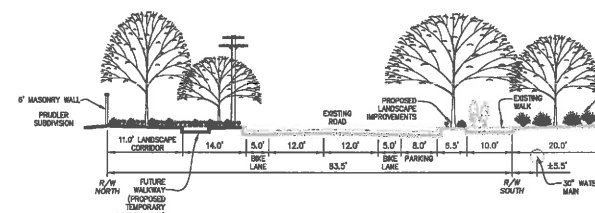
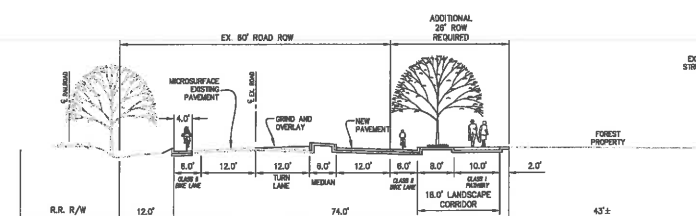
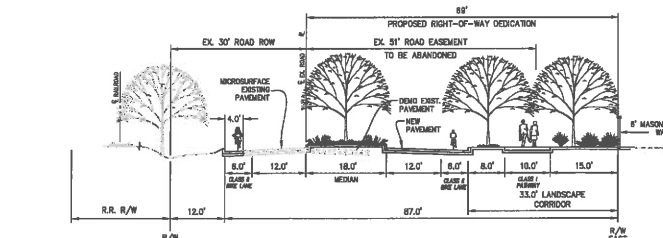
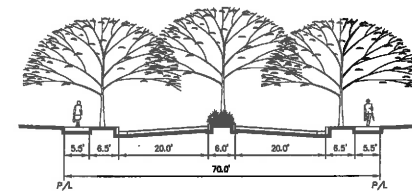
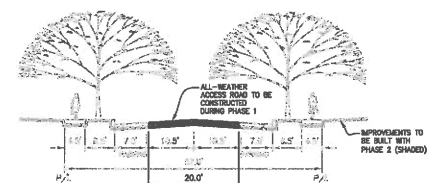
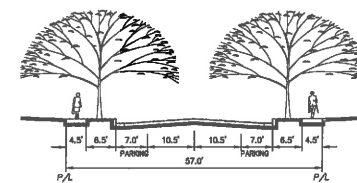
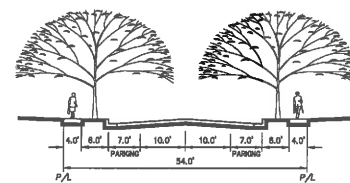
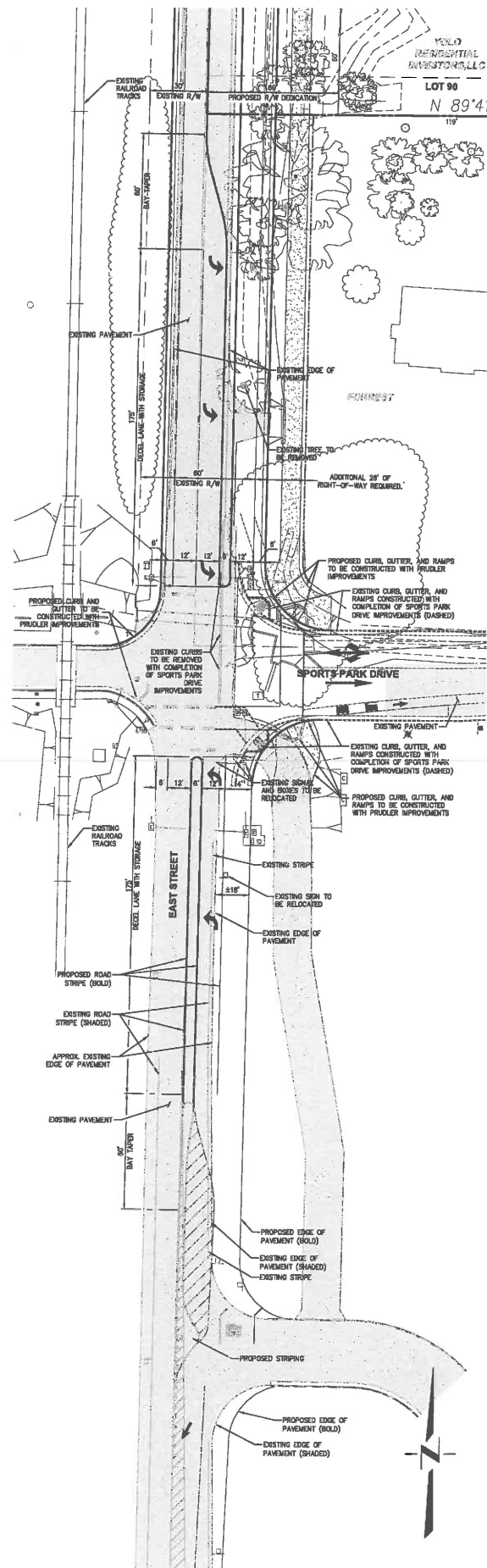
APPROVED BY: [Signature]
DATE: [Date]
REVISIONS: [Table]
NO. DATE

PROJECT: PRUDLER TENTATIVE SUBDIVISION MAP NO. 4856
PROJECT PLANNING: CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE
2100 20th Street, Suite 200
Sacramento, CA 95811
(916) 442-2028
(916) 442-2029

CERTIFIED ENGINEER
CUNNINGHAM ENGINEERS
CALIFORNIA

PRUDLER
TENTATIVE SUBDIVISION MAP NO. 4856
UTILITY PLAN

SHEET 3 OF 4
DATE: 03/30/16
JOB NO: 994.05



PEDESTRIAN ACCESS DIRECTIONAL SIGNS

NOTE: DIRECTIONAL ARROWS WILL VARY DEPENDING ON SIGN LOCATION

[illegible]

PRUDLER TENTATIVE MAP
Subdivision 4856
Lot Matrix

	LOT #	LOT DEPTH ¹ (FT)	LOT WIDTH ² (FT)	LOT AREA (FT ²)	TYPE (LDR)	BLDG SETBACKS (MIN.)			
						FRONT ³ (FT)	REAR (FT)	INT. SIDE (FT)	ST. SIDE (FT)
PHASE 1	1	112	65	7,190	Single Family	15	20	5	10
	2	112	60	6,733	Single Family	15	20	5	10
	3	112	60	6,733	Single Family	15	20	5	10
	4	112	60	6,733	Single Family	15	20	5	10
	5	112	60	6,733	Single Family	15	20	5	10
	6	112	60	6,733	Single Family	15	20	5	10
	7	108	61	6,803	Single Family	15	20	5	10
	8	102	57	8,387	Single Family	15	20	5	10
	9	127	46	10,759	Single Family	15	20	5	10
	10	91	54	8,153	Single Family	15	20	5	10
	11	91	60	5,604	Single Family	15	20	5	10
	12	100	60	6,000	Single Family	15	20	5	10
	13	100	60	6,000	Single Family	15	20	5	10
	14	100	60	6,000	Single Family	15	20	5	10
	15	100	60	6,000	Single Family	15	20	5	10
	16	100	60	6,000	Single Family	15	20	5	10
	17	100	64	6,247	Single Family	15	20	5	10
	18	100	70	6,694	Single Family	15	20	5	10
	19	100	60	6,000	Single Family	15	20	5	10
	20	100	60	6,000	Single Family	15	20	5	10
	21	100	66	6,488	Single Family	15	20	5	10
	22	100	60	6,000	Single Family	15	20	5	10
	23	100	60	6,000	Single Family	15	20	5	10
	24	100	60	6,000	Single Family	15	20	5	10
	25	100	60	6,000	Single Family	15	20	5	10
	26	100	61	6,108	Single Family	15	20	5	10
	27	100	65	6,430	Single Family	15	20	5	10
	28	100	60	6,000	Single Family	15	20	5	10
	29	100	60	6,000	Single Family	15	20	5	10
	30	100	60	6,000	Single Family	15	20	5	10
	31	100	65	6,500	Single Family	15	20	5	10
	32	100	60	6,000	Single Family	15	20	5	10
	33	100	60	6,000	Single Family	15	20	5	10
	34	100	60	6,000	Single Family	15	20	5	10
	35	100	64	6,400	Single Family	15	20	5	10
	36	100	60	6,000	Single Family	15	20	5	10
	37	100	67	6,671	Single Family	15	20	5	10
	38	100	67	6,522	Single Family	15	20	5	10
	39	100	60	6,000	Single Family	15	20	5	10
	40	100	64	6,400	Single Family	15	20	5	10
	41	100	60	6,000	Single Family	15	20	5	10
	42	100	60	6,000	Single Family	15	20	5	10
	43	100	60	6,000	Single Family	15	20	5	10
	44	100	65	6,500	Single Family	15	20	5	10
	45	100	60	6,000	Single Family	15	20	5	10
	46	100	60	6,000	Single Family	15	20	5	10
	47	100	60	6,000	Single Family	15	20	5	10
	48	100	65	6,395	Single Family	15	20	5	10
	49	100	65	6,395	Single Family	15	20	5	10
	50	100	60	6,000	Single Family	15	20	5	10
	51	100	60	6,000	Single Family	15	20	5	10
	52	100	60	6,000	Single Family	15	20	5	10
	53	100	60	6,000	Single Family	15	20	5	10
	54	100	60	6,000	Single Family	15	20	5	10

PRUDLER TENTATIVE MAP
Subdivision 4856
Lot Matrix

	LOT #	LOT DEPTH ¹ (FT)	LOT WIDTH ² (FT)	LOT AREA (FT ²)	TYPE (LDR)	BLDG SETBACKS (MIN.)			
						FRONT ³ (FT)	REAR (FT)	INT. SIDE (FT)	ST. SIDE (FT)
PHASE 1	55	100	65	6,500	Single Family	15	20	5	10
	56	100	60	6,000	Single Family	15	20	5	10
	57	100	60	6,000	Single Family	15	20	5	10
	58	100	60	6,000	Single Family	15	20	5	10
	59	100	68	6,745	Single Family	15	20	5	10
	60	103	68	6,803	Single Family	15	20	5	10
	61	103	60	6,165	Single Family	15	20	5	10
	62	103	60	6,165	Single Family	15	20	5	10
	63	103	60	6,165	Single Family	15	20	5	10
	64	103	65	6,679	Single Family	15	20	5	10
	65	103	60	6,165	Single Family	15	20	5	10
	66	103	60	6,165	Single Family	15	20	5	10
	67	103	60	6,165	Single Family	15	20	5	10
	68	103	60	6,165	Single Family	15	20	5	10
	69	103	60	6,165	Single Family	15	20	5	10
	70	103	65	6,555	Single Family	15	20	5	10
	71	106	65	6,989	Single Family	15	20	5	10
	72	103	60	6,063	Single Family	15	20	5	10
	73	103	44	8,557	Single Family	15	20	5	10
	74	111	41	14,373	Single Family	15	20	5	10
	75	108	60	6,728	Single Family	15	20	5	10
	76	98	60	6,568	Single Family	15	20	5	10
	77	98	60	5,910	Single Family	15	20	5	10
	78	98	60	5,910	Single Family	15	20	5	10
	79	98	60	5,910	Single Family	15	20	5	10
	80	98	60	5,910	Single Family	15	20	5	10
	81	98	60	5,910	Single Family	15	20	5	10
	82	98	65	6,333	Single Family	15	20	5	10
PHASE 2	83	100	55	5,430	Single Family	12	15	5	10
	84	100	50	5,000	Single Family	12	15	5	10
	85	100	50	5,000	Single Family	12	15	5	10
	86	100	50	5,000	Single Family	12	15	5	10
	87	100	55	5,500	Single Family	12	15	5	10
	88	86	58	5,471	Single Family	12	15	5	10
	89	86	60	5,382	Single Family	12	15	5	10
	90	88	60	5,520	Single Family	12	15	5	10
	91	88	58	5,741	Single Family	12	15	5	10
	92	109	55	6,000	Single Family	12	15	5	10
	93	108	50	5,428	Single Family	12	15	5	10
	94	108	50	5,403	Single Family	12	15	5	10
	95	107	50	5,378	Single Family	12	15	5	10
	96	107	55	5,817	Single Family	12	15	5	10
	97	105	55	5,754	Single Family	12	15	5	10
	98	105	50	5,268	Single Family	12	15	5	10
	99	105	50	5,242	Single Family	12	15	5	10
	100	104	50	5,217	Single Family	12	15	5	10
	101	104	50	5,191	Single Family	12	15	5	10
	102	103	50	5,166	Single Family	12	15	5	10
	103	103	50	5,141	Single Family	12	15	5	10
	104	95	50	5,041	Single Family	12	15	5	10
	105	95	50	4,651	Single Family	12	15	5	10
	106	96	55	11,579	Single Family	12	15	5	10
	107	93	54	10,054	Single Family	12	15	5	10
	108	93	50	4,594	Single Family	12	15	5	10

PRUDLER TENTATIVE MAP
Subdivision 4856
Lot Matrix

	LOT #	LOT DEPTH ¹ (FT)	LOT WIDTH ² (FT)	LOT AREA (FT ²)	TYPE (LDR)	BLDG SETBACKS (MIN.)			
						FRONT ³ (FT)	REAR (FT)	INT. SIDE (FT)	ST. SIDE (FT)
PHASE 2	109	96	50	4,995	Single Family	12	15	5	10
	110	101	50	5,028	Single Family	12	15	5	10
	111	101	50	5,028	Single Family	12	15	5	10
	112	101	50	5,028	Single Family	12	15	5	10
	113	101	50	5,027	Single Family	12	15	5	10
	114	101	50	5,027	Single Family	12	15	5	10
	115	101	50	5,027	Single Family	12	15	5	10
	116	101	50	5,026	Single Family	12	15	5	10
	117	101	50	5,026	Single Family	12	15	5	10
	118	101	50	5,025	Single Family	12	15	5	10
	119	100	50	5,025	Single Family	12	15	5	10
	120	100	50	5,025	Single Family	12	15	5	10
	121	100	50	5,024	Single Family	12	15	5	10
	122	100	50	5,024	Single Family	12	15	5	10
	123	100	50	5,024	Single Family	12	15	5	10
	124	100	50	5,023	Single Family	12	15	5	10
	125	92	50	4,876	Single Family	12	15	5	10
	126	92	50	4,620	Single Family	12	15	5	10
	127	98	49	11,427	Single Family	12	15	5	10
	128	93	51	9,392	Single Family	12	15	5	10
	129	93	50	4,562	Single Family	12	15	5	10
	130	94	50	4,960	Single Family	12	15	5	10
	131	100	50	5,000	Single Family	12	15	5	10
	132	100	50	5,000	Single Family	12	15	5	10
	133	100	50	5,000	Single Family	12	15	5	10
	134	100	50	5,000	Single Family	12	15	5	10
	135	100	55	5,460	Single Family	12	15	5	10
	136	100	50	5,000	Single Family	12	15	5	10
	137	100	52	5,200	Single Family	12	15	5	10
	138	100	50	5,000	Single Family	12	15	5	10
	139	100	55	5,500	Single Family	12	15	5	10
	140	100	50	5,000	Single Family	12	15	5	10
	141	100	55	5,500	Single Family	12	15	5	10
	142	100	55	5,388	Single Family	12	15	5	10
	143	100	50	5,000	Single Family	12	15	5	10
	144	100	55	5,500	Single Family	12	15	5	10
	145	100	55	5,500	Single Family	12	15	5	10
	146	100	55	5,500	Single Family	12	15	5	10
	147	100	50	5,000	Single Family	12	15	5	10
	148	100	50	5,000	Single Family	12	15	5	10
	149	100	55	5,500	Single Family	12	15	5	10
	150	100	55	5,500	Single Family	12	15	5	10
	151	100	50	5,000	Single Family	12	15	5	10
	152	100	50	5,000	Single Family	12	15	5	10
	153	100	52	5,190	Single Family	12	15	5	10
	154	100	56	5,446	Single Family	12	15	5	10
	155	100	56	5,529	Single Family	12	15	5	10
	156	100	52	5,190	Single Family	12	15	5	10
	157	100	50	5,000	Single Family	12	15	5	10
	158	100	50	5,000	Single Family	12	15	5	10
	159	100	55	5,500	Single Family	12	15	5	10
	160	100	55	5,500	Single Family	12	15	5	10
	161	100	50	5,000	Single Family	12	15	5	10
	162	100	50	5,000	Single Family	12	15	5	10

PRUDLER TENTATIVE MAP
Subdivision 4856
Lot Matrix

	LOT #	LOT DEPTH ¹ (FT)	LOT WIDTH ² (FT)	LOT AREA (FT ²)	TYPE (LDR)	BLDG SETBACKS (MIN.)			
						FRONT ³ (FT)	REAR (FT)	INT. SIDE (FT)	ST. SIDE (FT)
PHASE 2	163	100	55	5,500	Single Family	12	15	5	10
	164	100	55	5,500	Single Family	12	15	5	10
	165	100	55	5,500	Single Family	12	15	5	10
	166	100	50	5,000	Single Family	12	15	5	10
	167	100	55	5,388	Single Family	12	15	5	10
	168	100	55	5,388	Single Family	12	15	5	10
	169	100	58	5,750	Single Family	12	15	5	10
	170	100	60	6,000	Single Family	12	15	5	10
	171	100	55	5,500	Single Family	12	15	5	10
	172	100	60	6,000	Single Family	12	15	5	10
	173	100	55	5,500	Single Family	12	15	5	10
	174	100	55	5,500	Single Family	12	15	5	10
	175	100	55	5,430	Single Family	12	15	5	10
	176	100	55	5,430	Single Family	12	15	5	10
	177	100	55	5,500	Single Family	12	15	5	10
	178	100	55	5,500	Single Family	12	15	5	10
	179	100	60	6,000	Single Family	12	15	5	10
	180	100	55	5,500	Single Family	12	15	5	10
	181	100	60	6,000	Single Family	12	15	5	10
	182	100	58	5,750	Single Family	12	15	5	10
	183	100	55	5,366	Single Family	12	15	5	10

