

APPROVED

City of Citrus Heights Planning Commission Meeting Minutes

November 13, 2019

1. CALL MEETING TO ORDER

Chair Lagomarsino called the meeting to order at 7:00 PM.

2. ROLL CALL

Commission Present: Duncan, Flowers, Ingle, Scheeler, Van Duker, Vice Chair Schaefer, Chair Lagomarsino.

Staff Present: Flores, Hodgkins, Jones, Kempenaar, McDuffee, Ramsay, Singer

3. FLAG SALUTE

Planning Manager Kempenaar led the flag salute.

4. PUBLIC COMMENT

None

5. CONSENT CALENDAR

The meeting minutes for June 26, 2019 were approved as corrected. Commissioner Scheeler corrected the spelling of his name, noting that the letter "c" was missing on the first page of the minutes under consent calendar.

M/S: Duncan/Scheeler

AYES: (7) Duncan, Flowers, Ingle, Scheeler, Van Duker, Vice Chair Schaefer, Chair Lagomarsino

6. PUBLIC HEARING

A. TENTATIVE PARCEL MAP – 8258 HOLLY DRIVE: Project Planner Singer presented a request for approval of a Tentative Parcel Map to allow creation of three (3) lots from a single parcel of approximately 1.76 gross acres located on Holly Drive north of Oak Grove Avenue.

There was Planning Commission and staff discussion.

Chair Lagomarsino opened the public hearing.

Applicant Steve Norman of CNA Engineering, said he would be happy to answer any questions.

The Planning Commission had no questions.

Chair Lagomarsino closed the public hearing.

Chair Lagomarsino asked for Planning Commission comments.

Commission Comments

Commissioner Flowers had no comment.

Commissioner Van Duker had no comment.

Commissioner Scheeler had no comment.

Commissioner Ingle had no comment.

Commissioner Duncan said this is a good project.

Commissioner Schaefer had no comment.

Chair Lagomarsino said this is a good infill project.

Chair Lagomarsino called for a motion.

Motions

1. Find that the proposed project is exempt from CEQA under Class 15 of the CEQA Guidelines as a minor land division; and

M/S: Schafer/Scheeler

AYES: (7) Duncan, Flowers, Ingle, Scheeler, Van Duker, Vice Chair Schaefer, Chair Lagomarsino

2. Approve the Tentative Parcel Map creating three lots from a single parcel subject to the findings and conditions of approval contained in the staff report.

M/S: Ingle/Duncan

AYES: (7) Duncan, Flowers, Ingle, Scheeler, Van Duker, Vice Chair Schaefer, Chair Lagomarsino

TENTATIVE PARCEL MAP CONDITIONS OF APPROVAL

General Conditions

1. The Tentative Parcel Map shall be exercised within a two (2) year period from the date of the approval. Extensions in time shall be subject to 106.64.070 of the Zoning Code and in compliance with the Subdivision Map Act. [Planning]