PHASE 1	Depth	Width	Area
Avg.	102	61	6,464
Min.	91	41	5,604
Max.	127	70	14,373

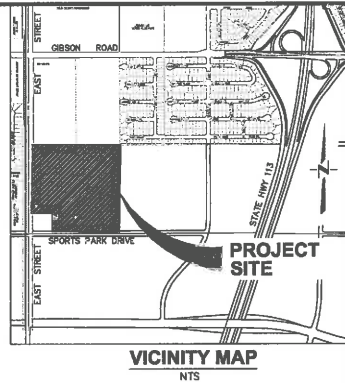
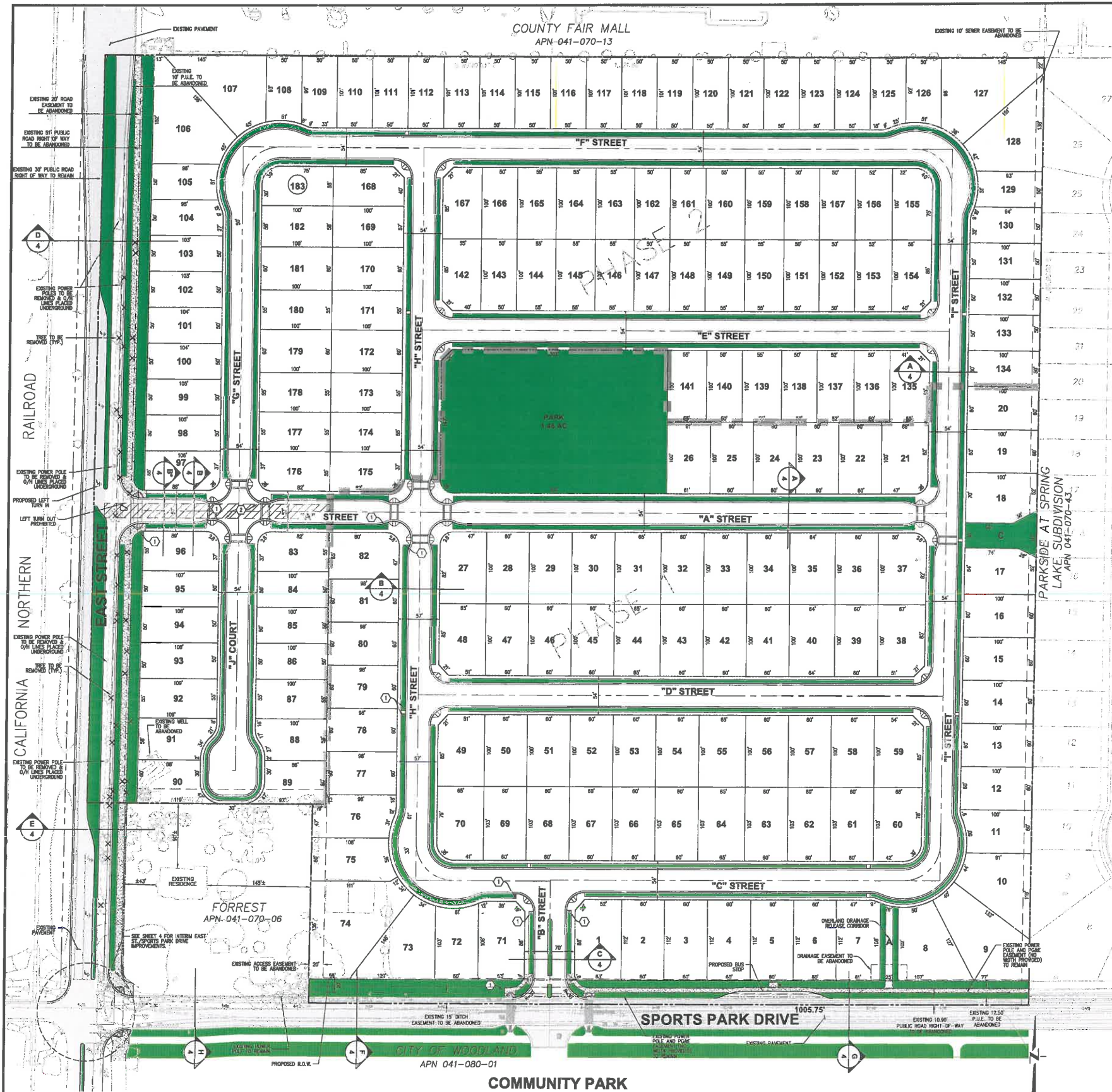
Note: Minimum setbacks are consistent with the R-5 and R-8 zoning of the Spring Lake Specific Plan for Phases 1 and 2, respectively

PHASE 2	Depth	Width	Area
Avg.	100	53	5,476
Min.	86	49	4,562
Max.	109	60	11,579

¹Depth of lot measured along shortest side lot line for irregularly shaped lots.

²Width of lot measured at front yard setback for irregularly shaped lots.

³Minimum house setback of 15' from back of walk and garage setback of 22' from back of walk is proposed for R-5 lots (Phase 1). Minimum house setback of 12' from back of walk and garage setback of 20' from back of walk is proposed for R-8 lots (Phase 2).



OWNER:
YOLO RESIDENTIAL INVESTORS LLC
401 WATT AVENUE, SUITE 3
SACRAMENTO, CALIFORNIA 95864
(916) 425-3080

DEVELOPER:
YOLO RESIDENTIAL INVESTORS LLC
401 WATT AVENUE, SUITE 3
SACRAMENTO, CALIFORNIA 95864
(916) 425-3080

CIVIL ENGINEER:
CLUNNINGHAM ENGINEERING
2940 SPAFFORD STREET, SUITE 200
DAVIS, CALIFORNIA 95618
(530) 758-2028

ASSESSORS PARCEL No.:
041-070-042-000

AREA:
38.01 ACRES, 183 LOTS

ZONING:
C-2 (EXISTING)
R-1 WITH PLANNED UNIT OVERLAY (PROPOSED)

USE:
GENERAL COMMERCIAL,
MALL EXPANSION SITE (EXISTING)
PLANNED UNIT DEVELOPMENT,
SINGLE FAMILY RESIDENTIAL (PROPOSED)

FLOOD ZONE:
ZONE X PER COMMUNITY PANEL NO.
0611300445H DATED 05/16/2012

**DOMESTIC WATER, SANITARY
SEWER AND DRAINAGE:**
CITY OF WOODLAND

ELECTRICITY & GAS:
PG & E

CABLE TELEVISION:
CHARTER COMMUNICATIONS

- NOTES:**
1. THE STREET NAMES SHOWN ON THIS MAP ARE FOR PLANNING PURPOSES ONLY. FINAL STREET NAMES TO BE APPROVED BY THE CITY OF WOODLAND.
 2. THIS TENTATIVE MAP CONFORMS WITH ALL REQUIREMENTS OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT.
 3. THIS TENTATIVE MAP CONFORMS WITH ALL THE REQUIREMENTS OF THE CITY OF WOODLAND SUBDIVISION ORDINANCE.
 4. LOT "B" NOT USED.

PROJECT PHASING:

THE SUBDIVISION WILL BE FINAL MAPPED IN PHASES AS CONCEPITUALLY SHOWN HEREIN OR SUBJECTS THEREOF AS DETERMINED TO BE SUBSTANTIALLY SIMILAR BY THE COMMUNITY DEVELOPMENT DIRECTOR AND THE CITY ENGINEER.

SECOND UNITS:

10 % (21 UNITS) OF THE R-1 SINGLE FAMILY LOTS SHALL BE ALLOWED TO HAVE SECOND UNITS BY RIGHT ON A FIRST-COME, FIRST-SERVED BASIS, WITH SITE PLAN / DESIGN REVIEW. SUBSEQUENT LOTS WILL REQUIRE A USE PERMIT FOR SECOND UNIT INCLUSION.

LOT SIZES:

THE SINGLE FAMILY RESIDENTIAL LOTS HAVE BEEN SHOWN TO BE OF VARYING WIDTHS TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR. THE BUILDER RESERVES THE RIGHT OF LOT WIDTH MODIFICATION, SUBJECT TO THE APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR, AT THE FINAL MAP STAGE, BASED UPON SELECTION OF FLOOR PLANS AND MARKET DEMAND.

SHEET INDEX:

- 1 STREET AND LOTTING PLAN
- 2 GRADING & DRAINAGE PLAN
- 3 UTILITY PLAN
- 4 STREET SECTIONS AND DETAILS

LAND USE SUMMARY

USE	ACRES	UNITS	DENSITY
SINGLE FAMILY DETACHED - PHASE 1	16.87	82	4.86 du / ac
SINGLE FAMILY DETACHED - PHASE 2	17.26	101	5.85 du / ac
EAST STREET / SPORTS PARK DRIVE	2.42		
PARK	1.46		
TOTAL:	38.01	183	5.36 du / ac*

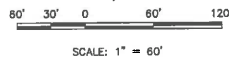
*OVERALL DENSITY IS EQUAL TO TOTAL NUMBER OF LOTS DIVIDED BY SUM OF PHASE 1 AND PHASE 2 ACRES (EXCLUDES SPORTS PARK DRIVE / EAST STREET DEDICATIONS AND PARK ACREAGE).

KEYNOTES:

1. PEDESTRIAN ACCESS TO EAST STREET OR PEDESTRIAN ACCESS TO SPORTS PARK DRIVE DIRECTIONAL SIGN (SEE SHEET 4 FOR DETAIL).
2. TEMPORARY ALL-WEATHER EMERGENCY VEHICLE ACCESS ROAD TO BE CONSTRUCTED WITH PHASE 1 IMPROVEMENTS. ROAD WILL BE PROTECTED WITH APPROPRIATE BOLLARDS AND SIGNAGE.

EASEMENTS TO BE ABANDONED:

1. 15' DITCH EASEMENT PER 1982 D.U. 710, EASEMENT OUTLINED, 2006, BY THE YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT TO THE CITY OF WOODLAND PER DOCUMENT 2008-0004734 AS RECORDED BY THE YOLO COUNTY RECORDS OFFICE.
2. 20' ROAD EASEMENT PER 1744 O.R. 278.
3. 20' ACCESS EASEMENT PER BOOK 8, PAGE 5 OF PARCEL MAPS.
4. 10' PUBLIC UTILITY EASEMENT PER BOOK 1098, OF MAPS, PAGE 11-13.
5. 10' SEWER EASEMENT PER BOOK 1096, OF MAPS, PAGE 11-13.
6. 51' PUBLIC ROAD RIGHT-OF-WAY PER BOOK 1098, OF MAPS, PAGE 11-13.
7. 10.00' RIGHT-OF-WAY DEDICATION PER DOC.# 2010-000906.
8. 12.5' PUBLIC UTILITY EASEMENT PER DOC.# 2011-002482.
9. DRAINAGE EASEMENT PER DOC.# 2011-002493.



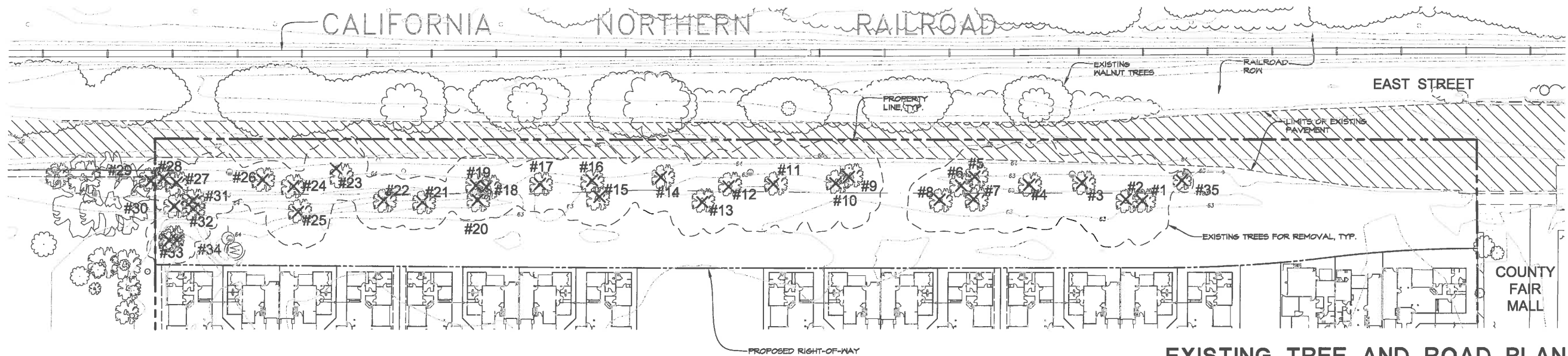
**PRUDLER
TENTATIVE SUBDIVISION MAP NO. 4856
STREET AND LOTTING PLAN**

SHEET
1
4
DATE: 03/30/16
JOB NO: 984.05

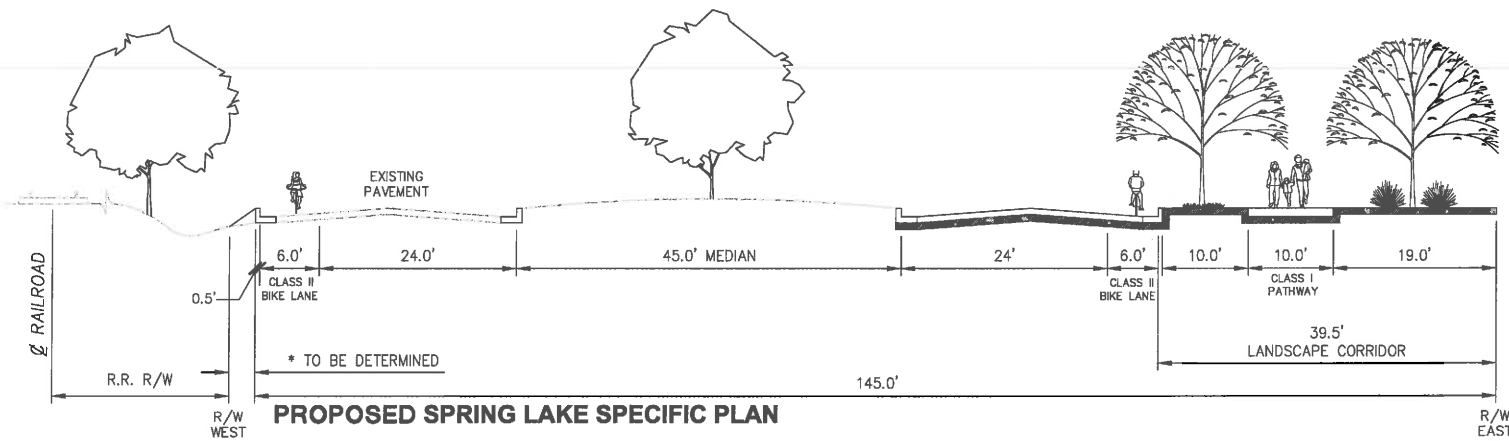
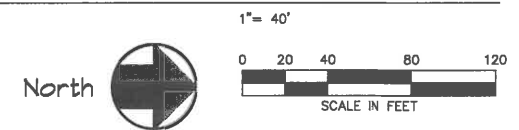


Project Planning & Civil Engineering & Landscape Architecture
2940 Spafford Street, Suite 200
Davis, California 95618
(530) 758-2028

DESIGNED BY: AB
DRAWN BY: LE/AB
CHECKED BY: SG
SCALE:
AS SHOWN

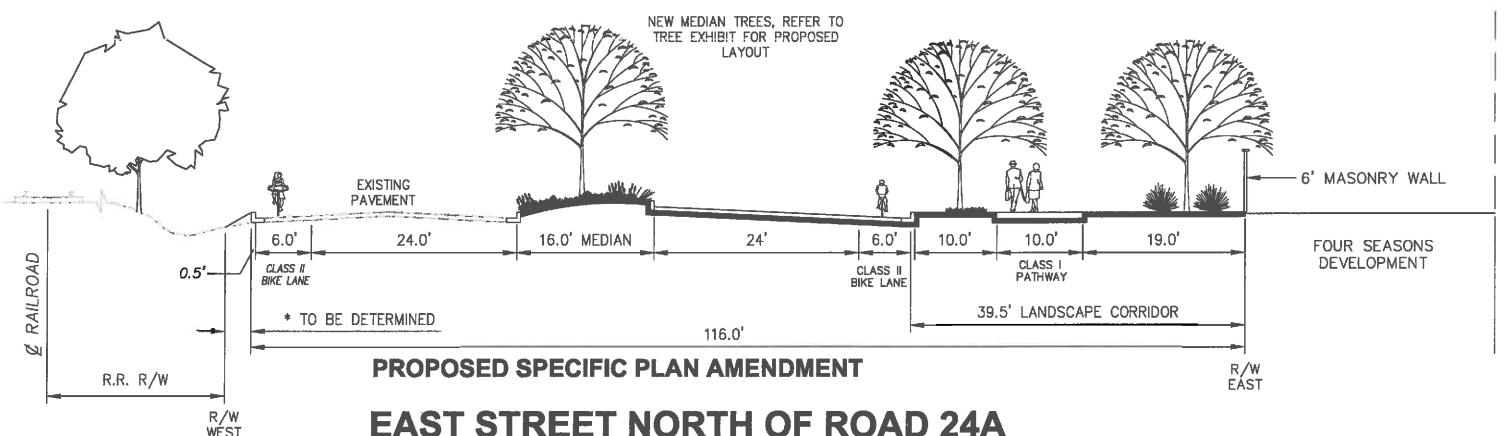


EXISTING TREE AND ROAD PLAN



PROPOSED SPRING LAKE SPECIFIC PLAN

EAST STREET NORTH OF ROAD 24A



PROPOSED SPECIFIC PLAN AMENDMENT

EAST STREET NORTH OF ROAD 24A

DESIGNED BY: LC
DRAWN BY: LC
CHECKED BY: CHS
SCALE: 1" = 40'

NO.	DATE	REVISIONS	BY	APP.

CUNNINGHAM ENGINEERING
CIVIL ENGINEERS/PROJECT MANAGERS
2840 SPANFORD STREET, SUITE 200
DANFORTH, CA 94516
Phone: (925) 738-2086
Fax: (925) 738-2086
E-mail: cec@cedev.com



**K. HOVNANIAN'S FOUR SEASONS - WOODLAND
TENTATIVE SUBDIVISION MAP NO. 4856
TREE PLAN ELEVATIONS**

WOODLAND CALIFORNIA

SHEET
1
OF
2

DATE: Sept. 05, 2006
JOB NO: 858.30

S:\MISC\4856\4856 Four Seasons\4856-30 LANDSCAPE\EXHIBITS\Tree Exhibit\4856-30-L-TREE PLAN.dwg - Layout1 1/28/2007 - 9:42AM Plotted by: Laura

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WOODLAND, CALIFORNIA, APPROVING THE DEVELOPMENT
AGREEMENT BETWEEN THE CITY OF WOODLAND AND YOLO
RESIDENTIAL INVESTORS, LLC TO USE AND DEVELOP THE
PRUDLER PROJECT**

WHEREAS, pursuant to Government Code Section 65864 *et seq.*, the City of Woodland (“City”) is authorized to enter into development agreements providing for the development of land under the terms and conditions set forth herein; and

WHEREAS, the City has found that development agreements strengthen the public planning process, encourage private participation in comprehensive planning by providing a greater degree of certainty in that process, reduce the economic costs of development, allow for the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved; and

WHEREAS, Yolo Residential Investors, LLC (“Developer”) propose to develop certain real property located in the City of Woodland (“Property”), more particularly described in the Development Agreement, attached hereto as Attachment F-1 and incorporated herein by reference, for residential use (“Project”); and

WHEREAS, Developer’s interest in the Property constitutes a legal or equitable interest in real property pursuant to Government Code Section 65865; and

WHEREAS, Developer proposes the Project to achieve the goals of the City’s General Plan (“General Plan”), as further described and conditioned in the development agreement attached hereto as Attachment F-1 and incorporated herein by reference; and

WHEREAS, the City desires timely, efficient, orderly, and proper development of the Project in furtherance of the goals of the General Plan; and

WHEREAS, the City Council has found that the Development Agreement is consistent with the City’s General Plan; and

WHEREAS, because of the logistics, magnitude of the expenditure, and considerable lead time prerequisite to planning and developing the Project, the Developer requires assurances that the Project can proceed without disruption caused by a change in the City’s planning policies and requirements, except as provided in the Development Agreement, which assurances will thereby reduce the actual or perceived risk of planning for and proceeding with development of the Project; and

WHEREAS, City has determined that by entering into the Development Agreement, City will (i) promote orderly growth and quality development on the Property in accordance with the goals

and policies set forth in the General Plan and (ii) benefit from increased housing opportunities created by the Project for residents of the City; and

WHEREAS, it is the intent of the City and Developer to establish certain conditions and requirements related to review and development of the Project that are or will be the subject of subsequent development applications for the Project; and

WHEREAS, the City and Developer have reached mutual agreement and desire to voluntarily enter into the Development Agreement to facilitate development of the Project, subject to conditions and requirements set forth herein; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Development Agreement on April 7, 2016, and recommended that the City Council approve the requested amendments to the Project and the Development Agreement; and

WHEREAS, on _____, 2016, the City Council conducted a public hearing pursuant to Government Code section 65867, not less than ten (10) days notice of which was provided in accordance with Government Code sections 65090 and 65091, at which hearing all persons wishing to testify in connection with the Development Agreement were heard and at which time the Development Agreement was comprehensively reviewed; and

WHEREAS, on _____, 2016, the City Council introduced this Ordinance through a waiving of the first reading of this Ordinance; and

WHEREAS; pursuant to the California Environmental Quality Act (CEQA) Public Resources Code section 21000 *et seq.*, on _____, 2016, the City Council adopted Resolution No. _____ certifying the EIR for the Prudler Tentative Subdivision Map Project, including the Development Agreement; and

WHEREAS, the terms and conditions of the Development Agreement have undergone review by the City at publicly noticed hearings and have been found to be fair, just and reasonable and consistent with the General Plan. Further, the City Council finds that (i) the economic interests of the City's citizens and the public health, safety, and welfare will be best served by entering into the Development Agreement; (ii) the Development Agreement is consistent with the General Plan; (iii) the Development Agreement is in conformance with the public convenience, general welfare, and good land use practice; (iv) the Development Agreement will not be detrimental to the public health, safety, or general welfare; and (v) the Development Agreement will not adversely affect the orderly development or the preservation of property values for the Property or any other property.

THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

Section 1. Pursuant to California Government Code Sections 65865 *et seq.*, the City Council hereby approves the Development Agreement attached hereto as Attachment F-1.

Section 2. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council finds this Ordinance promotes the public health, safety, and welfare of the community because the Development Agreement will permit land uses that best reflect the community needs and will allow for the most logical and efficient development of the real property governed by the Development Agreement in the City.

Section 3. The City Council hereby incorporates by reference the recitals set forth herein and adopts those recitals as its own as though fully set forth in this Ordinance. Pursuant to Government Code section 65867.5 (b) and based on the entire record before the City Council, including all written and oral evidence presented to the City Council, the City Council hereby finds that the Development Agreement will continue to result in the development of the Property at the intensity and density allowed under the General Plan, as amended, and with the restrictions and standards set forth in the City's Municipal Code and the Development Agreement.

Section 4. The City Council hereby expressly determines that all of the procedures of CEQA have been met with respect to the Development Agreement because, on _____, 2016, the City Council adopted Resolution No. _____ certifying the EIR for the Prudler Tentative Subdivision Map Project, including the Development Agreement.

Section 5. The City Clerk shall cause to be recorded with the Yolo County Recorder a copy of the executed Development Agreement, or a Memorandum of Agreement, within ten (10) days following execution thereof.

Section 6. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary thereof to be published in the Daily Democrat, a newspaper of general circulation, printed and published in the City of Woodland and County of Yolo, at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code section 36933. This Ordinance shall take effect thirty (30) days after its adoption.

PASSED AND ADOPTED on this the ____ day of _____, 2016 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Dated:_____

Attachment F-1 – Development Agreement

DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF WOODLAND AND YOLO RESIDENTIAL
INVESTORS, LLC RELATIVE TO THE PRUDLER SUBDIVISION PROJECT
Draft (3-30-16)

This Development Agreement (hereinafter "Agreement") is made and entered into this ____ day of _____, 2016, by and between the City of Woodland, a municipal corporation of the State of California (hereinafter "City") and Yolo Residential Investors, LLC, a California limited liability company (hereinafter "Developer").

RECITALS

A. To strengthen the public land use planning and development process, to encourage private participation in that process, to reduce the economic risk of development, and to provide maximum utilization of resources, the Legislature enacted Government Code Section 65864 *et seq.*, which authorizes the City and any other person having a legal or equitable interest in real property to enter into a development agreement establishing certain vested development rights.

B. Developer has a legal or equitable interest in that certain real property legally described in **Exhibit "A"** and depicted on the map set forth in **Exhibit "B"**, located in the incorporated area of the City of Woodland (hereinafter the "Property") sufficient to enter into this Agreement with City.

C. Developer desires to create and develop the Prudler Subdivision Project (hereinafter the "Project") on approximately 38 acres in the southern portion of the City, as depicted on the map attached hereto as **Exhibit "C"** (hereinafter the "Project Area"). The Project would include the development of 183 single family homes on the Property.

D. Developer has applied to City for certain entitlements for development of its property, including this Agreement, and proceedings have been taken in accordance with the rules and regulations of the City.

E. The best interests of the citizens of the City of Woodland and the public health, safety and welfare will be served by entering into this Agreement

F. All of the requirements of the California Environmental Quality Act have been met with respect to the Project and the Agreement, upon the Woodland City Council's certification of Environmental Impact Report for the Project.

G. All actions taken and approvals given by the City have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters.

H. Project Approvals. City has granted Developer the following land use entitlement approvals (hereinafter “Approvals”) which are incorporated and made a part of this Agreement:

- (1) **General Plan Amendment** to redesignate the Property from General Commercial (GC) to Low Density Residential (LDR)
- (2) **Spring Lake Specific Plan Amendment** to modify the East Street cross-section between County Fair Mall and County Road 24A.
- (3) **Rezoning** of the Property from General Commercial (C-2) to Single Family Residential/Planned Development (R-1/PD)
- (4) **Planned Development Approval**
- (5) **Tentative Subdivision Map #4856**
- (6) **Conditional Use Permit** for development within the PD Zone
- (7) **A Development Agreement** by and between the City of Woodland and Developers
- (8) **Focused Environmental Impact Report** and the Mitigation Monitoring and Reporting Program adopted therewith.

I. City and Developer contemplate that the development of the Property pursuant to this Agreement and the Approvals will result in significant benefits to City and Developer. This Agreement accordingly provides assurances to Developer that it will have the ability to develop the Property in accordance with this Agreement. This Agreement also provides assurances to City that it will receive certain public benefits. Specifically, Developer has voluntarily agreed to enter into this Agreement with the City, which provides various Public Benefits to City and its residents beyond those attainable through conditions of project approval and mitigation measures. Those Public Benefits are described in Section 2.3 of this Agreement.

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

ARTICLE 1

GENERAL PROVISIONS

Section 1.1 **Incorporation of Recitals.** Recitals A through I are hereby incorporated herein, including all documents referred to in said Recitals.

Section 1.2 **Definitions.** As used in this Agreement, the following terms, phrases, and words shall have the meanings and be interpreted as set forth in this Section.

Section 1.2.1 “Adopting Ordinance” means City of Woodland Ordinance No. _____ dated _____, and effective _____, which approves this Development Agreement as required by Government Code Section 65867.5.

Section 1.2.2 “Agreement” means this Development Agreement.

Section 1.2.3 “Approval Conditions” means the terms and conditions of approval attached to the Approvals by action of the City Council.

Section 1.2.4 “Approvals” means the plans, maps, and other land use approvals approved as described in Paragraph D of the Recitals.

Section 1.2.5 “City” means the City of Woodland, a political subdivision of the State of California

Section 1.2.6 “City Council” means the City Council of the City of Woodland.

Section 1.2.7 “Commission” means the Planning Commission of the City of Woodland.

Section 1.2.8 “Development Agreement Statute” means Sections 65864 *et seq.* of the Government Code of the State of California.

Section 1.2.9 “Development Exaction” means any requirement of City in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

Section 1.2.10 [Reserved]

Section 1.2.11 “Director” means Director of the Department of Community Development, City of Woodland, or his or her designee.

Section 1.2.12 “Effective Date” means the date of approval of the Adopting Ordinance for this Agreement.

Section 1.2.13 “General Plan” means the General Plan, including text and maps, of the City of Woodland in effect as of the Effective Date and as amended by the Approvals.

Section 1.2.14 “Lender” means the holder of any mortgage or the beneficiary of any deed of trust encumbering all or any portion of the Property.

Section 1.2.15 “MMRP” means the Mitigation, Monitoring and Reporting Plan adopted for the Project by the City Council.

Section 1.2.16 “Project” means development of the Property as approved by action of the City Council pursuant to the Approvals, including the incorporated exhibits thereto.

Section 1.2.17 “Property” means the real property described and depicted in Exhibits “A” and “B.”

Section 1.2.18 “Public Benefits” means the “non-nexus” or “beyond nexus requirements” types of benefits voluntarily provided to City by Developer that are, in whole or in part, in excess of that legally required for the Project as CEQA mitigation, but which are made legally binding by this Agreement. The Public Benefits are enumerated in Section 2.3 of this Agreement.

Section 1.2.19 “Zoning Code” means the Zoning Code of the City of Woodland in effect as of the Effective Date.

Section 1.3 Additional Defined Terms. If any of this Agreement’s capitalized terms are not defined above, then such terms shall have the meaning otherwise ascribed to them in this Agreement.

Section 1.4 Exhibits. This Agreement refers to the following exhibits, which are attached hereto and hereby incorporated into this Agreement by reference.

Exhibit

<u>Designation</u>	<u>Description</u>
--------------------	--------------------

A	Legal Description of the Property
---	-----------------------------------

B	Vicinity Map of the Property
---	------------------------------

C	Development Plan and Conditions of Approval
---	---

- D Fees, Exactions and Dedications
- E Park Improvement Requirements
- F. Universal Design Features
- G. Form of Assignment and Assumption Agreement

Section 1.5 Term of Agreement. This Agreement shall commence upon the Effective Date, and shall be in force for a period of ten (10) years thereafter (the “Initial Term”), unless extended or terminated as provided herein. Developer may elect to extend the Term by up to two successive two (2) year periods (for a maximum Term of 14 years) upon written notice to the City no later than 90 days prior to the date the Term would otherwise expire. Thereafter, the Developer shall have no vested right under this Agreement, regardless of whether or not Developer has paid any Development Impact Fee. Any tentative map approved by City for the Property shall have a duration co-extensive with the duration of this Agreement.

Section 1.6 Consistency with General Plan. In granting the Approvals described herein, the City Council expressly found that the Approvals are consistent with the General Plan, as amended, and further found that this Agreement is also consistent with the General Plan, as amended.

Section 1.7 Amendment to Agreement. This Agreement may be amended from time to time by mutual written consent of the parties, provided it is amended in the manner set forth in Government Code Section 65868. Either party may propose an amendment to this Agreement at any time. Any amendment to this Agreement shall be in writing and executed by the parties or their successors in interest. If the amendment only applies to a portion of the Property, then the only parties required to execute the amendment shall be the City and the then current owners of that portion of the Property affected by the amendment, provided that such amendment does not adversely affect the rights and obligations of the then current owners of the remainder of the Property under this Agreement. The parties acknowledge that under the City Zoning Code and applicable rules, regulations, and policies of the City, the Director has the discretion to approve minor modifications to approved land use entitlements without the requirement for a public hearing or approval by the City Council. Accordingly, the approval by the Director of any minor modifications to the Approvals that are consistent with this Agreement shall not constitute nor require an amendment to this Agreement to be effective or to be subject to this Agreement.

For purposes of this Section 1.7, minor modifications shall mean any modification to the Project that does not relate to: (i) the term of this Agreement; (ii) permitted uses of the Project; (iii) density or intensity of use; (iv) provisions for the reservation or dedication of land; (v) conditions, terms, restrictions or requirements for subsequent discretionary actions; or (vi) monetary contributions by Developer, and may be processed under CEQA as exempt from CEQA.

Section 1.8 Assignment.

Right to Assign. Developer shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.) to any person, partnership, joint venture, firm or corporation at any time during the Term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, Developer shall notify CITY, in writing, of such sale, transfer or assignment and shall provide CITY with an executed agreement ("Assignment and Assumption Agreement"), in substantially the form incorporated herein as Exhibit "G", by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties, obligations, agreements, covenants, and waivers of OWNER under this Agreement.

Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by Developer under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 0, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed.

Release of Transferring Developer. Notwithstanding any sale, transfer or assignment, a transferring Developer shall continue to be obligated under this Agreement with respect to the transferred Property or any transferred portion thereof, unless such transferring Developer is given a release in writing by City (which written confirmation may be in the form of execution and recordation of the Assignment and Assumption Agreement), which release shall

be provided by City upon the full satisfaction by such transferring Developer of the following conditions:

(a) Developer no longer has a legal or equitable interest in all or any part of the Property subject to the transfer.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Section 1.9(b) above.

(d) The purchaser, transferee or assignee provides City with security equivalent to any security previously provided by Developer to secure performance of its obligations hereunder.

Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section.

Section 1.9 Private Project. The parties confirm and agree that the development of the Property with the Project is a private project by the Developer; City has no interest therein except as authorized in the exercise of its governmental functions.

Section 1.10 No Joint Venture or Partnership. City and Developer hereby renounce the existence of any form of joint venture or partnership between City and Developer and agree that nothing contained herein or in any document executed in connection herewith shall be construed as making City and Developer joint venturers or partners.

Section 1.11 Consideration. The City and Developer acknowledge and agree that the City's agreement to perform and abide by the obligations of City set forth herein, including the issuance of the Approvals, is material consideration for Developer's agreement to perform and abide by the obligations of Developer set forth herein.

Section 1.12 Automatic Termination as to Residential Lots/ Notice of Termination as to Other Parcels. This Agreement shall automatically be terminated, without any further action by any party or need to record any additional document, with respect to any single-family residential lot within a parcel designated by the Approvals for residential use, upon completion of construction and issuance by City of a final occupancy permit for a dwelling unit upon such single-family residential lot and conveyance of such improved residential lot and dwelling unit to a bona-fide good faith purchaser thereof. In connection with its issuance of a final inspection for such single-family residential lot and dwelling unit, City shall confirm that all improvements that are required to serve the residential lot, as determined by City, have (1) been

accepted by City, or (2) in the discretion of the City, adequate security for certain improvements has been provided, and that the dwelling is ready for occupancy by the homebuyer. Termination of this Agreement for any single-family residential lot as provided for in this Section 1.12 shall not in any way be construed to terminate or modify any assessment district, fee district, public financing district, special tax district, tax and/or any Mello Roos Community Facilities District lien affecting such lot at the time of termination. Termination of this Agreement as to an individual parcel or lot with a building constructed upon it shall not affect Developer's rights or obligations under any of the Approvals applicable to the remainder of the Project at the Property.

ARTICLE 2

DEVELOPER'S OBLIGATIONS

Section 2.1 Property Development. If the Property is developed, it shall be developed according to the Approvals. Except as may be specifically provided elsewhere in this Agreement, Developer has no affirmative obligation to commence development of the Property or to develop it at a specified rate once the development has commenced. No modification of the City's ordinances, resolutions, policies, rules or regulations adopted after the Effective Date, which purport to limit the rate of development over time or to govern the sequence of development of land within the Project Area, shall apply to the Property.

Section 2.2 Waiver. Developer knowingly and specifically waives its right or rights to challenge by any legal action or other proceeding, at any time during the duration of this Agreement, the question of whether or the extent to which there is any nexus or rough proportionality between any obligation imposed on Developer by the Approvals or by this Agreement. Developer further agrees, and knowingly and specifically waives, its right or rights to challenge by any legal action or other proceeding, at any time during the duration of this Agreement, City's ability to impose any fee, assessment, tax, charge, or land dedication provided for within this Agreement.

Section 2.3 Public Benefits. Developer has offered, and City has accepted, the Public Benefits described in this Section and as further provided in **Exhibit D**. City and Developer agree that the items described herein are contributions that are in whole or in part in excess of those that the City could otherwise require of Developer. The following Public Benefits offered by Developer are made binding by this Agreement as identified in this Section and in **Exhibit "D"**:

2.3.1 Park Facilities and Fees. Developer shall satisfy its entire park land dedication obligations under the state Quimby Act (*Government Code* §66477) and Chapter 21, Article 12 of the Municipal Code through a combination of the dedication of the approximately 1.46 acre parcel shown on Exhibit C to the

City for park purposes, and the construction of park facility improvements to this park parcel, as described in **Exhibit E**.

2.3.2 Single Story and Model Homes. Developer shall construct a single-story model home for each of the two lot sizes within the Property (R-5 and R-8). In addition, the Project shall construct at least ten percent (10%) of the homes within the Property as single-story floor plans.

2.3.3 Universal Design. Developer shall emphasize universal design features in the development of the Project, incorporating measures set forth in **Exhibit "F"** to this Agreement..

2.3.5 Solar and Energy Savings. All homes within the project shall be solar ready (including an electric vehicle charging receptacle in each garage) and a minimum of 10% of the homes shall have solar installed (1.5 kW system). If so desired, the applicant may submit to the Community Development Department for consideration an equivalent alternative energy saving feature(s) to solar for consideration prior to the issuance of building permits. All homes shall provide electric charging facilities in the garages.

2.3.6 Inclusionary Housing. Prior to approval of first final map and improvement plan package to City, Owner and City shall enter into an Inclusionary Housing Agreement of The Project shall satisfy the 10% single family inclusionary obligation through the payment of Affordable Housing In Lieu fee, in the amount set forth in **Exhibit "D"** to this Agreement.

ARTICLE 3

CITY OBLIGATIONS

Section 3.1 Vested Rights of Developer. City agrees that the right to develop the Project Area at the Property in a manner consistent with the Approvals is vested in the Developer by this Agreement (as explained in Article 4) without further action by Developer for the duration of this Agreement, and any extensions thereof. The permitted development shall be as set forth in the Approvals. After this Agreement expires, Developer's vested rights, as described herein, shall expire, whether or not the permitted uses allowed by the Approvals have been fully exercised.