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2. The development approved by this action is the creation of three (3) residential lots as described in the staff report and all associated Exhibits. [Planning]
3. Require Implementation of Sacramento Metropolitan Air Quality Management District (SMAQMD) *Basic Construction Emission Control Practices*. Where needed to reduce potentially significant impacts, the City shall require project applicants, as a condition of project approval, to incorporate the most current basic control measures recommended by SMAQMD to reduce fugitive PM10 dust emissions, where required. [Planning]
4. Require Compliance with SMAQMD PM Screening Criteria and Implementation of SMAQMD *Enhanced Fugitive PM Dust Control Practices*. For projects with a maximum daily disturbed area (i.e., grading, excavation, cut and fill) greater than 15 acres, project applicants, as a condition of project approval, shall perform screening level analysis of PM10 emissions during construction, and shall perform dispersion modeling if screening level analysis indicates that concentration-based limits may be exceeded (less than 50 µg/m³ 24-hour standard; 20 µg/m³ Annual Arithmetic Mean for PM10; and less than 12 µg/m³ Annual Arithmetic Mean for PM2.5 for the maximally exposed individual sensitive receptor). If dispersion modeling indicates that these limits may be exceeded, and where needed to reduce potentially significant impacts, project applicants shall incorporate the most current enhanced fugitive PM dust control practices recommended by SMAQMD. [Planning]
5. Implement SMAQMD Design Recommendations for Development Projects. The City shall require that development applicants include all feasible elements from SMAQMD's best available mitigation measures that are available at the time of project design, where required to reduce project level impacts to a less-than-significant level. The applicant shall coordinate with SMAQMD to determine which design recommendations are appropriate for the project and collaborate to develop new mitigation if required, These may include, but are not limited to using certain types of wood burning appliances, architectural coatings, designing certain types of land uses patterns, providing bicycle parking, etc. Please refer to Section 4.4.1 of the SMAQMD *CEQA Guide* and the SMAQMD *Guidance for Land Use Emissions Reduction*. [Planning]
6. If potential paleontological resources are detected by construction workers or City staff during construction of future land uses, work shall stop immediately, and consultation is required to avoid further impacts. Actions after work stoppage will be designed to avoid significant impacts to the greatest extent feasible. These measures could include, but are not limited to, construction worker personnel education, consultation with a qualified paleontologist, coordination with experts on resource

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recovery and curation of specimens, and/or other measures considered appropriate after further consultation. [Planning]

7. If artifacts or unusual amounts of shell or bone or other items indicative of buried archaeological resources or human remains are encountered during earth disturbance associated with the proposed project, the on-site contractor shall immediately notify the City of Citrus Heights (City) and the Native American Heritage Commission as appropriate. The City of Citrus Heights shall notify UAIC and any other tribes identified by the Native American Heritage Commission. All soil-disturbing work shall be halted within 50 feet of the discovery until consulting Native American tribes and a qualified archaeologist, as defined by the California Environmental Quality Act (CEQA) Guidelines and the City, completes a significance evaluation of the finds pursuant to Section 106 of the National Historic Preservation Act. Any human remains unearthed shall be treated in accordance with California Health and Safety Code, Section 7050.5, and California Public Resources Code, Sections 5097.94, 5097.98, and 5097.99, which include requirements to notify the Sacramento County Medical Examiner's office and consult with Native American representatives determined to be the most likely descendants, as appointed by the Native American Heritage Commission. Identified cultural resources shall be recorded on State Department of Parks and Recreation (DPR) form 523 (archaeological sites). Mitigation measures prescribed by the Native American Heritage Commission, the Sacramento County Medical Examiner's office, and any Native American representatives determined to be the most likely descendants and required by the City shall be undertaken before construction activities are resumed. If disturbance of a project area cultural resource cannot be avoided, a mitigation program in compliance with Sections 15064.5 and 15126.4 of the CEQA Guidelines, shall be implemented. [Planning]
8. No projects shall be approved where there is substantial evidence of existing contamination on a Cortese-listed site that would pose an unacceptable risk to the health of construction workers. [Planning]
9. Establish a process that identifies the steps to be taken prior to commencement of any site preparation activities on Cortese-listed sites. This may contain but not be limited to the following:
 - Retain a licensed professional to investigate the environmental status of the soils and/or groundwater contamination. Prepare a site plan that identifies and implements any remediation activities that are required to remove health risks to persons exposed to the site during construction activities.
 - Remove all contaminated soil, dispose of contaminated soil by a licensed contractor to a properly licensed facility, and replace contaminated soil with clean fill dirt.