Section 3.2 Cooperation Between City and Developer. City shall cooperate in good faith with Developer in securing all state and federal permits that may be required for the development of the Project. Developer shall be responsible for applying for and obtaining approvals and permits required from other governmental agencies having jurisdiction over, or providing services to, the Project Area.

ARTICLE 4

PROJECT DEVELOPMENT

Section 4.1 Permitted Uses and Development Standards. The permitted uses, density or intensity of use, height and size of buildings and provisions for reservation and dedication of land for public purposes shall be those set forth in the Approvals and this Agreement.

Section 4.2 Vested Rights. During the Initial Term of this Agreement, and any extensions thereof, City grants Developer the vested right ("Vested Right") to develop the Project in a manner that is consistent with the Approvals, and all development rights, obligations, terms and conditions specified therein. There shall be no change, modification, amendment, or addition to the rules, regulations and official policies, including the City General Plan in effect on the Effective Date of this Agreement, the City Zoning Code in effect on the Effective Date of this Agreement, the City Code, and all other relevant codes, ordinances, resolutions, programs, policies, rules, and regulations in effect as of the Effective Date of this Agreement (collectively the "Collective Standards") that govern the development of the Project Area. Notwithstanding the foregoing, the City Building Code and the City Improvement Standards for public infrastructure applicable to the Project shall be those in effect at the time of development of the parcel or building or item of public infrastructure in question. The design standards for the development of the Project Area shall be those set forth in the Planned Development adopted as part of the Approvals. The Developer's Vested Rights may not be changed or modified by the City except as may be expressly permitted by, and in accordance with, the terms and conditions of this Agreement, unless otherwise expressly consented to in writing by Developer.

4.2.1 Approved Map Term. Notwithstanding any provision of state law or City ordinance to the contrary, all approved parcel maps, tentative subdivision maps, final maps, or any re-subdivision or any amendment to any such map shall be valid for the Initial Term of this Agreement, and any extensions thereof, as provided for in Government Code Section 66452.6.

4.2.2 Rules Regarding Permitted Uses. Except as may be provided otherwise in this Agreement, the City's ordinances, resolutions, rules, regulations and official policies governing the permitted uses of the Property, the density and intensity of use, the rate, timing and sequencing of development, the maximum height, size, and design of proposed buildings, and the provisions for reservation and dedication of land shall be those set forth in the Approvals.

4.2.3 Changes in State or Federal Law. Except as provided in Section 4.7.1 below, this Agreement shall not preclude the application of changes in City laws, regulations, plans or policies to the Project, provided the terms of

such changes are specifically mandated and required by changes in State or Federal laws or regulations.

4.2.4 Building and City Codes Applicable. Unless otherwise expressly provided in this Agreement, the Project shall be constructed in accordance with the provisions of the California Building, Mechanical, Plumbing, Electrical and Fire Codes, City standard construction specifications, and Title 24 of the California Code of Regulations relating to Building Standards, in effect at the time of the approval of the appropriate building, grading, encroachment, or other construction permits for the Project. If no permits are required for infrastructure improvements, such improvements will be constructed in accordance with the provisions of the California Building, Mechanical, Plumbing, Electrical and Fire Codes, City standard construction specifications, and Title 24 of the California Code of Regulations, relating to Building Standards, in effect at the start of construction of such infrastructure.

4.2.5 Existing and Subsequently Enacted Fees, Charges, Exactions, Dedications, Taxes and Assessments.

4.2.5.1 Processing Fees or Charges. Application, processing, plan review, permitting and inspection fees that are revised during the Initial Term of this Agreement, and all renewals thereof, shall apply to the Project provided that (a) such revised fees apply generally to all similar private projects or works within the City., and (b) the application of such fees to development of the Property shall only be made for those parcels or portions of the Property where a building permit has not been issued prior to the effective date of the revised fee..

4.2.5.2 Development Impact Fees, Exactions and Dedications. City agrees that Developer shall be required to pay only those development impact fees, connection or mitigation fees, or offer dedications of land, or other exactions required by City to support the construction of any public facilities and improvements or the provision of public services in relation to development of the Project that are enumerated in **Exhibit D** to this Agreement. Impact fees are collected at building permit and subject to annual city-wide adjustment.

In addition to the Citywide Development Impact Fees included in **Exhibit D**, the Project shall be subject to the imposition of any additional City-wide Development Impact Fee that becomes effective after the Effective Date and to any increase, decrease, amendment, or alteration of any City-wide Development Impact Fee that becomes effective after the Effective Date. In no event shall the prepayment of any Development Impact Fees required hereunder establish a vested right on the part of Developer or any other owner of the Property or any person or entity with an interest therein to develop the Project or the Property following the expiration, cancellation, or termination of this Agreement, and all

City-wide Development Impact Fees then in effect shall be applicable to the Project and Property notwithstanding any provisions of this Agreement and notwithstanding the prepayment of the City-wide Development Impact Fees set forth in Exhibit D, any increase or amendment of any City-wide Development Impact Fees, or any combination thereof.

4.2.5.3 Taxes and Assessments. Unless otherwise provided in this Agreement, the Project shall be subject to all taxes and assessments to be applied on a City-wide basis resulting from a vote of the public.

Section 4.3 Binding Effect. To the extent permitted by law, this Agreement shall be binding on any existing City or governmental agency with jurisdiction (including Joint Powers Authorities in which the City is a member agency) over the Property during the Initial Term of this Agreement and any extensions thereof.

Section 4.4 Infrastructure Improvement Plan Approval. No plans for infrastructure improvements will be approved nor construction authorized until the City Engineer signifies approval by signing all sheets of the set of plans. Plans shall be deemed ready for the City Engineer's signature once all reviewing departments and agencies have issued a Technical Approval of said plans. City agrees with Developer that all such department reviews will occur in a timely manner. The Technical Approvals of improvement plans shall be valid for a period of six (6) months from the time of receipt of the last Technical Approval issued, unless the then current City policy or ordinance provides for a longer time period.

Section 4.5 and 4.6 [intentionally left blank]

Section 4.7 Subsequently Enacted State or Federal Laws or Regulations. Nothing stated herein is intended to abridge the effect of Government Code section 65869.5, and its provision that subsequently enacted state or federal laws or regulations may require modification or suspension of provisions of this Agreement that are in conflict with such Subsequently Enacted Laws.

Section 4.7.1 Actions of State or Federal Agencies. To the extent that any actions of federal or state agencies (or actions of regional and local agencies, including City, required by federal or state agencies or actions of City taken in good faith in order to prevent adverse impacts upon City by state or federal actions) have the effect of preventing, delaying, or modifying development of the Project or any area therein, City shall not in any manner be liable for such prevention, delay, or modification of said development. Such actions may include, but are not limited to, flood plain or wetlands designations and actions of City or regional agencies as a result thereof and the imposition of air quality measures or sanctions and actions of City or regional and local agencies as a result thereof. In such a situation, City's actions shall not be

arbitrary or capricious, and the parties shall meet and endeavor to achieve solutions that preserve the integrity of the Approvals, while to the extent feasible allow development of the Property in the manner contemplated by this Agreement. Until a determination is reached, the running of the Term of this Agreement and the Developer's obligations hereunder shall be tolled.

Section 4.8 Extension of Approvals. Pursuant to Government Code Section 66452.6, all vesting tentative subdivision maps, master parcel tentative maps, parcel maps, subdivision tentative maps, planned unit development permits, special permits, or any other maps, or land use entitlements of potentially limited duration previously, contemporaneously or subsequently approved for the Property subject to this Agreement shall be valid for a minimum term equal to the full term of this Agreement (including the Initial Term, and any renewal period resulting from exercise by Developer of the options provided for in Section 1.7.1 hereof), or for a period of thirty-six (36) months, whichever is longer, but in no event for a shorter period than the maximum period of time permitted by the Subdivision Map Act or the Government Code for such land use entitlements. The provisions of this Agreement relating to estoppel certificates shall apply to any request made by Developer to City with respect to the life of any entitlement covered by this section. Nothing in this section shall be construed to, or operate to extend the duration of this Agreement.

Section 4.9 Reconfiguration of Parcels. Developer shall have the right to file applications with City for subdivision (via parcel map), lot line adjustment, or for master parcelization of all or part of the Property with no development entitlements, for the purpose of reconfiguration of the Property. Such applications shall be processed and determined in accordance with the provisions of Section 3.2, and all other applicable provisions of this Agreement. Where reconfiguration requires a special permit, or a planned unit development designation, or other land use entitlement applicable to the Property or portion thereof which is subject to the application, City reserves the right to require such Approvals as a condition of granting the application.

Section 4.10 Health and Safety Measures. Notwithstanding anything to the contrary contained in this Agreement, nothing herein shall be construed to limit the City's general police power to implement, based upon appropriate and adequate findings, specific measures necessary to alleviate legitimate and bona fide harmful and noxious uses, or protect against real, actual, and dangerous threats to the health and safety of City residents, in which event any rule, regulation or policy imposed on the development of the Project shall be done to the minimum extent necessary to correct such bona fide harmful and noxious uses or protect against any such real, actual and dangerous threats to the health and safety of City residents.

Section 4.11 Development Timing. This Agreement contains no requirement that Developer must initiate or complete development of any phase of the development of the Property or any portion thereof within any period of time set by City. It is the intention of this provision that Developer be able to develop the Property in accordance with Developer's own schedule; provided, however, that to the extent phasing is required by the Project's Approvals, such provision shall govern. No future modification of the City Code or any ordinance or regulation which limits the rate of development over time shall be applicable to the Property.

Section 4.12 Moratorium, Quotas, Restrictions or Other Growth Limitations. Subject to applicable law, Developer and City intend that except as otherwise provided herein, this Agreement shall vest the Approvals against subsequent City resolutions, ordinances, growth control measures and initiatives or referenda, other than a referendum that specifically overturns City's approval of the Approvals, that would directly or indirectly limit the rate, timing or sequencing of development, or would prevent or conflict with the land use designations, permitted or conditionally permitted uses on the Property, design requirements, density and intensity of uses as set forth in the Approvals, and as further set forth in Section 2.1 above, and intend that any such resolution, ordinance, initiative or referendum shall not apply to the Approvals and the Project. Notwithstanding any other provision of this Agreement, Developer shall, to the extent allowed by the laws pertaining to development agreements, be subject to any growth limitation ordinance, resolution, rule, regulation, or policy that is adopted and applied on a uniform, city-wide basis and directly concerns an imminent public health or safety issue. In such case, City shall apply such ordinance, resolution, rule, regulation, or policy uniformly, equitably, and proportionately to Developer and the Property and to all other public or private owners and properties directly affected thereby. By way of example only, an ordinance which would preclude the issuance of a building permit due to a city-wide lack of adequate sewage treatment capacity to meet additional demand would directly concern an imminent public health issue under the terms of this paragraph and would support a denial of a building permit within the Property or anywhere else in the City if approval would require additional sewage treatment capacity. However, an effort to limit the issuance of building permits because of a general increase in traffic congestion levels in the City would not be deemed to directly concern an imminent public health or safety issue under the terms of this paragraph.

Section 4.13 Right-of-Way Acquisition. Developer shall use best efforts to obtain all necessary rights of way for public improvements prior to final map. Should the Developer be unable to acquire the necessary rights of way with a good faith effort based on a MAI (Member Appraisal Institute) appraisal, the Developer may request the City to acquire the necessary offsite right of way. In the event that the City elects to proceed with right of way acquisition, Developer shall fund all City costs to be made by Developer, and shall deposit \$200,000

prior to approval of the first final map that triggers right of way acquisition. Funds deposited by Developer pursuant to this section shall be applied by the City to acquisition costs: including but not limited to all staff time, legal time, Court cost, consultant costs, material costs, and incidentals; and the purchase price paid by the City for the rights of way in question, with all funds on deposit in excess of the purchase price and acquisition costs to be refunded to Developer. Deposit of \$200,000 shall allow the project to proceed provided that Developer has entered into an agreement and provided security for all civil improvements. If costs exceed \$200,000 developer shall be responsible for additional deposits of funds as needed.

Section 4.14 Building Permits/Model Homes. City shall make a determination regarding the construction drawing master plans for each model home ("Master Plan") within thirty (30) days after any application for same is deemed complete by City. The term "determination" is defined as payment of plan check fees by the Developer, a full review by City of the building permit submittal package (application and plans) and the City's delivery to Developer of either a list of corrections required for resubmittal or City approval of the submitted package for issuance of building permits. Recordation of a final map shall not be required prior to issuance of a building permit for model homes. In the event that an amendment to the City Building Code results in the need to change the Master Plan, construction of residential units pursuant to the Master Plan shall be allowed to continue for a period of three (3) months from the date City notifies Developer of the change to the City Building Code and corresponding need for changes to the Master Plan. The Statewide triennial adoption and enforcement of the California Building Codes shall occur on the date as determined by the State of California and shall be applied to those Master Plan building permits that have not been issued prior to the date set for such enforcement.

Section 4.15 Reimbursements from Others Benefited. City and Developer acknowledge that in order to facilitate orderly development, Developer may be required to pay or contribute funds, dedicate certain lands, and/or construct certain improvements or infrastructure, and/or other public facilities which might otherwise be financed through City development impact fee programs. Developer may request to enter into a reimbursement agreement, which may include an impact fee credit, prior to final map.

a. Election between Credit and Reimbursement. Developer shall receive City credits or reimbursements as identified within the policies of the applicable fee program.

b. No Limitations. Nothing in this Section is intended to or shall be construed to limit Developer from receiving any other credits, reimbursements or contributions of any kind or nature whatsoever that may arise after the Effective Date and be available to pay for all or a portion of the

costs of public infrastructure improvements, to the extent that the combined total value of the credit, reimbursement, and/or contribution does not exceed the actual cost of constructing the public infrastructure improvement.

Section 4.16 Attribution of City Fee Credits. City and Developer agree and understand that any fee credits obtained by Developer as a result of expenditures of Developer on public infrastructure improvements may be transferred or assigned by Developer to another subsequent landowner or other third party, but only in the manner provided for in each City reimbursement program that provided for the credit. The transfer of credits shall be in compliance with the requirements and provisions of the credit agreements entered into between the City and Developer that granted the fee credits in the first instance.

Section 4.17 Community Facilities District for Public Services. Developers and City shall form a Community Facilities District for the provision of public services to the Property ("Services CFD") or, upon the agreement of both parties, annex into an existing Services CFD. Formation of a new Services CFD or annexation into an existing Services CFD shall be pursuant to and consistent with the requirements of this Agreement and Government Code Section 53311 et. seq.

Funding requirements (rate and method) established by any Services CFD applicable to the Property shall be established upon the fiscal impact analysis prepared for the Project. The amount of any special tax assessment under a Services CFD shall be calculated after taking into consideration Project revenues, including but not limited to property tax revenue and real property transfer tax revenue. If the Property is annexed into an existing Services CFD, a new and separate zone of benefit shall be established for the Property.

- a. The Developer shall join the existing CFD for the operations and maintenance of the Sports Park; and
- b. The City and Developer shall form a new Community Facilities District (CFD) to pay for additional services and service deficits that will result from the project, including but not limited to maintenance costs for the new neighborhood park, new green spaces, and additional landscaping and lighting on the south side of Sports Park Drive and East Street. The CFD shall be in place prior to approval of the first final map for the project.

ARTICLE 5

BREACH OF AGREEMENT, ENFORCEMENT, TERMINATION, INDEMNIFICATION, CHALLENGES, TOLLING, RELEASE

Section 5.1 Breach/Time for Cure. Failure or delay by any Party to perform any provision of this Agreement shall constitute an event of default

("Event of Default"). For purposes of this Agreement, a party claiming that another party is in default shall be referred to as the "Complaining Party," and the party alleged to be in default shall be referred to as the "Party in Default." A Complaining Party shall not exercise any of its remedies as the result of an Event of Default unless such Complaining Party first gives written notice to the Party in Default and the Party in Default fails to cure such Event of Default within the applicable cure period. A Complaining Party shall give the Party in Default written notice specifying all factual grounds for the allegation of an Event of Default. If the Event of Default is reasonably capable of being cured within thirty (30) days, the Party in Default shall have such period to effect a cure prior to the exercise of any remedies by the Complaining Party. If the nature of the alleged Event of Default is such that it cannot practicably be cured within such thirty (30) day period, the cure shall be deemed to have occurred within such thirty (30) day period if (1) the cure is commenced at the earliest practicable date following receipt of the notice; (2) the cure is diligently prosecuted to completion at all times thereafter; (3) at the earliest practicable date (in no event later than thirty (30) days after the Party in Default has received the notice) the Party in Default provides written notice to the Complaining Party that the cure cannot be practicably completed within such thirty (30) day period; and (4) the cure is completed at the earliest practicable date. In no event shall the Complaining Party be precluded from exercising remedies if a default is not cured within ninety (90) days after the first notice of default is given. Developer shall have the right to appeal any City staff level determination that there has been an Event of Default by the Developer to the City Council. Any such appeal to the City Council must be filed within ten (10) days of Developer's receipt of the notice of default given by City staff. If no resolution of the matter is reached, the party alleging the Event of Default may institute legal proceedings to cure or remedy the Event of Default or may commence proceedings to terminate this Agreement in the event of a material default. If this Agreement is terminated following any Event of Default, such termination shall not affect the use or occupancy of any building or improvement within the Project that is completed as of the date of the termination, provided that such building or improvement has been constructed pursuant to a valid building permit issued by City. Furthermore, no termination of this Agreement shall prevent Developer from completing or occupying the building or other improvement authorized pursuant to a valid building permit previously issued by City that is under construction at the time of termination, provided that any such building or other improvement is completed in accordance with said building permit.

Section 5.2 Enforcement of Approvals Provisions. Nothing in this Agreement shall limit City's ability to enforce the provisions of the Approvals or this Agreement, as provided in Government Code Section 65865.4.

Section 5.3 Enforced Delay; Extension of Times of Performance. No party shall deem performance of the terms of this Agreement to be in breach where delays or defaults are due to war, insurrection, strikes, walkouts, riots, acts of

terrorism, floods, earthquakes, fires, casualties, acts of God, actions of other government agencies, energy shortages, fuel shortages, or enactment of conflicting state or federal laws or regulations, or new or supplementary environmental regulation enacted by the state or federal government. For such cause, City shall not unreasonably withhold a grant of an extension of time for the period of the enforced delay or longer, as may be mutually agreed.

Section 5.4 Indemnification. Developer shall indemnify, defend, and hold harmless City and each of City's officers, employees, representatives, agents, successors and assigns, from and against any and all loss, cost, expense (including but not limited to, attorneys' fees and court costs), damage, injury, liability, cause of action, or claim of any kind or character to any person or property (collectively, "Losses") related to, arising out of, or resulting from, directly or indirectly, any act, negligence, willful misconduct, or breach of any agreement of Developer or its officers, directors, affiliates, employees, agents, licensees, invitees, contractors, or subcontractors, or by any one or more persons directly or indirectly employed by, or acting on behalf of or as agent for Developer or any of Developer's contractors or subcontractors ("Developer's Related Parties") relating to, directly or indirectly, the activities contemplated by this Agreement, including development of the Property pursuant to this Agreement, which includes, but is not limited to, any losses arising from or caused by: (i) the approval of this Agreement; (ii) any use of the Property; (iii) any construction on the Property by Developer or Developer's Related Parties; (iv) any defect in the design or construction of, or materials used in, the development of the Property pursuant to this Agreement; (v) any defect in soils or in preparation of soils or in the design and accomplishment of grading; (vi) any contamination of the soils, surface water, or groundwater on or below the Property by any Hazardous Substance, or any other impact or contamination that results in, or is alleged to result in, a nuisance; (vii) any violation or alleged violation by the Developer or by the Developer's Related Parties of any law existing as of the Effective Date of this Agreement or hereinafter enacted; or (viii) the breach of any covenant or the inaccuracy or incorrectness of any representation and warranty of Developer to City under this Agreement. Developer shall defend, at its sole expense, including attorney's fees, City, its officers, agents, employees, and independent contractors in any legal action based upon such alleged acts or omissions. City may in its discretion participate in the defense of any such action.

Section 5.6 Challenge to Agreement or Approvals. In the event of any legal action instituted by a third party challenging the validity of any portion of this Agreement or the Approvals, including the proceedings taken for approval (including the requirements of the California Environmental Quality Act), or any other act undertaken by the parties hereto in furtherance of this Agreement or its terms, the parties agree to cooperate in the defense of the action. In the event City determines to defend the action itself, Developer shall be entitled, subject to court approval, to join in or intervene in the action on its own behalf, or to

advocate in favor of the validity of this Agreement or the Approvals. In the event City determines to tender the defense of the action to Developer, Developer shall defend the action on their behalf and on behalf of the City, and shall bear all attorneys' fees and costs associated with such defense from and after the date of the tender. City, however, may at any time elect to assume representation of itself. The filing of such third party legal action shall not delay or stop the development of the Property pursuant to this Agreement, unless the third party obtains a court order preventing the activity or unless Developer elects not to develop pursuant to Section 5.7 below. The City shall not stipulate to the issuance of such order without first obtaining consent from Developer, which may be withheld in Developer's absolute discretion. If any such injunction or temporary restraining order is issued, the term of this Agreement and the Approvals shall automatically be extended for a period equal to the duration of such injunction and temporary restraining order.

Section 5.7 Tolling of Term of Agreement. In the event litigation is initiated by any party other than Developer that challenges any of the Approvals for the Project or the environmental document for those Approvals and an injunction or temporary restraining order is not issued, Developer may elect to have the term of this Agreement tolled, i.e., suspended, during the pendency of said litigation, upon written notice to City from Developer. The tolling shall commence upon receipt by the City of written notice from Developer invoking this right to tolling. The tolling shall terminate upon the earliest date on which either a final order is issued upholding the challenged approvals or said litigation is dismissed with prejudice by all plaintiffs. In the event a court enjoins either the City or the Developer from taking actions with regard to the Project as a result of such litigation that would preclude any of them from enjoying the benefits bestowed by this Agreement, then the term of this Agreement shall be automatically tolled during the period of time such injunction or restraining order is in effect. In addition, in the event the action of a government agency prevents or delays the development of the Project, the term of this Agreement shall be tolled for a period of time equal to the time period during which the development of the Project was prevented or delayed by the action of such government agency.

Section 5.8 Release. Developer, on behalf of itself and its successors and assigns, waives its right to recover from, and forever releases and discharges, City and City's agents from any and all demands, claims, legal or administrative proceedings, losses, liabilities, damages, penalties, fines, liens, judgments, costs or expenses whatsoever (including, without limitation, attorneys' fees and costs), whether direct or indirect, known or unknown, foreseen or unforeseen, that may arise on account of or in any way be connected with : (i) the physical condition of the Property (including without limitation, the grading and slope conditions thereof and any drainage problems, whether caused by flood, surface or underground water, or any other condition, affecting or relating to the Property); and (ii) the presence in, on, or about the Property or any surrounding property of

any Hazardous Substances caused by Developer's permitted activities. As used herein, Hazardous Substances means any substance, material or waste that is designated, classified, or regulated as being "toxic" or "hazardous" or a "pollutant," or which is similarly designated, classified, or regulated, under any law regulating Hazardous Substances.

ARTICLE 6

REVIEW

Section 6.1 Annual Report and Review. Developer shall, on each anniversary of the Effective Date, submit evidence to City of compliance with all terms of this Agreement pursuant to Government Code Section 65865.1. This annual report shall be required for compliance with the Approval Conditions and compliance with the adopted CEQA mitigation measures. Such report shall be in a form specified by City or otherwise agreed to by the parties. Based on that report and any inspections conducted by City, the City shall every twelve (12) months during the term of this Agreement make findings specifically as to the extent of good faith compliance by Developer. The City shall make reasonable efforts to provide, at least ten (10) days prior to any Planning Commission and City Council meetings held in connection with said annual review, with a copy of the City staff report concerning Developer's compliance with the terms and provisions of this Agreement. A finding of failure to comply shall be cured by Developer within a reasonable timeframe agreed to by the City and Developer. If such failure amounts to a failure to comply with this Agreement, then the provisions of Section 5.1 shall be applied. Failure by City in any given calendar year to undertake and complete its annual review of the Agreement shall constitute a finding by City that Developer is in compliance with all of the terms and conditions of this Agreement for that calendar year.

ARTICLE 7

NOTICES & TERMINATION UPON COMPLETION OF DEVELOPMENT

Section 7.1 Notices. Notices, demands, correspondence, and other communication between City and Developer shall be given if dispatched by prepaid first class mail as follows:

To City: City of Woodland
 Department of Community Development
 300 First Street
 Woodland, CA 95695
 Attn: Community Development Director

To Developer: Yolo Residential Investors
 401 Watt Avenue, Suite 2
 Sacramento, CA 95864

Attn: Mr. Paul Prudler

With a copy to: Phillips Land Law, Inc
5301 Montserrat Lane
Loomis, California 95650
Attn: George E. Phillips

A party may, from time to time, advise the other party of a new address for notices, demands, or correspondence. Notwithstanding anything to the contrary contained in this Section 7.1, all notices of a Breach of this Agreement being given pursuant to the provisions of Section 5.1 shall only be given to the other party or parties by first class prepaid certified United States mail, with return receipt requested. No party shall refuse or evade delivery of any notice.

Section 7.2 Termination Upon Completion of Development. This Agreement shall terminate contemporaneously with the Approvals in accordance with the provisions of Section 1.5 of this Agreement, and the Developer's vested rights to continue development of the Property pursuant to the Approvals shall thereupon cease.

ARTICLE 8

PROVISIONS RELATING TO LENDERS

Section 8.1 Lender Rights and Obligations.

Section 8.1.1 Prior to Lender Possession. No Lender shall have any obligation or duty under this Agreement prior to the time the Lender obtains possession of all or any portion of the Property to construct or complete the construction of improvements, or to guarantee such construction or completion, and shall not be obligated to pay any fees or charges that are liabilities of Developer or Developer's successors-in-interest, but such Lender shall otherwise be bound by all of the terms and conditions of this Agreement that pertain to the Property or such portion thereof in which Lender holds an interest. Nothing in this Section shall be construed to grant to a Lender rights beyond those of the Developer hereunder or to limit any remedy City has hereunder in the event of a breach by Developer, including termination or refusal to grant subsequent additional land use Approvals with respect to the Property.

Section 8.1.2 Lender in Possession. A Lender who comes into possession of the Property, or any portion thereof, pursuant to foreclosure of a mortgage or deed of trust, or a deed in lieu of foreclosure, shall not be obligated to pay any fees or charges that are obligations of Developer and which remain unpaid as of the date such Lender takes possession of the Property or any portion thereof. Provided, however, that a Lender shall not be eligible to apply for or receive Approvals with respect to the Property, or otherwise be entitled to

develop the Property or devote the Property to any uses or to construct any improvements thereon other than the development contemplated or authorized by this Agreement and subject to all of the terms and conditions hereof, including payment of all fees (delinquent, current and accruing in the future) and charges, and assumption of all obligations of Developer hereunder; provided, further, that no Lender, or successor thereof, shall be entitled to the rights and benefits of the Developer hereunder or entitled to enforce the provisions of this Agreement against City unless and until such Lender or successor in interest qualifies as a recognized assignee of this Agreement and makes payment of all delinquent and current City fees and charges pertaining to the Property.

Section 8.1.3 Notice of Developer's Breach Hereunder. If City receives notice from a Lender requesting a copy of any notice of breach given to Developer hereunder and specifying the address for notice thereof, then City shall deliver to such Lender, concurrently with service thereon to Developer, any notice given to Developer with respect to any claim by City that Developer have committed a breach, and if City makes a determination of non-compliance, City shall likewise serve notice of such non-compliance on such Lender concurrently with service thereof on Developer.

Section 8.1.4 Lender's Right to Cure. Each Lender shall have the right, but not the obligation, for the same period of time given to Developer to cure or remedy, on behalf of Developer, the breach claimed or the areas of non-compliance set forth in City's notice. Such action shall not entitle a Lender to develop the Property or otherwise partake of any benefits of this Agreement unless such Lender shall assume and perform all obligations of Developer hereunder.

Section 8.1.5 Other Notices by City. A copy of all other notices given by City to Developer pursuant to the terms of this Agreement shall also be sent to any Lender who has requested such notices at the address provided to City pursuant to Section 8.1.3 above.

Section 8.2 Right to Encumber. City agrees and acknowledges that this Agreement shall not prevent or limit the owner of any interest in the Property, or any portion thereof, at any time or from time to time in any manner, at such owner's sole discretion, from encumbering the Property, the improvements thereon, or any portion thereof with any mortgage, deed of trust, sale and leaseback arrangement or other security device. City acknowledges that any Lender may require certain interpretations of the Agreement and City agrees, upon request, to meet with the owner(s) of the Property and representatives of any Lender to negotiate in good faith any such request for interpretation. City further agrees that it will not unreasonably withhold its consent to any interpretation to the extent such interpretation is consistent with the intent and purpose of this Agreement.

ARTICLE 9

MISCELLANEOUS PROVISIONS

Section 9.1 Representation by Legal Counsel. Each party hereto specifically affirms that it has received and read a complete copy of this Agreement and that each party was represented by legal counsel of its own choosing, and that each party fully understands the provisions of this Agreement. In addition, the drafting of this Agreement has been the joint effort and the result of negotiation between the parties and their legal counsel. Any rule or principle that a document should be strictly construed against the drafting party will therefore be inapplicable. Accordingly, this Agreement shall not be construed against any party hereto.

Section 9.2 Construction of Agreement. The language in all parts of this Agreement shall, in all cases, be construed as a whole and in accordance with its fair meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. This Agreement shall be governed by the laws of the State of California.

Section 9.3 Entire Agreement. This Agreement, together with the documents incorporated by reference and the exhibits, constitutes the entire agreement between the parties with respect to the subject matter of this Agreement.

Section 9.4 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of any party at any time, the other party or parties shall promptly execute, file or record any required instruments and writings reasonably necessary to evidence or consummate the transactions contemplated by this Agreement, and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement.

Section 9.5 Covenant of Good Faith and Fair Dealing. No party shall do anything which shall have the effect of harming or injuring the right of the other party to receive the benefits of this Agreement. Each party shall refrain from doing anything which would render its performance under this Agreement impossible, and each party shall do everything that this Agreement contemplates that such party shall do to accomplish the objectives and purposes of this Agreement. Whenever the consent or approval of a party is required or necessary under this Agreement, such consent or approval shall not be unreasonably withheld, conditioned, or delayed.

Section 9.6 No Waiver. No delay or omission by a party in exercising any right or power accruing upon a non-compliance or failure to perform by another party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by any party of any of the covenants or conditions to be performed by another party shall not be construed as a waiver of any succeeding breach or non-performance of the same or other covenants and conditions hereof.

Section 9.7 Applicable Law and Jurisdiction. This Agreement shall be construed and enforced in accordance with the laws of the State of California. Notwithstanding the provisions of Code of Civil Procedure Section 394, Developer and City agree that the jurisdiction for any legal proceeding involving this Agreement shall be the Superior Court of the State of California in and for the County of Yolo.

Section 9.8 Recording. The City shall cause a copy of this Agreement to be recorded with the County of Yolo Recorder no later than ten (10) days following execution of this Agreement by City, which execution by City will take place no sooner than the Effective Date of the Adopting Ordinance.

Section 9.9 Invalidity of Agreement. If this Agreement, in its entirety, is determined by a court to be entirely invalid or unenforceable, then this Agreement shall be deemed terminated as of the date of entry of final judgment by the court with no further right of appeal.

Section 9.10 Invalidity of Provisions of Agreement. If any provision of this Agreement shall be finally adjudicated by a court to be invalid and unenforceable, the parties shall promptly meet to attempt to revise this Agreement and, as appropriate, other documents executed pursuant to this Agreement, in order to give effect to the parties' intentions in entering into this Agreement; the remainder of the Agreement shall stay in effect.

Section 9.11 Future State and Federal Laws. If future state and federal laws or regulations render any provision of this Agreement invalid or unenforceable, such provisions shall, in the discretion of the City Council, be modified or suspended as may be necessary to comply with such state or federal laws and regulations, and the remainder of the Agreement shall continue in full force and effect.

Section 9.12 No Third Party Beneficiary. No person or entity other than the parties to this Agreement shall have any right of action based upon any provision in this Agreement.

Section 9.13 Additional Rights of Parties. In addition to any other rights or remedies specified herein, either party may institute legal proceedings to cure, correct or remedy any breach, or to specifically enforce any covenant or

agreement herein, or to enjoin any threatened or attempted violation of the provisions of this Agreement, in accordance with Government Code Section 65865.4.

Section 9.14 Authority to Execute. The person or persons executing this Agreement on behalf of the Developer warrant and represent that they have the authority to execute this Agreement on behalf of such parties and represent that they have the authority to bind such parties to the performance of their obligations hereunder.

Section 9.15 Attorneys' Fees. Should any legal action be brought by any party for breach of this Agreement or to enforce any provisions herein, the prevailing party shall be entitled to reasonable attorneys' fees, court costs and other costs as may be fixed by the Court. Attorneys' fees shall include attorneys' fees on any appeal, and in addition a party entitled to attorneys' fees shall be entitled to all other reasonable costs for investigating such actions, taking depositions and discovery, and all other necessary costs incurred in the litigation.

Section 9.16 Time is of the Essence. Time is of the essence of each and every provision of this Agreement.

Section 9.17 Estoppel Certificate. Any party to this Agreement and any Lender may, at any time, and from time to time, deliver written notice to a party requesting such party to certify in writing that, to the knowledge of the certifying party, (i) the Agreement is in full force and effect and a binding obligation on the parties, (ii) the Agreement has not been amended or modified, either orally or in writing, and if so amended or modified, identifying the amendments or modifications, and (iii) as of the date of the estoppel certificate, the requesting party (or any party specified by a Lender) is not in breach in the performance of its obligations under the Agreement, or if in breach to describe therein the nature of any such breach and the steps or actions to be taken by the other party reasonably necessary to cure any such alleged breach. A party receiving a request hereunder shall execute and return such certificate or give a written detailed response explaining why it will not do so within thirty (30) days following the receipt of such request. Each party acknowledges that such an estoppel certificate may be relied upon by third parties acting in good faith. An estoppel certificate provided by City establishing the status of this Agreement shall be in recordable form and may be recorded at the expense of the recording party.

Section 9.18 Meaning of Terms. Where the context so requires, the use of the masculine gender shall include the feminine and the neuter gender, and the singular shall include the plural and vice versa.

Section 9.19 Liberal Construction. This Agreement shall be liberally construed to accomplish the purposes of this Agreement.

Section 9.20 Reasonable Discretion. Whenever a party to this Agreement is to exercise any right granted hereunder in its discretion, such exercise of discretion shall be in a reasonable manner, unless the Agreement specifically describes that a different standard of exercising that discretion shall apply.

IN WITNESS WHEREOF, the parties have executed this Agreement as set forth below.

EXHIBIT A
Legal Description of Property

Order No. 306-8041
UPDATE
Version 2

EXHIBIT "A"
LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF YOLO, CITY OF WOODLAND, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1, PARCEL MAP NO. 4345, FILED FEBRUARY 3, 1999 IN BOOK 1999 OF MAPS, PAGE 11, YOLO COUNTY RECORDS.

EXCEPTING THEREFROM AN UNDIVIDED 1/2 IN ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS SITUATE IN, ON OR UNDER THE ABOVE DESCRIBED PROPERTY, AS RESERVED IN DEEDS RECORDED DECEMBER 30, 1985 TO YOLO PETROLEUM, INC., IN BOOK 1744 OF OFFICIAL RECORDS, AT PAGES 635 AND 644, YOLO COUNTY RECORDS.