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- Consult with appropriate regulatory agencies such as Department of Toxic Substances Control, Regional Water Quality Control Board, and Sacramento Department of Environmental Health to determine what actions are required by these agencies to be implemented (e.g., de-watering, groundwater monitoring). [Planning]
10. Prior to commencement of any work on site, all contractors and subcontractors shall obtain a valid City of Citrus Heights Business License. The general contractor shall be responsible for ensuring that all subcontractors obtain required Business License and shall retain copies of said permits on site for verification by City staff. [Planning]
 11. Prior to commencement of work, the applicant or agent shall obtain all required Building Permits. [Planning]
 12. Prior to excavation or trenching, the applicant shall call Underground Service Alert (dial 811) for a mark out of service utilities. [Planning]
 13. The development shall comply with all applicable provisions of the Citrus Heights Municipal Code (Zoning Ordinance, Subdivision, Building Codes, Grading/Erosion Control, Sewer, etc.), Citrus Heights General Plan and any applicable policy or specific plan. [Planning]

Prior to Recordation of Map

14. The Parcel Map shall have the following note:

IMPROVEMENT REQUIREMENTS

The following improvements shall be constructed in accordance with the City of Citrus Heights requirements within a reasonable time following approval of the Parcel Map and prior to issuance of any permit or other grant of approval for the development hereon created parcels.

STREET: Class A Required

SEWERS: Required

DRAINAGE: Required

WATER/HYDRANTS: As Required by Water and/or Fire Districts

STREETLIGHT: Required [Engineering]

15. Dedicate a Public Utilities Easement along Holly Drive. The minimum width shall be 12.5 feet. [Engineering]
16. Prior to the recordation of the said parcel map, the applicant shall record, at the owner's expense, an agreement between the owner of the real property and the City. The agreement shall be in a form acceptable to the City and shall require that deed restrictions be placed on Parcels 1, 2, and 3 upon recordation of said parcel map. The agreement and the deed restrictions shall:

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- a. Acknowledge the requirement that full street improvements (Class A street) along Holly Drive on Parcels 1 and 3 be completed before approval of the Certificate(s) of Occupancy for any of Parcels 1, 2, or 3.
 - b. Acknowledge that the entire cost of the required street frontage improvements shall be borne by the owner(s) of Parcels 1, 2, and 3. If the lots are held by separate owners at the time construction is required, such costs shall be divided equally between all three parcels (Parcels 1, 2, and 3).
 - c. Provide that the City, in the event of a default by the owner(s), is authorized but not obligated to cause construction of the street improvements to occur and to charge the entire cost and expense to the owner(s), including interest from the date of notice of the cost and expense until paid. If the parcels are under separate ownership at the time, the owners shall be jointly and severally liable for the City's costs and expenses.
17. Prior to recording the map, applicant must pay the Quimby Act fees, please contact the Sunrise Recreation and Parks District. [Engineering]
 18. The existing and/or proposed sewer lines must be shown on a utility plan or the improvement plans. [SASD]
 19. Sewer easements may be required to service this parcel. All public sewer easements will be dedicated to SASD in a form approved by the District Engineer. All public sewer easements will be at least 20 feet in width and will require continuous access for installation and maintenance. SASD will only provide maintenance in public right-of-ways and SASD dedicated sewer easements. No awning or overhang may encroach on the easement area. At minimum, an all-weather access road must be provided to all manholes. [SASD]
 20. Permanent structures, walls, signs and footings will not be permitted within the existing SASD easement area unless express written permission is obtained from SASD. [SASD]
 21. The applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street right-of-ways. [SMUD]
 22. The applicant shall dedicate any private drive, ingress and egress easement, (and 10-foot adjacent thereto) as a public utility easement for (overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads. [SMUD]

Prior to Issuance of a Building Permit

23. The applicant shall submit an updated arborist report and tree impact assessment report. The tree impact assessment report shall include all