EXCEPT FROM SAID EXCEPTION ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS LYING FROM THE SURFACE TO A DEPTH OF 500 FEET WITHOUT RIGHT OF SURFACE ENTRY BY DEEDS RECORDED AUGUST 3, 1987 IN BOOK 1879 OF OFFICIAL RECORDS, AT PAGES 332 AND 334, YOLO COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 041-070-042

EXHIBIT B
Vicinity Map of the Property



EXHIBIT C
Development Plan and Conditions of Approval

[See April 7 Planning Commission Staff Report Attachments]

EXHIBIT D
Project Fees and Public Benefit Contributions

Section A. Citywide Development Impact Fees				
The City may, in its sole discretion, collect any of the following fees, as specified in the fee requirements below. The fees set forth herein do not include fees imposed by other agencies, such as the County of Yolo or the Woodland Joint Unified School District, or preclude city-wide fees adopted by the City Council at a future date. All applicable city-wide Development Impact Fees owed by Developer will be the then-current amounts of such fees at the time of permit issuance. MPFP Fees include fees identified in this Agreement or conditions of approval that are linked to final map approval or issuance of a building permit. These fees include, but are not limited to, the following fees:				
	Fee	Amount (per single family unit)		
A1.	General City	\$854		
A2.	Fire	\$1,317		
A3.	Library	\$52		
A4.	Police	\$1,126		
A5.	Wastewater	\$6,179		
A6.	Water	\$567		
A7.	Parks	\$7,094		
A8.	Roads	\$5,694		
A9.	Surface Water	\$2,977		
A10.	MPFP Admin Fee (.745%)	\$172		
	Total	\$26,032		

Section B. Project-Specific Development Impact Fees				
	Fee	Amount	Timing of Payment	Comments
B1.	Road Improvement Fee	\$794 per unit	Building Permit	One-time fee for area wide Road improvements or road maintenance
B2.	Affordable Housing Fund In	\$3,388 per unit	Building Permit	One-time in-lieu fee to satisfy 10% single-family

	Lieu Fee			affordability for sale affordability requirement. The Project requires eight (8) R-5 affordable units (8 x \$40,000 per unit) and ten (10) R-8 affordable units (10 x \$30,000 per unit), for a total in lieu fee of \$620,004, or \$3,388 per unit.
B4.	Fire Operation and Maintenance Fee	\$771 per unit	Final Map	One-time fee for Spring Lake Fire Department operation and maintenance funding
B5.	Public Transit Capital Fee	\$318 per unit	Final Map	One-time fee for construction of transit system capital improvements
B6.	Public Transit Operation Fee	\$35 per unit	Final Map	One-time fee for transit system operation
	Section B Total Fees at Building Permit, per Unit	\$4,182		Total of Road Fee (B1) and Affordable Housing In-Lieu Fee (B2)
	Section B Total Fees at Final Map, per unit	\$1,124		Total of Fire Operation and Maintenance Fee (B4), Public Transit Capital (B5) and Operation Fees (B6)

Section C. Project Public Benefits				
C1.	General Purpose Fee	\$12,700 per unit	Building Permit	General Purpose Fee to City of Woodland for unrestricted use, to fund public improvements or services. The fee may be used toward public improvements such as fire station acquisition and operation, or to reduce vehicle miles traveled and GHGs.
C2.	Highway 113 Bicycle/Pedestrian Overcrossing Fee	\$1,100 per unit	Building Permit	Fee for bicycle and pedestrian connectivity and enhancement projects within Spring Lake, such as a Highway 113 bicycle/pedestrian overcrossing. Alternatively, this fee may be satisfied for the entire project through a lump sum payment of \$183,000 prior to approval of the First Final Map.
C3.	Public Art	\$82 per unit	First Final Map	Obligation may be met either by installation of public art within the 1.46-acre on-site park (minimum value of \$15,000.00), or through payment of in lieu fee of \$82.00 per unit.
C4	Improvements to Gibson Road/Matmor Road Intersection	TBD based upon construction cost	First Final Map	Developer shall complete construction of improvements to the intersection of Gibson Road/Matmor Road, converting the current five-phase signal to an

				eight-phase signal. Developer shall receive credit against the Road Development Impact Fee amount of such credit to be equivalent to Developer's actual improvement costs.
C5	Landscaping Improvements to South Side of Sports Park Drive	Estimated \$160,000 in improvement costs	First Final Map	Developer shall improve the south side of Sports Park Drive between East Street and east property line, through the installation of landscaping and irrigation within an area 20 feet south of the path. Prior to installation of these improvements, Developer shall obtain approval of landscape plans by the Community Development Director.
	Section C Total Fees, at Building Permit, Per Unit.	\$13,800 per unit*	* Subject to reduction by an additional \$1,100 per unit if the Highway 113 Pedestrian/Bicycle Overcrossing Fee (C2) is paid as a lump sum at Final Map	

Section D. Project Reimbursements (Final determination of cost made at time of payment based on inflationary cost increases – and CIP amendments)				
D1	Spring Lake Infrastructure Reimbursement	\$1,266,591	First Final Map	Lump sum payment for reimbursement of fair share cost for existing and proposed Spring Lake water, sewer and storm drain infrastructure.
D2.	Reimbursement to Standard Pacific	\$309,282	First Final Map	Lump sum payment to Standard Pacific for water, sewer and storm drain improvements
D3.	West Regional Pond Contribution	\$177,000	First Final Map	Lump sum payment as fair share contribution toward West Regional Pond
	Section D, Total Reimbursements	\$1,752,873		

EXHIBIT “E”
Park Design and Development

- The 1.46-acre park site within the project area shall be designed and included on the Civil Improvement Plans and shall be improved with the first phase of construction and completed prior to the issuance of the 60th building permit, with improvements to be completed by the owner, or as approved in the Subdivision Improvement Agreement..
- At minimum, park improvements shall include the following:
 - Shade structure
 - Small picnic area
 - Play structure with shade cover
 - Combination turf and low water use landscape areas
 - Dual drinking fountains (people/dog)
- Park improvement costs may be allocated toward fulfilling the Quimby requirement, in addition to the value for the dedication of land in the amount of 1.46 acres.
 - The agreed upon value for the land dedication is \$200,000 per acre, which results in a total land value amount of \$292,000.
 - The agreed upon value placed on the park improvement costs is \$377,000,
 - Items a and b above fulfill Chapter 21, Article 12 of the City’s Municipal Code regarding park land dedication.

Exhibit F

Universal Design Features

The Project shall include at least 7 of the following 12 Universal Design features in all residential units, including Model Homes:

1. All exterior doors shall be a minimum of 36" wide
2. All interior doors shall be a minimum of 34" wide
3. All hallways shall be a minimum of 42" wide. Exceptions may occur where architectural relief is provided, such as archways, where a minimum width of 39" is acceptable.
4. A ground-floor bedroom or an area (den, parlor, office, separate dining room, etc.) that could be used as a guest sleeping area for someone that is mobility impaired or as an area for someone that incurs an injury or an impairment to recover or relocate their sleeping quarters.
5. One ground floor bathroom (full bathroom) which provides a roll-in shower or optional tub, shall include 18" of space beside the pull side of the door.
6. Install at least one toilet that has a higher than standard seat height (16-19") in a ground floor bathroom that meets the criteria in Item 5, above.
7. Use lever-style handles on all faucets
8. Provide additional backing for placement of future grab bars
9. Install all electrical switches 42-48" above the finished floor
10. Provide reinforced towel bars in all ground floor bathroom
11. Lever-style handles on doors
12. Provide a walkway from the public sidewalk to the front door with a slope of 5% or less.

Additional optional features available at the option of the homebuyer can include the following:

1. Easily reachable towel bars in bathrooms which are reinforced and rated for falls.

2. Multiple height work surfaces in kitchen.
3. Kitchen appliances with easy to reach appliances.
4. Pull out spray faucet in kitchen.
5. Adjustable handheld showerhead in one shower.
6. Low effort light switches throughout home.
7. Drawer-style or pull-out shelving in kitchen base cabinets.
8. Power outlets located on each side of bathroom vanities where double sinks occur.
9. A standard electrical outlet provided in the laundry room.
10. Slip resistant flooring in bathrooms and bathing areas.
11. Garbage disposal switch installed in an easy to reach location.
12. A portion of upper cabinets at a lower height than standard.
13. Exterior motion-sensor lighting at the front and back entry doors.
14. Handrail extended beyond top and bottom riser
15. Handrails on both sides of stairway.
16. Electrical power outlet provided at top and base of stairwell.
17. Stairway lighting to illuminate treads.

Exhibit G
Form of Assignment and Assumption Agreement

WHEN RECORDED, RETURN TO:

ATTN: _____

ASSIGNMENT AND ASSUMPTION AGREEMENT
RELATIVE TO THE
PRUDLER SUBDIVISION PROJECT DEVELOPMENT AGREEMENT
Yolo Residential Investors, LLC ("Developer")

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (hereinafter, the "Agreement") is entered into this _____ day of _____, 20__, by _____, a _____ (hereinafter "Assignee").

- A. On _____, 2016, the City of Woodland and Developer entered into that certain agreement entitled "Development Agreement By And Between The City Of Woodland And Yolo Residential Investors, LLC Relative To The Prudler Subdivision Project (hereinafter the "Development Agreement"). Pursuant to the Development Agreement, Developer agreed to develop certain property more particularly described in the Development Agreement (hereinafter, the "Subject Property"), subject to certain conditions and obligations as set forth in the Development Agreement. The Development Agreement was recorded against the Subject Property in the Official Records of Yolo County on _____, 2016 [Instrument No. _____].
- B. Developer intends to convey a portion of the Subject Property to Assignee, commonly referred to as Parcel ____, and more particularly identified and described in Exhibit A, attached hereto and incorporated herein by this reference (hereinafter the "Assigned Parcel"), or all of the Subject Property, as defined in the Development Agreement.
- C. Developer desires to assign and Assignee desires to assume all of Developer's right, title, interest, burdens and obligations under the Development Agreement with respect to and as related to the Assigned Parcel.

ASSIGNMENT AND ASSUMPTION

NOW, THEREFORE, Developer and Assignee hereby agree as follows:

1. Developer hereby assigns, effective as of Developer conveyance of the Assigned Parcel to Assignee, all of the rights, title, interest, burdens and

obligations of Developer under the Development Agreement with respect to the Assigned Parcel. Developer retains all the rights, title, interest, burdens and obligations under the Development Agreement with respect to all other property within the Subject Property owned by Developer, if any.

2. Assignee hereby assumes all of the rights, title, interests, burdens and obligations of Developer under the Development Agreement with respect to the Assigned Parcel, and agrees to observe and fully perform all of the duties and obligations of Developer under the Development Agreement with respect to the Assigned Parcel, and to be subject to all the terms and conditions thereof with respect to the Assigned Parcel. The parties intend hereby that, upon the execution of this Agreement and conveyance of the Assigned Parcel to Assignee, Assignee shall become substituted for Developer as the "Developer" under the Development Agreement with respect to the Assigned Parcel.
3. All of the covenants, terms and conditions set forth herein shall be binding upon and shall insure to the benefit of the parties hereto and their respective heirs, successors and assigns.
4. The Notice Address described in Article 7 of the Development Agreement for the Developer with respect to the Assigned Parcel shall be:

_____ Attn: _____

In WITNESS HEREOF, the parties hereto have executed this Agreement as of the day and year first above written. This Agreement may be signed in identical counterparts.

“Developer”

By: _____
Its: _____
Date: _____

“Assignee”

By: _____
Its: _____
Date: _____

EXHIBIT C

CONDITIONS OF APPROVAL FOR THE PRUDLER TENTATIVE SUBDIVISION PROJECT INCLUDING GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS, REZONE TO PLANNED DEVELOPMENT, TENTATIVE SUBDIVISION MAP #4856 , CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT

Conditions of Approval: The following conditions apply to the Tentative Map unless otherwise stated and shall be fully satisfied prior to acceptance of First Final Map (unless otherwise stated):

Planning Department

1. Project Approval. The project is as described in the staff report for the Prudler Tentative Subdivision Project General Plan and Specific Plan Amendments, Tentative Subdivision Map 4856, Conditional Use Permit and Development Agreement prepared for the Planning Commission on April 7, 2016, City Council on [REDACTED] 2016. The project shall be substantially (as determined by the City) constructed as depicted on the maps and exhibits included in the April 7, 2016 and [REDACTED], 2016 staff reports for the Prudler Tentative Subdivision Project, except as modified by these conditions of approval.
2. Indemnity. The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.
3. Informing Subcontractors. The applicant/developer shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibility to comply with all pertinent requirements of the City of Woodland Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City in addition to applicable state and federal laws.
4. Construction Impact Plan. Prior to issuance of any building permit or inception of any construction activity on the site, the developer shall submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development Department. The plan shall include but is not limited to public notice requirements for periods of significant impacts (noise/vibration/street closures, tree removal, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways.

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5. Prior to approval of the first final map submit, three (3) copies of the CC&Rs to the Community Development Department for review and approval prior to recordation of the CC&Rs, to include:
 - That prohibits recreational vehicle parking in the front yard longer than 24 hours.
 - That prohibits garages from being converted to residential use except the temporary use as a model home sales office. When the sales office is vacated, it must be converted back to a garage.
 - That prohibits garages from being converted to storage. Garages shall be kept clear for residential vehicle parking.
 - That prohibit any restrictions of color on residential structures. This provision shall be enforced through mechanisms established in the CC&Rs.
6. Design Review. For all residential uses, final site plans, architectural plans, elevations, and landscape plans shall be submitted for review and approval by the Planning Commission to ensure consistency with the City Community Design Standards, Zoning Ordinance, and Planned Development Standards except as modified by these conditions. The project shall be consistent with Section 2.3.1 (b) of the Spring Lake Design Standards with regard to the number of floor plans and elevations that shall be provided.
7. Setbacks and Lot standards. Setbacks and other area requirements for all homes and related structures shall be consistent with the Planned Development standards provided in Exhibit E of the Planning Commission Resolution.
8. Compliance with State Water Conservation Ordinance. All yards and public landscaping shall be in compliance with City's Water Conservation Ordinance and any applicable state Water Efficient Landscape Ordinance AB 1881. Plans shall be reviewed by the City for compliance prior to issuance of first building permit.
9. Landscape Plan Submittal. Detailed Landscape and Irrigation plans shall be submitted and approved by the Community Development Department concurrent with public improvement plans and prior to issuance of the first building permit. Landscape plans shall specify the following:
 - a. Locations, size, and quantity of all plant materials.
 - b. A plant legend specifying species type (botanical and common names), container size, maximum growth habit, and quantity of all plant materials.
 - c. Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines, and other pertinent site plan features.
 - d. Planting and installation details and notes including soil amendments.
 - e. Existing trees on site shall be identified. Trees planned for removal or relocation shall be marked on the plans, methodology to preserve trees in place provided on plans (in

accordance with the City's Tree Preservation Ordinance). Trees that are required as replacement shall be clearly identified.

- f. Details of all irrigation (drip, sprinkler, and bubbler) as well as equipment such as backflow controller and water meter devices identified.
10. Tree Preservation and Replacement. The applicant shall comply with Mitigation Measures IV-2, IV-3, and IV-4 regarding tree mitigation and replacement.
11. Street Tree Master Plan. A Street Tree Master Planting Plan shall be approved prior to the issuance of the first building permit. The plan shall be reviewed for conformance with the Spring Lake Design Standards and shall be reviewed and approved by the Community Development Department and the City's Public Works Department – Tree Division. OWNER shall submit a soils test, which will assist in appropriate species selection, prior to issuance of the first building permit.
12. Public Landscaping. Landscaping design, materials, installation, and maintenance in roadways, medians, greenbelts, subdivision trails, and other public areas shall be consistent with applicable City requirements.
13. Utility Design. The location of all utility structures shall be coordinated with, and depicted on, the landscaping plans. Location and installation of utility structures shall be to the satisfaction of the Community Development Director and City Engineer. Public utility lines, along public street frontages and /or landscaped areas shall be underground type unless otherwise approved by the Community Development Director and City Engineer.
14. Light Pole Location. Light poles shall not conflict with planting or shade trees throughout the site. OWNER shall submit plans for review and approval prior to issuance of final map. Street lights proposed for the interior of the project will have a unique design separate from Spring Lake and will be LED with upper dark sky compliant shielding.
15. Residential Good Neighbor Fencing Interior to the Project. All wood fence post and foundations shall be constructed of galvanized steel, reinforced concrete, or masonry. No treated wood materials in contact with the ground will be permitted. All wood fencing shall be stained with a water sealant to prevent water damage and staining. All required notes/details shall be provided on plans prior to the issuance of permits.
16. North Property Wall. The existing masonry wall along the north boundary of the project shall be replaced with a masonry wall six-feet in height as measured from the finished floor elevation. The location and design of the wall shall be shown on the Improvement Plans for the project. The design shall be approved by the Community Development Department prior to approval of Improvement Plans. Double walls shall not be permitted. OWNER shall work with the adjacent property owners to obtain necessary permission.
17. East Property Wall. The Eastern boundary of the property shall have a masonry block retaining wall with a six-foot wood privacy fence on top. The design shall be approved by

Findings and Conditions of Approval for the Prudler Tentative Subdivision Map Project

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the Community Development Department prior to issuance of building permits. Double walls shall not be permitted.

18. Double Wall Treatment. Should OWNER be unable to obtain necessary rights of entry from property owners to remove the existing and construct new fences in conditions 16 and/or 17 above, OWNER shall propose new construction design for the City's approval that does not need adjacent property owners' approval and minimize a nuisance or hazard double wall condition.
19. Park and Greenbelt Adjacent Fencing. Fencing adjacent to the park (lots 26 and 141) shall be an masonry wall. Fence design shall be submitted for review and approval of the Community Development Department prior to the issuance of first building permit.
20. Trash and Recycling Container Storage. Provide adequate trash and recycling container storage. Information on location and size on container storage area shall be provided on plot plans prior to issuance of first building permit.
21. Lot Variability. Where there are groupings of lots where lot width does not vary (5 lots in a row of the same width), then enhanced variability in unit design and setbacks shall be provided. This will be evaluated at the time of architectural design review.
22. Energy Efficiency. The Project shall be designed to maximize energy efficiency to the extent possible. All homes within the project shall be solar ready (including a dedicated electric vehicle charging receptacle in each garage) and a minimum of 10 percent (10%) of the homes shall have solar installed (1.5 kV system). If so desired, the applicant may submit to the Community Development Department for consideration an equivalent alternative energy saving feature(s) to solar for consideration prior to the issuance of building permits. All homes shall provide electric charging facilities in the garages.

Each home shall be photovoltaic ready and shall: **1)** be pre-wired; **2)** have adequate roof strength to handle solar panels; **3)** roofs to have few penetrations in order to accommodate solar panels; **4)** a 200 amp main electrical panel; **5)** space provided adjacent to main panel for solar disconnect and associated equipment (inverter); **6)** each home shall have a dedicated 240-volt, 20-amp circuit for electric vehicle charging station in every garage; and **7)** garages shall have adequate ventilation as required for vehicle charging stations. Modification to any of the above requires a finding of necessity, design impracticality, or economic infeasibility, as determined by the City.

23. Privacy Perimeter Walls along Sports Park Drive Frontage. The walls along the Sports Park Drive Frontage shall be a masonry material designed and constructed consistent with the existing adjacent project walls along Sports Park Drive to the East. The design of the walls shall be submitted to the Community Development Department for approval prior to issuance of first building permit.

24. Privacy Perimeter Walls along East Street Frontage. Masonry privacy walls along the East Street Frontage shall be the same model and type of masonry wall along the Sports Park Drive frontage. The design of the walls shall be submitted to the Community Development Department for approval prior to issuance of first building permit.
25. Privacy Fencing along the Forrest Property. A masonry wall adjacent to the Forrest property shall be submitted to the Community Development Department for approval prior to issuance of first building permit.
26. Fencing along Lots “C” and “A” Greenbelt. Fencing adjacent to lot “A” and “C” greenbelt paths shall be masonry, consistent in design with the adjoining privacy walls. The walls shall step down to three feet in height at the front setback.
27. Interconnecting Walks and Pathways. Interconnecting walks and pathways shall be a minimum of 25 feet wide and landscaped. Details of the path design shall be provided on landscape plans prior to the issuance of building permits. OWNER shall be responsible for constructing Lot “A” and “C” connecting access paths. The pathways shall be designed to be ADA accessible. OWNER shall submit proposal and timing of construction to be reviewed and approved by the City. The proposal shall be submitted prior to issuing the first building permit.
28. Greenbelt Lot Connector. OWNER shall construct the Lot “C” as a greenbelt lot at the time of construction of the residential lots adjacent to Lot “C”. The timing may only be modified by the Community Development Director after making a finding of necessity, design impracticality, or economic infeasibility. OWNER shall provide a connecting path to the adjoining open space lot, benches and landscaping to the satisfaction of the Community Development Department. Lot “C” to be constructed and included in improvement plans for the final map with adjacent lots.
29. Public Art. Public art shall be provided either in the form of an in-lieu fee, or an art installation shall be provided within the 1.46 acre park with a minimum valuation of \$15,000. If payable as an in-lieu fee a single lump sum payment shall be provided prior to approval of the first final map.
30. Entry signs. The OWNER shall construct Neighborhood entry signs at the following locations:
 - a. At East Street and “A” Street
 - b. At Sports Park Drive and “B” Street.

Construction of the Neighborhood Entry signs shall be concurrent with construction of the adjacent neighborhood unless the Community Development Director makes a finding of necessity, design impracticality, or economic infeasibility that will permit construction delay or otherwise determines that such construction may be delayed. A design specification for these features shall be prepared for approval by the Community Development Director and

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Public Works Director. Prior to approval of the first Final Map, the applicant shall be required to submit a design theme for all entry features. The design theme shall be to the satisfaction of the Community Development Director.

31. Lots adjacent to lot “C” (greenbelt lot) and Park Adjacent Lots. Lots adjacent to Lot “C” (Greenbelt Lot) and the Park shall have homes constructed with porches, courtyards, or other similar outdoor social area to provide additional opportunity for “eyes on the open space”. Garages and driveways are prohibited from be constructed on the Greenbelt or Park side of lots abutting Lot “C” or the Park.
32. Park Design and Construction. The 1.46 acre park site within the project area shall be designed and included on the Improvement Plans and shall be improved with the first phase of construction, completed prior to issuance of the 75th building permit, with improvements to be completed by the OWNER. The park is a public improvement and security for the park improvements shall be included with the Subdivision Improvement Agreement. The Subdivision Improvement agreement may make an allowance for the partial acceptance of improvements if the park construction is scheduled more than a year past the remainder of the required public improvements. At minimum the park improvements shall include the following:
 - Shade structure
 - Small Picnic area
 - Play structure with Shade cover
 - Combination of turf and low water use landscape areas
 - Dual drinking fountain (people/dogs)
33. Quimby. Park improvement costs may be allocated toward fulfilling the Quimby requirement, in addition to the value for the dedication of land in the amount of 1.46 acres.
 - a. The agreed upon value for the land dedication is \$200,000 per acre, which results in a total land value amount of \$292,000.
 - b. The agreed upon value placed on the park improvement costs is \$377,000,
 - c. Items a and b above fulfill Chapter 21 Article 12 of the City’s Municipal Code regarding park and land dedication.
34. Block Length: OWNER shall provide further design enhancements to reduce the visual appearance of a long unbroken residential block. Significant variation in home front design, landscaping and hardscape shall be provided to help create variety and interest on these longer segments (more than 10 homes). Examples may include providing varied courtyard, patio, or porch features on the home fronts (minimum of eight foot depth), varied garage placement on the lot, use of varied building/hardscape materials, or enhanced front driveways and walkways or varied front or side yard setbacks. This condition is placed on the following blocks and shall be a Design Review requirement for the subdivision:
 - a. The “F” Street block
 - b. The east side of the “I” Street block

35. Noise Level Requirements: The design of the Prudler Tentative Subdivision Project shall comply with the exterior and interior noise level requirements of the Noise Element of the City of Woodland General Plan. Prior to approval of the Final Map, the following shall occur:
- a. Two story residential building plans for lots adjacent to East Street should be reviewed by a qualified acoustical professional to ensure that noise levels in habitable rooms on the upper floors will comply with the interior noise level standard of 45 dB Ldn.
 - b. Air conditioning or other suitable mechanical ventilation should be provided to allow residents to close windows for the desired acoustical isolation.
36. Pedestrian Circulation: Where pedestrian circulation crosses vehicular routes, a change in grade, materials, textures, or colors shall be provided to emphasize the conflict point and improve its visibility and safety, unless the Community Development Director makes a finding of necessity, design impracticality, or economic infeasibility.
37. Affordable Housing: Prior to the City approving the applicant's first Final Map, the applicant and City shall enter into an Inclusionary Housing Agreement as required by the City Affordable Housing Ordinance 6A and consistent with the terms for providing affordable housing set forth in the project Development Agreement.
38. Greenbelt Timing: Greenbelts and pathways/trails shall be constructed at the same time (or earlier) as adjoining dwelling units.
39. Landscape Timing: Street landscaping must accompany street construction for both partial (interim) and full cross-sections. Landscaping is not allowed to be deferred.
40. CEQA Filing Fees: Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$3,069.75 (or latest fee in effect at the time of payment) because an Environmental Impact Report was prepared, for a total of \$3,119.75 made payable to Yolo County Clerk and submitted to the Community Development Department. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
41. Fiscal Deficit: OWNER shall make-up any fiscal deficit resulting from this project as specified in the Development Agreement.
42. Sale of Lots to Local Building Contractors. The project shall comply with Section 21-15-1 of the City's Subdivision Ordinance with regard to sale of lots to local contractors as provided including identifying possible lots to be reserved prior to final map and noticing procedures.

Conditional Use Permit/Planned Development

43. Universal Design. Developer shall emphasize universal design features in the development of the Project consistent with the universal design provisions contained in the project Development Agreement.
44. Single Story and Model Homes. Developer shall construct single story and model homes consistent with the provisions for same contained in the project Development Agreement.
45. Planned Development Standards. The proposed development shall comply with PD design standards as provided in Exhibit E of the Planning Commission Resolution.

Building

46. Any deferred submittals that are not a part of the initial permit application shall be listed on the cover sheet of the plan at the time of application for the project.
47. All plans, computations, and specifications shall be prepared and designed by an architect or engineer licensed by the State of California.
48. A licensed architect or licensed engineer shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.
49. At time of submittal, provide a cover sheet with COA provided.
50. A soils investigation report shall be provide as specified in section 1803.5.3 of the 2013 CBC.
51. Because this project is located in an area known to contain expansive soils and per Woodland General Plan Policy Document, Part II, Policy 8.A.9, **"The City shall require the use of special bending-resistant designs where foundations must be slab-on-grade in areas with expansive soil."** and per CBC 1808.6, footings or foundations for buildings founded on expansive soils shall be designed in accordance with CBC 1808.6.1 **and for concrete slab-on-ground foundations** the design shall be in accordance with CBC 1808.6.2 and PTI Standard Requirements for Design of Shallow Post-Tensioned Concrete Foundations on Expansive Soils or WRI/CRSI Design of Slab-on-Ground Foundations and the specific recommendations as noted in the geotechnical engineering report. **Please submit plans and calculations stamped and signed by a California registered Civil or Structural Engineer or Architect** showing compliance. Woodland General Plan Policy Document, Part II, Policy 8.A.9, CBC 1803.5.3 and CBC 1808.6

Development Engineering

Rights of Way and Easements

Findings and Conditions of Approval for the Prudler Tentative Subdivision Map Project
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52. Prior to approval of a final map OWNER shall secure rights-of-way, rights of entry, and any permits necessary to construct improvements associated with and required by the conditions of approval and/or for that final map.
53. Except where not possible or practical, right-of-way dedications shall be accomplished by final map.
54. Sufficient rights of way or easements to accommodate entryway features and/or monuments shall be shown on the final map.
55. The location, placement, and screening of large utility facilities to serve the subdivision shall be reviewed and approved by Community Development, Public Works, and Parks departments. Placement shall not be in a park or public open space. The OWNER shall dedicate an easement(s) of sufficient size and with adequate access to accommodate placement of utility facilities to serve the subdivision.

Street Improvements

56. All proposed roads within the subdivision shall comply with the most recent version of the City of Woodland Standard Specifications & Details and any addenda except as specified in the adopted Spring Lake Specific Plan and conditions set forth specifically for this tentative map.
57. Roadway geometrics and improvements including street cross sections, median design and placement, intersection geometrics, roundabout and bulb-out details shall be approved by the City Engineer prior to submittal of each improvement plan and/or final map. Revisions may require changes to lotting layouts to accommodate design approval.
58. Local streets shall provide for ADA compliant sidewalk turnouts where sidewalk widths do not meet ADA minimum width requirements.
59. The surface course (final lift) of asphalt concrete shall not be placed on any road until all utility construction beneath the roadbed has been completed, tested, treated, and repairs made as applicable unless authorized in writing by the City Engineer.

Roadways

East Street

60. Vehicular movements at the proposed East Street entrance to the project (A Street) shall be restricted to right in, right out and left in. The design for East Street shall include physical features to prevent left turn egress from the project and to protect left turns into the project. Design shown on tentative map application is conceptual only, final design shall be approved by the City Engineer prior to submittal of a final map and improvement plans.

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61. Along the frontage of the property, owner shall construct full-width road section per section D, with the existing pavement ground and overlaid to a depth appropriate for the roadway section design to meet all City standards.
62. In front of the Forrest property applicant shall construct in accordance with Section E, except that two additional feet of ROW are required at back of path for clear area and that all of existing pavement shall be ground and overlaid to a depth appropriate for the roadway section design to meet all City standards. Final section shall have a maximum 2% continuous cross slope.
63. Applicant shall complete the intersection of Sports Park Drive/24A. Roadway transition shall be necessary on East Street south of the 24A/Sports Park Drive intersection with geometric design to be approved by the City Engineer. Intersection shall have 100' long raised medians on the north and south approaches. South of Sports Park Drive OWNER shall construct the transition to be geometrically compatible with the north side with a minimum 4' median. Existing medians to be modified or remediated as necessary for the new alignment.
64. OWNER shall underground the overhead power line along the East Street frontage. The undergrounding project shall include the pole located on East Street, on the south side of CR 24A/Sports Park Drive.
65. Project shall complete East Street with the Phase 2 Map.
66. With the improvement of East Street, OWNER shall install two 4" Broadband conduits, with final design to be approved, and modified by the City Engineer.

County Road 24A/Sports Park Drive/Sports Park Drive

67. OWNER shall construct all Sports Park Drive improvements with phase I final map.
68. OWNER shall construct north side improvements of 8 feet landscaping, 5.5' foot sidewalk, and 11 feet of landscaping) for the portion of CR 24A/ Sports Park Drive from the east boundary of the property to B Street. OWNER shall design a continuance of such improvements to the western boundary of the property except that the frontage shall be 100% landscaped and an additional deposit shall be made for the future installation of the 5.5' sidewalk. The proposed planting scheme shall install trees such that removal of them will not be required for the installation of the sidewalk.
69. Revise street cross section and details on site as follows: County Road 24 A, revise section to show PG&E easement and poles, this may require section modification and/or lot modification. Final section shall be subject to the approval of the City Engineer. OWNER shall be responsible for all costs related to any PG&E pole relocation, or preparation of new descriptions and agreements with PG&E.

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70. Public Lighting on East Street and 24A/Sports Park Drive shall use 15-foot tall LED street lights. OWNER shall prepare a lighting plan to meet City standards for illuminance for review and approval of the City Engineer. Lights on East Street shall match City Standard Street lights on adjacent portion of East Street (and with a design exception may be greater than 15' to match existing cobra heads). Lights on Sports Park Drive shall be in accordance with Spring Lake and shall match adjacent street lights on Sports Park Drive.
71. Landscape plans on 24A/Sports Park Drive and East Street shall be in accordance with Spring Lake plan, and/or City standards for water conservation planting. (Tree patterns to continue from Parkside frontage).
72. Landscape at intersections and driveways shall be designed to permit adequate sight distance as determined by the City Traffic Engineer.
73. Civil design and improvements for the project shall include ultimate water, sewer and storm drainage for the 2-acre parcel at the northeast corner of CR 24A/Sports Park Drive and East Street. Utility stubs to the parcel shall be provided with the improvements.
74. Phase 1 map improvements shall include completion of all Sports Park Drive improvements. It shall also include the construction of two lanes of Road A, as a City approved emergency vehicle access.
75. Phase 2 Improvements shall include completion of all East Street improvements. Should the OWNER request phase 2 be constructed prior to phase 1, phase 2 shall include interim sections connecting to Sports Park Drive, including Completion of A Street (curb to curb) to H Street, a 32' section to B Street and a Complete B street section (curb to curb).
76. Public Improvement Plans shall include two AC power radar speed feedback signs on Sports Park Drive between East Street and Matmor Road; size, type model and location to be determined in coordination with, and for approval, by the City.

Matmor and Gibson Road

77. With first final map, as part of the required public improvements, OWNER shall construct improvements at the intersection of Matmor Road and Gibson Road to convert the current 5 phase signal to an 8 phase signal.
78. Improvements shall include but not be limited to: All signal work associated with converting the signal, including poles, mast arms, conduit, wiring, preemption, signal heads, and appurtenances; curb ramps as necessary to comply with ADA, striping, signing, micropaving, and necessary drainage and curb modifications.

79. Upon entering into a Reimbursement Agreement OWNER's cost to construct the traffic signal be taken as a credit against the traffic impact fee on a per building permit basis until the credit is exhausted. Credits are only generated after improvements have been accepted, and no refunds are to be made on a building permit basis. If an unreimbursed creditable amount is remaining after all Building Permits in phase I have been obtained, remaining credits may be used on phase II.

Micro-surfacing

80. Where construction causes the removal and replacement of existing traffic striping and marking on existing roadways, OWNER shall micro surface the full width of pavement over the limits of the striping changes plus 50 feet in each direction.

Map Circulation/Lotting

81. Lot B to be eliminated and cul-de-sac to be extended adjacent to the Forrest Property. If approved by the Fire Marshall the street may be dead ended at the property line without cul-de-sac.

Easements and Rights of Way

82. Final map shall dedicate necessary rights of way for the construction of approved public improvements as determined by the City Engineer.
83. A seven foot public utility easement back of sidewalk, adjacent to all public streets within the development shall be dedicated to the City and may be required elsewhere as requested by the utility companies and approved by the City. Exception on Arterial roads with green belts of 20' or greater.
84. PG&E Easement shall be shown on the map and improvement plans.
85. A portion of the frontage improvements lay within the PG&E easement width, OWNER shall coordinate design and construction of improvements with PG&E
86. Final map shall dedicate land for sports park drive as a condition for easement vacation.
87. OWNER shall obtain all necessary rights of way for public improvements prior to final map. Should the OWNER be unable to acquire rights of way with a good faith effort based on a MAI appraisal, the OWNER may request the City acquire the necessary offsite right of way, OWNER shall fund all City costs, and shall deposit \$200,000 with the first final map that triggers right of way acquisition.
88. Several easements are shown on the tentative map to be abandoned. Prior to final map approval, sufficient evidence of abandonment shall be presented to the City

Storm Drainage and Site Grading

89. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.

The tentative map grading and drainage plan showing grading and drainage information is preliminary only and does not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.

90. Overland Release: Project OWNER shall submit with improvement plans, street cross sectional depths for the 1% event storm for the entire street system, to an outlet at the end of Sports Park Drive. Final plans shall revise grading as necessary to comply with City Standards.
91. OWNER shall revise the cross section of section A2 & B2 to the satisfaction of the City Engineer. The overland release channel side walls to be masonry as described in conditions of approval. Engineer to provide depth and velocity calculations for the 1% event. Maximum depth and velocity shall not exceed 4.0 for the depth and velocity quotient.
92. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls.
93. Prior to issuance of a grading permit, OWNER shall detail northeast corner of the property for construction between the four adjacent properties, including retaining walls, masonry walls, fencing and grades. Manner and type of detail to be approved by the City.
94. Prior to final map the OWNER shall detail cross property drainage easements, submit CC&R's and separate deed. OWNER shall submit a deed disclosure to the Community Development Director and City Attorney for review and approval. Said deed disclosure shall be a separate written disclosure to the buyer the nature and impacts of the drainage easements. The deed disclosure shall accompany the map and be recorded on title for the effected lots. Costs for document preparation and recording shall be borne by the OWNER.

Wastewater and Sewer Collection System

95. The properties shall be connected to the City of Woodlands sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Woodland standards. Sewer cleanouts shall not be located in driveways.
96. Prior to approval of the first final map, a comprehensive on-site sewer collection system master plan shall be prepared by a registered civil engineer for project, including the entire area, and shall be submitted to the City for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the area.
97. Prior to final map OWNER shall prepare a Sanitary Sewer Management Plan (SSMP) for sewer systems over 1 mile in length. Engineer shall provide a total length of sewer for the entire subdivision. OWNER shall submit the SSMP to the Regional Water Quality Control Board (RWQCB) and submit verification of an approved plan to the City prior to final map.
98. The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
99. Construction of deep (15') sewer mains shall be connected to laterals by a parallel main and connections at Manholes.
100. OWNER shall obtain a wastewater discharge permit from the RWQCB prior to ground dewatering.

Storm Water

101. Prepare, and submit for approval, a storm drain utility site plan prior to preparation of full improvement plans. The proposed utility plan is considered conceptual only; final plans shall be subject to the approval of the City Engineer and shall be based on City standards and final storm drain, water and sewer studies.
102. Prior to approval of a final map, the OWNER shall submit a comprehensive storm drainage plan prepared by a registered civil engineer for the project. The drainage plan shall demonstrate effectiveness of the proposed storm drainage system to prevent negative impacts to existing downstream facilities and to prevent additional flooding at offsite downstream locations. Storm Drain plan on the tentative map is conceptual only. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the OWNER shall be consistent with the most recent version of the City's Storm Drainage Master Plan and any revisions and the City Standard Specifications and Details. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of onsite and offsite storm drain channels, structures and detention basins. The OWNER shall pay all

Findings and Conditions of Approval for the Prudler Tentative Subdivision Map Project

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costs associated with construction of the improvements required to serve the project. A reimbursement agreement may be drafted to reimburse the OWNER for oversize improvements. The plan shall include the handling of storm drainage between phases when one portion of the subdivision is constructed and another undeveloped.

- 103.** Prior to final map and improvement plan approval, OWNER shall demonstrate to satisfaction of the City Engineer that the proposed project does not negatively impact drainage of the 2-acre parcel at the northeast corner of CR 24A/Sports Park Drive and East Street. Final design shall allow for continuous drainage from the 2-acre parcel to the east or a drainage plan for the site with a right of entry from the property owner.
- 104.** Curb inlet and outlet modifications for the Overland Release (Lot A), shall be submitted for review and approval of the City Engineer. Release shall not accept run off from C Street or Sports Park Drive in a 10 year event. (Gutter flow shall not intrude on lot A).