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- preservation measures that the applicant shall undertake during construction to ensure the long-term health and safety of all trees that will remain. The updated arborist and tree impact assessment shall include impacts from all utility, road, and public improvements and from all trenching activities on-site, as well as impacts from construction of homes. [Planning]
24. The applicant shall comply with all recommendations as listed in the arborist report dated May 3, 2019 for the proper removal and preservation of
 25. The applicant shall contact all service providers prior to any work on their facilities. [Various Providers]
 26. All development impact fees (Roadway, Transit, Administration, and Drainage) shall be paid prior to issuance of each building permit. [Engineering]
 27. Stormwater runoff for the developed portions of Parcels 1, 2 and 3 should drain towards Holly Drive. Storm drain runoff from Parcel 2 will require a private drainage easement over Parcel 1. [Engineering]
 28. Site shall meet the pre and post Best Management Practices (BMP's) for Stormwater Mitigation per State of California requirements. [Engineering]
 29. To obtain sewer service, construction of Sacramento Area Sewer District (SASD) sewer infrastructure will be required. Current SASD Standards and Specifications apply to any offsite or onsite public sewer construction or modification. These improvements must be shown on the plans. Field modifications to new or existing precast manhole bases are not allowed. [SASD]
 30. SASD requires each building on each lot with a sewage source to have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel must have a separate connection to a private onsite sewer line or a separate connection to the SASD public sewer line. These improvements must be shown on the plans. [SASD]
 31. SMUD has existing overhead 12kV facilities along the west side of Holly Drive and northern boundary of the site that will need to remain. The applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the applicant shall be responsible for the cost of relocation. [SMUD]
 32. Structural setbacks less than 14-feet shall require the applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained. [SMUD]

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33. To maintain adequate trench integrity, building foundations must have a minimum horizontal clearance of 5 feet from any SMUD trench. Developer to verify with other utilities (Gas, Telephone, etc.) for their specific clearance requirements. [SMUD]
34. The applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>. [SMUD]
35. The applicant shall provide separate SMUD service points to each parcel to the satisfaction of SMUD. [SMUD]
36. The applicant shall locate, verify, and provide a drawing to SMUD identifying all electrical utility infrastructure for the existing structures. If necessary, any existing onsite electrical infrastructure that serves existing structures shall be relocated to the satisfaction of SMUD. [SMUD]
37. The applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface. [SMUD]
38. Each parcel (Parcels 1, 2, and 3) will be required to have their own 1-inch domestic metered water service. (One is existing and can be used as one of the three required). [CHWD]
39. If frontage improvements are intended along Holly Drive, the existing water meter and box may need to be adjusted and/or relocated. [CHWD]
40. Installation of the water distribution facilities will be at the developer's expense. [CHWD]
41. Fire protection facilities and requirements will need to be determined by Sacramento Metropolitan Fire District prior to approval of any building permits. [CHWD & Fire]

Prior to Final of a Building Permit

42. Frontage Improvements along Holly Drive are required. Improvements include street widening, curbs & gutters, one (1) Type B streetlight (LED), storm drain system (if needed), and fire hydrant (if required by the Fire District). [Engineering]
43. A Type B streetlight is required and shall be located at the back of curb. The luminaire shall meet the most current LED standards as approved by the City. [Engineering]
44. Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all

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administrative, legal or equitable actions or other proceedings instituted by any person not a party to this Tentative Parcel Map challenging the validity of the Tentative Parcel Map or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Tentative Parcel Map. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

B. SUMMERHILLS PLAZA DRIVE THROUGH – 7849 LICHEN DRIVE:

Project Planner Kempenaar presented a request for approval of a Use Permit and Design Review Permit to allow a new Dutch Brothers Coffee Drive Through within the existing Summerhills Plaza Shopping Center located at 7849 Lichen Drive.

Commissioner Van Duker recused himself from the Dias due to a conflict of interest.

The Planning Commission received a list of revised Conditions of Approval.

There was Planning Commission and staff discussion.

City Engineer Hodgkins addressed the Planning Commissions questions regarding traffic and traffic lights.

Chair Lagomarsino opened the public hearing.

Applicant representative Ralph Deppish addressed the Planning Commissions questions.

There were no public speakers on this project.

Chair Lagomarsino closed the public hearing.

Planning Commission Comments

Commissioner Duncan spoke in support of the project.

Commissioner Ingle spoke in support of the project.

Vice Chair Schaefer spoke in support of the project.

Commissioner Scheeler said he supports the project and it is a good employment opportunity.

Commissioner Flowers spoke in support and said this will be a wonderful addition.