Storm Water Quality

- 105.** The Developer shall prepare an erosion control plan to be approved by City engineer prior to a grading permit or final map. Erosion control plan shall address run off from the second phase of development
- 106.** Houses shall not be connected to the storm drain system, downspouts shall be equipped with splash blocks.. OWNER shall require in CC & R's a prohibition to alter on-site drainage to connect directly to the street and to prohibit removal of any street trees.
- 107.** Project disturbing more than 1 acre of land are subject to nation NPDS, and shall include post construction BMP's and an approved SWPPP during construction.
- 108.** Per City of Woodland Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the OWNER's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Woodland Standard Specifications and Details. Prior to the installation of any backflow prevention assembly between the public water system and the OWNER's facility, the OWNER or contractor shall make application and receive approval from the City Engineer or his designated agent. Backflow devices shall be installed for all public landscape areas, common landscape areas and communal buildings.

Water Infrastructure Conditions

- 109.** The first final map shall construct a looped continuous water main system between Sports Park Drive and East Street.
- 110.** Each property/residence shall have a separate metered water service. The water meters shall not be located in driveways.

- 111.** The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. OWNER shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the project. OWNER shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system. Water infrastructure on the plan is conceptual only and water modeling will be required prior to approval of improvement plans to determine adequate fire flow requirements.
- 112.** All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Woodland Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Woodland Fire Department. Hydrants shall be wet barrel Clow 960 with Clow 400A breakaway check valve assembly.
- 113.** Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Woodland Fire Department for replacement purposes.
- 114.** When a median strip is to be installed in the center of a street, the fire hydrant will be spaced not more than 300 feet on both sides of the divider on the curb side of the street. Final approval and approval of any changes is subject to the approval of the City Engineer. (Fire Hydrants may be needed on each side of East Street as determined by the City)
- 115.** Project shall use one Construction water meter, permitted by the OWNER in accordance with the City of Woodland Fee Schedule. Meter shall be available to the prime contractor and all sub-contractors.

Fees

- 116.** With the First final map OWNER shall pay a fair share of the Sports Park Drive and East Streets Improvements in accordance with the Supplemental Improvements Revised Third Party Agreement between the City and Standard Pacific Homes (water, sewer road), in the amount of Three Hundred Nine Thousand Eight Hundred Twenty Eight & 50/00 Dollars (\$309,828.50)
- 117.** With first final map OWNER shall pay current amount for Spring Lake buy in for water sewer and storm facilities, listed in the CIP, as of the 2009 update as stated in Exhibit D of the Development Agreement, for Habitat Conservation, East Regional Pond, Off Site drainage, Off Site sewer Systems, Gibson Road, and on Site Land acquisition.

- 118.** Prior to final map, if the storm drain plan includes connection to the storm pond on the City Parkland site, OWNER shall pay \$177,510.18 (38 acres/78 acres times the (\$514,270-\$149,907-the value of the dirt removed)) to buy into the pond.
- 119.** Prior to approval of improvement plans, the OWNER shall pay all fees for plan check and inspection of offsite infrastructure improvements, as approved by City Council and defined in the City Fee Schedule. If OWNER pays a deposit only at improvement plan submittal, the balance shall be paid prior to improvement plan approval by the City Engineer. Dependent on resources, it may be necessary to outsource improvement plan review and inspection services. If required at final map and improvement plan submittal, the OWNER shall enter into an Advanced Funding Agreement for the payment of fees associated with the processing of plans and inspection of public improvements.
- 120.** The project shall pay applicable Development Impact Fees at the single family dwelling unit rate in effect at the time of building permit issuance as provided in the Development Agreement.
- 121.** Prior to approval of the final map the OWNER shall establish a lighting and landscaping district unless superseded by the adoption of the associated costs into a services CFD. Improvements included in the district shall include: the 1.46 acre park, the storm drain detention pond, public lighting on East Street (east side and median) from 24A/Sports Park Drive to the northerly boundary of the property and both sides of Sports Park Drive from the eastern edge of the property to East Street, landscaping and sound/masonry walls over the same limits, and street lights and trees on the interior subdivision streets, the traffic signal at the intersection of 24A/Sports Park Drive and East Street; landscaping & lighting and masonry walls for the pedestrian connection (lot C) and, the overland drainage release (lot A) and, lot B if necessary in the configuration.
- 122.** The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

The OWNER is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the OWNER fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code, Section 66020, the OWNER will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions. Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding, or other agreement with the OWNER which authorizes the City to impose certain fees, and which may waive the OWNER's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

Landscaping and Lighting

- 123.** Project shall install landscaping on the south side of Sports Park Drive between East Street and the Eastern edge of the project comparable in dimensions and type of landscaping to the east, including area 20 feet south of the path with landscaping and irrigation, to be reviewed and approved by the Community Development Director

General Conditions

- 124.** Prior to final map the OWNER shall submit and have approved a revised tentative map in compliance with these conditions. The revised tentative map is subject to the approval of the City Engineer and Director of Community Development Department.
- 125.** With submittal of final map, OWNER shall document and provide evidence that all tentative map conditions are met at the time of submittal.
- 126.** The OWNER shall enter into a Subdivision Improvement Agreement and provide securities as required by City Municipal Code and the Subdivision Map Act for the construction of onsite and offsite infrastructure improvements required by the project, including those which will be privately maintained, as determined by the City Engineer.
- 127.** The OWNER shall prepare improvement plans for all onsite and offsite infrastructure improvements required by the project, including those which will be privately maintained, and submit them to the City for review and approval. All subdivision improvements shall conform to current City of Woodland Standard Specifications. All improvements within the public right-of-way and offsite improvements to serve the subdivision shall conform to the current City of Woodland Standard Specifications.
- 128.** The project shall conform to County Health regulations and requirements for the abandonment of any onsite septic tanks and water wells. Furthermore, upon review of design documentation the City may require the cutting of the well casing and injection of grout. Prior to the approval of any construction permits, grading permits or the improvement plan the existing well shall be abandoned, and prior to abandonment of the well the OWNER shall provide to the City permission from all recipients that receive water to abandon the well.
- 129.** All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.
- 130.** All public landscape areas shall include a separate point of connection for water laterals with meters and PG&E power service points for automatic controllers.
- 131.** A registered landscape architect shall design landscape, sound wall and privacy wall improvements consistent with the, Tree Preservation and Replacement, and other City Findings and Conditions of Approval for the Prudler Tentative Subdivision Map Project

Standards, as applicable, unless otherwise detailed in these conditions of approval and mitigation requirements.

132. Joint trench plans shall be submitted for review by the City. City may, at discretion of City Engineer, require joint trench plans be incorporated into the full improvement plan set prior to approval. Project Engineer of Record shall be responsible to verify there are no conflicts between the joint trench and civil improvement plans. Above-ground utility placement and screening (if any) shall be approved by the Community Development Director prior to approval of plans.
133. Except where not possible or practical, right-of-way dedications shall be accomplished by final map.
134. Landscaping of public areas is a public improvement. Design and construction of public landscaping areas shall proceed concurrent with adjacent development. Public improvements will not be formally accepted until a 90-day maintenance period on landscaping improvements is completed. This requirement may be waived at time of acceptance of other public improvements with approval of the Parks, Public Works and Community Development departments, but if waived shall require submittal of a separate security to ensure landscaping completion.
135. If improvements are constructed and/or installed by a party or parties other than the Developer, which improvements benefit Developer's property, Developer shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Developer.
136. If conditions for the project require OWNER to construct improvements which benefit parties other than OWNER, and are subject to reimbursement by others as determined by the City Engineer, OWNER may request to enter into a reimbursement agreement drafted by the City. City shall endeavor to collect reimbursements from the benefiting party(ies) including requiring payment prior to approval of any entitlements for benefiting party(ies). All reimbursement agreements shall be executed prior to final map approval.
137. Street names are subject to the approval of Fire, Community Development and Public Works departments. OWNER shall submit proposed street names to the Fire Department for City review and approval process. If names are not assigned at the tentative map stage, the final maps and improvement plans shall include names shown on this map in parentheses for clarification purposes.
138. This project is subject to the construction and demolition debris recycling and diversion ordinance.
139. Conform to any mitigation measures outlined in the EIR.

- 140.** All maps and plans shall comply with City Municipal Code and Standard Specifications including coordinated positions and digital submission requirements.
- 141.** For improvements that impact the right of way for the railroad, OWNER shall obtain a railroad Right of Entry Permit.
- 142.** Final map shall tie into two City control network monuments in accordance with the City's electronic submission ordinance

Traffic Engineering/Traffic Calming

- 143.** OWNER shall install pedestrian crossing signage at all street crossings as necessary. Location and installation of signage shall be to the satisfaction of the Community Development Director and City Engineer.

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City of Woodland Planning Commission, 300 First Street, Woodland,
California 95695

County Fair Fashion Mall, 1264 E Gibson Rd A-119, Woodland, CA 95776,
Victor Rodriguez, General Manager

Chairperson Kirby Wells and Members of Woodland Planning Commission:

New ownership of County Fair Fashion Mall is aware that the city's former "expansion area" for the Mall, approximately 40 acres directly adjacent to its southern edge, is the subject of a proposed General Plan amendment, requesting that this large parcel be rezoned from commercial to residential uses, for accommodation of the Prudler Subdivision Project.

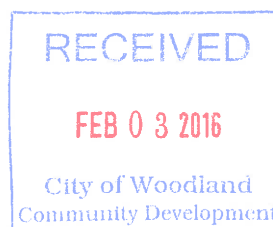
Mall ownership interests would like to express its views regarding this item, on the agenda for the commission on February 4, 2016.

Although this land represents our only access to expanded commercial zoning opportunities for the Mall, it is realized that at this point of the city's development, in the midst of larger influences, this former "expansion area" should be reconsidered for a new zoning designation of residential uses.

However, the nature and quality of newly emerging residential uses is of paramount concern to County Fair Fashion Mall, also serving as the city's regional hub for Yolo County's public transportation system (Yolobus).

It is noted that the new Draft General Plan (2015-35) recommends this land be rezoned to moderate-density residential (8 to 18 dwelling units per acre). Instead, the Prudler Subdivision Project proposes residential densities of only 5 to 6 dwelling units per acre. Rezoning this land, long zoned commercial in City of Woodland, should avoid adopting unsuitable, adverse zoning designations, such as this Project proposes. This parcel is located upon the East Street Corridor, directly adjacent to a City "Specific Plan," promoting reasonably urbanized uses, clearly available at this site.

Prudler Subdivision Project;



February 3, 2016, Page 2 of 2

Also, consulting the city Climate Action Plan, it clearly appears the Prudler Subdivision Project starkly conflicts with what is termed: "Bundle 11."

Ownership interests of County Fair Fashion Mall strongly believe that increased residential densities, such as represented within the city's new general plan process, are appropriate for this incipiently urbanized land.

Such zoning of increased residential densities would create the city's initial convergence of convenient residential, commercial and transportation uses within a reasonably sustainable planning format; this is smart new growth.

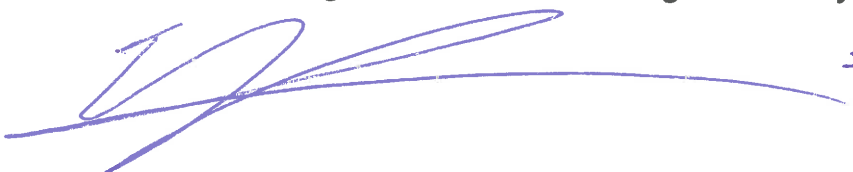
As well, the commercial integrity of the Mall would become strengthened by re-designating its former "expansion area" into increased-density residential zoning, while its new residents, attracted to this multiple convergence of convenience, also expand local sales tax revenue.

Mall ownership wishes you to recognize that the nature and quality of residential densities proximate to it are integral to its commercial viability, especially after the shift in relevant business paradigm, toward big-box stores with easy freeway access – making unrealistic its "expansion."

Neighborhood identity and focus is an essential engine of commercial success for the Mall, at this time in its history. Increased-density residential development of this site serves to greatly reinforce such potential. It is also possible that such a convergence of convenience between these elements, increased-density residential uses, commercial uses, as well as regional transportation convenience would serve to attract students / staff of UCD.

Ownership of County Fair Fashion Mall respectfully requests from Woodland Planning Commission: Action in accord with key values and opportunities presented above, amending and recirculating the relevant California Environmental Quality Act, Draft Environmental Impact Report, to include a project alternative of increased-density residential uses for this site, in harmony with projections of the city's new (2015-35) General Plan.

/s/ Victor Rodriguez, General Manager, County Fair Fashion Mall



2/3/16



Legislation Details (With Text)

File #: 16-408 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 3/9/2016 In control: Planning Commission
On agenda: 4/7/2016 Final action:
Title: SUBJECT: Public Art Ordinance Framework - Artist Definition/Qualifications
DATE: April 7, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission review and provide input concerning the draft definition and qualification criteria of a qualified artist in context of a proposed public art ordinance framework.

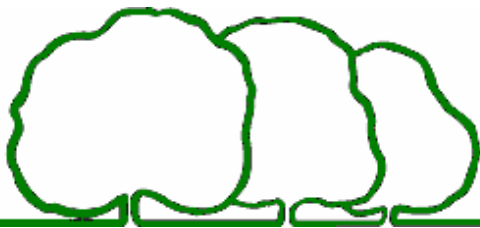
Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Erika Bumgardner, Senior Planner
SUBJECT: Public Art Ordinance Framework - Artist Definition/Qualifications
DATE: April 7, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission review and provide input concerning the draft definition and qualification criteria of a qualified artist in context of a proposed public art ordinance framework.

BACKGROUND:

At its November 19, 2015 meeting, the Planning Commission considered elements of a draft public art ordinance framework to present to the Woodland City Council for review and further direction.

Since that time, staff has worked to incorporate the recommendations of the Planning Commission into the draft framework. Staff is also exploring the “best practices” and established ordinance/policy frameworks of other

communities within our region as well as similarly sized communities in other locations across the State to help inform development of Woodland's anticipated public art ordinance.

The Public Art Subcommittee of the Planning Commission and Planning staff will be meeting with members of the City Council Economic Development Subcommittee in the coming weeks to share recommendations to-date regarding the draft framework and to solicit initial feedback and ideas from the committee.

The results of these efforts and proposed next steps will be shared at a future Planning Commission meeting.

DISCUSSION:

The purpose of this report is to build upon Commission efforts to-date in developing a draft public art ordinance framework and to solicit feedback from the Planning Commission regarding the definition and qualifications of a "qualified artist" within the context of a future public art ordinance.

The following artist *qualifications* criteria was used in a recent Request for Proposals (RFP) released by the City in partnership with Yolo Arts for the utility box art program and is intended to serve as a starting point from which the Planning Commission may provide further refinement or specificity.

Artist Definition (as provided in the original framework presented to the Planning Commission in November 2015) - "Artist" means a person who has a reputation among peers as a person of artistic excellence, through a record of exhibitions, public commissions, sale of works, or educational attainment as judged by the reviewing body with final design review authority for the project.

Artist Qualification Criteria (as provided in the Request for Proposals for the utility art box program) - Artists must demonstrate the following qualifications:

- An ability to work collaboratively with other design professionals, stakeholders and staff
- Demonstrated successful creative, innovative and effective approach in comparable projects as that proposed
- Presents a proven mastery or skill in at least one artistic medium
- Ability to complete the project within a reasonable timeframe as judged by the design review authority for the project
- Artists who have not produced *public* art shall be considered qualified if they have at least 5 years' experience as a professionally working artist as evidenced by their exhibit record, critical review, honors and awards

The Planning Commission may also wish to consider additional artist qualification criteria such as a requirement that artist be "local," residing or having resided at one time in the region.

RECOMMENDATION:

Staff recommends that the Planning Commission review and provide input concerning the draft definition and

qualification criteria of a qualified artist in context of a proposed public art ordinance framework



Legislation Details (With Text)

File #: 16-424 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 3/25/2016 In control: Planning Commission
On agenda: 4/7/2016 Final action:
Title: SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

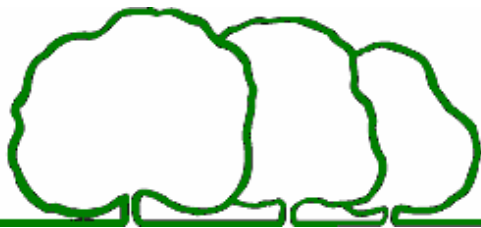
Sponsors:

Indexes:

Code sections:

Attachments: [A - PC Long Range Calendar Prepared 3/31/16](#)

Date	Ver.	Action By	Action	Result
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City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
DATE: April 7, 2016
SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

Staff Contact

Debbie Flemmer, Admin. Secretary - (530) 661-5818, debbie.flemmer@cityofwoodland.org

BACKGROUND:

This calendar is being provided for planning purposes only and is intended to keep the Commission apprised of upcoming agenda items and better plan for upcoming Planning Commission items.

ATTACHMENTS:

Attachment A - Planning Commission Long Range Calendar Prepared March 31, 2016

PLANNING COMMISSION LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

Prepared March 31, 2016

April 7, 2016	10-Day Notice	Report Due
Prudler FEIR/GPA/TM (?) Artist Qualification Statement	Yes	
April 21, 2016	10-Day Notice	Report Due
Digital Signs Conditional Use Permits	Yes	
Pioneer High Cell Tower CUP	Yes	
May 5, 2016	10-Day Notice	Report Due
Auto Dismantler IS/MND and CUP	30-Day	
May 19, 2016	10-Day Notice	Report Due
Ashley and Main 9 lot parcel map	Yes	

FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:

Long Range Code/Ordinance Projects:

General Plan Update/Elements
Affordable Housing Ordinance Amendments
Public Art Ordinance
Zoning updates, small code clean ups
Historic Preservation Certified Local Government/Ord 12A update
General Plan Updates
Marijuana Cultivation (?)
Post GP Zoning Ordinance/Specific Plan Updates

Project Applications:

Oyang N GPA/SP/TM/DA (March/April?)
Oyang S GPA/SP/TM/DA (March/April)
Kamilos 150
Woodland Commerce Center Annexation and EIR?
Specific Plan 1A

Division/Organizational Updates

Staff Report Format Consistency
Standardized Conditions of Approval
CEQA Guidelines Updates/Planning Consultant RFQ
Website updates

SUBCOMMITTEES

General Plan

Zoning Subcommittee

PLANNING COMMISSION LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

Public Art

Design Liaison

CITY COUNCIL

GP Update – 5th progress report update

Prudler

HISTORIC PRESERVATION

Work Program

Pearson's Exterior Remodel

Heritage Home Awards