Chair Lagomarsino spoke in support of the project and said it is in a good location.

Chair Lagomarsino called for a motion.

Motions

1. Adopt the attached Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan.

M/S: Schafer/Scheeler

AYES: (6) Duncan, Flowers, Ingle, Scheeler, Vice Chair Schaefer, Chair Lagomarsino

ABSTAIN: (1) Van Duker

2. Approve a Use Permit to allow the construction and operation of a new Dutch Brothers Drive Through subject to the findings and conditions of approval contained in this report.

M/S: Schafer/Duncan

AYES: (6) Duncan, Flowers, Ingle, Scheeler, Vice Chair Schaefer, Chair Lagomarsino

ABSTAIN: (1) Van Duker

3. Approve a Design Review Permit to allow the construction and operation of a new Dutch Brothers Drive Through subject to the findings and conditions of approval contained in this report.

M/S: Schafer/Duncan

AYES: (6) Duncan, Flowers, Ingle, Scheeler, Vice Chair Schaefer, Chair Lagomarsino

ABSTAIN: (1) Van Duker

4. Approve a Tree Permit to allow the removal of several trees subject to

the findings and conditions of approval contained in this report.

M/S: Schafer/Duncan

AYES: (6) Duncan, Flowers, Ingle, Scheeler, Vice Chair Schaefer,
Chair Lagomarsino

ABSTAIN: (1) Van Duker

CONDITIONS OF APPROVAL - USE PERMIT
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- 1) The applicant shall comply with all City of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, California Building Standards Code and Fire Code (Cal. Code Regs., Title 24, and Sacramento County Environmental Health Department standards. [Planning]
- 2) This approval will expire in two (2) years (11/13/2021) after the date of its initial approval, unless a building permit has been issued for the work described in the Use Permit. The Director may extend the term of approval for one additional year. [Planning]
- 3) City staff will evaluate the traffic pattern & circulation of the site when the kiosk is open for business. Minor adjustments may be required to improve safety and/or circulation. Adjustments will be the responsibility of the applicant. [Planning]
- 4) Prior to issuance of a building permit, the applicant shall submit improvement plans depicting the “Keep Clear” striping and median improvements in Lichen Drive identified in the Transportation Impact Study. Prior to final of the Building Permit these improvements shall be installed by the applicant and accepted by the city. [Planning]
- 5) Any violations of the conditions of approval could result in the revocation or modification of the Use Permit and/or the imposition of fines and penalties as allowed under Code. [Planning]
- 6) This Use Permit shall run with the land through any change of ownership of the subject site and all conditions of approval shall continue to apply after a change in ownership. [Planning]
- 7) The project shall comply with the Mitigation and Monitoring Plan as depicted in Attachment 2b. The following measures must be complied with as outlined in the Mitigation and Monitoring Program and summarized below:
 - a. Mitigation Measure 1- Prior to commencement of grading and/or building construction, the City of Citrus Heights shall ensure that

- site plan notes include requirements for the contractor to implement the following Basic Construction Emission Control Measures.
- b. Mitigation Measure 2 - Prior to construction of the project, the applicant shall prepare a Tree Protection and Replacement Plan that addresses each onsite tree that is protected under the city's Tree Preservation and Protection Ordinance and proceed as outlined in the mitigation measure.
 - c. Mitigation Measure 3- If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery and proceed as outlined in the mitigation measure.
 - d. Mitigation Measure 4 – The applicant shall submit a Construction Traffic Management Plan (plan) to minimize traffic impacts to public streets and maintain a high level of safety for all roadway users, as outlined in the mitigation measure.
- 8) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

CONDITIONS OF APPROVAL – DESIGN REVIEW PERMIT

- 1) The applicant shall comply with all City of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, California Building Standards Code and Fire Code (Cal. Code Regs., Title 24, and Sacramento County Environmental Health Department standards. [Planning]
- 2) Mechanical equipment shall be screened by the building parapet. No rooftop equipment may be visible from the surrounding right of way. [Planning]
- 3) The applicant shall submit final landscaping and irrigation plans for the project site prior to issuance of any building permits. [Planning]

- 4) The outdoor dining area shall be outfitted with weather resistant commercial grade furniture (tables, chairs, trash receptacles). The Planning Division shall provide final approval of the type and design of the furniture. [Planning]
- 5) The new outdoor lighting fixtures shall be in compliance with Section 106.30.070 of the Zoning Code. The Planning Division shall provide final approval of the type and design of the fixtures. [Planning]
- 6) The project shall comply with the Mitigation and Monitoring Plan as depicted in Attachment 2b. The following measures must be complied with as outlined in the Mitigation and Monitoring Program and summarized below:
 - a. Mitigation Measure 1- Prior to commencement of grading and/or building construction, the City of Citrus Heights shall ensure that site plan notes include requirements for the contractor to implement the following Basic Construction Emission Control Measures.
 - b. Mitigation Measure 2 - Prior to construction of the project, the applicant shall prepare a Tree Protection and Replacement Plan that addresses each onsite tree that is protected under the city's Tree Preservation and Protection Ordinance and proceed as outlined in the mitigation measure.
 - c. Mitigation Measure 3- If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery and proceed as outlined in the mitigation measure.
 - d. Mitigation Measure 4 – The applicant shall submit a Construction Traffic Management Plan (plan) to minimize traffic impacts to public streets and maintain a high level of safety for all roadway users, as outlined in the mitigation measure. [Planning]
- 7) This Design Review Permit approval does not include any signs. All signs must comply with the sign requirements and receive a separate permit. [Planning]
- 8) All applicable utility agencies will need to review the construction/utility plans, to determine whether there are any underground utility conflicts.[Planning]

Prior to Issuance of Building Permits

- 9) Civil Site Plans and Architectural Plans shall be submitted and approved prior to Final Building Permit being issued. [Fire]

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- 10) Show the design for a fire access roadway of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways. [Fire]
- 11) Show on the plans how Fire Lanes will be marked. Fire Lane identification shall be provided along the required fire access roadway. Fire Lane identification shall be in accordance with the Sacramento Metro Fire Districts Fire Prevention Standard #3 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 28 feet in width. Vehicle parking is permitted on both sides of streets 36 feet or more in width. Roadway widths shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads. [Fire]
- 12) Show the location of the required fire hydrants for this project on the improvement plans. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of commercial developments is 1,500 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Fire hydrants shall be spaced 300' along fire department access. [Fire]
- 13) Prior to issuance of any building permits, a boundary line adjustment must be recorded. The proposed coffee kiosk building is located on an existing property line. It must be located on only one parcel. [GSD]
- 14) Required development fees shall be paid prior to building permit issuance. Fee rates assessed shall be calculated during the building permitting process. [GSD]
- 15) Site shall meet the pre and post Best Management Practices (BMP's) for Stormwater Mitigation per State of California requirements. The City is a member of the Sacramento Stormwater Quality Partnership and uses their guidelines and requirements. [GSD]
- 16) The project's post-development (proposed) stormwater runoff cannot exceed the pre-development (existing) runoff. [GSD]

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- 17) Commercial and multi-family projects are required to develop a full trash capture trash management plan that complies with the State Water Resource Control Board requirements. This is to capture trash debris and litter from the parking areas before it enters the public storm-water system. Storm drain design shall incorporate trash/litter collection devices to meet this requirement. A management/maintenance plan for the project requires approval from the City. [GSD]
- 18) Roof drains for the buildings shall not directly connect into the storm drain system. Downspouts shall flow to rain garden, landscaped areas, bio-swale, and/or other approved filtering methods before entering the City's storm drain system. [GSD]
- 19) Property owner shall enter into a storm-water device maintenance and access agreement for the proposed storm filter on the site. The maintenance & access agreement shall be executed prior to any occupancy. [GSD]
- 20) The applicant shall demonstrate compliance with Cal-American Water standards. [Cal-Am]
- 21) Prior to the approval of improvement plans: Any construction and/or modification to the public sewer system shall be required to the satisfaction of SASD prior to the approval of improvement plans. Sacramento Area Sewer District (SASD) Design Standards apply to any onsite and offsite sewer construction. Field modifications to new or existing precast manhole bases are not allowed. [SASD]
- 22) SASD requires each building on each lot with a sewage source to have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private onsite sewer line or a separate connection to the SASD public sewer line. [SASD]
- 23) SASD and the Sacramento Regional County Sanitation District will require sewer impact fee payments in accordance with each District's Ordinances. Fees are to be paid prior to the issuance of building permits. [SASD]
- 24) Submit a Traffic Control Plan, Storage Plan and Screening plan for construction. The site shall provide a screened area for all equipment and storage onsite. [Planning]

Other Conditions of Approval

- 25) Prior to Final of Building Permit, the project Landscape Architect shall:

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- Certify in writing that the landscaping has been installed in compliance with the Zoning Code and approved landscape plan including:
 - Soil has been tested and prepared as necessary based on the Soils Analysis.
 - The Irrigation has been installed compliant with the Zoning Code and approved landscape plan.
 - Tree planting sites comply with the minimum soil volume as identified in the Zoning Code and landscape plan.
 - Demonstrate and certify in writing that the irrigation has been installed and is in compliance with the Zoning Code and landscape irrigation plans. The City may require an irrigation audit performed by a certified irrigation auditor. [Planning]
- 26) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Community Development Director provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. [Planning]
- 27) Prior to the Final of Building Permits, the applicant shall call for inspection by the Planning Division to verify compliance with the approved plans. [Planning]
- 28) City staff will evaluate the traffic pattern & circulation of the site when the kiosk is open for business. Minor adjustments may be required to improve safety and/or circulation. Adjustments will be the responsibility of the applicant. [Planning]
- 29) Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than ten (10) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. [Fire]
- 30) The proposed dumpster enclosure shall be locked at all times. [Police]
- 31) The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation. [SMUD]
- 32) Structural setbacks less than 14-feet shall require the Applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained. [SMUD]

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- 33) Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property. [SMUD]
- 34) In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal. [SMUD]
- 35) SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs. [SMUD]
- 36) The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.). [SMUD]
- 37) In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD. [SMUD]
- 38) The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). [SMUD]
- 39) The Applicant shall provide separate SMUD service points to each parcel to the satisfaction of SMUD. [SMUD]
- 40) The Applicant shall locate, verify, and provide a drawing to SMUD identifying all electrical utility infrastructure for the existing structures. If necessary, any existing onsite electrical infrastructure that serves existing structures shall be relocated to the satisfaction of SMUD. [SMUD]
- 41) The Applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways. [SMUD]
- 42) The Applicant shall dedicate any private drive, ingress and egress easement, (and 10-foot adjacent thereto) as a public utility easement for (overhead and) underground facilities and appurtenances. [SMUD]
- 43) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all

administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

CONDITIONS OF APPROVAL – TREE PERMIT

- 1) Minor modifications to the Tree Permit, including additional trees and/or encroachments, may be approved by the Planning Division provided such changes are consistent with the guidelines for tree preservation. [Planning]
- 2) The conditions of approval shall be distributed to all contractors and subcontractors who have access to the site. It is the responsibility of the developer and contractor to inform all subcontractors of the tree preservation requirements. [Planning]

Prior to the Issuance of Any Permits

- 3) The applicant shall submit an updated arborist report and tree impact assessment report. The tree impact assessment report shall include all preservation measures that the applicant shall undertake during construction to ensure the long-term health and safety all trees that will remain or be relocated. This arborist report shall include any trees located off-site that may be impacted by construction. [Planning]
- 4) The project applicant shall provide mitigation for the loss of protected trees consistent with the Tree Preservation Ordinance and MND. [Planning]
- 5) The applicant shall prepare a Tree Protection and Replacement plan for the City's review and approval. The program shall monitor and maintain replacement trees that are established over a period of three years. If the applicant pursues tree planting on private property, the applicant shall provide

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a long term maintenance and protection plan to ensure these trees are preserved long-term. [Planning]

- 6) The applicant shall comply with the MND and fulfill all of the measures contained in the Mitigation and Monitoring Program. The following measures must be complied with as outlined in the Mitigation and Monitoring Program and summarized below:

a. The project applicant shall provide compensation for the loss of trees sufficient to meet the City of Citrus Heights' requirement that one diameter inch of tree be planted for each diameter inch of tree removed or that a revegetation plan approved by the City has been implemented. [Planning]

- 7) Prior to mobilization of construction equipment, grading activities, or site work (whichever comes first), the applicant shall install a minimum of a six-foot high chain link fence (or acceptable alternative) at the outermost edge of the tree protection zone for each tree or group of trees proposed to remain. Signs must be installed by the applicant on the temporary fence at least two (2) equidistant locations to be clearly visible from the lot. The size of each sign shall be a minimum of two feet (2') by two feet (2') and must contain the following language:

“WARNING: THIS FENCE SHALL NOT BE REMOVED OR
RELOCATED WITHOUT WRITTEN AUTHORIZATION
FROM THE PLANNING DIVISION” [Planning]

- 8) The applicant shall contact the Planning Division and certified project arborist to inspect and approve the temporary fencing and signs around the protected zone before beginning any construction. [Planning]
- 9) Any watering or deep root fertilization which the arborist deems necessary to protect the health of the tree due to the construction impacts shall be completed by the applicant. [Planning]

During Construction and Prior to Issuance of an Occupancy Permit

- 10) The following information must be located on-site during construction activities:
- a. Arborist reports
 - b. Approved site plan including fencing plan
 - c. Conditions of approval for the Tree Permit [Planning]

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- 11) The project's certified arborist shall monitor any excavation within the dripline of any tree, including off-site trees if their protected zone extends into the project site. [Planning]
- 12) All finished grading shall ensure that no water will collect within the dripline of any native oak trees. [Planning]
- 13) Submit and receive approval of a Landscape and Irrigation Plan for any landscaping within the dripline of any protected trees. Only low-water usage plantings may be planted under the dripline of oak trees. [Planning]
- 14) If any native ground surface fabric within the dripline must be removed for any reason, it shall be replaced within forty-eight (48) hours. [Planning]
- 15) Storage of materials, equipment and vehicles is not permitted within the dripline of any tree. Vehicles and other heavy equipment shall not be operated within the dripline of any tree. [Planning]
- 16) The project's certified arborist shall immediately treat any severed or damaged roots (NOTE: Without exception, all digging shall be done using hand tools, no machine trenching shall be allowed in the dripline of any tree). Minor roots less than one (1) inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area. Major roots over one (1) inch in diameter may not be cut without approval of an arborist and any arborist recommendations shall be implemented. [Planning]
- 17) The temporary fencing shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Planning Division. In no event shall the fencing be removed before the written authorization is received from the Planning Division. [Planning]
- 18) At least five (5) days before the applicant seeks their Building Permit Final for each building, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning Division. The certification letter shall attest to all of the work (regulated activity) which was conducted in the dripline of all trees, and outline whether any continuing measures are needed for tree health. [Planning]
- 19) The City may elect to hire a certified arborist to assist in monitoring the project. Should the City desire to do this, the applicant will be responsible to reimburse the City for these costs. [Planning]
- 20) The applicant/owner and/or successor in interest agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and

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consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from these Approvals. The applicant/owner and/or successor in interest may select its own legal counsel to represent their interest at their sole cost and expense. The parties shall cooperate in defending such action or proceeding. The applicant/owner and/or successor in interest shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and the applicant and/or successor in interest agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [City Attorney]

7. REGULAR CALENDAR

None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:52 PM to the next meeting of December 11, 2019.

Respectfully Submitted,

Karen Ramsay
Planning Commission Secretary